

ORDINANCE NO. 22 - 98

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 5.664 ACRES LOCATED AT 1100 SOUTH ROYER STREET FROM M2/PUD/SS (HEAVY INDUSTRIAL AND PLANNED UNIT DEVELOPMENT WITH STREAMSIDE OVERLAY) TO PUD/SS (PLANNED UNIT DEVELOPMENT: MAXIMUM OF 0.36 DWELLING UNITS PER ACRE, MAXIMUM 10,000 SQUARE FEET OF NON-RESIDENTIAL STRUCTURES, AND MAXIMUM BUILDING HEIGHT OF 40 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 5.664 acres located at 1100 south Royer street, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from M2/PUD/SS (Heavy Industrial and Planned Unit Development with Streamside Overlay) to PUD/SS (Planned Unit Development: maximum of 0.36 dwelling units per acre, maximum 10,000 square feet of non-residential structures, and maximum building height of 40 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 13th
day of December 2022.

Finally passed: January 10, 2023



Council President

ATTEST:



Sarah B. Johnson, Clerk



Legal Description – Concrete Coyote

That portion of the South One-Half of the Northeast One-Quarter of Section 19, Township 14 South, Range 66 West of the 6th Principal Meridian, City of Colorado Springs, County of El Paso, State of Colorado, being more particularly described as follows, bearing being based on the west right of way line of Royer Street extended, according to the plat of Washington Heights Addition, as recorded, said right of way line is assumed to bear South 00 degrees 02 minutes 38 seconds West:

Beginning at a point on the northerly right of way line of the presently existing active 100 foot right of way of the Denver and Rio Grande Western Railroad Company at its intersection with the west right of way line of said Royer street extended, whence the east one-quarter corner of said Section 19 bears South 89 degrees 21 minutes 04 seconds East, 708.52 feet; thence along said northerly right of way line the following four courses:

- 1) along the arc of a curve concave northeasterly, 166.23 feet, said curve having a radius of 5679.65 feet (being derived from a 1 degrees 00 minutes chord definition curve along the centerline of the 100 foot right of way), a central angle of 01 degrees 40 minutes 37 seconds, and being subtended by a chord which bears North 61 degrees 58 minutes 24 seconds West, 166.23 feet;
- 2) thence North 61 degrees 08 minutes 06 seconds West, 796.23 feet;
- 3) thence along the arc of a curve concave southwesterly, 253.03 feet, said curve having a radius of 1544.95 feet (being derived from a 3 degrees 50 minutes chord definition curve along the centerline of said right of way), and a central angle of 09 degrees 23 minutes 02 seconds, and being subtended by a chord which bears North 65. degrees 49 minutes 37 seconds West, 252.75 feet;
- 4) thence North 70 degrees 31 minutes 08 seconds West, 486.98 feet to the intersection of said northerly right of way line with a line 25 feet southerly (by perpendicular measurement) of the centerline of the ICC No. 108A spur track as now constructed (the year 1988);
- 5) thence along said line 25 feet southerly (by perpendicular measurement) of the centerline of the ICC No. 108A spur track as now constructed (the year 1988), along the arc of a curve concave northerly 360.13 feet, said curve having a radius of 845.03 feet, a central angle of 24 degrees 25 minutes 05 seconds, and being subtended by a chord which bears South 88 degrees 11 minutes 34 seconds East, 357.41 feet to the intersection of said curve with the northerly right of way line of the abandoned 100 foot right of way of the Denver and Rio Grande Railway Company; thence along said right of way line the following four courses:
- 6) South 86 degrees 18 minutes 36 seconds East, 176.81 feet;
- 7) thence along the arc of a curve concave southerly, 230.80 feet, said curve having a radius of 909.92 feet (being derived from a 6 degrees 40 minutes chord definition curve along the centerline of said right of way), and a central angle of 14 degrees 31 minutes 58 seconds, and being subtended by a chord which bears South 79 degrees 02 minutes 37 seconds East, 230.18 feet;
- 8) thence South 71 degrees 46 minutes 38 minutes East, 187.50 feet;
- 9) thence along the arc of a curve concave southerly, 20.52 feet, said curve having a radius of 931.95 feet (being derived from a 6 degrees 30 minutes chord definition curve along the centerline of said right of way) and a central angle of 01 degrees 15 minutes 41 seconds, and being subtended by a chord which bears South 71 degrees 08 minutes 47 minutes East, 20.52 feet;
- 10) thence along the southwesterly right of way line of the presently existing inactive 200 foot right of way of the Atchison, Topeka and Santa Fe Railway Company the following three courses:
- 11) along the arc of a non-tangent curve, 501.96 feet, said curve having a radius of 1532.69 feet (being derived from a 4 degrees chord definition curve along the centerline of the 200 foot right of way), a central angle of 18 degrees 45 minutes 53 seconds, and being subtended by a chord which bears South 48 degrees 04 minutes 09 seconds East, 499.72 feet;
- 12) thence South 57 degrees 30 minutes 44 seconds East, 120.11 feet;
- 13) thence North 32 degrees 32 minutes 55 seconds East, 20.95 feet to the northerly right of way line of the aforesaid abandoned 100 foot right of way of the Denver and Rio Grande Railway Company;

EXHIBIT A - ZONE CHANGE EXHIBIT - LEGAL DESCRIPTION

- 14) thence along said right of way line the following two courses:
- 15) South 38 degrees 38 minutes 38 seconds East, 135.88 feet;
- 16) thence along the arc of a curve concave northeasterly 11.79 feet, said curve having a radius of 945.43 feet (being derived from a 5 degrees 45 minutes 30 seconds chord definition curve along the centerline of the 100 foot right of way), and a central angle of 00 degrees 42 minutes 53 seconds, and being subtended by a chord which bears South 39 degrees 00 minutes 04 seconds East, 11.79 feet;
- 17) thence South 00 degrees 02 minutes 38 seconds West, 100.65 feet along the west right of way line of Royer Street to the point of beginning;

AND

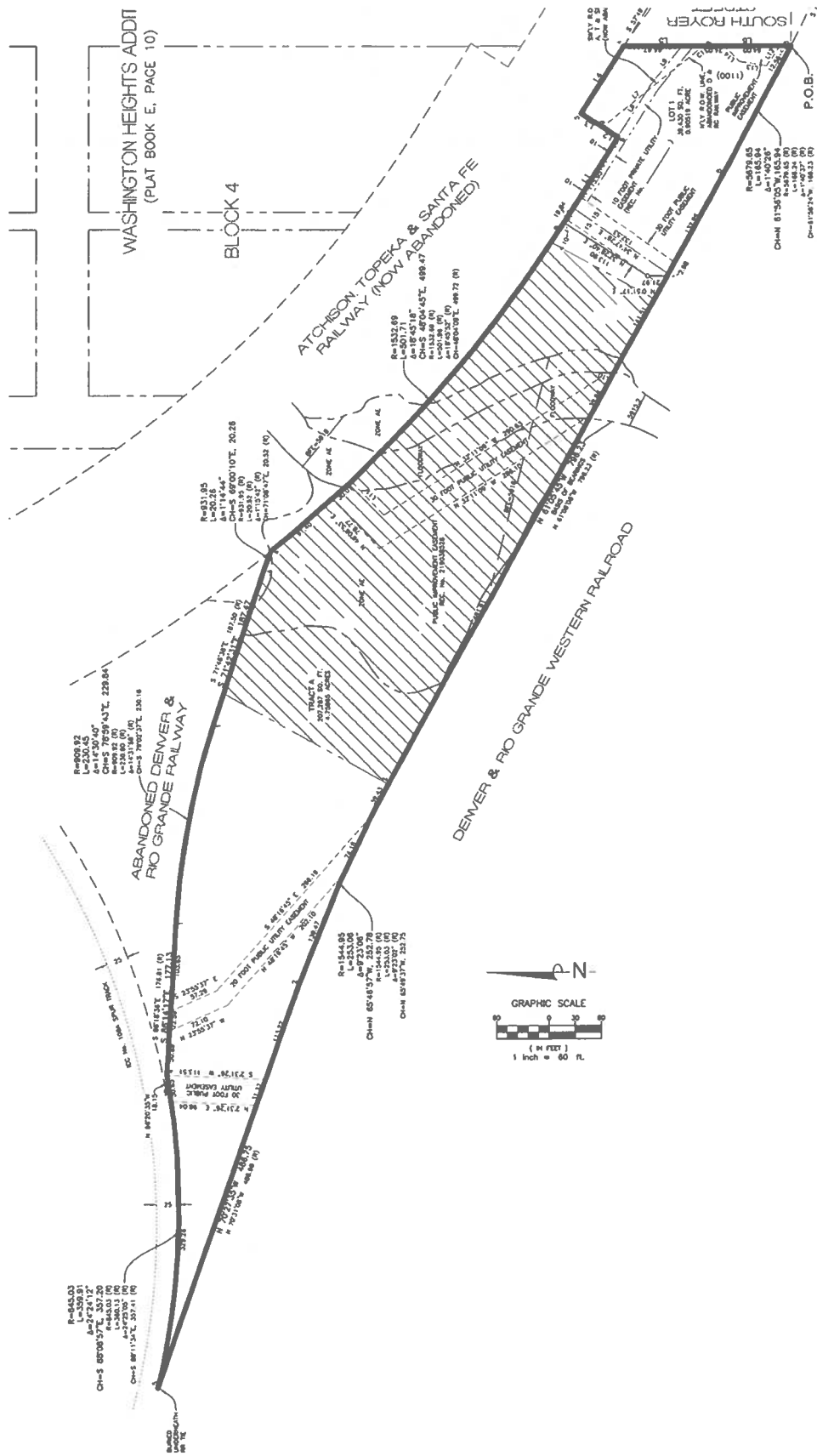
That portion of the Southeast One-Quarter of the Northeast One-Quarter of Section 19, Township 14 South, Range 66 West of the 6th Principal Meridian, City of Colorado Springs, County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at a point on the southwesterly boundary line of the presently existing inactive 100 foot right of way of the Atchison, Topeka and Santa Fe Railway Company at its intersection with the west right of way line of Royer Street, according to the plat of Washington Heights Addition, as recorded, whence the East One-Quarter corner of said Section 19, bears South 74 degrees 15 minutes 44 seconds East, 735.92 feet, said west right of way line having an assumed bearing of South 00 degrees 02 minutes 38 seconds West;

- 1) thence along said west right of way line South 00 degrees 02 minutes 38 seconds West, 90.93 feet to the northeasterly right of way line of the abandoned 100 foot right of way of the Denver and Rio Grande Railway Company;
 - 2) thence along said right of way line the following two courses:
 - 3) along the arc of a curve concave northeasterly, 11.79 feet, said curve having a radius of 945.43 feet (being derived from a 5 degrees 45 minutes 30 minutes seconds chord definition curve along the centerline of the 100 foot right of way), a central angle of 00 degrees 42 minutes 53 seconds, and being subtended by a chord which bears North 39 degrees 00 minutes 04 seconds West, 11.79 feet;
 - 4) thence North 38 degrees 38 minutes 38 seconds West, 135.88 feet to the southwesterly right of way line of the presently existing inactive right of way of the Atchison, Topeka and Santa Fe Railway Company;
 - 5) thence along said right of way line the following two courses:
 - 6) North 32 degrees 32 minutes 55 seconds East, 29.05 feet;
- thence South 57 degrees 30 minutes 44 seconds East, 90.95 feet to the point of beginning.

Containing a calculated area of 246,717 square feet (5.6638 acres), more or less.

EXHIBIT B - ZONE CHANGE EXHIBIT



CPC PUZ 19-00171

EXHIBIT B

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 5.664 ACRES LOCATED AT 1100 SOUTH ROYER STREET FROM M2/PUD/SS (HEAVY INDUSTRIAL AND PLANNED UNIT DEVELOPMENT WITH STREAMSIDE OVERLAY) TO PUD/SS (PLANNED UNIT DEVELOPMENT: MAXIMUM OF 0.36 DWELLING UNITS PER ACRE, MAXIMUM 10,000 SQUARE FEET OF NON-RESIDENTIAL STRUCTURES, AND MAXIMUM BUILDING HEIGHT OF 40 FEET WITH STREAMSIDE OVERLAY)”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on December 13, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of January 2023, 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 10th day of January 2023.



Sarah B. Johnson, City Clerk



1st Publication Date: December 16, 2022

2nd Publication Date: January 13, 2023

Effective Date: January 18, 2023

Initial: SBJ

City Clerk