

Dogtopia

Use Permit Extension

4901 S. Arizona Avenue, Suite 7
Chandler, Arizona

Case No. PLH20-0070

2nd Submittal: June 29, 2021

1st Submittal: December 10, 2020

Use Permit Narrative

A. Project Overview

Dogtopia is an existing dog daycare business within Suite 7 of the Shoppes at Chandler Heights shopping center (the "Site"), located at the northeast corner of Arizona Avenue and Chandler Heights Road, and otherwise commonly known as Maricopa County Assessor's Parcel Number (APN) 303-53-778C. See **Tab 1**, Aerial Map and **Tab 2**, Site Plan. The Site is zoned PAD for C-2 uses, which permits the approximately 5,904 square foot indoor animal daycare, with or without overnight boarding, by-right.

On December 12, 2019, a Use Permit (Case No. PLH19-0021) was approved by the City Council with conditions for a fenced outdoor play area behind the commercial shopping center. The approved +/- 1,000 square foot outdoor dog play area has been constructed and is utilized today consistent with the approved Use Permit (See **Tab 3**, context photos and **Tab 4**, PLH19-0021 conditions of approval).

Since operation of the outdoor dog play area commenced in early August of 2020, Dogtopia has complied with the Use Permit conditions of approval, including sound mitigation and cleanliness measures, and limiting capacity and hours of use, among others. Further, Dogtopia has operated as a good neighbor and always responding to any neighbor concerns in good faith.

One of the conditions of approval was a one-year time limitation to demonstrate the use can operate consistent with its conditions of approval. The purpose of this application is to renew the use permit for one (1) years.

B. Request

This application requests approval of a Use Permit Extension for one (1) year to allow for the continued operation of the outdoor dog play area, as well as minor relief from prior use restrictions, specifically related to hours of operation, which would allow for some additional flexibility to accommodate an additional 30-minute window of time in the morning and afternoon, respectively, for improved playroom transitions. Please see Section C below for further detail.

C. Proposal

Dogtopia is an existing dog daycare business that is franchised locally and employs approximately 20 staff members. An existing outdoor dog play space was approved in December 2019 and is located at the rear of the Dogtopia suite. It consists of +/- 1,000 sq. ft. of artificial turf area enclosed by an 8-foot-high opaque privacy fence. The dog play space is accessed directly from the interior of the

tenant space and an exterior swing gate is provided for emergency access. The dog play area contains dog play facilities and sunshade to provide relief from the elements.

Below is a table of the approved business operations and proposed changes with this request.

	Approved Operational Characteristics	Proposed Operational Characteristics
Size of Outdoor Animal Play Area	+/- 1,000 Square Feet	No Change
Days/Hours of Operation (Indoor)	Seven Days a Week; Monday through Friday: 7:00 a.m. to 7:00 p.m.; and, Saturday to Sunday: 10:00 a.m. to 5:00 p.m.	No Change
Days/Hours of Operation (Outdoor Animal Play Area)	Six Days a Week; Monday through Friday: 9:00 a.m. to 10:30 a.m. and 3:30 p.m. to 5:00 p.m.; and, Saturday 10:00 a.m. to noon.; 30-Minutes per Group	Six Days a Week; Monday through Friday: 9:00 a.m. to 11:00 a.m. and 3:00 p.m. to 5:00 p.m.; and, Saturday 10:00 a.m. to noon.; 30-Minutes per Group
Proposed Occupancy (Outdoor Animal Play Area)	Approximately Thirty-Nine (39) Small Breed Dogs; or, Thirty (30) Large Breed Dogs	No Change
Ratio of Staff Trainers to Dogs	1 Staff Member for Every Twenty (20) Dogs	No Change

The modest request for an additional 30-minutes of outdoor play in the morning and afternoon, respectively, are extremely meaningful to Dogtopia, as it will allow for improved playroom transitions. More specifically, the actual use of the outdoor play area will not increase; rather, the additional time will serve as a buffer for playroom transitions. This request is appropriate at this time given that Dogtopia has proven to be a good operator and neighbor.

D. Use Permit Approval Criteria

The Chandler Zoning Ordinance provides a set of criteria when examining a Use Permit request, where are addressed as follows:

1. Consistency with General Plan

The use conforms to the General Plan and zoning code which allows this type of use in a commercial zoned area.

2. Ingress and egress to property and proposed structures, pedestrian and vehicular circulation with particular reference to fire protection.

Fully compliant.

3. Off-street parking and loading.

Fully compliant.

4. General compatibility of use with adjacent property and property in the district.

The use conforms to all rules and regulations prescribed by the Zoning Code and any other applicable local, State, or Federal requirements. The proposed use, as conditioned, will not unreasonably interfere with the use and enjoyment of nearby properties. The use is not detrimental to the health, safety, or general welfare of persons living or working in the vicinity. The noise study provided with the original entitlement demonstrates it can operate compatibly at a level no greater than the ambient noise conditions. The absence of formal complaints shows the use can co-exist next to residential homes. There are other louder ambient conditions such as the outdoor recess, outdoor band practice, railroad, overhead airplanes, and nearby traffic that create greater noise than the proposed outdoor use. Lastly, the compatibility is further proven by the continuation of restricted hours of operation proposed by the applicant. This is a significant concession offered by the applicant for the neighbors' benefit.

5. Impact on public services, including schools, recreation and utilities.

Zero impact.

6. Screening and buffering of uses.

Fully compliant.

7. Signage.

Fully compliant.

8. Exterior lighting with reference to adjacent properties.

Fully compliant.

9. Stormwater retention and landscaping.

Fully compliant.

10. Site and building design for conformance with the general plan and policies and City standards

Fully compliant.

Further, Ordinance Sec 35-305.(1).(c) provides that Use Permits may be granted by the City Council upon finding that the request:

- 1) Is in conformance with the comprehensive plan and its policies;*
- 2) Will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general, and that the use will be in full conformity with the conditions, requirements or standards prescribed by this Code or higher as may be deemed necessary by City Council in any one (1) situation.*

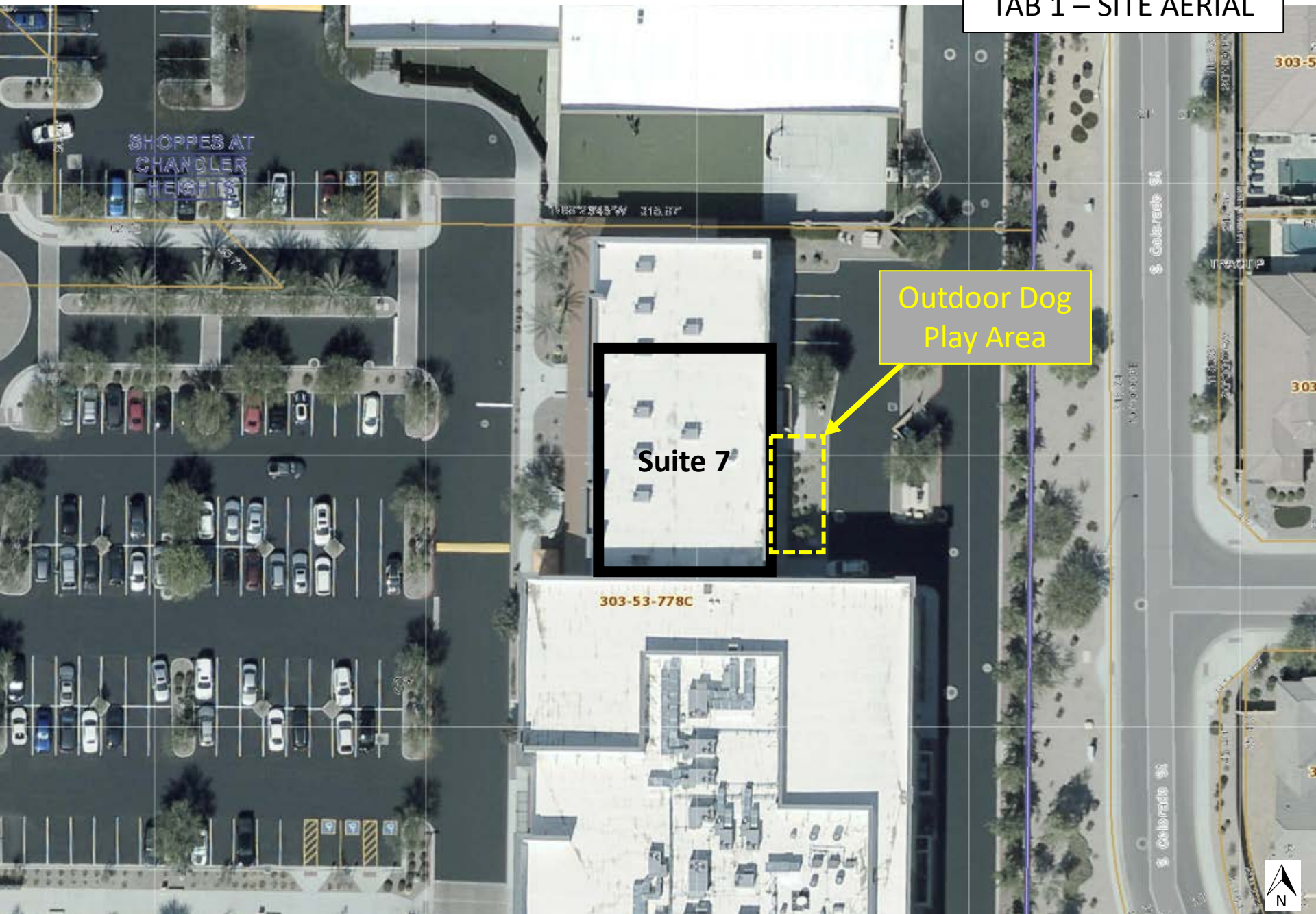
The “use” that is subject to this Use Permit extension request has already been found to be in conformance with the above criteria as evidenced by the original approval by the City Council in December 2019. The “use” continues to be in full compliance with the above provisions and is not detrimental to persons residing in the vicinity, to the neighborhood or to the public welfare in general as documented herein.

E. Conclusion

Dogtopia has complied with all of the original conditions of approval and has proven to be a good neighbor. This Use Permit extension request satisfies all the legal requirements outlined in the Zoning Ordinance and we respectfully request approval of this request.

Tab 1

TAB 1 – SITE AERIAL



Tab 2

GENERAL NOTES

1. SITE MODIFICATIONS ARE LIMITED TO OUTDOOR PLAY. NO OTHER EXTERIOR WORK PROPOSED.

KEY NOTES

100. LOCATION OF LEASE LINE
101. REMOVE EXISTING LANDSCAPING AREA TO CREATE FENCED IN OUTDOOR PLAY AREA WITH SYNTHETIC TURF, SEE DETAIL 3/AS1.0. FENCING TO BE 8'-0" HIGH.
102. MAIN ENTRY DOORS.
103. ACCESSIBLE PATH OF TRAVEL.
104. EXISTING CONCRETE SIDEWALK.
105. EXISTING PARKING STRIPING.
106. ACCESSIBLE CONCRETE CURB RAMP (UNDER SEPARATE PERMIT).
107. EXISTING PRIVACY FENCING.
108. EXISTING ELECTRICAL TRANSFORMER.
109. EXISTING ELECTRICAL EQUIPMENT.
110. EXISTING TRASH ENCLOSURE.
111. EXISTING LANDSCAPE AREA.
112. EXISTING ADJACENT TENANT STORAGE AREA. (CONTENTS UNKNOWN)
113. NEW GATE WITHIN FENCED AREA.
114. EXISTING UNDERGROUND UTILITY ACCESS.
115. EXISTING EXTERIOR LIGHT POLE.
116. EXISTING FIRE HYDRANT.
117. SHADE SAIL: 12' X 12' TENSION SHADE SAIL STRUCTURE IN SEDONA FROM TENSION.COM

MATERIAL LEGEND

NEW SYNTHETIC TURF

EXISTING LANDSCAPE AREA

PROJECT DATA

EXISTING TOTAL SITE AREA = +/- 30,000 sqft (PART OF AN EXISTING SHOPPING CENTER)
EXISTING TOTAL BUILDING AREA = 5,904
% OF TOTAL SITE AREA = +/-20%
EXISTING LANDSCAPE = +/- 5,000 sqft (PART OF AN EXISTING SHOPPING CENTER)
PROPOSED LANDSCAPE = +/- 4,392 sqft

USE/OCCUPANCY CLASSIFICATION = B - BUSINESS

ALLOWABLE AREA: 92,000 SQ. FT.
GROSS LEASED AREA: 5,904 SQ. FT.
ALLOWABLE HEIGHT: 75'-0"
ACTUAL HEIGHT: +/- 24'-7"

PARKING CALCULATIONS

PARKING IS SHARED AMONGST THE CENTER, PARKING COUNTS BELOW ARE ESTIMATES.

EXISTING NUMBER OF PARKING SPACES	44
PARKING SPACES REMOVED	0
PROPOSED NUMBER OF PARKING SPACES	44
REQUIRED NUMBER OF PARKING SPACES = SQ.FT. / 400 (5,904 / 400)	15
PARKING SPACES REQUIRED (15) < PARKING SPACES PROVIDED (44)	

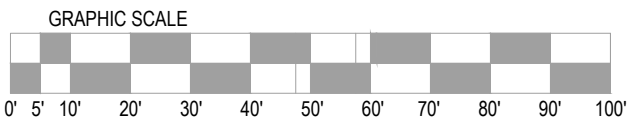
TABLE OF CONTENTS:
AS1-0 : MODIFIED SITE PLAN
AS1-1 : OUTDOOR PLAY AREA DETAILS
AS1-2 : MODIFIED EXTERIOR ELEVATION
AS1-3 : FLOOR PLAN (FOR REFERENCE)



OVERALL SITE PLAN

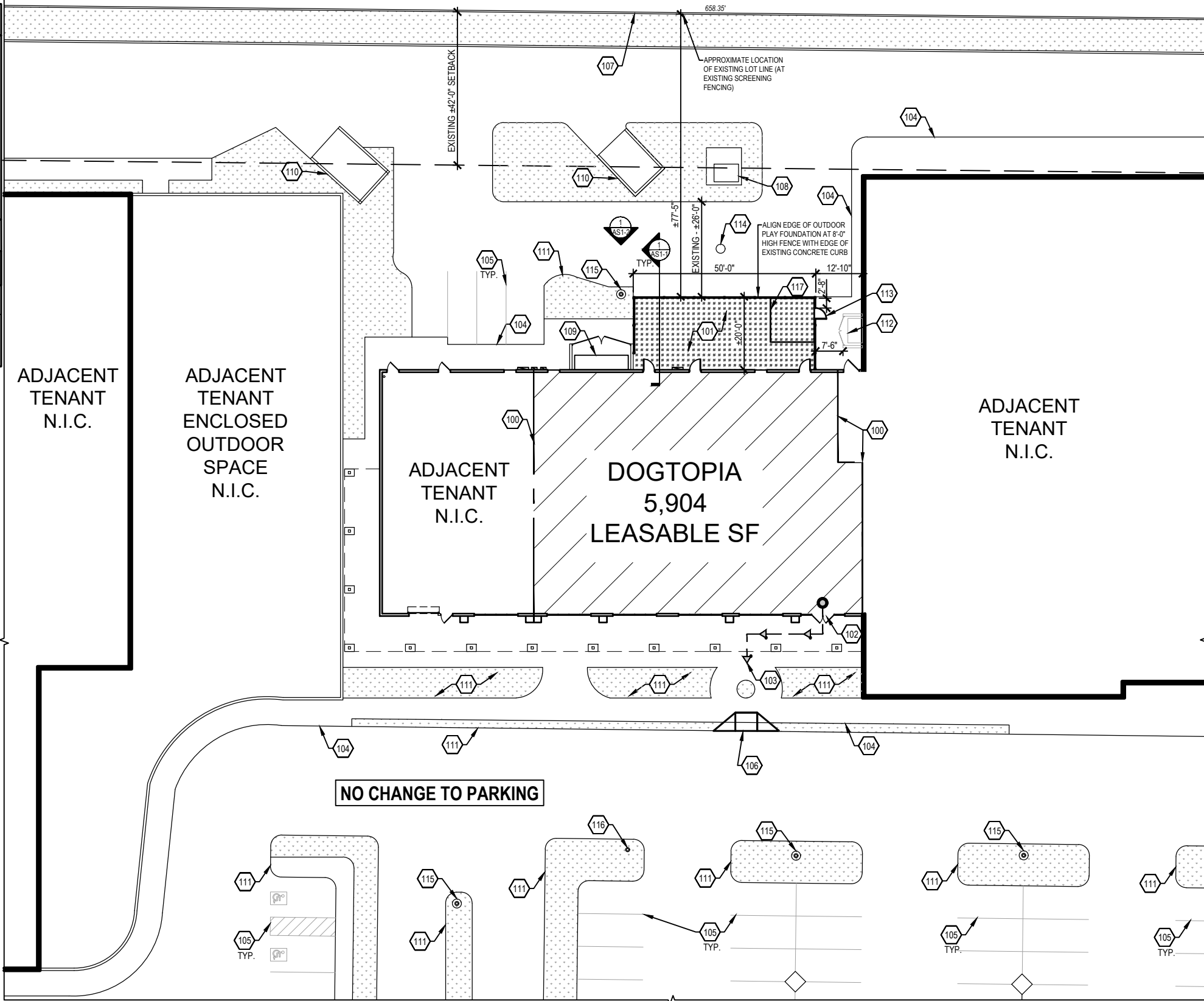
NOT TO SCALE

TRUE NORTH



ARCHITECTURAL EXTERIOR PLAN

SCALE: 1/32" = 1'



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DOGTOPIA

LOCATION: 4901 SOUTH ARIZONA AVE. CHANDLER, AZ 85248
ADA JOB NO.: 19014
FRANCHISEE: DOGHOUSE GROUP, LLC.
DATE: 6/11/19

AS1-0

Tab 3

Dogtopia – Photo Context Plan















#6

Tab 4

DOGTOPIA PLH19-0021 APPROVED STIPULATIONS:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations and Narrative), as kept on file in Case No. PLH19-0021, shall void the Use Permit and require new Use Permit application and approval, unless otherwise amended via conditions herein.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The site shall be maintained in a clean and orderly manner.
4. Sound shall be controlled to not disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
5. ~~The establishment shall provide a~~ A DIRECT contact phone number FOR THE owner ~~and/or manager~~ SHALL BE PROVIDED to interested neighbors to resolve noise complaints quickly and directly.
6. The Use Permit shall be valid for a period of one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. The outdoor animal play area shall be limited to the hours of 9:00 a.m. to 10:30 a.m. and 3:30 pm to 5:00 p.m., Monday through Friday; and, 10:00 a.m. to 12:00 p.m. on Saturday.
8. There shall be no outdoor animal play within the outdoor animal play area on Sunday.
9. No dogs shall be left unattended in the outdoor animal play area and a staff member of the business shall always accompany any outdoor activity.
10. The applicant shall install three (3) sound absorption panels to the rear of the building and within the outdoor animal play area, as approved by the Development Services Department.
11. Any sun shade structures shall match the color theme of the center, as approved by the Development Services Department.
12. A second staff member will be outside and monitoring outdoor play in the event there are more than 20 dogs outdoors.
13. The applicant shall install additional sound attenuation measures on the upper part of the outdoor play fence, as approved by the Development Services Department.