



## Legislation Details (With Text)

**File #:** CPC ZC 19-00178    **Version:** 3    **Name:**  
**Type:** Ordinance    **Status:** Mayor's Office  
**File created:** 3/5/2020    **In control:** City Council  
**On agenda:** 6/9/2020    **Final action:** 6/9/2020

**Title:** Ordinance No. 20-31 amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre located at 2217 Bott Avenue from R2 (Two-Family Residential) to C5 (Intermediate Business).

(Quasi-Judicial)

Related Files: CPC ZC 19-00178 and AR DP 15-00139-A1MJ19

**Presenter:**  
Lonna Thelen, Principal Planner, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ZC\_ORD\_PubDog, 2. Exhibit A-legal description, 3. Exhibit B-zoning depiction, 4. Signed Ordinance 20-31.pdf

Date	Ver.	Action By	Action	Result
6/9/2020	2	City Council	finally passed	Pass
5/26/2020	2	City Council	approved on first reading	Pass
4/30/2020	1	Planning Commission	referred	Pass

Ordinance No. 20-31 amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre located at 2217 Bott Avenue from R2 (Two-Family Residential) to C5 (Intermediate Business).

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### Summary:

Applicant: Land Patterns  
Owner: Pub Dog RE Holdings LLC  
Location: 2207 and 2217 Bott Avenue

This project includes concurrent applications for a zone change from R2 (Two-Family Residential)

and C5 (Intermediate Business) to C5 (Intermediate Business) and a development plan to allow a restaurant with an attached dog play structure for 0.62-acre located at 2207 and 2217 Bott Avenue. A waiver of replat to combine the property into one lot is being processed administratively.

### **Background:**

Pub Dog is a unique restaurant where dogs are allowed to join their owners inside the restaurant or in the outdoor play area; however, dogs are not allowed in the kitchen area. In 2014, City Council approved a zone change from M-1 and R2 to C5 along with a concept plan for a restaurant at 2207 Bott Avenue. In 2015, a development plan and waiver of replat were approved for the Pub Dog restaurant located at 2207 Bott Avenue.

This application is being requested to expand the Pub Dog restaurant onto 2217 Bott Avenue (the lot directly west of the existing use). The restaurant component of the site will continue as it is currently laid out, with parking and outdoor space. The expansion will allow a new structure to be constructed as an indoor play area for dogs.

The property addressed as 2207 Bott Avenue (Lots 9-12) is currently zoned C5; 2217 Bott Avenue (Lots 7-8) is currently zoned R2. This application would rezone 2217 Bott Avenue to C5. Because the structure will cross property lines, an administrative waiver of replat will combine lots 7-12 together into one lot.

This site is part of the Midland Neighborhood. This neighborhood has a mix of residential, office, commercial and industrial zonings. The contextual map (**Exhibit 1**) provides a representation of the mix of zone districts in this area. The Bott Avenue corridor as it nears 21<sup>st</sup> Street supports commercial users. This rezoning is across from industrial and within walking distance of the commercial zoning at Bott Avenue and 21<sup>st</sup> Street.

The site is currently improved with a 2,406 square foot restaurant and an artificial turf fenced leash area, along with parking for the restaurant. The current application is a request to add a 2,422 square foot indoor dog play area that will connect to the existing restaurant, along with four additional parking spaces. The southwest elevation of the new structure will contain garage doors to allow the dogs to play between the indoor area and outdoor area on a nice day.

The architecture of the addition will be compatible with the existing structure that, by design, resembles a red barn. The addition will be a red stucco tone and incorporate metal siding to match the existing structure.

The most-adjacent single-family residence is on the west side of the site. A six-foot wooden fence lines the west side of the site along with landscaping. No lighting or windows are on the west side of the site to limit the effect on the single-family residence.

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the plan's Vision map as a part of the Established Traditional Neighborhood. Per the Unique Places Framework Map, this site is directly adjacent to the Reinvestment Area and Community Hub. One of the key strategies of the Unique Places framework is to identify, promote and support redevelopment and infill opportunities. This project is an expansion of a new restaurant specifically marketed to dog owners. The original restaurant was constructed in 2016 and is very successful, thus the need for expansion. The site is very near to Old Colorado City and the future commercial expansion area

associated with Gold Hill Mesa. The Pub Dog restaurant adds to the unique place of Old Colorado City.

The typology of Corridors in the Unique Places Framework has a goal of taking advantage of the capacity and potential of the corridors throughout the City. Highway 24 and 21<sup>st</sup> Street are two major corridors within Colorado Springs. This site is located near these corridors and helps to support the redevelopment of these mature corridors.

Specific policies of PlanCOS that are supported are listed below:

Policy UP-1.A: Emphasize placemaking throughout the city with design and programming that supports a distinctive identity and experience. <<https://coloradosprings.gov/plancos/book/unique-places-goals-and-policies?mlid=43001>>

Strategy UP-1.A-1: Incorporate distinctive placemaking as an element of public and private development plans including privately initiated master plans, concept plans, and Planned Unit Development zoning.

Strategy UP-1.A-2: Evaluate new and redeveloping land use related to enhancement and support of existing, transitioning, and new activity centers.

City Planning staff finds Pub Dog to be in substantially conformance with PlanCOS and its guidance.

As a supplement to this memo, please see the details of the proposed development, staff's analysis of the review criteria, and breakdown of the comprehensive plan in the City Planning Commission Staff Report.

#### **Previous Council Action:**

On May 26, 2020, this ordinance was approved on first reading on the Consent Calendar.

#### **Financial Implications:**

N/A

#### **City Council Appointed Board/Commission/Committee Recommendation:**

At their meeting on April 30, 2020, the Planning Commission held a public hearing on the zone change and development plan. One citizen spoke in opposition to the project stating concerns related to parking, landscape setback, and compatibility with the surrounding neighborhood, noise and smell from the dogs and noise from the loud speaker. The Planning Commission voted 8-0 to recommend approval the land use applications to the City Council (Aye: McDonald, Wilson, Hente, Graham, Rickett, Almy, McMurphy, and Eubanks). No Planning Commission comments were provided prior to the vote.

Please reference the minutes from the hearing for a detailed record.

#### **Stakeholder Process:**

The public notification process consisted of providing initial notice to the neighbors by placing a poster for the project on the site and sending postcards to 190 property owners within 1000 feet. No public comments were received during the initial review. The site will again be posted and public notification sent prior to the City Planning Commission hearing and City Council hearing.

The applications were sent to the standard internal and external agencies for review and comment. Review comments were received and all comments addressed. Review agencies for this project include Colorado Springs Utilities, City Traffic, City Engineering, City Landscape, City Fire Department and Police/E-911, as well as School District 11, Floodplain and Enumerations and El Paso County Health. No comments were received from El Paso County Health Department.

**Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

**Proposed Motion:**

CPC ZC 19-00178

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre from R2 (Two-Family Residential) to C5 (Intermediate Business), based upon the findings that request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre located at 2217 Bott Avenue from R2 (Two-Family Residential) to C5 (Intermediate Business).