

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 15, 2009

**SUBJECT: Arbor Dog Day Care Special Exception Use (2856 South Main Street)  
File No. SEU09-001**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), subject to: 1) limiting the size of the operation to a maximum of 10,000 square feet; 2) limiting the hours of operation from 6:00 a.m. to 8:00 p.m. Monday through Friday and 8:00 a.m. to 8:00 p.m. on weekends and allowing indoor boarding during the hours the day care is closed; and 3) limiting the number of dogs to 125; and, therefore, approves the Arbor Dog Day Care Special Exception Use.

### **STAFF RECOMMENDATION**

Staff recommends that the special exception use be **postponed** to give the petitioner time to address staff comments.

### **LOCATION**

The site is located on the west side of South Main Street north of Eisenhower Parkway. This site is located in the Malletts Creek watershed.

### **DESCRIPTION OF PETITION**

The petitioner seeks special exception use approval to expand the existing dog kennel day care facility from 3,200 square feet (Unit C) to approximately 8,800 square feet (Units C, D, and E) in an Office zoning district (see attached site plan). The proposed expansion would increase capacity from 25 to 125 dogs.

Day care services for dogs are currently offered weekdays from 7:00 a.m. to 7:00 p.m. and weekends from 9:00 a.m. to 7:00 p.m. The petitioner proposes expanding hours of operation from 6:00 a.m. to 8:00 p.m. Monday through Friday and 8:00 a.m. to 8:00 p.m. on weekends, allowing for indoor boarding during the hours the day care is closed.

There are no substantive physical improvements proposed to the site or exterior of the building. The petitioner proposes using an additional 5,600 square feet of vacant space at the northeast corner of the 25,000-square foot building and using 13 existing parking spaces to the east of the building. Access to these spaces will continue to be from the Main Street entrance drive.

The current owners of the building indicate that there are no parking problems on site and the petitioner indicates they will be going from eight customer parking spots to 13 parking spaces, providing more than what will be needed (see explanation in special exception use response).

An existing layout plan has been submitted to accompany the special exception use application and to establish a baseline of existing conditions on site. Staff determined this proposal does not trigger the site plan requirements of Chapter 57 (Subdivision and Land Use Control Ordinance) since construction is solely on the interior of the building that does not increase usable floor area.

Per Chapter 55 (Zoning Ordinance), Section 5:10.12, veterinary hospitals and kennels providing medical, surgical, boarding, grooming and bathing facilities for small non-farm animals such as dogs, cats and birds are permitted as a special exception use in O (Office) districts, pursuant to Section 5:104. All facilities shall be completely enclosed in a sound proof building in such a way as to produce no objectionable odors at the lot lines. The proposed setbacks from this use are listed in the chart below.

### DISTANCE TO LOT LINES

	From Building	From Proposed Northeast Corner (Units C, D and E)
North	169 ft	169 ft
East	317 ft	317 ft
South	88 ft	199 ft
West	180 ft	220 ft

### COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	O (Office District)	O	O
Gross Lot Area	281,430 sq ft 6.46 acres	281,430 sq ft 6.46 acres	6,000 sq ft
Height	1 story	1 story	3 stories MAX
Setback – Front	317 ft – S. Main 169 ft – Oakbrook	317 ft – S. Main 169 ft – Oakbrook	25 ft MIN
Setback – Side(s)	88 ft	88 ft	None
Setback – Rear	167 ft	167 ft	30 ft MIN
Parking – Automobile	35 spaces *	35 spaces *	75 spaces MIN 100 spaces MAX

\* Existing nonconforming.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Public Park and Multiple-Family Dwellings	PL (Public Land District) and R4A (Multiple-Family Dwelling District)
EAST	Offices	O (Office District)
SOUTH	Offices	O
WEST	Residential Dwellings	R4D (Multiple-Family Dwelling District)

## HISTORY

This site was originally part of Pittsfield Township. In 1988, this site was annexed and zoned O. A special exception use was approved for this site on December 19, 2006, to allow for 25 dogs with a maximum floor area of 4,000 square feet.

## PLANNING BACKGROUND

The Master Plan Land Use Element (MPLUE) recommends office use south of Oakbrook Drive.

## SPECIAL EXCEPTION USE STANDARDS

General Standards - The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the following standards (petitioner's response in regular type, staff's comments in *italic type*):

**(a) The proposed use or uses shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. In applying this standard, the Planning Commission shall consider whether the proposed use:**

**1. Will be consistent with the general objectives of the City Master Plan;**

Yes, this is an allowed special exception use in the office zoning.

*The MPLUE recommends office use for this site. The existing O zoning is appropriate since it allows kennels as a special exception use.*

**2. Will be designed, constructed, operated, and maintained in a manner that is compatible with the existing and planned character of the general vicinity;**

Existing uses of the building are legal nonconforming commercial uses (auto related uses and carpet cleaning). Based upon the rigorous screening process for daycare attendees, a safe ratio has been established at one dedicated staff member per 25 dogs in attendance. Arbor Dog Daycare policy also dictates that a minimum of two employees must be present during public hours of operation, regardless of the number of dogs in attendance, This ratio exceeds the operational ratio required by other Dog Daycare facilities in the area

*The use and outside appearance and maintenance of the site are not changing. The petitioner has also indicated a minimum of two employees and up to five employees will be on site depending on the number of dogs present. No dog is left unsupervised.*

**3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity;**

This proposal will not increase the character or activity of this site. Neighboring uses include a City public park, as well as commercial, office, and multiple-family dwellings. The site is 480 feet from the nearest office usage and more than 320 feet from the nearest multiple-family dwelling. It is well screened by existing topography and landscaping. No topographical or building modifications are being proposed.

**4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general;**

The building was and has continued to be used for commercial and industrial applications since being annexed into Ann Arbor (business in existence prior to annexation).

*Neighbors have been contacted by the petitioner to discuss the proposal. Letters of support have been included along with neighborhood meeting results.*

**5. Will not have a detrimental effect on the natural environment.**

No modifications will be made to the building or surrounding landscape.

**(b) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, the assembly of persons in connection therewith, and the effect of the proposed use on public services and facilities, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard the Planning Commission shall consider, at minimum:**

**1. The location of and access to off-street parking and the safe provisions for pedestrian traffic;**

There are sidewalks on the north, west and east sides of the property. There is private parking on site on the north and east sides of the building, with entrance to the site from Main Street (three lanes wide). With the approval of this special exception use permit, 13 parking spaces will be dedicated for the use of Arbor Dog Daycare.

*The existing space for accommodating up to 25 dogs is adequately served by eight parking spaces. The new lease for Units C, D and E will have 13 dedicated parking spaces.*

**2. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections;**

No impact on traffic patterns. Main Street is three lanes wide (one northbound and one southbound and one turn lane) in front of the site. Traffic impact will be less than 50 vehicle trips per day during peak traffic hours. This is based on the following:

- 1) The evaluation performed by Karnik Pet Lodges (a similar business in Ann Arbor), projected compliance with the above requirements with the incremental traffic impact generated to support up to 195 animals. The incremental traffic load for Arbor Dog Daycare of that generated by Karnik (less than 25 vehicle trips per day during peak traffic hours).
- 2) The vacating of Comcast from the neighboring unit (Unit D) reduces the amount of traffic during peak hours, as all Comcast vehicles departed and returned during peak hours.
- 3) Expanding business hours to start before peak traffic hours and end after peak hours will further reduce peak hour traffic and aid us to better serve the University of Michigan Medical staff by allowing them to drop off dogs prior to 7:00 a.m.

*This relationship will remain largely unchanged. The petitioner has selected this site based on the existing layout and excessive setbacks and screening.*

**3. Vehicular turning movements in relationship to traffic flow routes;**

Vehicular turning movements in relation to traffic flow routes will remain unchanged.

*The existing curb cut on Main Street will continue to be used. No additional curb cuts are proposed.*

**4. The intensity and character of traffic and parking conditions on the site, and in the general area;**

The parcel is isolated with a private parking lot with 13 spaces dedicated for our sole use. With the increase to 125 dogs per day, total parking demand is projected to be 80 minutes during peak traffic hours and less than 10 hours per day. The total parking available is being increased from 8 spaces to 13 spaces to ensure that the minimum parking provided by Arbor Dog Daycare exceeds the approved parking spaces per animal ratio provided by Karnik Pet Lodges. Arbor Dog Daycare will provide one parking space per every 9.6 animals vs. Karmic Pet Lodge providing one parking space per every 11.5 animals.

*Vehicular activity is largely on weekdays. Staff agrees that more parking spaces are needed when this site converts into office uses. At this time, no changes in uses are proposed on site.*

**5. The requirements for additional public services and facilities which will be created by the proposed use will not be detrimental to the social and economic welfare of the community.**

This site is already on city water and sewer, no additional public services required.

*This site will not require sanitary sewer mitigation due to the proposed decrease in sanitary sewer flow. The petitioner has agreed to bag all dog waste and dispose on site in the dumpster.*

**(c) The standards of density and required open spaces for the proposed use shall be at least equal to those required by Chapter 55 in the zoning district in which the proposed use is to be located, unless a variance is granted.**

None required.

**DEPARTMENT COMMENTS**

Solid Waste – Disposal of dog waste is acceptable if bagged.

Fire - If they are operating a 24-hour staffed business, employees may not have sleeping quarter with overnight accommodation on the site.

Systems Planning – Sewer flow data comparing the proposed flow versus the existing flow shall be submitted for review. Fire hydrant coverage is not fully provided on the site. Hydrants shall be located such that all buildings and structures will be included in a 250-foot radius drawn around each hydrant. Easements for sanitary sewer and bike path need to be conveyed.

Planning – Staff supports the proposed expansion of the existing dog day care in an office district since this site has four large, established setbacks and is compatible with the existing

legal nonconforming uses on site. Building permits will required for any interior alterations to the existing building.

The Malletts Creek Coordinating Committee recommended a vegetative buffer be placed between the dog run area and the storm inlets. The petitioner responded that all solid dog waste is bagged and disposed of in the dumpster. In addition, there is a large vegetative area between the fenced dog-run area and Oakbrook Drive. It runs the complete length of the northern fence of the dog-run area. The closest storm drain inlet at a lower level of elevation would be at the corner of Oakbrook Drive and Main Street, approximately 250 feet northeast of the northeast corner of the fenced area. Any potential for rain run-off that is not absorbed into the soil would run into the existing vegetative area.

Prepared by Christopher Cheng  
Reviewed by Connie Pulcifer and Wendy Rampson  
jsj/12/11/09

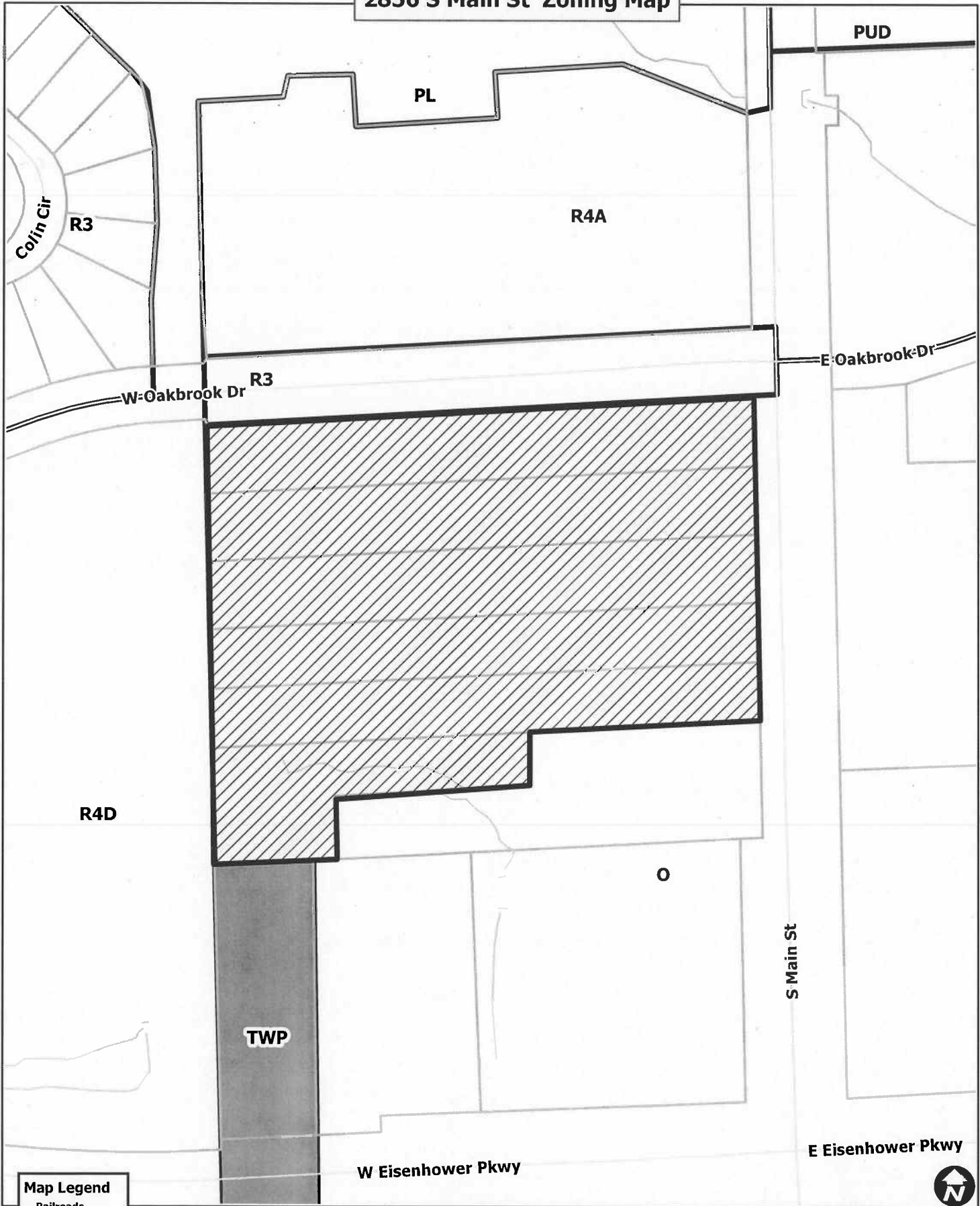
Attachments: Zoning/Parcel Maps  
Aerial Photo  
12/9/09 Site Plan  
Neighborhood Meeting Report  
Petition of Support  
12/6/06 Noise Report

c: Petitioner: Jon Svoboda  
467 Boston Street  
Ypsilanti, MI 48197

Owner: Walt and Paul Godek  
2858 South Main Street  
Ann Arbor, MI 48103

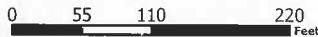
Systems Planning  
File No. SEU09-001

# 2856 S Main St Zoning Map



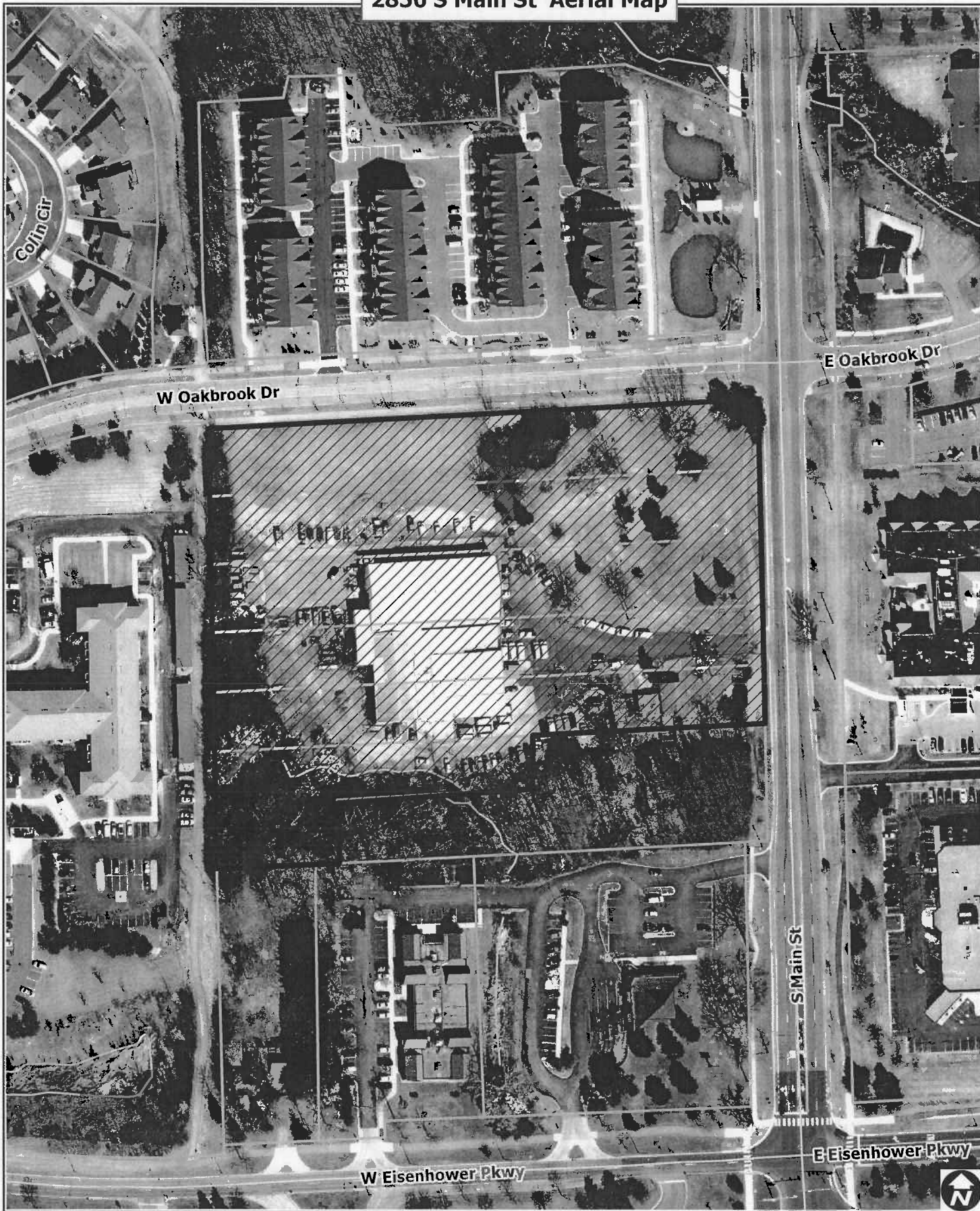
**Map Legend**

- Railroads
- ▭ Parcels
- Zoning**
- ▭ Township
- ▭ City of Ann Arbor



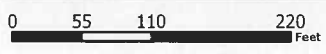
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# 2856 S Main St Aerial Map



**Map Legend**

- Railroads
- ▭ Parcels



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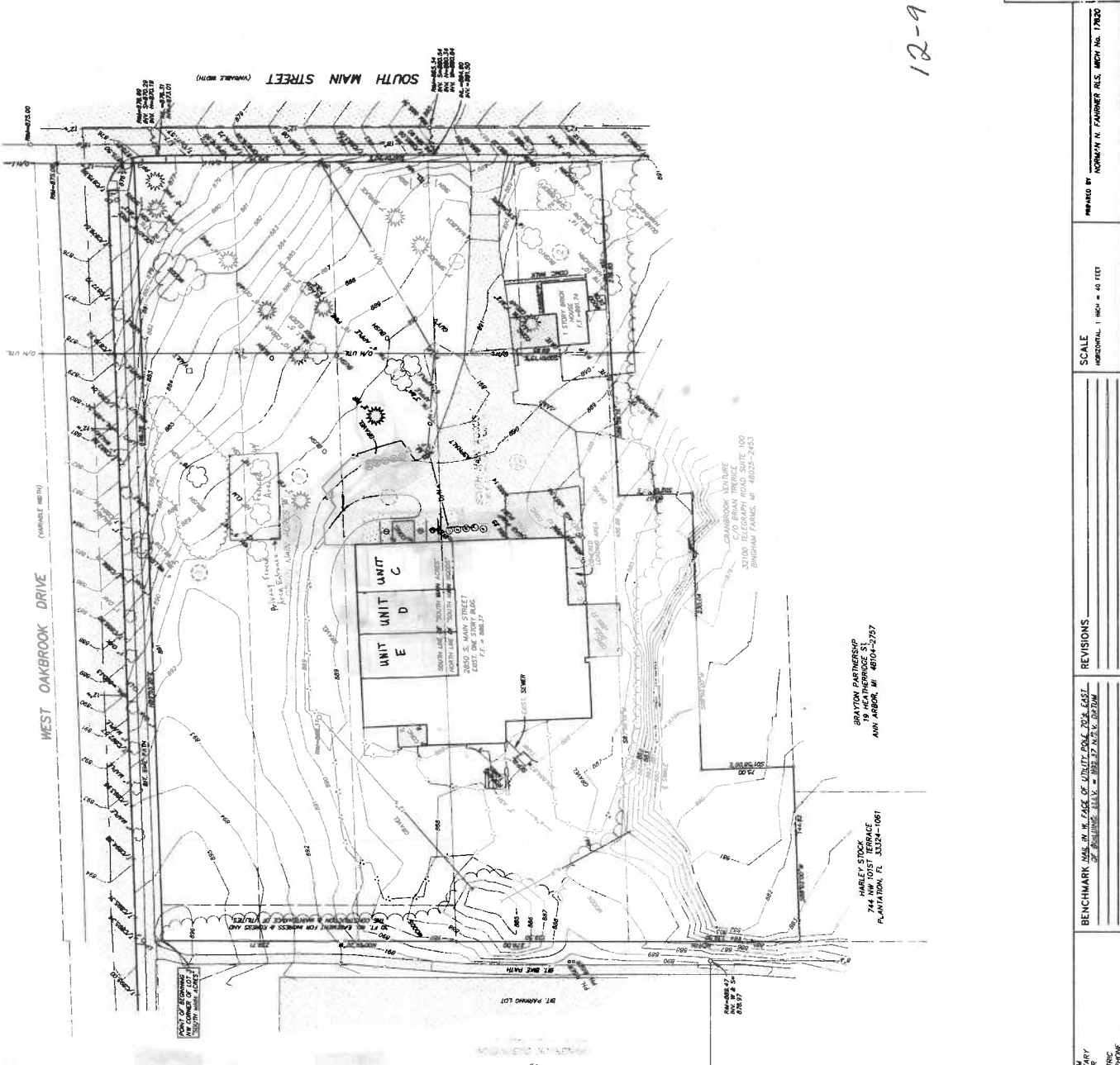
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Map Created: 12/10/2009





12-9-09  
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**Comparison Chart**

Existing	Requested / Permitted
Zoning	Office
Gross Lot Area	Office-Some Non-Conforming Uses
Lot Width	6,000 sq. ft. MIN
Floor Area	50 ft. MIN
	112,572 sq. ft. (40%) MAX

**Distance to Lot Lines**

From Building	From Units C through E combined
North	186.6 ft.
East	317.2 ft.
South	188.8 ft.
West	185.1 ft.

**Surrounding Land Uses & Zoning**

Existing Building	Zoning
North	O-Non Conform
East	City Park / RAD
South	Park / RAD
West	Office
	Multiple-Family Dwellings
	RAD

- LEGEND**
- 3" = FOOT
  - 6" = LIGHT POLE
  - 9" = GUY ANCHOR
  - 12" = HYDRANT
  - 18" = GATE VALVE
  - 24" = CONCRETE
  - 30" = ASPHALT
  - 36" = SAND
  - 42" = GRAVEL
  - 48" = EXISTING WATER
  - 54" = EXISTING ELECTRIC
  - 60" = EXISTING TELEPHONE
  - 66" = EXISTING SWIMBARY
  - 72" = EXISTING WATER
  - 78" = EXISTING ELECTRIC
  - 84" = EXISTING TELEPHONE
  - 90" = EXISTING WATER
  - 96" = EXISTING ELECTRIC
  - 102" = EXISTING TELEPHONE

SCALE: HORIZONTAL 1" = 40' FEET  
 REVISIONS:  
 BENCHMARK: NAD 83, N. W. CORNER OF UTILITY POLE, 203.4' EAST OF BUILDING, ELEV. = 898.17 N.T.V. DATUM  
 PREPARED BY: NORMAN N. FAHNER, P.E., MICH. REG. NO. 17820

BEFORE YOU DIG  
 CALL MISS DIG  
 800-485-7371  
 (TOLL FREE)

Dear Planning Commission,

We sent informational postcards with our contact information as well as the times and dates of two informational meetings to discuss the expanding of the current Special Use Permit to the addresses provided by the City. The text on each of the approximately 700 postcards read as follows:

*Arbor Dog Daycare, in it's efforts to increase it's care of dogs in our community is currently petitioning the city of Ann Arbor for authorization to increase the number of dogs it cares for, the amount of space it is currently approved to use within the existing facility and the hours authorized for dog daycare.*

*We are informing you as we want to make sure that everyone within the local community has an opportunity to express it's views about this potential expansion of current services.*

*We will be holding 2 meetings at the current facility on Thursday, November 19th and Monday, November 30<sup>th</sup> at 7:00PM at Arbor Dog Daycare (petitioner), located at 2856 S. Main St., to answer any questions and address any concerns. We can also be reached at 734-677-2332 (ask for Margaret or Jon Svoboda). Any information provided will be reviewed by the petitioner and included for review with the City with regard to this petition.*

The first Informational meeting was held from 7:00PM to 9:00PM on November 19, 2009. There was one person that attended. She was a neighborhood resident that had concerns that with an increase in dogs, the dog dander may affect her allergies in her housing unit North-East of the Current Daycare. We provided her a tour of the facility and showed her how we clean the facility (sweep and mop/vacuum) daily. She thanked us for addressing her concerns.

The second informational meeting was held from 7:00PM to 9:00PM on November 30, 2009. There were no attendees.

We also received one phone call about the expansion of our Special Use Permit. The caller, a retired educator, corrected us on our incorrect usage of the apostrophe in the word "it's" on our informational postcards, but didn't have an issue with the Special Use Permit.

Jon Svoboda  
Arbor Dog Daycare - Owner

## Petition Supporting Arbor Dog Daycare Special Use Permit

At Arbor Dog Daycare we enjoy providing the best dog services possible. Over the last three years we have grown to the point where if we don't expand soon, we may have to start turning dogs away. To prevent this we need to expand upon our current special use permit. Would you please support us by signing our petition so we can do the following:

- 1) Increase the size of our facility.
- 2) Increase the number of dogs to which we can provide service.
- 3) Be authorized to be able to extend our hours.

I support the Special Use Permit being requested by Arbor Dog Daycare for 2856 S. Main St, Ann Arbor, MI.

Name (please print)	Address	Signature
JEANETTE PETRIE	1933 Pleasure-Lockney	Jeanette Petrie
Sennie M. Hoffman	125 N. Lima Ct, Dexter	Sennie Hoffman
Amy Szczepanski	1916 Miller Ann Arbor	Amy Szczepanski
Judy Collins	555 Katz Farm Ct Saline	Judy Collins
M. J. Coon	1901 Austin Ave, Ann Arbor	M J Coon
Carolyn Graves Carolyn Graves	1415 Abbott, Ann Arbor	C Graves
Kathleen Burcki	2354 Peters Rd. A <sup>2</sup> MI	K Burcki
Lory Bush	19991 Boetger, Manchester, MI	Lory Bush
Shannon Duffney	114 River side Dr. Manchester	Shannon Duffney
William Duffney	7655 Fleming Dexter	William Duffney
Candace L. Sorensen	P.O. Box 328 Whitaker, MI 48190	Candace Sorensen
Susan A. Lennon	210 Lake Village Dr #108 Ann Arbor, MI 48103	S A Lennon
Rick Burdick	3535 Dexter-Ann Arbor Rd	Rick Burdick
GRETCHEN ADDOR	910 Victory Way Ste 100 Ann Arbor	Gretchen Addor
PAMELA KURTZ	2900 Logan Ct, A <sup>2</sup> , MI	Pamela Kurtz
Allison Crowder	50305 Uptown Ave Canton	Allison Crowder
Linda Coon	935 Wildwood Ln Ann Arbor	Linda Coon
Jessica Peston	5601 Menger Rd Ypsilanti	Jessica Peston
Margaret Wilson	3370 Williamsburg MI	Margaret Wilson

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I support the Special Use Permit being requested by Arbor Dog Daycare for 2856 S. Main St, Ann Arbor, MI.

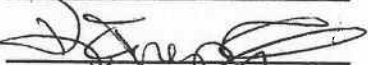
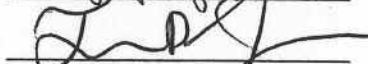

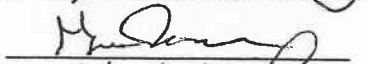




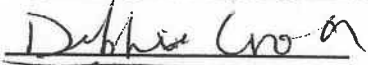

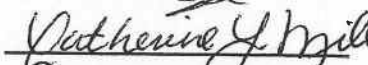
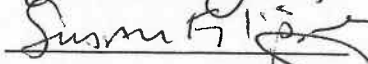
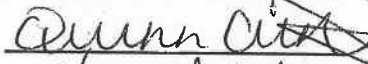
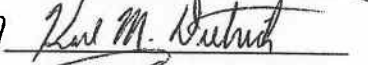
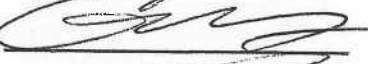

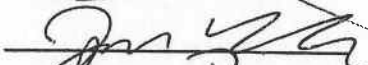
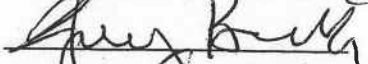

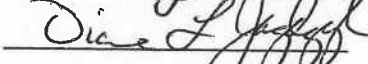
Name (please print)	Address	Signature
Leslie Kamil	2649 Wayside Dr 48103	Leslie Kamil
Ryan Collins	2485 Green Valley Dr.	Ryan Collins
Margaret Svoboda	467 Boston, Ypsi. 48197	Margaret Svoboda
Shelley Bell	3431 Hillside Dr 48197	Shelley Bell
Sue Hunter	1555 Crestland St. 48104	Sue Hunter
John Harms	1225 Rue Deauville Blvd <sup>Ypsilanti</sup> 48198	John Harms
Sarah Garrison	417 Skydale Dr. AA, MI 48105	Sarah Garrison
Jennife Smith	2021 Suffolk AA, MI	Jennife Smith
Jill Lawler-Huyle	2944 Barday Way Ann Arbor MI 48105	Jill Lawler-Huyle
Ashton Chen	2209 Stellar Road, Ann Arbor <sup>48105</sup>	Ashton Chen
Aaron Radlinski	396 Waymarket Dr, Ann Arbor, MI <sup>48103</sup>	Aaron Radlinski
Emily Turk	615 Sarah Ln Milan MI 48160	Emily Turk
Brian Szymanski	1569 Addington Lane A <sup>2</sup> , MI 48108	Brian Szymanski
Andrew Spottmann	22101 Lorette Woodhams <sup>MI 48153</sup>	Andrew Spottmann
Susan Rodriguez	6896 Gawley Rd Pinckney MI 48169	Susan Rodriguez
Elizabeth Mary	2232 S. Main St, AA, MI 48109	Elizabeth Mary
Andrea Lubetkin	2335 S CIRCLE DR, AA, MI 48103	Andrea Lubetkin
Maggie		
Mary Johns	2249 Twin Islands Ct A <sup>2</sup> 48108	Mary Johns
Michelle Hart	3191 Bluett Rd	Michelle Hart
Lauren Phelps	2804 Cranbrook Rd A <sup>2</sup> 48104	Lauren Phelps

**Petition Supporting Arbor Dog Daycare Special Use Permit**

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I support the Special Use Permit being requested by Arbor Dog Daycare for 2856 S. Main St, Ann Arbor, MI.

Name (please print)	Address	Signature
Kim Freymuth	955 W. Eisenhower A <sup>2</sup> 48103	
Trevon Logan	1455 Oak Valley Dr 203 48108	
Michael Landerman	675 Vine ct 48103	
George Jansson	1810 #5 Stadium blvd A <sup>2</sup> MI 48103	
Michelle Pardee	1199 Share Ave Ypsi 48198	
Jill Pitt	396 Waymarket Dr 48103	
Michael Palmer	2927 Leshe Park Circle 48105	
Anne Ward	2648 Bernice St 48103	
Debbie Crocker	4544 Doyle Rd Pinckney 48169	
Danielle Stovereski	14521 Inland Ln 48104	
Catherine L. Miller	760 Waymarket Dr. 48103	
Susan Filipiak	2181 N. Steinbach Dr 48130	
Quinn Curtis	452 Waymarket 48103	
Karl Dietrich	7745 Rutherford Ct. Canton 48187	
Chris Nordstrom	1325 Ardmore Ave, Ann Arbor 48103	
Fatma Ahmed	1173 Freesia Ct Ann 48105	
Josh Budde	3046J Signature Blvd	
Jenny Bandyk	1848 Ashley Dr Ypsi 48198	
Bry Aillich	223 Brenda Vista Ave 48103	
Dianne Jazdyk	623 Waymarket Ann Arbor 48103	

To: Jon Svoboda  
Arbor Dog Daycare  
3040 Washtenaw Ave  
Ann Arbor Michigan 48104

December 7, 2006

Subject: **Potential Community Noise Impact of Moving Arbor Dog Daycare to  
2800 Block of South Main Street Facility**

**Summary -**

On December 6, 2006 I conducted noise surveys to assess the potential community noise impact from the proposed relocation of the Arbor Dog Daycare. The assessment indicates that no measurable community noise impact should result from the move.

**Community Noise Assessment Procedure -**

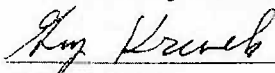
On the morning of December 6, 2006 I visited the 3040 Washtenaw Ave facility during normal operations. The building is located approximately 30 feet from Washtenaw Ave. Ambient noise levels in front of the building ranged from 55 dB(A) to 75 dB(A). The relatively high noise levels appeared to be from vehicular traffic. At the rear entrance traffic noise produced ambient noise levels ranging from 48 dB(A) to 54 dB(A). The rear entrance structure included an 8 x 12 foot plate-glass window. No dog barking could be heard 25 feet from the rear entrance. Noise from the Dog Daycare facility was significantly lower than the ambient noise levels.

Ambient noise levels on the north side of the proposed facility in the 2800 block of South Main Street ranged from 47 dB(A) to 56 dB(A). Higher levels appeared to be from vehicular traffic on South Main Street and West Oakbrook Drive. The property line and closest residence appeared to be several hundred feet from the building. The building has a small amount of glass and should have better noise reduction properties than the present building at 3040 Washtenaw. *Sound level measurements were made with a RS-232 Sound Level Meter SS# 02080054, Calibrated 06/06.*

**Conclusion -**

No measurable community noise impact should result from locating the Arbor Dog Daycare in the building on the 2800 block of South Main Street. The conclusion is based on:

- Noise levels measured near the present facility and ambient noise levels near the 2800 South Main Street facility indicated that locating the Dog Daycare in this building should not increase ambient noise levels at the property line.
- Barking was not audible 25 feet from the rear entrance of the present facility. Considering the ambient noise levels near the 2800 South Main Street facility barking should not be discernable at the property line of the new facility.

 12/07/2006  
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