

ORDINANCE NO. 22 - 48

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 46.754 ACRES LOCATED AT THE SOUTHWEST CORNER OF WEST FILLMORE STREET AT CENTENNIAL BOULEVARD FROM PUD/SS (PLANNED UNIT DEVELOPMENT: COMMERCIAL WITH STREAMSIDE OVERLAY) AND OC (OFFICE COMMERCIAL) TO PUD/SS (PLANNED UNIT DEVELOPMENT: RESIDENTIAL, MAXIMUM DENSITY OF 8 DWELLING UNITS PER ACRE, MAXIMUM HEIGHT 55 FEET, WITH STREAMSIDE OVERLAY)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The zoning map of the City of Colorado Springs is hereby amended by rezoning 46.754 acres located at the southwest corner of W Fillmore Street at Centennial Boulevard, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from PUD/SS (Planned Unit Development: Commercial with Streamside Overlay) and OC (Office Commercial) to PUD/SS (Planned Unit Development: Residential, maximum density of 8 dwelling units per acre, maximum height of 55 feet, with Streamside Overlay), pursuant to the Zoning Ordinance of the City of Colorado Springs.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 26<sup>th</sup>  
day of July 2022.

**Finally passed:** August 9, 2022

  
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Council President

ATTEST:

  
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Sarah B. Johnson, City Clerk



**PIKE VIEW  
ZONE CHANGE  
EXHIBIT A  
LEGAL DESCRIPTION**

**PARCEL A:**

THAT PORTION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; BEGINNING AT THE WEST 1/4 CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°37'46"E, A DISTANCE OF 330.08 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FILLMORE STREET AS DESCRIBED IN A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, DATED AUGUST 27, 1970; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

(1) N84°06'42"E, A DISTANCE OF 68.42 FEET;

(2) N84°59'44"E, A DISTANCE OF 621.31 FEET;

(3) N86°17'21"E, A DISTANCE OF 110.44 FEET;

THENCE S05°10'22"E, A DISTANCE OF 37.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 954.93 FEET, A CENTRAL ANGLE OF 47°10'14" FOR AN ARC LENGTH OF 786.18 FEET, CHORD BEARS S28°45'28"E; THENCE S52°20'35"E, A DISTANCE OF 619.46 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1041.74 FEET, A CENTRAL ANGLE OF 20°37'28" FOR AN ARC LENGTH OF 374.99 FEET, CHORD BEARS S42°01'51"E; THENCE S89°32'50"W, A DISTANCE OF 1904.32 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°27'10"W, ALONG SAID WEST LINE, A DISTANCE OF 979.53 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE CITY OF COLORADO SPRINGS BY WARRANTY DEEDS RECORDED JANUARY 5, 2012 UNDER RECEPTION NO. **212001175** (CENTENNIAL BOULEVARD) AND OCTOBER 2, 2017 UNDER RECEPTION NO. **217119060** (WEST FILLMORE STREET).

**PARCEL C:**

THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JANUARY 25, 2007 AT RECEPTION NO. 207011797 OF THE RECORDS OF EL PASO COUNTY, COLORADO LOCATED IN A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CPC PUZ 22-00052

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT OF LAND, FROM WHICH THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER (S1/2 S1/2 N1/2 SW1/4) OF SAID SECTION 36 BEARS NORTH 89 DEGREES 15 MINUTES 56 SECONDS EAST (NORTH 89 DEGREES 47 MINUTES 08 SECONDS EAST OF RECORD) A DISTANCE OF 990.79 FEET, THE FOLLOWING NINE (9) COURSES ARE OF THE BOUNDARY LINES OF SAID TRACT OF LAND; THENCE:

- 1) SOUTH 21 DEGREES 33 MINUTES 52 SECONDS EAST (SOUTH 21 DEGREES 02 MINUTES 40 SECONDS EAST OF RECORD), A DISTANCE OF 297.75 FEET;
- 2) SOUTH 33 DEGREES 53 MINUTES 07 SECONDS WEST (SOUTH 34 DEGREES 24 MINUTES 19 SECONDS WEST OF RECORD), A DISTANCE OF 110.79 FEET;
- 3) SOUTH 85 DEGREES 41 MINUTES 52 SECONDS WEST (SOUTH 86 DEGREES 13 MINUTES 04 SECONDS WEST OF RECORD), A DISTANCE OF 130.98 FEET;
- 4) SOUTH 42 DEGREES 00 MINUTES 25 SECONDS WEST (SOUTH 42 DEGREES 31 MINUTES 37 SECONDS WEST OF RECORD), A DISTANCE OF 39.42 FEET (39.70 FEET OF RECORD);
- 5) SOUTH 00 DEGREES 02 MINUTES 05 SECONDS WEST (SOUTH 00 DEGREES 33 MINUTES 51 SECONDS WEST OF RECORD), A DISTANCE OF 81.84 FEET (81.63 FEET OF RECORD);
- 6) SOUTH 00 DEGREES 06 MINUTES 14 SECONDS WEST (SOUTH 00 DEGREES 33 MINUTES 31 SECONDS WEST OF RECORD), A DISTANCE OF 171.70 FEET (171.56 FEET OF RECORD);
- 7) SOUTH 89 DEGREES 17 MINUTES 50 SECONDS WEST (SOUTH 89 DEGREES 47 MINUTES 08 SECONDS WEST OF RECORD), A DISTANCE OF 368.14 FEET (368.02 FEET OF RECORD);
- 8) NORTH 00 DEGREES 01 MINUTES 45 SECONDS EAST (NORTH 00 DEGREES 33 MINUTES 31 SECONDS EAST OF RECORD), A DISTANCE OF 659.94 FEET (660.00 FEET OF RECORD);
- 9) NORTH 89 DEGREES 15 MINUTES 56 SECONDS EAST (NORTH 89 DEGREES 47 MINUTES 0 SECONDS EAST OF RECORD), ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 477.49 FEET (455.88 FEET OF RECORD) TO THE POINT OF BEGINNING.

NOTE:

THIS LEGAL DESCRIPTION USES THE SAME BASIS OF BEARINGS AS SAID CENTENNIAL BOULEVARD LEGAL DESCRIPTION (CONTINUED):

RIGHT OF WAY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JANUARY 06, 2012 AT RECEPTION NO. 212002016, AND IS NOT BASED ON A SURVEY OF ALL OF THE LAND LINES INVOLVED. SOME COURSES HAVE BEEN REVISED DUE TO THE USE OF ACCEPTED FOUND MONUMENTS, AND TO FORM A MATHEMATICALLY CLOSED TRACT OF LAND.

CPC PUZ 22-00052

**PARCEL D:**

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF CENTENNIAL BOULEVARD RIGHT OF WAY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JANUARY 06, 2012 AT RECEPTION NO. 212002016 OF THE RECORDS OF SAID EL PASO COUNTY, COLORADO, ALSO BEING A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER (S1/2 S1/2 N1/2 SW1/4) OF SAID SECTION 36, THE FOLLOWING THREE (3) COURSES ARE ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD; THENCE:

- 1) ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 33 MINUTES 13 SECONDS, A RADIUS OF 988.74 FEET FOR AN ARC DISTANCE OF 61.33 FEET, WHOSE CHORD BEARS SOUTH 32 DEGREES 06 MINUTES 26 SECONDS EAST;
- 2) SOUTH 30 DEGREES 19 MINUTES 49 SECONDS EAST A DISTANCE OF 72.08 FEET TO A POINT OF CURVE;
- 3) ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 26 DEGREES 39 MINUTES 48 SECONDS, A RADIUS OF 847.90 FEET FOR AN ARC DISTANCE OF 394.58 FEET, WHOSE CHORD BEARS SOUTH 16 DEGREES 59 MINUTES 56 SECONDS EAST TO THE NORTH LINE OF INDIAN HILLS VILLAGE AS RECORDED NOVEMBER 22, 2004 AT RECEPTION NO. 204192335 OF THE RECORDS OF SAID EL PASO COUNTY;

THENCE SOUTH 89 DEGREES 28 MINUTES 46 SECONDS WEST ON SAID NORTH LINE, A DISTANCE OF 537.66 FEET TO THE NORTHWEST CORNER OF SAID INDIAN HILLS VILLAGE, BEING A POINT ON THE EASTERLY LINE OF A TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JANUARY 25, 2007 AT RECEPTION NO. 207011797 OF THE RECORDS OF EL PASO COUNTY, COLORADO, THE FOLLOWING FIVE (5) COURSES ARE ON SAID EASTERLY LINE; THENCE:

- 1) NORTH 00 DEGREES 02 MINUTES 05 SECONDS EAST (NORTH 00 DEGREES 33 MINUTES 51 SECONDS EAST OF RECORD), A DISTANCE OF 81.84 FEET (81.63 FEET OF RECORD);
- 2) NORTH 42 DEGREES 00 MINUTES 25 SECONDS EAST (NORTH 42 DEGREES 31 MINUTES 37 SECONDS EAST OF RECORD), A DISTANCE OF 39.42 FEET (39.70 FEET OF RECORD);
- 3) NORTH 85 DEGREES 41 MINUTES 52 SECONDS EAST (NORTH 86 DEGREES 13 MINUTES 04 SECONDS EAST OF RECORD), A DISTANCE OF 130.98 FEET;
- 4) NORTH 33 DEGREES 53 MINUTES 07 SECONDS EAST (NORTH 34 DEGREES 24 MINUTES 19 SECONDS EAST OF RECORD), A DISTANCE OF 110.79 FEET;
- 5) NORTH 21 DEGREES 33 MINUTES 52 SECONDS WEST (NORTH 21 DEGREES 02 MINUTES 40 SECONDS WEST OF RECORD), A DISTANCE OF 297.75 FEET TO THE NORTHEAST CORNER THEREOF, BEING A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER;

THENCE NORTH 89 DEGREES 15 MINUTES 56 SECONDS EAST ON SAID NORTH LINE A DISTANCE OF 244.98 FEET TO THE POINT OF BEGINNING.

CPC PUZ 22-00052

**NOTE:**

THIS LEGAL DESCRIPTION USES THE SAME BASIS OF BEARINGS AS SAID CENTENNIAL BOULEVARD RIGHT OF WAY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JANUARY 06, 2012 AT RECEPTION NO. 212002016, AND IS NOT BASED ON A SURVEY OF ALL OF THE LAND LINES INVOLVED. SOME COURSES HAVE BEEN REVISED DUE TO THE USE OF ACCEPTED FOUND MONUMENTS, AND TO FORM A MATHEMATICALLY CLOSED TRACT OF LAND.

THIS PROPERTY CONTAINS A CALCULATED AREA OF 2,036,619 SQUARE FEET (46.754 ACRES) MORE OR LESS.



I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 46.754 ACRES LOCATED AT THE SOUTHWEST CORNER OF WEST FILLMORE STREET AT CENTENNIAL BOULEVARD FROM PUD/SS (PLANNED UNIT DEVELOPMENT: COMMERCIAL WITH STREAMSIDE OVERLAY) AND OC (OFFICE COMMERCIAL) TO PUD/SS (PLANNED UNIT DEVELOPMENT: RESIDENTIAL, MAXIMUM DENSITY OF 8 DWELLING UNITS PER ACRE, MAXIMUM HEIGHT 55 FEET, WITH STREAMSIDE OVERLAY).”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 26, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9<sup>th</sup> day of August 2022, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 9<sup>th</sup> day of August 2022.



1<sup>st</sup> Publication Date: July 29, 2022  
2<sup>nd</sup> Publication Date: August 12, 2022

Effective Date: August 17, 2022

Initial: SBJ  
City Clerk