

ORDINANCE NO. 21-40

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 77.8 ACRES LOCATED SOUTHEAST OF STATE HIGHWAY 94 AT MARKSHEFFEL FROM PIP2/CR/APZ1/APZ2/AO (PLANNED INDUSTRIAL PARK 2 WITH CONDITIONS OF RECORD, ACCIDENT POTENTIAL ZONE 1, ACCIDENT POTENTIAL ZONE 2 AND AIRPORT OVERLAY) TO PBC/APZ1/APZ2/AO (PLANNED BUSINESS CENTER/ACCIDENT POTENTIAL ZONE 1/ACCIDENT POTENTIAL ZONE 2/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 77.8 acres located southeast of State Highway 94 at Marksheffel, as described and depicted in Exhibit A, which is attached hereto and made a part hereof, from PIP2/cr/APZ1/APZ2/AO (Planned Industrial with conditions of record, Accident Potential Zone 1, Accident Potential Zone 2, and Airport Overlay) to PBC/APZ1/APZ2/AO (Planned Business Center, Accident Potential Zone 1, Accident Potential Zone 2, and Airport 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 23<sup>rd</sup> day of  
March 2021.

**Finally passed:** April 13<sup>th</sup> 2021

  
\_\_\_\_\_  
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 77.8 ACRES LOCATED SOUTHEAST OF STATE HIGHWAY 94 AT MARKSHEFFEL FROM PIP2/CR/APZ1/APZ2/AO (PLANNED INDUSTRIAL PARK 2 WITH CONDITIONS OF RECORD, ACCIDENT POTENTIAL ZONE 1, ACCIDENT POTENTIAL ZONE 2 AND AIRPORT OVERLAY) TO PBC/APZ1/APZ2/AO (PLANNED BUSINESS CENTER/ACCIDENT POTENTIAL ZONE 1/ACCIDENT POTENTIAL ZONE 2/AIRPORT OVERLAY)” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on March 23<sup>rd</sup>, 2021; 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 April 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Gazette on April 16<sup>th</sup>, 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 April 2021.



Sarah B. Johnson, City Clerk

1<sup>st</sup> Publication Date: March 26<sup>th</sup>, 2021

2<sup>nd</sup> Publication Date: April 16<sup>th</sup>, 2021

Effective Date: April 21<sup>st</sup>, 2021

Initial: SBJ  
City Clerk

**EXHIBIT B**  
**LEGAL DESCRIPTION**

November 10, 2020

A portion of the parcel being described in that Special Warranty Deed, recorded March 23, 2018 in Reception No. 218032766, the parcel being described in that Personal Representative's Deed, recorded September 7, 2018 in Reception No. 218105041, the parcel being described in that Special Warranty Deed, recorded March 23, 2018 in Reception No. 218032815, and the parcel described in Book 5562, Page 362, recorded October 5, 1988, in the Official Public Records of El Paso County, Colorado, located in the West 1/2 of Section 16, Township 14 South, Range 65 West, and Southwest 1/4 of Section 9, Township 14 South, Range 65 West, of the 6th P.M., El Paso County, Colorado, being more particularly described as follows:

**PARCEL A**

**BEGINNING** at a point on the southwest corner of that parcel described in Reception No. 218032815, also being a point on the east right-of-way line of Marksheffel Road; thence along said east right-of-way line, along the arc of a non-tangent curve to the right, whose center bears N67°53'32"E, (Basis of bearings is the south line of Parcel C as described in that Warranty Deed recorded March 23, 2018 under Reception No. 218032815 in the records of the El Paso County Clerk and Recorder, monumented on the east by #5 rebar with an aluminum cap, illegible, flush with grade and on the west by #5 rebar with a green plastic cap, stamped "PLS 38245", flush with grade and measured to bear S89°28'30"W, a distance of 1933.22 feet.), having a radius of 1,940.00 feet, a central angle of 02°05'19", a distance of 70.72 feet; thence continuing along said east line along the following seven (7) courses:

1. along the arc of a non-tangent compound curve to the right, whose center bears N76°34'34"E, having a radius of 1,565.61 feet, a central angle of 12°34'18", a distance of 343.52 feet;
2. N00°29'23"W, a distance of 2,249.72 feet;
3. along the arc of a non-tangent curve to the left, whose center bears S89°26'06"W, having a radius of 11,096.50 feet, a central angle of 02°22'50", a distance of 461.03 feet;
4. N02°58'46"W, a distance of 806.40 feet;
5. along the arc of a non-tangent curve to the right, whose center bears N87°00'11"E having a radius of 1,600.00 feet, a central angle of 02°29'01", a distance of 69.35 feet;
6. N00°29'24"W, a distance of 882.74 feet, to a point herein referred to as "Point A";
7. N44°26'37"E, a distance of 52.42 feet, to a point on the south right-of-way line of Space Village Avenue;

thence S71°12'30"E, along said south right-of-way line, a distance of 179.07 feet; thence along said south right-of-way line, along the arc of a non-tangent curve to the left, whose center bears N18°48'44"E, having a radius of 2,915.97 feet, a central angle of 07°35'02", a distance of 385.97 feet, to a point on the Airport Overlay Zone line;

thence leaving said south right-of-way line, S01°00'21"E, along said Airport Overlay Zone line, a distance of 4,749.78 feet, to a point on the south line of that parcel described in said Special Warranty Deed, recorded in Reception No. 218032815; thence along said south line, S89°28'30"W, a distance of 509.19 feet, to the **POINT OF BEGINNING**.

Containing 2,723,260 Sq. Ft. or 62.517 acres, more or less.

**TOGETHER WITH**

CPC ZC 20-00135

**PARCEL B**

**COMMENCING** at aforementioned "Point A"; thence N04°27'02"W, a distance of 211.80 feet, to a point on the south line of that parcel being described in Book 5562, Page 362, also being a point on the north right-of-way line of Space Village Avenue, also being the **POINT OF BEGINNING**; thence along the west line of said parcel, also being the east right-of-way line of Marksheffel Road, the following five (5) courses;

1. N00°30'20"W, a distance of 410.06 feet;
2. N02°22'05"E, a distance of 240.28 feet;
3. N00°31'32"W, a distance of 97.57 feet;
4. N89°02'42"E, a distance of 9.66 feet;
5. N06°13'39"E, a distance of 301.91 feet, to a point on the north line of the parcel described in Book 5562, Page 362, also being the south right-of-way line of Highway 94;

thence along the south right-of-way line of Highway 94, S82°07'39"E, a distance of 529.69 feet, to a point on said Airport Overlay Zoning line; thence along said Airport Overlay Zoning line, S01°00'21"E, a distance of 1,204.63 feet, to a point on the north right-of-way line of Space Village Avenue; thence continuing along said north right-of-way line the following three (3) courses;

1. along the arc of a non-tangent curve to the right, whose center bears N11°40'58"E, having a radius of 2,815.00 feet, a central angle of 07°08'45", a distance of 351.08 feet;
2. N71°12'13"W, a distance of 218.95 feet;
3. N35°54'36"W, a distance of 81.68 feet;

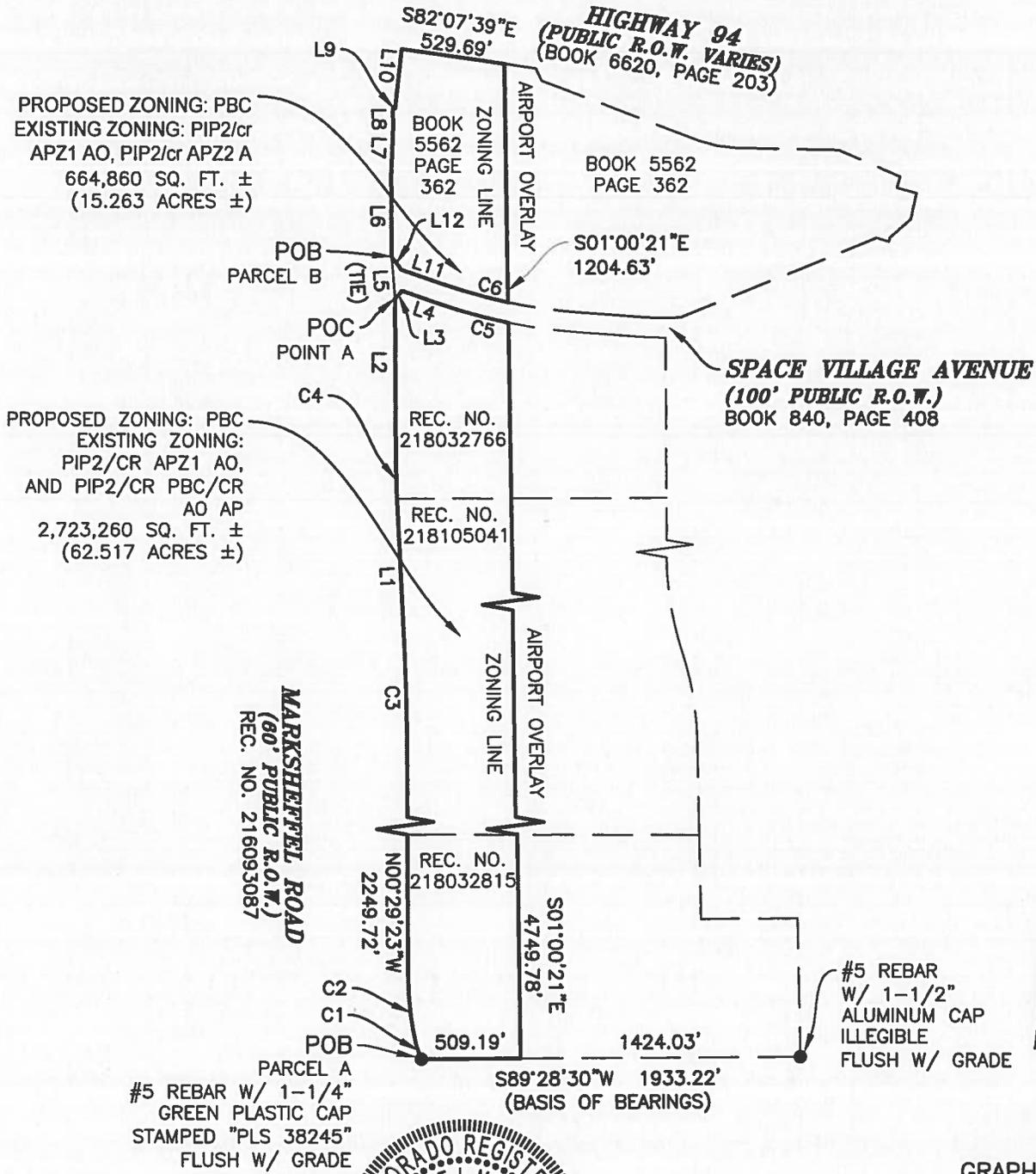
Containing 665,038 Sq. Ft. or 15.267 acres, more or less.



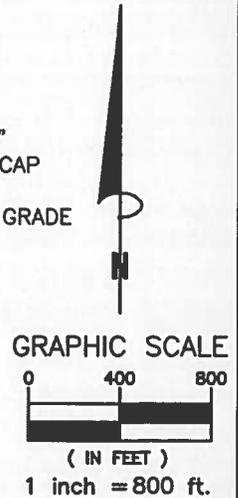
Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.

CPC ZC 20-00135

# EXHIBIT B DEPICTION OF LEGAL DESCRIPTION



**NOTE:**  
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.



Project No: 190980	Drawn: CJW	Date: 11/10/2020
	Check: SLM	Sheet 3 of 4

**-Clark-**  
 Land Surveying, Inc.

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270  
 www.clarkls.com

**EXHIBIT B**  
DEPICTION OF LEGAL DESCRIPTION

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	RADIAL BEARING
C1	1940.00'	70.72'	2°05'19"	N67°53'32"E
C2	1565.61'	343.52'	12°34'18"	N76°34'34"E
C3	11096.50'	461.03'	2°22'50"	S89°26'06"W
C4	1600.00'	69.35'	2°29'01"	N87°00'11"E
C5	2915.97'	385.97'	7°35'02"	N18°48'44"E
C6	2815.00'	351.08'	7°08'45"	N11°40'58"E

LINE	BEARING	DISTANCE
L1	N02°58'46"W	806.40'
L2	N00°29'24"W	882.74'
L3	N44°26'37"E	52.42'
L4	S71°12'30"E	179.07'
L5	N04°27'02"W	211.80'
L6	N00°30'20"W	410.06'
L7	N02°22'05"E	240.28'
L8	N00°31'32"W	97.57'
L9	N89°02'42"E	9.66'
L10	N06°13'39"E	301.91'
L11	N71°12'13"W	218.95'
L12	N35°54'36"W	81.68'

**NOTE:**

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