

## Arbor Dog Daycare Special Exception Use Request

### About the owners:

Jon and Margaret Svoboda, owners of Arbor Dog Daycare, have been involved with animal well-being for many years. Jon became involved with the Humane Society of Huron Valley over 15 years ago. He is also the President of the Board of The Buster Foundation, a local dog rescue based out of Belleville. Margaret is also a Board Member of the Buster Foundation. She also volunteers one day a week to care for the rescued dogs at the Buster Foundation's headquarters. Jon and Margaret have personally rescued and fostered numerous dogs in their home, including their current foster dog that was relinquished into their custody from a scheduled euthanasia.

Jon and Margaret became involved with Arbor Dog Daycare when they found it was a great solution for their high-energy rescue dog. A year later, when they discovered the business was in dire financial straits, they met with the owner and worked out a purchase agreement. Jon and Margaret, both being strong animal advocates, did not want to see Arbor Dog Daycare fail.

### Background of Arbor Dog Daycare:

Arbor Dog Daycare was opened in Ann Arbor at 3040 Washtenaw in 2004. Arbor Dog Daycare moved to its current location in 2006, when Arlington Shops were proposed, which included the demolishing of the building from which Arbor Dog Daycare was renting. Arbor Dog Daycare obtained a Special Exception Use Permit to move into its current location in 2006. The Facility has never been contacted with a noise complaint in the four years in which it has been in its current location at 2856 S. Main St.

### Operations:

For the past four years, arbor Dog Daycare has operated from its current location at 2856 S. Main Street. Some of the key points of the operations are as follows:

- The operations are modeled on Child Care Centers, like the most cutting edge facilities located in Manhattan and California.
- The facility has staff on site 24 hours a day to ensure the safety of the Dogs in the care of Arbor Dog Daycare.
- The facility is completely cage-free, which has been shown to reduce stress and eliminate the vast majority of separation anxiety issues.
- All Daycare Personnel are red-cross certified in Canine First Aid and CPR.
- The space per dog is 4 times greater than those designated by big-chain stores (i.e. Petsmart) as well as the requirements of the Humane Society of Huron Valley.

### Awards & Certifications:

In both 2008 and 2009, Arbor Dog Daycare won the "Best Dog Boarding / Daycare Facility" recognition by Michigan Tail's Magazine's reader's poll. Arbor Dog Daycare is the only facility in Washtenaw County to have ever received this award. They have also received recognition from the Huron Valley Human Society as well as from the Red Cross in their efforts to ensure the safety of the animals in their care.

The potential impact of Barking in the Dog Run in the neighborhood:

This is the big question that is on everyone's mind. If we allow Arbor Dog Daycare to expand the number of dogs allowed on-site, how much barking will I hear?

**To continue to be a good neighbor, we have revised our proposal as follows:**

**#1 Reduce the number of dogs allowed in the outdoor run area by 40% (from 25 to 15).**

- Based upon the sound study, noise generated in the dog run area will not be heard at the property line if the number of dogs in the outside area is reduced by 20% (from 25 to 20). We are proposing to reduce the dogs allowed at one time in the outdoor dog run area by 40% to ensure that any potential noise generated in the Dog Run area doesn't go beyond the property lines.
- This can also be confirmed by viewing the 10 minute continuous video taken of the property with 20 dogs in the outdoor Dog Run area. The video has been posted to youtube and can be viewed at the following URL: <http://www.youtube.com/watch?v=mo2sOXu-IDo>

**#2 To further guarantee the peaceful enjoyment of the neighborhood, ensure that any dog in the outdoor Dog Run that barks continuously or is creating a potential nuisance will be immediately brought inside of the Daycare (policy letter is attached).**

**#3 Continue to limit the hours that the outdoor Dog Run is used to 10AM to 5PM.**

**Current Support of Arbor Dog Daycare's SEU Request:**

- In the last 30 days, more than 15 letters of support have been sent to the Planning Commission in support of our request (included in the SEU Exception request information Packet on October 5<sup>th</sup>).
- **More than 300 people have signed petitions in support of expanding Arbor Dog Daycare.**
- The University Living Management supports our request to expand.
- The Balmoral Condominium Association President supports our request to expand.
- The concerns of the Manager (and the petitioners) of Brookhaven Manner have been addressed.
- The additional concerns brought into the September 21<sup>st</sup> meeting have been addressed (refer to following text).

Neighborhood Concerns:

Several potential concerns were brought in front of the Planning Commission when our original proposal to increase our dog count was heard in December of 2009. These issues, and the outcomes of these earlier issues, have been addressed since the December, 2009 hearing. The issues and outcomes are documented below:

- Barbara Exel, the Director of University Living, was concerned with the noise impact by increasing the number of dogs allowable in the dog run from 25 to a maximum of 125. She was also concerned about the potential impact of smell from the increase in dog waste. Jon Svoboda met with Barbara Exel and they came to a mutual agreement to address her concerns. This agreement was come to with Jon committing to maintain the maximum number of dogs allowed outside at 25 (no increase). As for smell, even though it wasn't a current issue, Jon committed to double bagging of dog waste, to ensure that smell never becomes an issue. **Barbara Exel, representing the University Living Facility and its residents, supports the proposed Special Exception Use Permit.** Ms. Exel is writing to the Planning commission in support of the expansion.
- Two residents of **Balmoral Condominiums** had concerns associated with barking and the appearance of an expansion on the building. Jon met with the Balmoral Condominium Association's board and reviewed the Daycare operations along with the concerns generated by the residents. He also clarified that there would be no external building modifications, as the expansion is proposed to use an additional portion of the existing building. The president of the Association, Vishel Shah, also toured Arbor Dog Daycare to review their operations. **The board members support the proposed Special Exception Use Permit.** Jon has since committed to further reduce the number of dogs allowed in the dog run at any one time to 15. Mr. Shah is writing to the Planning Commission in support of the expansion.
- The Manager of Brookhaven Manor, Elaine Davidge, brought in a petition in opposition with several signatures to the December, 2009 hearing. Their concerns weren't with current operations of Arbor Dog Daycare, but were associated with the potential impact of the expansion. These potential concerns were for noise and the appearance of an addition onto the existing building. Margaret met with Elaine at the Arbor Dog Daycare facility. They toured both the Daycare and the neighboring businesses. While in the neighboring businesses, the building's soundproofing was evidenced as the dogs couldn't be heard. Margaret addressed the potential concerns by committing that the limit to the number of dogs in the outdoor Dog Run would continue to be limited to 25 and that our proposal didn't affect the external structure of the building. Since then Margaret has also followed-up with Elaine Davidge to make her aware of the proposed reduction from 25 dogs to 15 dogs in the dog run at any one time. Elaine is cautiously optimistic about the potential impact of the expansion. Elaine has been provided with Margaret's personal cell-phone number in case she has any future concerns about the daycare.

The three concerns identified below (one in writing and two verbally at the hearing) from the Planning Commission meeting on September 21<sup>st</sup>. Two of these issues were generated from Balmoral Condominium residents. In our efforts to ensure that any potential resident issues are addressed, **Margaret has been trying to meet with all of the residents of Balmoral**

**Condominiums. She has gone door to door on both October 12<sup>th</sup> and October 14<sup>th</sup> to answer questions and address any potential resident's concerns.**

- The concern from Speaker Tim Theme at 112 Oakbrook was around barking associated with dogs in the outdoor dog run. Margaret has stopped by Tim's residence twice (once on October 12<sup>th</sup> around 3PM and again on October 14<sup>th</sup> around 6:30PM). He wasn't home on either occasion. **Margaret is continuing in her efforts to try to contact Mr. Theme to personally address his concerns.**
- The concern from the letter sent to the city from William Wroblewski associated with the barking has been reviewed. The residents of 210 Oakbrook (across from Mr. Wroblewski's residence at 217 Oakbrook) expressed that they have had a concern with barking, but it has been coming from a neighboring dog within the Condominium complex, not the daycare. Margaret has stopped by William's residence twice (once on October 12<sup>th</sup> around 4PM and again on October 14<sup>th</sup> around 7:30PM). He wasn't home on either occasion. **Margaret is continuing in her efforts to try to contact Mr. Wroblewski to personally address his concerns.**
- Per Jean Carlberg, the barking of dogs could be heard across the street from the Dog Run for an extended period of time on October 6<sup>th</sup> in the 11:30AM to 1:30PM timeframe. Upon learning of this incident, Jon and Margaret called an emergency staff meeting to review Arbor Dog Daycare's policies on dog barking in the outdoor dog run. Arbor Dog Daycare's guidelines have always been to bring back inside the daycare any dog that exhibits prolonged barking (anything in excess of 3 minutes). The policy has since been documented into a letter (attached) which has been reviewed with all employees. Employees have also been made aware that compliance is everyone's responsibility and that any future non-compliance can result in disciplinary actions.

On a personal note:

Margaret and I got involved in dog care after seeing the need and having had multiple experiences in the importance of animals in our lives. This business is not making us rich by any stretch of the imagination. If it must be told, we are still in the red from where we started. Our desire to expand is to ensure that we can continue to provide quality care to pet parents that don't always get the understanding that they deserve.

For us, our dogs have been our children. We were finally able to adopt a Daughter 3 months ago, but that has not reduced the importance of our dogs in our lives.

I realize that some people do not see dogs as family members, and that is their prerogative, but those of us that want quality care for our pets should be able to receive it. Currently we have to turn people away, knowing that the care that they will receive at another facility may not be up to their expectations. I would like to have the ability to not have to turn these people away.

Our primary change is to the interior operations, of which the potential noise issues have been addressed previously. I have also agreed to reduce the number of dogs in the outside area to a maximum of 15. These actions will reduce the visibility of our operations even further from the surrounding community.

Whether or not we receive approval of our Special Exception Use Permit, we will continue to promote our "open door" policy with the community. If someone sees or hears something objectionable, all they need to do is call Arbor Dog Daycare at 677-2332 and we will address it.

Based upon all of the actions that we have taken over the last 10 months to address everyone's concerns, I really believe that we are presenting a proposal with a win-win outcome for both the neighborhood and Arbor Dog Daycare.

Please vote in support of Arbor Dog Daycare's Special Exception Use.

Thank you.

Jon and Margaret Svoboda



Your Dog's Second Home!

From: Jon and Margaret Svoboda  
Re: Dog Barking Policy  
Date: October 7, 2010

As you know, we have had a policy to address dog barking, where any continuous barking by any dog is to be reported to one of the managers and the dog is to be brought inside the facility IMMEDIATELY.

On Tuesday, Oct 5<sup>th</sup>, one of the staff reported to one of the managers that one of the dogs outside was continuously barking, and for whatever reason, the dog was left outside. Unfortunately, a member of the Planning Commission was at that time monitoring the facility over a two hour period. This presented an unfortunate and, we feel, an inaccurate picture as to how we operate our business.

We are therefore altering our policy as follows. If anyone notices a dog continuously barking, instead of reporting it to a manager, they are to bring the dog in immediately. They are to then add the following information to the Dog Barking Incident Sheet that we have posted in the office. That information includes: the time of the incident, the dog's name, and your name as the person who brought the dog inside.

We need to work as a team on this. No one will get in any trouble by bringing a dog in. Also, no manager is to feel that their authority has been subverted.

The Dog Barking Incident report that is posted will also give us the opportunity to work with managers and all staff to continuously monitor and address any problems and concerns.

We want to be, and need to be, a good neighbor.

If there are any further concerns, or if you have any questions. Please feel free to talk to one of us.

*Susan McJ...*

10/7/10



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*Molly Champoux*



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*Sean Sawyer*

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## Neighborhood Letters

University Living  
2865 South Main  
Ann Arbor, MI 48103  
Attn: Executive Director Barbara Exel

Dear Ms. Exel,

Thank you for meeting with me to discuss the expansion of Arbor Dog Daycare. Attached is a summary of the commitments on the part of Arbor Dog Daycare to address your concerns.

The external appearance of the facility will not change, as we only intend to expand within the current footprint of the building. The increased building usage will be along the North side of the building west of the existing day care. This expansion will not be visible from the University Living facility.

The vehicular traffic currently generated at peak traffic hours will be reduced, as we have requested authorization to be able to open one hour earlier (6:00AM) and to close one hour later (8:00PM). This should help reduce traffic and assist in the access of emergency vehicles to the University Living Facility.

Although there hasn't been an issue with odor to date, I respect the resident's concern that there could be an issue with an increase in the number of dogs. We currently bag waste and place it in the dumpster such that no odors emanate from the dumpster. We intend to further ensure that there are no odors by double bagging waste (with the approval of our proposed special use permit).

As for noise generated in the outdoor play area, we will limit the number of dogs in the outdoor play area to 25. The sound study performed in January was done with 25 dogs in the outdoor play area. The results showed that with 25 dogs there was no impact to noise levels at the lot line facing the University Living Facility.

I am glad that we were able to meet to review your concerns. We want to continue to be a good neighbor while supporting the needs of the community. If you have any additional concerns, either now or in the future, please contact me on my personal cell-phone or Margaret (my wife) at the daycare so we can work together to resolve them.

Thank you again for your time and support.

Sincerely,

Jon Svoboda  
Owner  
Arbor Dog Daycare  
2856 South Main  
Ann Arbor, MI 48103