



K9 RESORTS

1870 W. Germann Road

Use Permit Narrative

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REQUEST

The purpose of this request is to renew an already-approved Use Permit (Number PLH19-0048; the “Use Permit”), which allowed the addition of an outdoor animal play area for K-9 Resorts Daycare & Luxury Hotel (“K-9”). The request of this subsequent use permit will not expand the use beyond what was approved in the original Use Permit; rather, the purpose of this request is to renew the original Use Permit, which expired this past year.

K-9 is contained within a suite inside the 1870 Building of the Shops at Pecos Ranch, located at the northeast corner of Dobson Road and Germann Road (the “Suite”), as shown below. Use of the Suite as a pet daycare and boarding facility was allowed by right under the zoning; only the outdoor play area required a use permit. On September 17, 2020, the City Council for the City of Chandler (the “City”) voted to approve the Use Permit to allow the addition of the outdoor animal play area to the Suite. The final stipulation dictated that the Use Permit is valid only for two years from City Council approval. The purpose of this request is to extend and renew the Use Permit to allow the applicant to continue to operate the outdoor animal play area in conjunction with its pet daycare and boarding facility.



SITE AND SURROUNDING CONTEXT

The Suite is part of a larger 10-acre retail center (the “Site”) and occupies a portion of an existing 16,000 square foot building. The overall Site is zoned Planned Area Development (“PAD”) and has a designation of Neighborhood on the 2016 City of Chandler General Plan (“General Plan”).

To the north of the overall Site, across West Gatling Way, are single-family residences zoned Planned Area Development (“PAD”). To the east are the Montage at Pecos Ranch apartments zoned PAD. To the south, across West Germann Road, are the Vive apartments, which are also zoned PAD. AT the southwest corner of the Shops at Pecos Ranch, which the Suite is located within, is an undeveloped lot zoned PAD, and which is not a part of this request. To the west, across South Dobson Road, are single-family homes, also zoned PAD.

The Suite is positioned at the northeast corner of the overall Site. The single-family homes to the north and apartments to the east are buffered by dense landscaping and a parking lot. Approximately 160’ of parking lot separate the outdoor animal play area and the Phoenix Children’s Academy preschool building, which is located southeast of the Suite, in the same shopping center. Finally, K-9 shares a wall with a suite to the east; which D1 Sports opened a facility in the remaining 9,000 square feet in 2023.

The outdoor animal play area is clearly compatible with the surrounding uses. Since the outdoor animal play area became operational in February 2022, K-9 has not received any complaints related to the outdoor animal play area from the surrounding neighbors.

ABOUT K-9

K-9 is a multi-award-winning pet care business which offers premier pet resort services. K-9 was founded in 1999 by Steven and Jason Parker, when they were only 12 and 14 years old. Their passion and love for the care of pets has led to the business blossoming into an internationally recognized brand.



K-9 offers a wide range of features in their state-of-the-art facilities. These features include hospital-grade sanitation practices, cage-free options for pets, an air purification and ventilation system, and more, which set K-9 apart from other pet daycare and boarding facilities.

K-9 prides itself on being rated the top pet care franchise in the country. It has received numerous awards from notable magazines including New Jersey Monthly Magazine, Monmouth

Health & Life Magazine, New Jersey Monthly Magazine, The Courier New, and Suburban Essex Magazine.

USE PERMIT

Stipulations

On September 17, 2020, the City of Chandler's City Council approved the Use Permit for an outdoor animal play area. The City Council's approval was subject to a number of stipulations, which have been adhered to by the property, as outlined below:

Stipulation #1: Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations, Narrative), as kept on file in Case No. PLH19-0048, shall void the Use Permit and require a new Use Permit application and approval, unless otherwise amended via conditions herein.

Response: The outdoor pet play area was built in accordance with the Site Plan, Floor Plan, and Elevations submitted under Case Number PLH19-0048, and has not been expanded or modified beyond the foregoing approved exhibits.

Stipulation #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.

Response: The outdoor pet play area complies with all applicable codes and conditions of the City of Chandler and the stipulations outlined in the original Use Permit approval.

Stipulation #3: The site shall be maintained in a clean and orderly manner.

Response: The outdoor pet play area is cleaned and sanitized daily. In order to create a safe and healthy environment, the outdoor pet play area's artificial turf is treated with AlphaSan, an antimicrobial designed for commercial use. Additionally, the trash is emptied daily to mitigate unpleasant odors.

Stipulation #4: Sound shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

Response: K9 Resorts works to limit any excessive barking by dogs utilizing the outdoor play area. If barking becomes excessive, all pets are moved inside the facility to diminish noise. To date, K9 has not received complaints regarding noise levels at the facility.

Stipulation #5: The establishment shall provide a contact phone number of a responsible person (i.e., owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

Response: A phone number was provided to neighbors with the original use permit application, Case Number PLH19-0048. In the event of an issue with neighbors, K9 Resorts will redistribute the phone number provided under the original application.

Stipulation #6: 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.

Response: The facility has one play yard for the daycare and playgroup dogs which - alternate between large dog and small dog groups. At all times, dogs are in the company of a staff member of K9 Resorts when using the outdoor pet play area. Additionally, K9 Resorts policy calls for an attendant with dogs at all times ensuring that no dogs are left unattended.

Stipulation #7: The Use Permit shall be valid for a period of two (2) years 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.

Response: The original Use Permit, Case Number PLH19-0048, was approved by City Council on September 17, 2020. K9 Resorts continues to operate the outdoor pet play area. Continuation of the Use Permit beyond September 17, 2022, is the subject of this request.

City of Chandler Zoning Code

Use Permits shall only be granted upon determination by City Council that the request meets the criteria for approval under the City of Chandler's Zoning Code (the "Zoning Code") Section 35-305.1.c, as outlined below.

1. The request is in conformance with the General Plan and its policies.

Response: The Site is presently designated as Neighborhood on the General Plan. The Neighborhood designation allows for a range of residential densities and housing types and a variety of non-residential uses including commercial, institutional, public facilities, and commercial offices. Located in a heavily residential area, the Site is ideally situated to provide a convenient service to the surrounding community.

2. The use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to neighborhood or to the public welfare in general.

Response: The outdoor pet play area has been operating since February 2022. To date, K9 Resorts has not received complaints in relation to the outdoor pet play area. Additionally, the outdoor pet play area has been screened by an eight-foot solid fence and the overall retail site has additional perimeter screening and dense landscaping to mitigate sound and visibility. The outdoor pet play area has been lined with artificial turf to create a sanitary environment that ensures containment of any unpleasant odors.

CONCLUSION

The purpose of the request is to extend and renew K9 Resorts Daycare and Luxury Hotel's Use Permit to authorize the continued use of an outdoor animal play area on the Site. The outdoor animal play area has remained in conformance with the stipulations provided under the original

Use Permit. Additionally, the Suite and overall Site have remained in conformance with the City's General Plan.