

**CITY OF COLORADO SPRINGS PLANNING COMMISSION  
RECORD-OF-DECISION**

**NEW BUSINESS CALENDAR**

**DATE:** October 16, 2014  
**ITEM:** 5.A-5.C  
**STAFF:** Mike Schultz  
**FILE NO.:** CPC MP 89-71-A2MN14, CPC ZC 14-00083, CPC CP 14-00085  
**PROJECT:** Pub Dog Restaurant

**STAFF PRESENTATION**

Mr. Mike Schultz, City Senior Planner, presented PowerPoint slides (Exhibit A).

**APPLICANT PRESENTATION**

Ms. Tara Downs and Mr. Scott Downs appeared for questions.

**CITIZENS IN FAVOR / OPPOSITION**

None

**APPLICANT REBUTTAL**

None

**DECISION OF THE PLANNING COMMISSION**

Commissioner Phillips was in support of the applications.

Commissioner Markewich found the applications met the City Code review criteria.

Commissioner Donley stated the difficult part is the master plan that is approximately 30 years old and questioned if parts of the plan could be obsolete. It needs to be updated because the neighborhood has changed greatly.

Mr. Schultz stated there is cost involved in updating a 30-year old plan. The Midland area plan does not incorporate mixed use as a designated use, but the Westside Plan does.

Commissioner Shonkwiler was initially uncomfortable with spot zoning, and hopes staff can review the entire neighborhood for more positive development as this. He supported the applications.

Moved by Commissioner Markewich, seconded by Commissioner Phillips, to approve **Item No. 5.A-File No. CPC MP 89-71-A2MN14**, the minor amendment to the Midland Master Plan based upon the finding that the minor amendment complies with the review criteria in City Code Section 7.5.408. Motion carried 7-0 (Commissioner McDonald absent).

# CITY OF COLORADO SPRINGS PLANNING COMMISSION

## RECORD-OF-DECISION

Moved by Commissioner Markewich, seconded by Commissioner Smith, to approve **Item No. 5.B-File No. CPC ZC 14-00083**, the zone change from R-2 (Two-family Residential) and M-1 (Light Industrial) to C-5/cr (General Commercial with conditions of record) consisting of .41 acres, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B, and is subject to the following conditions of record:

### Conditions of Record

Only the following land uses are permitted within this zone:

1. Restaurant;
  - a. Quick Serve;
  - b. Sit Down.
2. All Residential Land Use types as allowed under the C-5 zoning (e.g. detoxification center to remain as a conditional use);
3. All Office Land Use types;
4. Bed and Breakfast;
5. Food Sales;
6. Liquor Sales (off-sale);
7. Mixed Commercial-Residential;
8. Mixed Office-Residential;
9. Personal Consumer Services;
10. Personal Improvement Services;
11. Retail, general;
12. Veterinary Service, small animal clinic;
13. Cultural Services;
14. Day Care Services;
15. Educational Institutions (all subcategories);
16. Religious Institution.

The following conditions shall also be applied:

1. Outdoor dining areas to be closed by 9 p.m. Sunday through Thursday and 10 p.m. on Friday and Saturday.
2. Closing hours for all other uses shall be no later than 10 p.m.
3. All ground mounted signs to be no than 4-feet in height.
4. No animal kenneling or animal day care to occur with use as a restaurant.

Motion carried 7-0 (Commissioner McDonald absent).

**CITY OF COLORADO SPRINGS PLANNING COMMISSION**  
**RECORD-OF-DECISION**

Moved by Commissioner Markewich, seconded by Commissioner Phillips, to approve **Item No. 5.C-File No. CPC CP 14-00085**, the concept plan for Pub Dog restaurant based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E and is subject to the following technical modifications:

Technical and/or Informational Modifications to the Concept Plan:

1. Add a note on the development plan concerning the management of dog waste as part of the operation. (i.e. number of pickups, dumpster location).
2. Note the City file number in the lower right hand corner of each plan page (CPC CP 14-00085).
3. Provide a "Notes" section that will include the conditions of record as indicated above under the Zone Change section.
4. Add a note to the "Notes" section that states that the location of the garbage enclosure will be evaluated upon submittal of the development plan.
5. Remove sheets A2, A3 and A4 from the concept plan; plan elevations are not required at time of concept plan.
6. Provide a more accurate vicinity map; you may utilize the information on the City SpringsView program that provides zoning boundaries. Note the location of the subject property on the vicinity map.
7. Note the full building dimension for the portion running east/west on Sheet A2.
8. Note the distance of the building to the front property line (20-foot minimum front yard setback).
9. Show a pedestrian connection to the public sidewalk, preferably in the location of the sidewalk to the restaurant.
10. Note the alley right-of-way width of 16 feet.

Motion carried 7-0 (Commissioner McDonald absent).

October 16, 2014  
Date of Decision

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Planning Commission Chair

# Pub Dog Restaurant

## Applicant: Scott and Tara Downs

City Planning Commission - October 16, 2014

Planner: Mike Schultz, Senior Planner

File Nos. - CPC ZC 14-00083, CPC CP 14-00084 & CPC MP 89-71-A2MN14

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### Applications:

1) Minor Amendment to Master Plan (CPC MP 89-71-A2MN14): Amend Midland Master Plan from **Low Density Residential** to **Commercial Office** land use.

2) Zone Change (CPC ZC 14-00083):  
A change of zone from **M-1** (Light Industrial) and **R-2** (Two-family Residential) to **C-5/cr** (General Commercial with conditions of record)

3) Concept Plan (CPC CP 14-00084):  
A concept plan for a 2,340 sq. ft. sit down restaurant and off-street parking.

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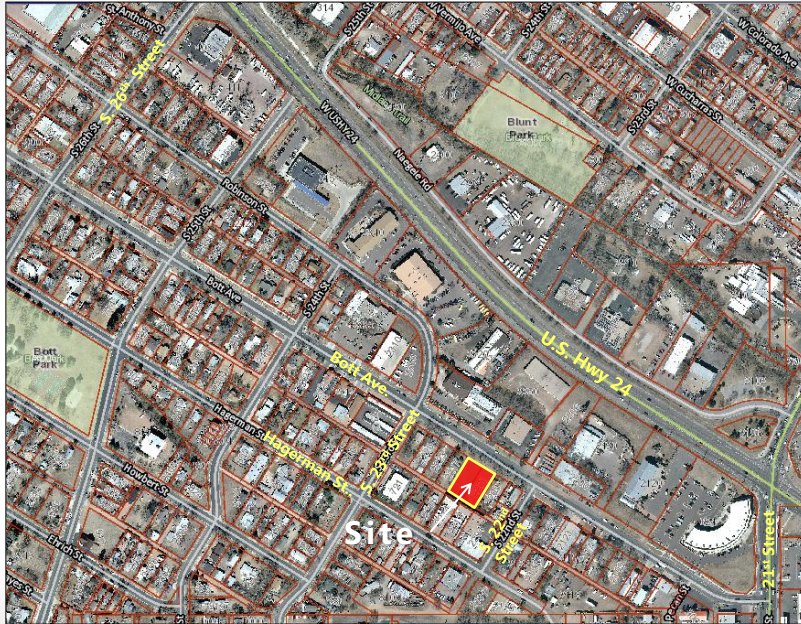


Items: 5.A, 5.B

Exhibit: A

CPC Meeting: October 16, 2014

## Location Map:

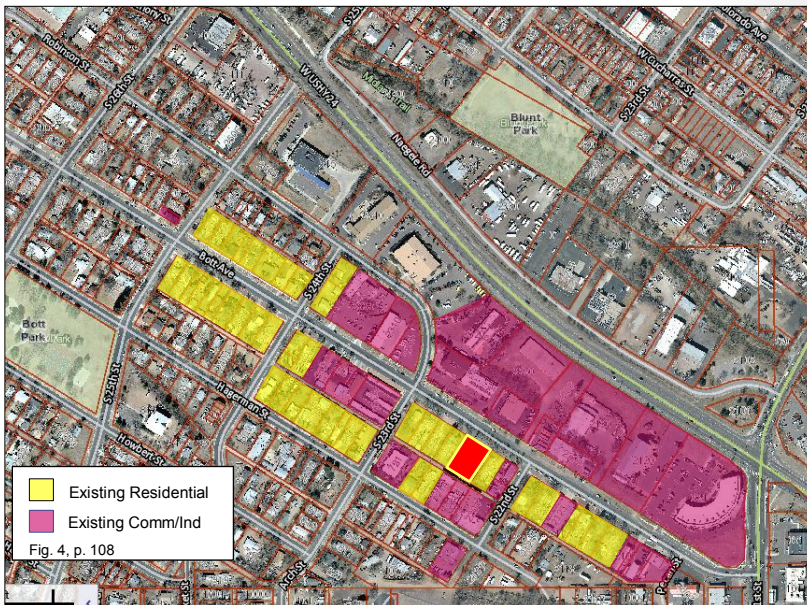


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## Existing Land Uses:



Existing Residential  
Existing Comm/Ind  
Fig. 4, p. 108

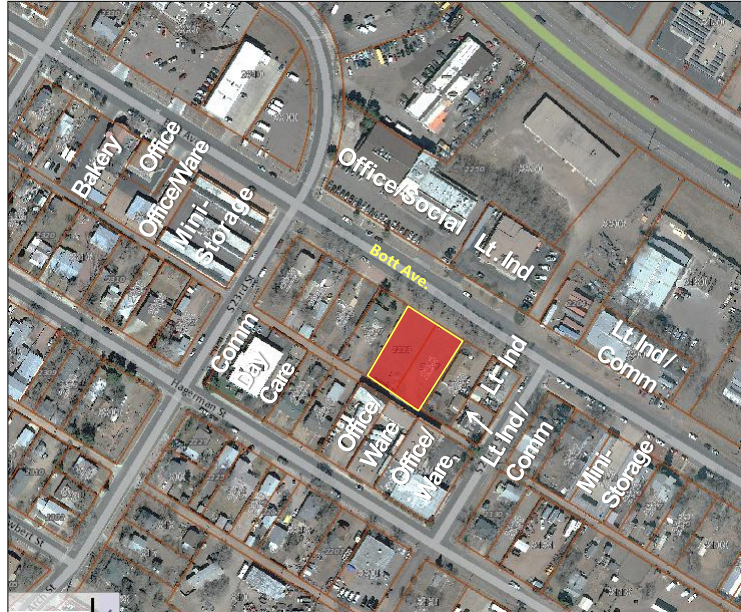
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## Existing Land Uses:

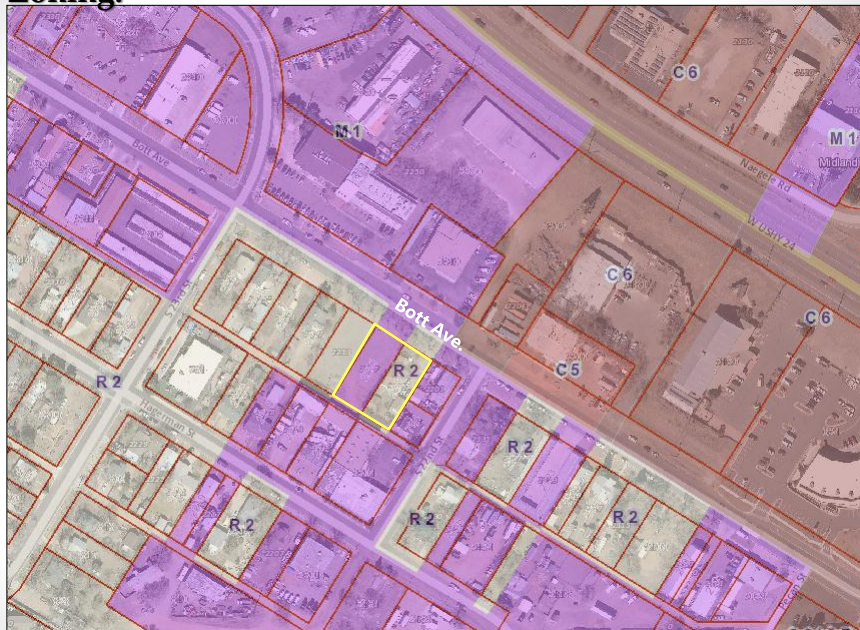


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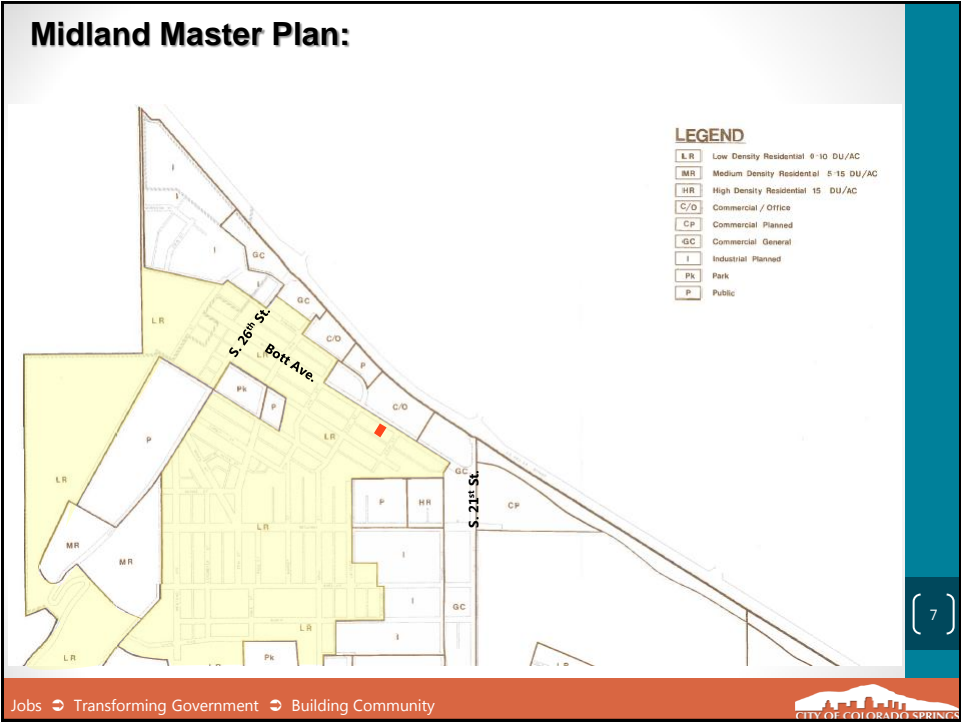
## Zoning:



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Adjacent property to the east



11

Adjacent property to the west



12

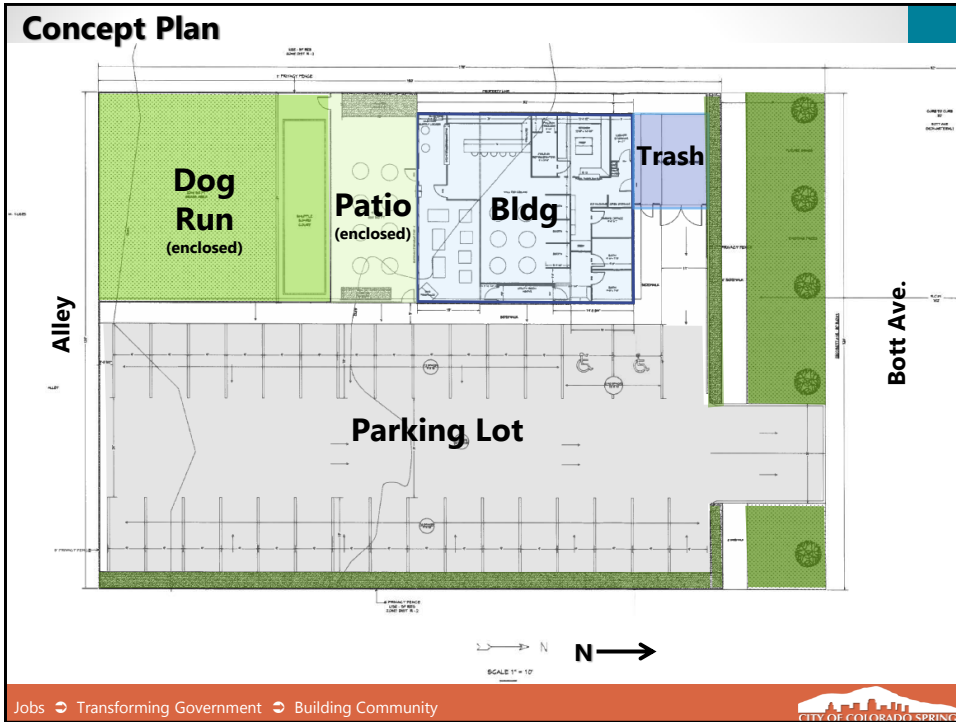
Adjacent property to the west



13



14



### Staff Recommendation:

**CPC MP 89-71-A2MN14 - Minor Amendment to Master Plan**  
**Approve** the minor amendment to the Midland Master Plan based upon the finding that the minor amendment complies with the review criteria in City Code Section 7.5.409.

**CPC ZC 14-00083 – Change of Zone**  
**Approve** the zone change for from R-2 (Two-family Residential) and M-1 (Light Industrial) to C-5/cr (General Commercial with conditions of record) consisting of .14 acres, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B.

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CITY OF COLORADO SPRINGS



## Staff Recommendation:

### Conditions of Record

Only the following land uses are permitted within this zone:

1. Restaurant  
Quick Serve  
Sit Down.
2. All Residential Land Use types as allowed under the C-5 zoning (e.g. detoxification center to remain as a conditional use);
3. All Office Land Use types;
4. Bed and Breakfast;
5. Food Sales;
6. Liquor Sales (off-sale);
7. Mixed Commercial-Residential;
8. Mixed Office-Residential;
9. Personal Consumer Services;
10. Personal Improvement Services;
11. Retail, general;
12. Veterinary Service, small animal clinic;
13. Cultural Services;
14. Day Care Services;
15. Educational Institutions (all subcategories);
16. Religious Institution.

Staff is also suggesting the following conditions be applied:

1. Outdoor dining areas to be closed by 9 p.m. Sunday through Thursday and 10 p.m. on Friday and Saturday.
2. Closing hours for all other uses shall be no later than 10 p.m.
3. All ground mounted signs to be no than 4-feet in height.

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## Staff Recommendation:

### **CPC CP 14-00085 – Concept Plan**

**Approve** the concept plan for Pub Dog restaurant subject to the Technical and Informational Modifications as listed below; approval is based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E.

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# Questions?

( 19 )