

ORDINANCE NO. 16-91

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 3.084 ACRES LOCATED SOUTHWEST OF NORTH CAREFREE CIRCLE AND NORTH POWERS BOULEVARD FROM R-5/CR/AO AND PBC/CR/AO (MULTI-FAMILY RESIDENTIAL AND PLANNED BUSINESS CENTER WITH CONDITIONS OF RECORD AND AIRPORT OVERLAY) TO OC/CR/AO (OFFICE COMPLEX WITH CONDITIONS OF RECORD AND AIRPORT 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 3.084 acres located southwest of North Carefree Circle and North Powers Boulevard as described in Exhibit A and depicted in Exhibit B, which are attached hereto and made a part hereof by reference, from R-5/CR/AO and PBC/CR/AO (Multi-family Residential and Planned Business Center with Conditions of Record and Airport Overlay) to OC/CR/AO (Office Complex with Conditions of Record and Airport Overlay), pursuant to the Zoning Ordinance of the City of Colorado Springs, subject to the following Conditions of Record:

Conditions of Record:

1. Only one access to North Carefree Circle.
2. No Access to be allowed to Powers Blvd.
3. All permitted uses under the OC zone district shall be allowed except the following:
  - a. Detoxification Center

- b. Automotive Rentals
- c. Specialty Food Sales
- d. Neighborhood Serving Retail
- e. Drive-In or Fast Food
- f. Quick-Serve Restaurant
- g. Sit-Down Restaurant

4. The following uses shall be conditional uses:

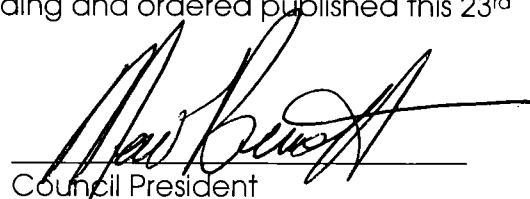
- a. Human Service Shelter
- b. Drug or Alcohol Treatment Facility

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 23<sup>rd</sup> day of August, 2016.

**Finally passed:** September 13, 2016

  
Council President

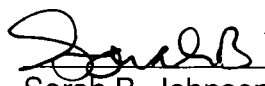
ATTEST:


  
Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 3.084 ACRES LOCATED SOUTHWEST OF NORTH CAREFREE CIRCLE AND NORTH POWERS BOULEVARD FROM R-5/CR/AO AND PBC/CR/AO (MULTI-FAMILY RESIDENTIAL AND PLANNED BUSINESS CENTER WITH CONDITIONS OF RECORD AND AIRPORT OVERLAY) TO OC/CR/AO (OFFICE COMPLEX WITH CONDITIONS OF RECORD AND AIRPORT OVERLAY)”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 23, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 13<sup>th</sup> day of September, 2016, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 13<sup>th</sup> day of September, 2016.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: August 26, 2016

2<sup>nd</sup> Publication Date: September 16, 2016

Effective Date: September 21, 2016

Initial: SBJ  
City Clerk

**LEGAL DESCRIPTION: (ZONING CHANGE BOUNDARY)**

THAT PORTION OF SECTION 25, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: ALL BEARINGS USED IN THESE DESCRIPTIONS ARE RELATIVE TO THOSE SHOWN ON "COLORADO COUNTRY FILING NO. 14A" AS RECORDED AT RECEPTION NUMBER 215713602 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF LOT 2 OF SAID "COLORADO COUNTRY FILING NO. 14A", POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY OF "POWERS BOULEVARD" AS RECORDED AT RECEPTION NUMBER 207100412 OF SAID RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY FOR THE FOLLOWING THREE (3) COURSES;

1. S 04°44'42" W, 53.01 FEET TO THE SOUTHEAST CORNER OF LOT 2 ON SAID "COLORADO COUNTRY 14A";
2. S 04°44'42" W, 191.09 FEET TO A POINT OF CURVATURE;
3. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1256.52 FEET, AN ARC LENGTH OF 84.69 FEET, AND A CENTRAL ANGLE OF 3°51'43" TO A POINT ON THE NORTHERLY BOUNDARY OF "COLORADO COUNTRY FILING NO. 5" AS RECORDED IN PLAT BOOK N-3 AT PAGE 10;

THENCE N 90°00'00" W, ALONG SAID NORTHERLY BOUNDARY, 503.00 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY OF RIO VISTA DRIVE;

THENCE N 00°00'00" E, ALONG SAID EASTERLY RIGHT OF WAY, 155.00 FEET, TO THE SOUTHWEST CORNER OF "COLORADO COUNTRY FILING NO. 7" AS RECORDED IN PLAT BOOK R-3 AT PAGE 13 OF SAID RECORDS

TTHENCE N 90°00'00" E, 185.00 FEET TO THE SOUTHEAST CORNER OF SAID "COLORADO COUNTRY NO. 7";

THENCE N 00°00'00" E, 120.00 FEET TO THE NORTHEAST CORNER OF SAID "COLORADO COUNTRY NO. 7";

THENCE N 90°00'00" E, 41.48 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID "COLORADO COUNTRY 14A";

THENCE N 00°00'00" E, 52.83 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID "COLORADO COUNTRY 14A";

THENCE N 90°00'00" E, 300.86 FEET, TO THE POINT OF BEGINNING, CONTAINING 134,336.8 SQ. FT. (3.084 ACRES) MORE OR LESS.

**LEGAL DESCRIPTION: (EXISTING CONCEPT BOUNDARY)**

THAT PORTION OF SECTION 25, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: ALL BEARINGS USED IN THESE DESCRIPTIONS ARE RELATIVE TO THOSE SHOWN ON "COLORADO COUNTRY FILING NO. 14A" AS RECORDED AT RECEPTION NUMBER 215713602 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF LOT 1 OF SAID "COLORADO COUNTRY FILING NO. 14A", POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF "RIO VISTA DRIVE" AS PLATTED IN "COLORADO COUNTRY FILING NO. 3" AS RECORDED IN PLAT BOOK K-3 AT PAGE 26 OF SAID RECORDS:

THENCE N 00°00'00" E, ALONG SAID EASTERLY RIGHT OF WAY, 300.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF "NORTH CAREFREE CIRCLE" AS PLATTED IN "COLORADO COUNTRY FILING NO. 1" AS RECORDED IN PLAT BOOK J-3 AT PAGE 51 OF SAID RECORDS;

THENCE N 90°00'00" E, ALONG SAID SOUTHERLY RIGHT OF WAY, 459.28 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY OF "POWERS BOULEVARD" AS RECORDED UNDER RECEPTION NUMBER 207100412 OF SAID RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY FOR THE FOLLOWING SEVEN (7) COURSES:

1. S 25°58'16" W, 18.87 FEET;
2. S 53°13'40" E, 100.77 FEET;
3. S 00°03'30" E, 68.47 FEET;
4. S 02°17'34" W, 100.59 FEET, TO THE NORTHEAST CORNER OF LOT 2 OF SAID "COLORADO COUNTRY 14A";
5. S 04°44'42" W, 53.01 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF SAID "COLORADO COUNTRY 14A";
6. S 04°44'42" W, 191.09 FEET TO A POINT OF CURVATURE;
7. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1256.52 FEET, AN ARC LENGTH OF 84.69 FEET, AND A CENTRAL ANGLE OF 3°51'43" TO A POINT ON THE NORTHERLY BOUNDARY OF "COLORADO COUNTRY FILING NO. 5" AS RECORDED IN PLAT BOOK N-3 AT PAGE 10;

THENCE N 90°00'00" W, ALONG SAID NORTHERLY BOUNDARY, 503.00 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY OF RIO VISTA DRIVE;

THENCE N 00°00'00" E, ALONG SAID RIGHT OF WAY, 155.00 FEET, TO THE SOUTHWEST CORNER OF "COLORADO COUNTRY FILING NO. 7" AS RECORDED IN PLAT BOOK R-3 AT PAGE 13 OF SAID RECORDS;

THENCE N 90°00'00" E, 185.00 FEET TO THE SOUTHEAST CORNER OF SAID "COLORADO COUNTRY NO. 7";

THENCE N 00°00'00" E, 120.00 FEET TO THE NORTHEAST CORNER OF SAID "COLORADO COUNTRY NO. 7";

THENCE N 90°00'00" W, 185.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 273,630.8 SQ.FT. (6.262 ACRES) MORE OR LESS.

**LEGAL DESCRIPTION: (ZONING CHANGE BOUNDARY)**

THAT PORTION OF SECTION 25, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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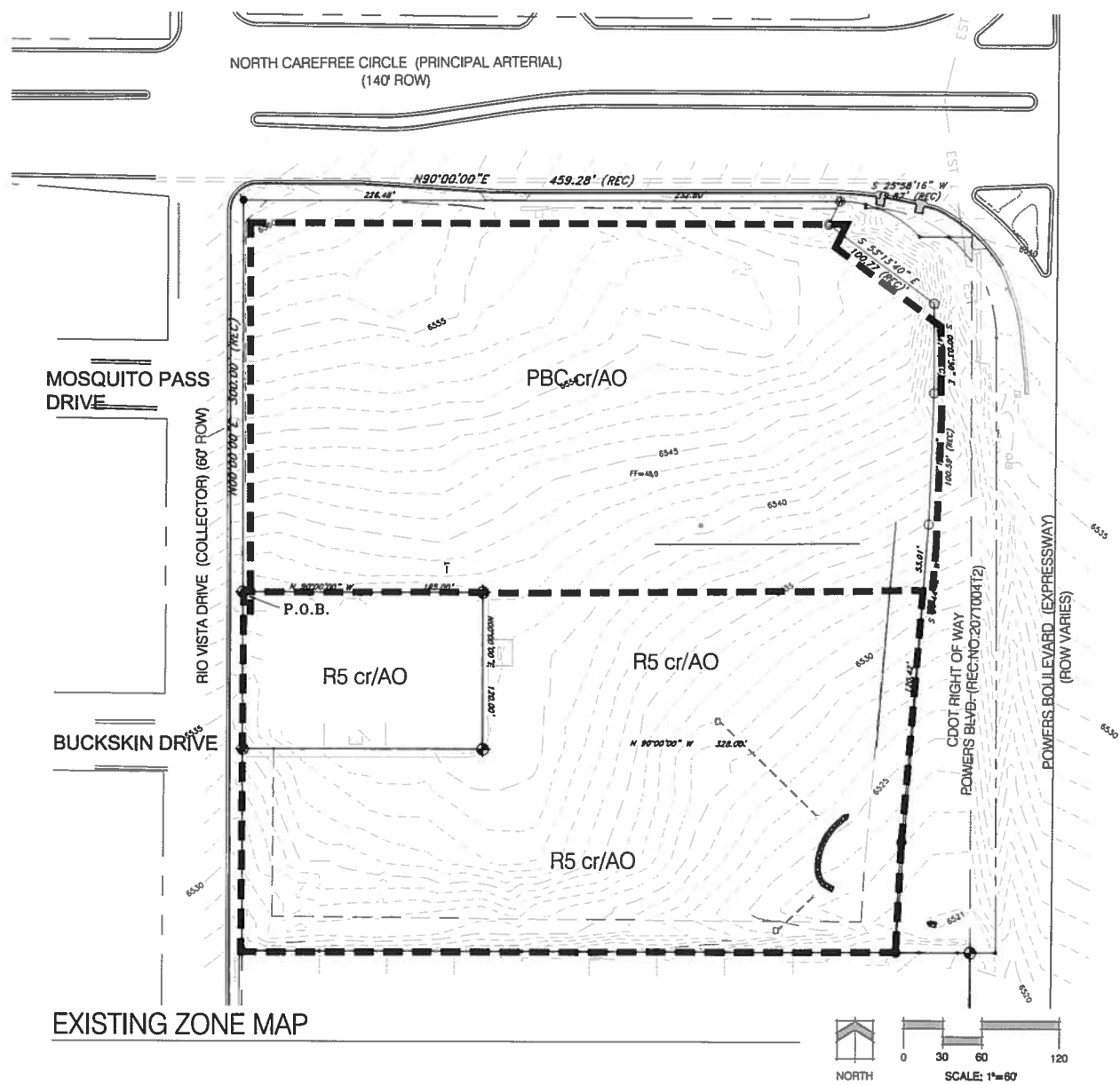


**CONDITIONS OF RECORD: (for Proposed OC cr/AO ZONE)**  
ALL PERMITTED USES UNDER THE OC ZONE DISTRICT ALLOWED EXCEPT THE FOLLOWING:

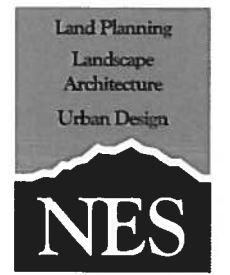
- DETORIFICATION CENTER
- AUTOMOTIVE REPAIRS
- SPECIALTY FOOD SALES
- NEIGHBORHOOD SERVING RETAIL
- DRIVE-IN OR FAST FOOD
- QUICK-SERVE RESTAURANT
- SIT-DOWN RESTAURANT

THE FOLLOWING USES WILL BE CONDITIONAL USES IN THE NEW OC ZONE AS THEY ARE USES THAT CANNOT BE EXCLUDED FROM ANY ZONING PER STATE LAW:

- HUMAN SERVICE SHELTER
- DRUG OR ALCOHOL TREATMENT FACILITY



**FIGURE 3**



N.E.S. Inc.  
508 South Tejon Street  
Colorado Springs, CO 80903  
Tel. 719.471.0073  
Fax 719.471.0267  
www.nescolorado.com  
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**Southwest Powers Blvd & North Carefree**

DATE: April 24, 2015  
PROJECT MGR: A. Balow  
PREPARED BY: J. Romero

DATE	BY	DESCRIPTION
6.17.16	JAR	CITY COMMENT

**ZONE CHANGE MAP**

**1**  
1 OF 1

CPC ZC 16-00064