

▶ **FILE #:** 10-H-07-UR

AGENDA ITEM #: 87

AGENDA DATE: 10/11/2007

▶ **APPLICANT:** **DOGTOPIA**
 OWNER(S): DAVID BURLESON

TAX ID NUMBER: 131 125.02

JURISDICTION: County Commission District 5

▶ **LOCATION:** **Northwest side of Kingston Pike, northeast side of Sherway Rd.**

▶ **APPX. SIZE OF TRACT:** **1.23 acres**

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Sherway Rd., a local street with a 26' pavement width within a 50' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **ZONING:** **CA (General Business)**

▶ **EXISTING LAND USE:** **Commercial shopping center**

▶ **PROPOSED USE:** **Dog day care and boarding facility**

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Commercial offices and warehouses / CA (General Business) & CB (Business & Manufacturing)

South: Commercial shopping center / C-3 (General Commercial)

East: Car lot / CA (General Business)

West: Car lot and commercial shopping center / CA (General Business) & C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: The subject property is located in the Kingston Pike/1-40/75 commercial corridor.

STAFF RECOMMENDATION:

▶ **APPROVE the proposed dog day care and boarding facility in the CA (General Business) zone, subject to 6 conditions.**

1. Adherence to all stipulations of the attached development plan and other materials, as submitted by the applicant.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements of the Knox County Health Department.
5. Hours of operation are limited to 7am - 7pm, Monday through Friday, 10am – 5pm on Saturday, and 11am - 2pm on Sunday.

6. No dogs may be outside on the property at any time, other than for the transfer from customers dropping off or picking up animals.

With the conditions noted above, this request meets all requirements of the CA zoning district, as well as other criteria for approval for a use on review.

COMMENTS:

The applicant is proposing to operate a dog day care and boarding facility out of an existing commercial shopping center located on the corner of Kingston Pike and Sherway Rd. Access to the site is from two entrance/exits along Sherway Rd. The use will occupy a 5,000 square foot section of the shopping center and accommodate playroom space, a lounge, a small retail area, an office, laundry and kitchen facilities, and restrooms. Veterinary clinics and animal hospitals are a use permitted on review in the CA zoning district, and it has been determined that the proposed use is similar enough to these uses that use on review approval is required.

The proposal does not include outdoor areas for dogs to be housed. All day care and overnight boarding facilities are conducted indoors. All urine and feces will be picked up and disposed of in sealed trash containers. The kennels will be climate controlled and have adequate air exchange for the health of the animals. Based on staff's research, indoor kennels are becoming more common in urban settings.

The applicant anticipates that on a typical business day, clients will drop off animals in the morning and pick them up in the afternoon. The maximum number of dogs cared for per day is anticipated to be around 66 and the maximum number to be boarded overnight is anticipated to be 10. The owner is proposing to have a maximum of 5 employees.

The existing shopping center has two tenants that share 34 parking spaces. The proposed dog day care and boarding facility will require 12 parking spaces. An adequate amount of parking is available since the other tenant only requires use of 13 of those spaces.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed use will place additional traffic demands onto Sherway Rd., however, the site is located in an existing commercial shopping center along Kingston Pike which can accommodate the additional traffic generated by this development. The applicant anticipates that on a typical day at maximum capacity, the proposed use could generate up to 750 vehicle trips per day.
2. There is a sufficient amount of parking to accommodate the proposed uses.
3. The operational guidelines indicate that dogs will be kept inside at all times and that all fecal matter will be regularly disposed of from the kennels and exercise areas. This will reduce the noise and potential odor impacts.
4. The property has access to public utilities.
5. With exception to a new sign, the exterior of the building on the subject property will remain in its current condition. This will help maintain the existing commercial character along Kingston Pike and Sherway Rd.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposal is consistent with general standards for uses permitted on review. The use is consistent with adopted plans and policies, as well as the intent of the zoning regulations. The CA zone allows dog day care and boarding facilities to be considered as a use on review. The proposed use, because it is located in an existing commercial corridor should not create noticeable hardships for adjoining property owners. Potential impacts such as noise from barking dogs, traffic, and potential odors have been addressed sufficiently by the development plans and materials submitted by the applicant.
2. The Knox County Zoning Ordinance does not contain specific standards for the regulation of dog day care and boarding facilities kennels. Staff has made use of all available information gathered during past reviews of dog kennels and boarding facilities to make these recommendations. Staff has attempted to address all potential issues that may arise by locating a dog day care and boarding facility at this site.

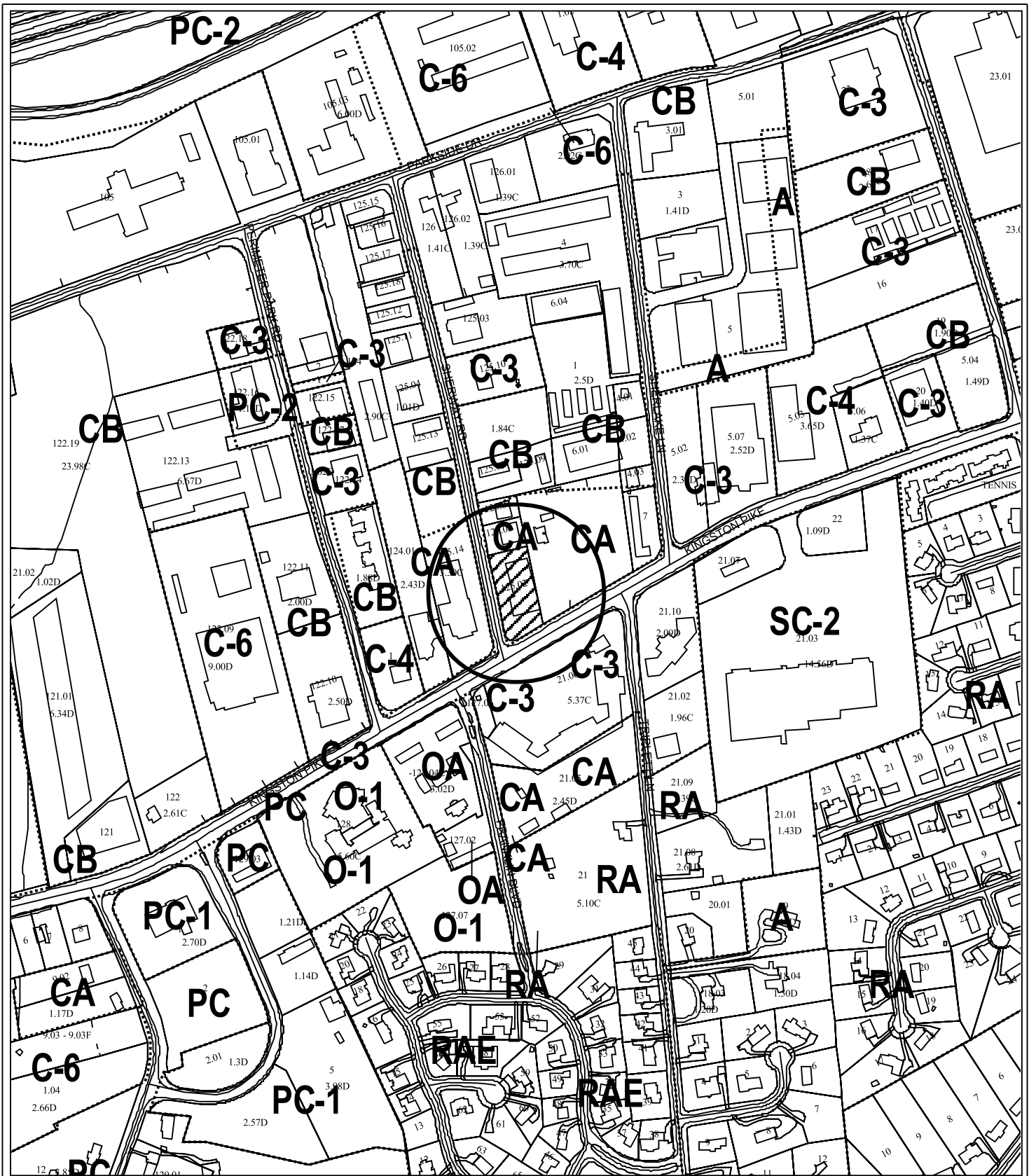
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes commercial uses for this property.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



10-H-07-UR
USE ON REVIEW



Dog day care and boarding facility in CA (General Business)

Original Print Date: 09/27/07 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Dogtopia

Map No: 131

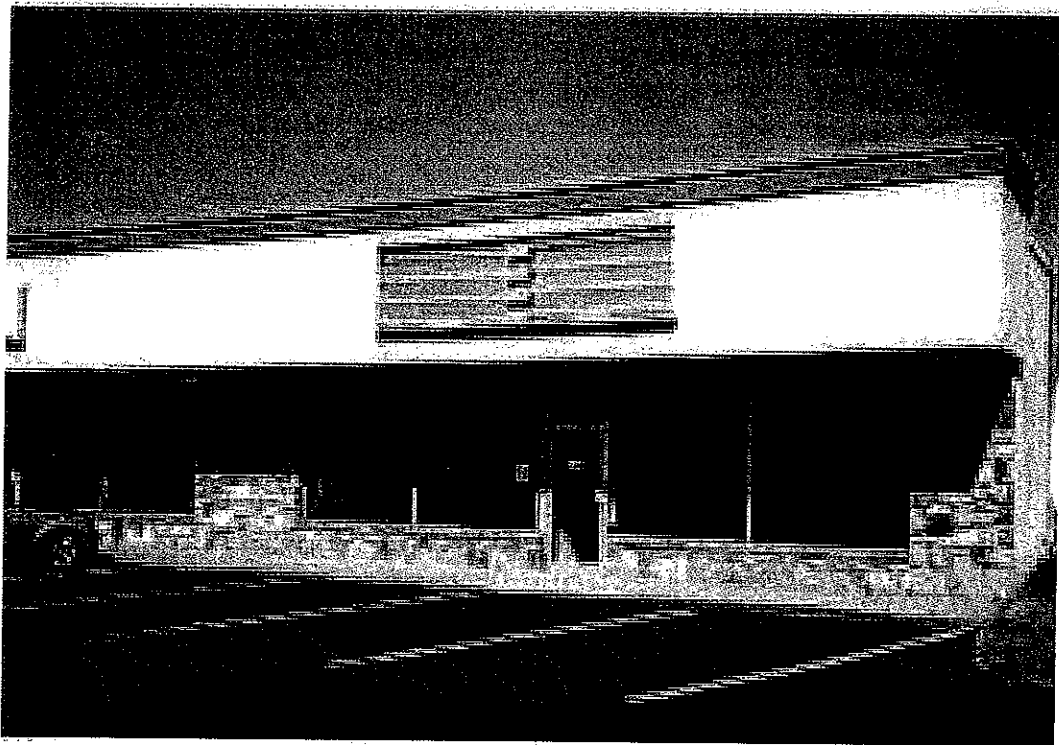
Jurisdiction: County

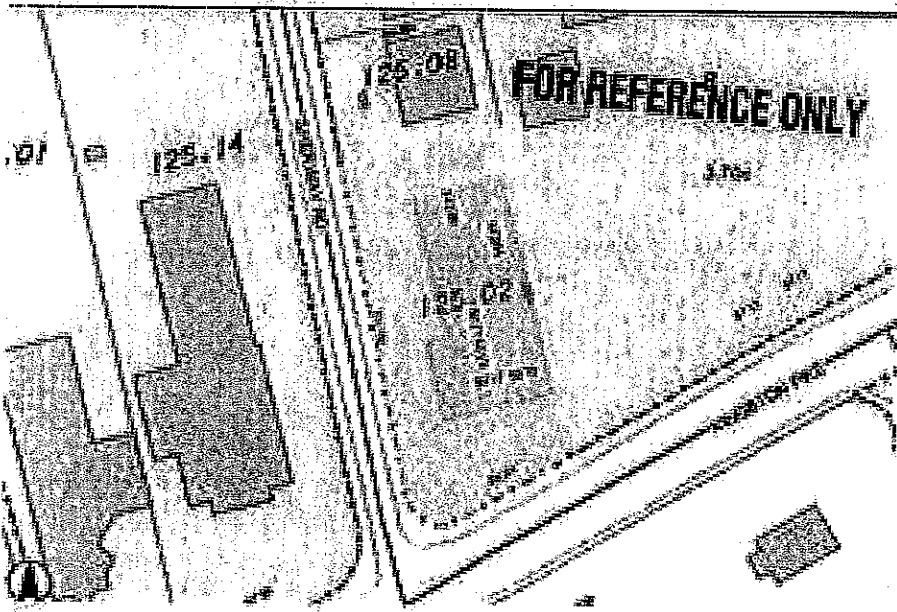


10-H-07-UR

Metropolitan Planning Commission
Use on Review
Development Plan

Date: October 11, 2007
To: Knoxville – Knox County Metropolitan Planning Commission (MPC)
From: Susan Handley, President
Dogtopia of Knoxville
Subject: Use of Review Application for a dog day care and boarding facility located at 9715 Kingston Pike, Knoxville, Tennessee



EXECUTIVE SUMMARY	
	SITE ADDRESS/LOCATION: 9715 Kingston Pike
APPLICANT/AGENT: Susan Handley Hounds' Inn Resorts, LLC d/b/a Dogtopia 1658 Wisteria View Way Knoxville, TN 37914	LANDOWNER: David T. Burleson 9723C Kingston Pike Knoxville, Tennessee 37922
RECOMMENDATION: Approve as proposed. DEVELOPMENT PLAN: 1. Dog Day Care in Other Cities 2. Project Analysis 3. Compliance with special regulations 4. Odors 5. Noise 6. Waste Disposal 7. Parking 8. Dumpster Location 9. Traffic Impact 10. Drainage Plan 11. Proposed Signage 12. Building Floor Plan/Architectural Elevations 13. Landscape Plan	ATTACHMENTS:
LOCATION MAP:	
	

1.0 PROPOSED USE

Hounds' Inn Resorts LLC (d/b/a HIR) intends to operate a Dogtopia® franchise at proposed west Knoxville location, 9715 Kingston Pike. HIR intends to provide dog day care, overnight and spa services to clientele who prefer the highest level of care for their pets. The business owners anticipate starting operations in November 2007

The mission statement of Dogtopia® of Knoxville is to be the premier provider of the highest quality dog care in the area, specializing in a spa-like atmosphere with day care and overnight services for dogs of busy owners. Customer will drop their dogs off in the morning and pick them up in the afternoon (unless the pet is an overnight guest).

The franchisor provides a comprehensive operating manual, including thorough cleaning procedures. In addition to the operating manual, the franchisor provides four (4) weeks of complete training to ensure that the business is clean, safe, and sound for both the pets and the community.

This business location provides quick access to I-140, I-40, and Kingston Pike. This will make it convenient for busy commuters to drop off and pick up their pets on their way to and from work. The Dogtopia® of Knoxville facility is approximately 5000 square feet. The facility will look and operate much like a child daycare facility, with large, brightly colored rooms with play equipment and toys. Dog parents will be able to enjoy watching their dogs playing happily with their friends via live web cams.

Offering an additional service to the busy pet owner, the facility will market pet supplies in a boutique atmosphere. There will be a wide variety of unique items for the pampered pet such as toys, grooming supplies, food, treats, sweaters, collars, leashes, bandanas and more.

The planned hours of operation will be Monday through Friday from 7:00 A.M. to 7:00 P.M., Saturday from 10:00 A.M. to 5:00 P.M., and Sunday from 11:00 A.M. to 2:00 P.M. (for boarding pick up and drop off only). These hours are subject to change based on sales and customer demands.

The company goal of HIR is to operate a successful business venture, as well as becoming the premier provider of high-quality dog care in Knoxville, Tennessee. Our company objective is to reach an average occupancy of 50 dogs each day through our dog day care services within a 12-month period and 70 dogs within an 18-month period. Once these goals are attained, HIR will implement value-added services, such as grooming and pet massage to further grow its customer base.

Our business philosophy is rooted in passionate enthusiasm for pets, in addition to a love of business. This passionate enthusiasm stems from the desire to provide a level of pet services that satisfies even the fussiest pet owner . . . because we are that fussy pet owner. In addition, we value and demand exceptional customer service for both our pets and our pet owners. We will market our product to dog owners whose personal lives (job, family, travel, etc.) cause them to leave their pet confined for long hours each day or simply to pet owners who desire fun, play and necessary socialization for their dogs.

Throughout the remainder of this document, Dogtopia® of Knoxville intends to address some common concerns associated with similar business ventures with sound and well thought out action plans for the business

2.0 RECOMMENDED ACTIONS

Staff recommends that the Metropolitan Planning Commission:

2.1 Adopt a Planning Commission Resolution entitled:

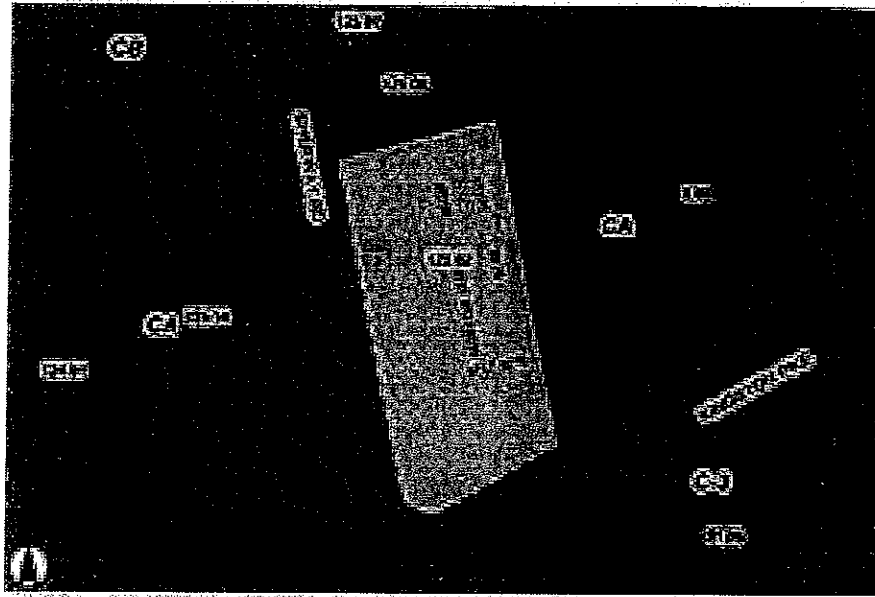
A RESOLUTION OF THE PLANNING COMMISSION OF KNOXVILLE – KNOX COUNTY, TENNESSEE, APPROVING SAID USE PERMIT TO ALLOW A DOG DAY CARE AND BOARDING FACILITY IN AN EXISTING BUILDING AT 9715 KINGSTON PIKE, ASSESSOR'S PARCEL NUMBER 125.02.

3.0 SITE REVIEW

3.1 Site Information

General Plan Designation	General Business Zone (CA)
Zoning District	General Business Zone (CA)
Site Size	5,000 square feet building
Present Use	Vacant
Surrounding Zoning and Uses	North, South, East, West: General Business Zone (CA)
Access	Site Access from Sherway Road

3.2 Topographic Information



3.3 Background

The proposed project is located within the General Business Zone (CA) at 9715 Kingston Pike. The site consists of an existing 10,000 square foot building with two separate tenants. The present use of the project site is a paint and decorating store occupying 5,000 square feet of the building. The projected site provides a total of 34 parking stalls which are shared between the two tenants.

3.4 Project Description

Hounds' Inn Resorts, LLC is proposing a 5,000 square foot dog day care facility within the existing building on Kingston Pike. The franchise, called Dogtopia, would provide daycare and limited overnight services for dogs. Services include bathing and nail trimming for dogs; however, medical services are not offered. The business would also offer dog training classes in the evening and a small retail section would be provided in the lobby. The franchisor currently operates other dog day care facilities in Virginia, Maryland and Texas.

The facility would operate from 7:00 a.m. to 7:00 p.m. Monday through Friday; 10:00 a.m. to 5:00 p.m. on Saturday and 11:00 a.m. until 2:00 p.m. on Sundays. The floor plan includes a lobby, three dog play rooms, an evaluation room, a kitchen, laundry, and a wash room (refer to Attachment 1).

The facility would employ four to five employees per shift depending on the size and activity level of the dogs; with one staff person for every 10 to 15 dogs. The dogs play inside the facility in supervised play groups of 10 to 15 dogs each and are not taken off the premises (with the exception of owner pick up and drop off). Each playroom can accommodate one to two playgroups with a maximum capacity of 65 to 70 dogs at the facility. Peak drop-off time is from 7:00 a.m.

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until 9:00 a.m. and peak pick-up hours are between 5:00 p.m. and 7:00 p.m. Monday through Friday. Weekends do not have a specific peak since drop off and pickup is not based on a regular work schedule.

The overnight service, similar to a kennel, would provide one staff member after hours until 11:00 p.m. and then a motion detector will be set to alert the business owner of any movement within the building outside of the crates. Dogs are kept in individual metal (home-style) crates for overnight boarding. The first staff member would arrive at 6:00 a.m. to attend to the kenneled dogs.

4.0 PROJECT ANALYSIS

Based on the concerns raised during review of similar animal use project, staff has provided an analysis and conditions of approval to address the proposed dog day care and boarding use.

4.1 Dog Day Care in Other Cities

Staff researched other dog day care facilities within Knox County. Two existing facilities, Dog House-Doggie Daycare and PetSafe Village were compared. These competitor facilities have been successful with no known complaints against the businesses at this time.

Dogtopia® of Knoxville, the proposed dog day care, would share the site with one other small business and parking is addressed in detail in Section 4.6.

4.2 Compliance with Special Regulation for Animal Use

Dogtopia® of Knoxville, the proposed dog day care facility, would operate similar to an animal hospital or clinic. Similarities include noise, disposal of waste and trash and compatibility with surrounding uses.

The following table shows how the proposed use would meet the applicable performance and development standards for an animal hospital or clinic.

<u>Concern</u>	<u>Proposed Project</u>
Safe and air-conditioned facility for the dogs	The entire facility is air conditioned. The building has Shalite block walls on all sides, including the demising wall. Another material called Tuflex is used on the floors throughout the facility to help with sound attenuation.
Safe housing for the dogs	The facility will provide home-style crates in the playrooms that are suitable for the dog's size. When the dogs are not actively playing in their supervised playrooms, Dogtopia® uses metal crates to house each dog. Each dog boarding overnight will receive its own

	<p>crate in which to sleep and rest. On average, approximately 10 dogs are proposed to stay overnight. Each day the crates are cleaned. Therefore, there will be at least 10 but no fewer than 5 crates accessible at the facility at any time.</p>
<p>Runs for the dogs</p>	<p>The dog play areas, similar to a dog run, are all located within the proposed facility which will be an air conditioned and sound attenuated.</p>

As proposed and conditioned, the project will comply with these performance standards.

4.3 Odors

The proposed dog day care use had been designed to minimize the impact of odors caused by animal waste. Dogs are kept indoors in play areas. Bags will be provided near the front entrance for dog owners to pick up accidental waste from their pet during drop off and pick up. The business will utilize waste management techniques including double bagging waste to reduce and eliminate odors. Sanitizers and cleaning supplies will also be used on a regular and frequent basis. For detailed description of cleaning facility, see attached cleaning schedule.

The facility is fully air conditioned so that doors can be kept closed at all times. The air-conditioning and ventilation systems will vent to the roof and high grade HEPA filters and air exchange systems will provide the proper filtration.

4.4 Noise

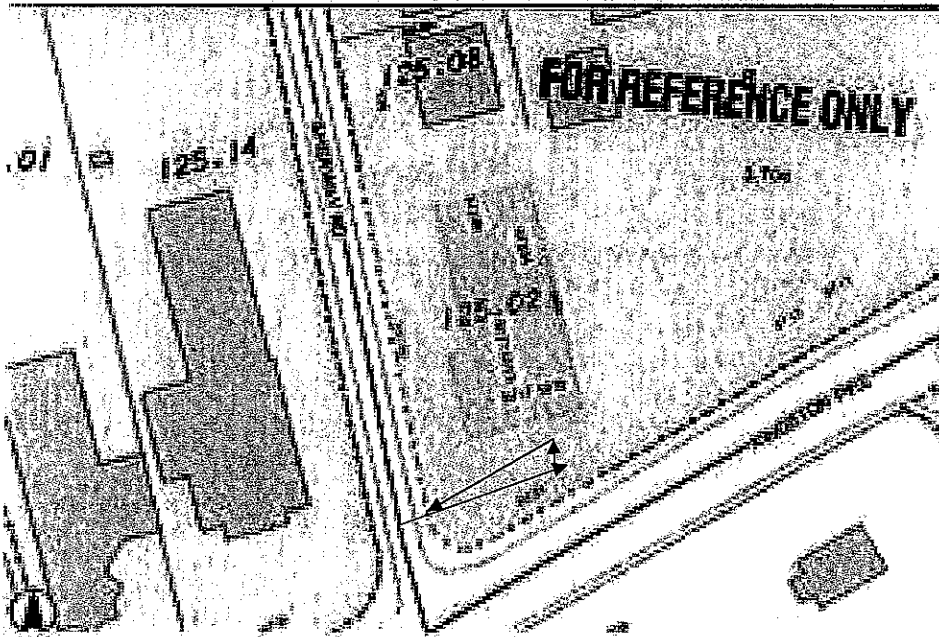
The proposed use includes sound attenuation to abate any noise concerns from neighboring businesses. A material called Tuflex, a vulcanized rubber floor, is used in the playrooms and also attenuates sound.

4.5 Waste Disposal

The proposed use would generate animal waste. All existing Dogtopia locations use an industrial grade dumpster for trash removal. The dumpster will be fully enclosed at all times and has been conditioned to include a roof. This will reduce the possibility of odors from escaping from the trash receptacle as well as reduce the potential for water quality contamination. Additionally, the business double bags all waste prior to placing it in the dumpster. The dumpster is service by Waste Management with bi-weekly removal. Dog play areas are not washed directly into the drain system; instead, all pet waste is picked up immediately by a staff person and the waste is double bagged. Any waste residue that remains is then mopped by a staff person.

4.6 Parking/Traffic Flow Diagram

The subject site has 34 parking spaces. Thirteen spaces are required for the Benjamin Moore Paint facility and 12 are required for Dogtopia. Access to the site is provided from Sherlake from two separate entrance and exit points



The City's parking ordinance does not have a requirement for a dog day care facility. The facility will mainly operate with drop off and pick up service similar to a pre-school or nursery school. Therefore, staff has used the parking requirements for a day care facility for the dog day care use. The following chart indicates how parking has been allocated for each use:

Type of Use	Requirement	Maximum Number	Parking Requirement
Dog Day Care	1 space per 8 dogs	66 dogs	8
Employees	2 spaces per every 3 employees	5 employees	4
Benjamin Moore Paint and Decorating Center	One space per one hundred square feet of retail floor space.	1300 retail square feet	13
Total Required			25
Total Provided			34

The applicant anticipates a maximum of 5 employees during peak morning drop off and pick up hours from 7:00 a.m. until 9:00 a.m.

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In an effort to move traffic in and out of the parking lot and to alleviate congestion, staff has recommended that during peak hours, the applicant provide an on-site employee to greet the dog owner and check in the dog and they arrive at the facility and take the dogs directly from the vehicles. This would reduce the amount of time required for a dog owner to stop, go inside the day care, check in/drop off/pick up the dog and leave the parking lot.

Based on the analysis above, the facility meets the parking requirements.

4.7 Code Enforcement

The applicant is not proposing any changes to the outside of the building, with the exception of signage (separate permit). The existing building is compliant with current setback codes.

4.8 Dumpster Location

A small fenced space behind the building offers adequate area (and currently contains a dumpster) for a dumpster.

5.0 LANDSCAPE PLAN

There are no plans to change the current landscaping of the facility by adding or subtracting plant species.

6.0 BUILDING FLOOR PLAN/ARCHITECTURAL ELEVATIONS

Proposed floor plan attached for facility (See Attachment).

7.0 PROPOSED SIGNAGE

Proposed signage for the facility will include lighted, channel cut franchise logo below. The facility currently has location and electric for signage.

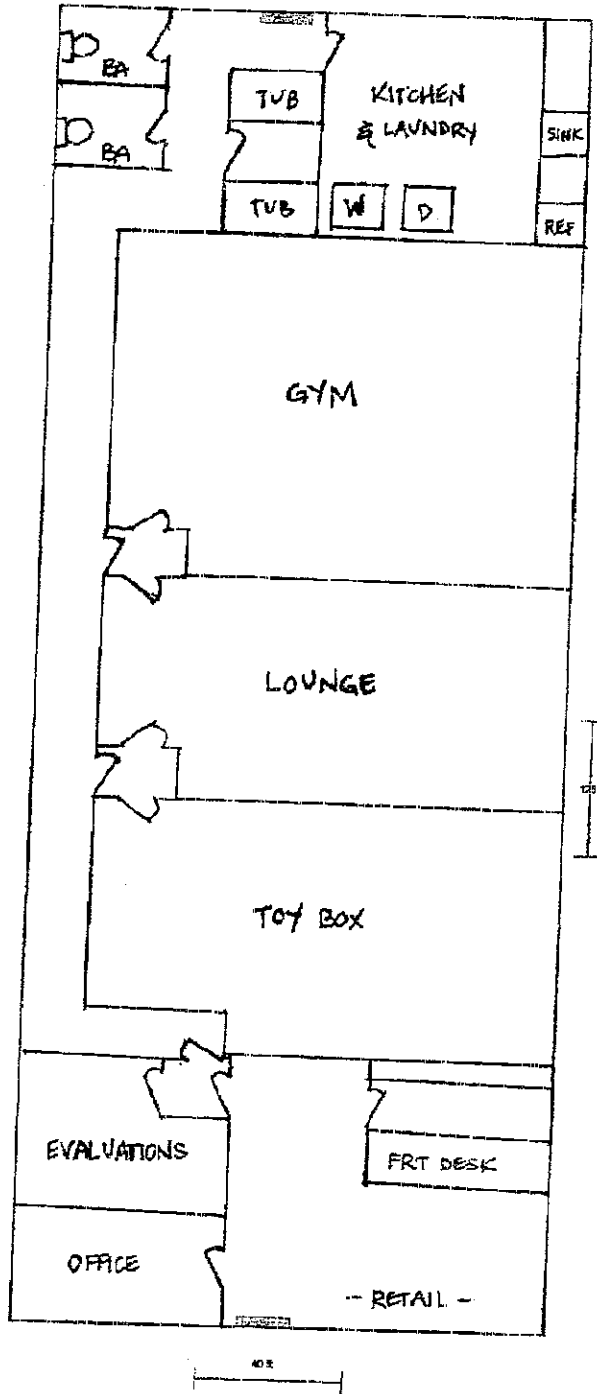


8.0 DRAINAGE PLAN

The existing facility has approved drainage plan.

9.0 TRAFFIC IMPACT

This proposal does not generate more than 750 Average Daily Trips by its customer base.



DOETOPIA
 9715 KINGSTON PIKE
 KNOXVILLE, TN

- 1x1
- ▤ Door
- ▭ Utilizable Space
- Support Beam
- Window

CLEANING PROCEDURES

DOGTOPIA - Late Night Procedure Checklist

- Prepare and distribute dinners. Dogs are to be fed in their crates or away from other dogs.
- After an adequate amount of time, pick up bowls and record results in feeding list binder. Uneaten food should be thrown away in kitchen trashcan. (Never throw food away in playroom trashcans)
- Prepare dry diets for next morning. Bowls that need wet food or medicine added should be placed in a separate pile. Do not put medication in the bowls. They are to be given by a manager.
- Give baths to any dogs that are assigned for PM baths, and put a bandana in their collar bin.
- Clean bath area thoroughly. Anti-bacterial spray and wipe down tubs and all surfaces. Take dirty towels to laundry room and replace with clean towels. Sweep and mop floor.
- Sweep and mop front lobby and retail with a clean Lemonex bucket. If needed, Windex front doors and windows.
- Clean kitchen thoroughly. Put dishes in the dishwasher and run if more than ½ full. Wipe down counters and all other surfaces. Sweep and mop floor. Take trash to dumpster and replace trash bag.
- Wash, dry and fold all laundry. Clean out lint trap between each use. Do not leave dryer on overnight. Sweep and mop laundry room.
- Empty and rinse out all dirty mop buckets. Rinse mopheads thoroughly and leave in wringer. Fill mop bucket with clean water only to bottom of wringer. (Cleaner will be added in the morning) Leave mop bucket in laundry room.
- Change any trash that needs to be changed.
- Sweep and mop any playrooms that dogs were up in.

At 10:00 PM:

- Make sure that water is available to all dogs

- Crate dogs in appropriate sized crates. Crates should be large enough that the dogs can stand up straight and turn around. Large or medium sized dogs should **not** be crated in a top crate.

- Make sure all crates are latched securely. Both latches must be locked

- Check tie-down list and make sure to put dogs that cannot be crated on a tie-down. Tie-downs should be long enough so that the dogs can lie down comfortably, but not so long that they can get to other dogs or tangled on nearby objects. Make sure that their collars are tight enough so they do not slip out of it.

- Take collars off of all crated dogs and place them directly in front of crate and out of reach of dogs.

- Give out bedding. All dogs that brought bedding get their own beds. Our beds and towels are given to dogs that will not rip them up.

- Clean and hose off outside area thoroughly. Secure hose in large trashcan with top part strung over fence out of dog's reach.

- Turn water off.

- **ONLY** if temperatures are below freezing, turn water off outside, drain hose and bring inside.

- Do a final walkthrough. Make sure that all dogs are here and in place

- Record any important information in activity log

- Make sure that all doors are secure including loading dock. Alarm will not set if all doors are not locked

- Clock out

- Turn off all lights.

- Activate alarm and leave through front door on right side. Do not pull on or try to reopen door once the alarm is set