

REQUEST FOR COUNCIL ACTION

DATE: 11/8/2010
ITEM NO: 12.e

Department Approval:



City Manager Approval:

Item Description: Request by The Woof Room for approval of dog daycare as an INTERIM USE at 1430 County Road C (PF10-024)

1.0 REQUESTED ACTION

Kristen Cici of The Woof Room is requesting approval of a dog daycare and boarding use at 1430 County Road C, as an INTERIM USE, pursuant to §1013.09 (Interim Uses) of the City Code.

Project Review History

- Application submitted and determined complete: September 3, 2010
- Application review deadline (extended by City): January 1, 2011
- Planning Commission recommendation (6-1 to approve): November 3, 2010
- Project report prepared: November 4, 2010
- Anticipated City Council action: November 8, 2010

2.0 SUMMARY OF RECOMMENDATION

The Planning Division concurs with the recommendation of the Planning Commission to approve the proposed INTERIM USE, subject to certain conditions; see Section 7 of this report for detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt a resolution approving the proposed INTERIM USE, pursuant to §1013.09 (Interim Uses) of the City Code, subject to conditions; see Section 8 of this report for detailed action.

4.0 BACKGROUND

4.1 The subject property is zoned Light Industrial (I-1) District, and the recently-adopted Comprehensive Plan changed the land use designation of this property from Industrial to High Density residential.

4.2 On February 24, 1992 the City Council approved variances for the property, accommodating the existing nonconforming setbacks of the building and parking area, and allowed the installation of an 8-foot tall screening fence along the southern property line shared with the abutting residential properties. This variance also approved an otherwise-prohibited outdoor storage use on the property. This appears to be the only formal approval for the property.

5.0 GENERAL COMMENTS

5.1 The only pet-related use listed among the uses allowed in the I-1 District is “dog kennel”, which happens to be a conditionally permitted use. While the proposed daycare/boarding use is not actually a kennel and is believed to be less intensive of a use than a kennel, given an equal number of dogs, this application is being treated as a kennel because a kennel is reasonably similar to the proposed use. The present zoning on the property would allow the proposal to be reviewed as a conditional use; as part of the ongoing zoning update process, however, the property will soon be rezoned to a high-density residential zoning district to be consistent with the land use guidance of the Comprehensive Plan, and dog kennel/daycare/boarding uses are not included among the allowed uses in the proposed, new zoning district.

5.2 The proposal is to begin the daycare with an average of about 20 dogs per day and possibly grow to 40 dogs per day within a couple of years, with possibly as many as 80 dogs further in the future. The dogs present for overnight boarding would average about 10 per night, up to a maximum of 17.

5.3 INTERIM USE applications typically represent departures from what is allowed by the normal zoning requirements; in this case, the proposed use is consistent with the existing I-1 zoning but is inconsistent the Comprehensive Plan land use designation. In light of the conflict between the present light-industrial zoning and the high-density residential land use designation and the City Council’s reluctance to confer permanent (i.e., CONDITIONAL USE) approvals where significant, future redevelopment is desirable, Planning Division staff advised the applicant to seek approval of the proposed dog daycare/boarding use as an INTERIM USE. Temporary approval of the INTERIM USE can ensure that the approval expires on a pre-determined date or at such time as the use is voluntarily discontinued, whichever comes first. Because the dog daycare/boarding is believed to be less intensive than kennels, Planning Division staff would recommend approving the INTERIM USE with the maximum duration of 5 years. If the owners of the business wish to continue beyond the 5-year limit, they may apply for renewed approval of the INTERIM USE.

5.4 The sales of dog-related merchandise is expected to be ancillary in nature, predominantly serving the customers of the daycare/boarding services rather than attracting its own shoppers like a stand-alone pet supply shop. For this reason, Planning Division staff would recommend treating this is a minor part of the proposed INTERIM USE.

5.5 The application materials also mention an event planning/décor rental business. This a sort of office/showroom use that is treated as a permitted use in the I-1 District and is only mentioned in the application to account for how the floor area of the existing building is to be used; it will not be addressed as part of the INTERIM USE.

6.0 INTERIM USE APPLICATIONS

Section 1012.09 (Interim Uses) of the City Code establishes the regulations pertaining to INTERIM USES.

6.1 Section 1012.09A states: *The City Council may authorize an interim use of property. Interim uses may not be consistent with the land uses designated on the adopted Land*

Use Plan. They may also fail to meet all of the zoning standards established for the district within which it is located.

6.2 Section 1012.09B states: *The City Council may attach conditions to Interim Use Permits [sic]. In reviewing [such] applications, the City will establish a specific date or event that will terminate the use on the property. The Council will also determine that the approval of the interim use would not result in adverse effects on the public health, safety, and general welfare, and that it will not impose additional costs on the public if it is necessary for the public to take the property in the future.*

6.3 An applicant seeking approval an INTERIM USE is required to hold an open house meeting to inform the surrounding property owners and other interested attendees of the proposal, to answer questions, and to solicit feedback. The open house was held on September 1, 2010; although nobody attended the open house, the materials prepared for the meeting are included with other supplemental information from the applicant as Attachment C.

6.4 The site and floor plans illustrating the proposed arrangement of the dog boarding, daycare, and event décor uses are included with this staff report as Attachment D. In addition to the existing privacy fence along the southern property line, the outdoor play area is proposed to be enclosed by an 8-foot tall privacy fence and be set back 40 feet from the southern property boundary.

6.5 During the review of the application, the Development Review Committee (DRC) was primarily concerned with the potential for barking dogs to become a nuisance to the nearby residential property owners. After receiving more information about the initial measures taken to minimize instances of barking and proposed means of addressing noisy barking if it does become a nuisance, the DRC's concerns about noise were mostly mollified. All of this information is included as part of Attachment C. Community Development staff then visited two dog daycare facilities in St. Paul; one in an industrial area and another located adjacent to residential properties. There were about 70 dogs at the industrial location and, while some indoor barking was faintly audible outside the brick building, the barking was likely heard because a nearby part of the building consisted only of an un-insulated metal overhead door. The other dog daycare location was completely surrounded by single-family residences and a small apartment building; while outside, staff heard no barking from inside the building or from the couple of dogs in the outdoor area. No odors were noticed outside at either location. Code Enforcement staff has contacted the City of St. Paul to inquire about any complaints from the residents surrounding this dog daycare location, how such complaints are handled, and what special requirements may apply to dog daycare uses; the requested information has yet to be received.

6.6 The other significant concern of the DRC pertained to disposal of pet waste. No sanitation system will be installed in the building because only house-trained dogs will be admitted for daycare/boarding. Indoor "accidents" are expected to be rare and will be quickly cleaned up. To keep the outdoor area clean and odor-free, dogs will be encouraged to use a sort of litter box lined with woodchips which would absorb urine and be regularly replaced with clean woodchips. Feces will be collected several times daily, enclosed in special odor-controlling bags and deposited in the trash. During warmer months (i.e., when the ground is not frozen and temperatures are above freezing), the outdoor activity will be hosed down and cleaned with a specialized, odor-controlling, and

environmentally-friendly cleanser each evening to cleanse the area of urine. During colder months, soiled snow will be removed along with the solid waste; to prevent ice buildup in the outdoor area, a more substantial springtime cleaning is proposed to replace the nightly cleansing. The water from these yard cleanings should be required to drain into a rain garden, designed to the approval of Roseville's engineering staff, which would prevent added impact to the public sewer infrastructure and provide some initial treatment of the rinse water before it filters into the ground.

7.0 PUBLIC HEARING

7.1 The Planning Commission held the duly-noticed public hearing for this application on November 3, 2010. Draft minutes of the public hearing were not yet available at the time this report was prepared. Questions of the Planning Commissioners led to clarification of some aspects of the proposal, such as that the dog boarding would be located at the northern end of the building, further from the residential properties, and that staff would only be on site overnight when storms (which might frighten the dogs) are expected.

7.2 In addition to the public comments emailed to Planning Division staff prior to the public hearing, included with this staff report as Attachment E, a few of the property owners to the south of the subject property spoke at the public hearing. The predominant concerns expressed pertained to the City's failures in enforcing regulations on the nonconforming industrial properties along County Road C (of which the subject property is one) and the potential for the proposed INTERIM USE to be the source of nuisance dog barking. Planning Division staff briefly touched on the challenges of regulating the historically nonconforming industrial uses, which have a "grandfathered" status that prevents Roseville from controlling them to the extent that the neighboring property owners would like to see, although Code Enforcement staff has made some progress in the past year or so to eliminate some of these nonconforming conditions. By contrast, the proposed dog daycare/boarding is a *conforming* use, and present INTERIM USE process will provide the City with clear and specific requirements that can be enforced much more effectively than the nonconforming industrial uses.

7.3 After hearing the public comments and discussing the application, the Planning Commission voted 6-1 to recommend approval of the proposed INTERIM USE, subject to several conditions. After the conclusion of the public hearing, one of the property owners in attendance expressed the desire to see an additional condition that the building walls be completely sound-proofed prior to beginning the business rather than allowing noise to become a problem that needs to be addressed in the future. While this seems like a sensible suggestion and it remains within the preview of the City Council to make such a requirement, Planning Division staff is hard-pressed to recommend it as a condition of approval. Requirements related to land use approvals must be reasonably related to the proposal, and staff simply has no way of recommending a level of sound-proofing that would be adequate without being excessive. Moreover, recommended condition "h" below gives City staff the ability to require additional insulating if noise proves to be a problem in the future.

8.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4-7 of this report, the Planning

Division recommends approval of the proposed INTERIM USE, subject to the following conditions:

- a. The daycare use shall be limited to 40 dogs and the overnight boarding use shall be limited to 17 dogs, but additional capacity may be considered and allowed through future INTERIM USE approvals;
- b. All exterior walls and ceilings of the indoor dog daycare, play areas, and boarding spaces shall be comprised of brick/concrete block or shall be covered with gypsum board or other sound-insulating material to be approved as part of the building permit review process;
- c. All solid pet waste shall be collected at least once each day, placed in bags to minimize odors, and deposited into the trash;
- d. All affected indoor flooring areas shall be promptly cleaned up using appropriate cleaning/disinfecting products following pet waste “accidents”;
- e. The outdoor activity area shall be thoroughly cleansed and rinsed at least once each day during warm weather, and as soon as practicable after periods of freezing weather, with all of the rinse water being directed into a rain garden approved by the City Engineer;
- f. The outdoor activity area shall be enclosed with an opaque screening fence, 8 feet in height, and located at least 40 feet from the southern property boundary;
- g. The outdoor activity area shall not be used for recreational purposes between 7:00 p.m. and 7:00 a.m.;
- h. If barking becomes a nuisance to surrounding property owners, the business owner shall work with City staff to identify additional measures to mitigate the problem and shall then implement such measures;
- i. Retail sales of pet-related items shall be limited in scope so as to be clearly ancillary to the daycare/boarding use; and
- j. This approval shall expire on October 31, 2015 or upon the discontinuation of the dog daycare/boarding use for more than 60 consecutive days, whichever comes first. The dog daycare/boarding use shall only be continued beyond October 31, 2015 with renewed approval of the interim use; application for renewal should be made by September 1, 2015 to ensure that a renewed approval may be granted prior to October 31st.

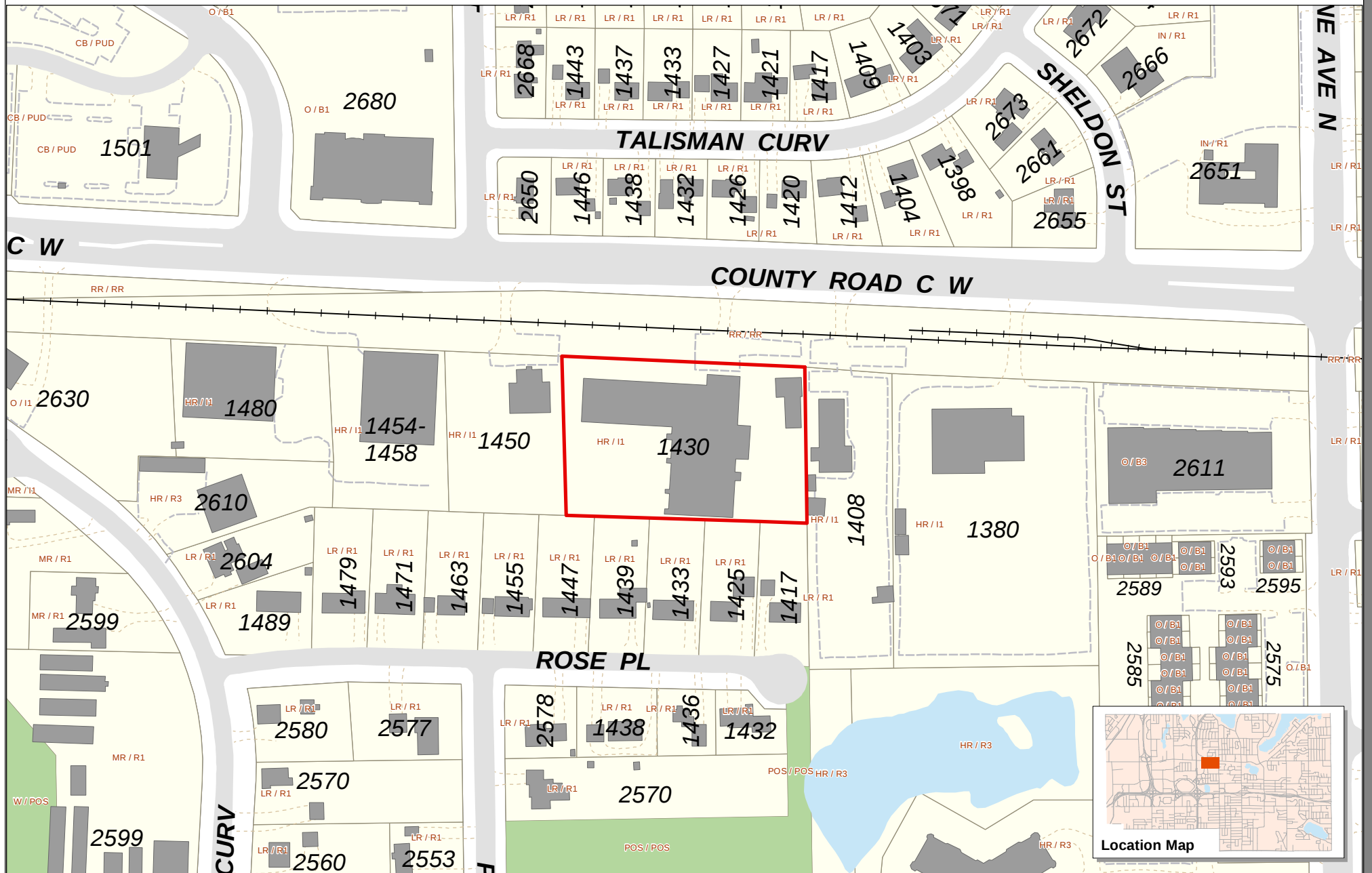
9.0 SUGGESTED ACTION

Adopt a resolution approving the proposed INTERIM USE for the Woof Room to allow dog daycare and boarding at 1430 County Road C, based on the comments and findings of Sections 4-7 and the conditions of Section 8 of this report.

Prepared by: Associate Planner Bryan Lloyd (651-792-7073)

Attachments:	A: Area map	D: Site/floor plans
	B: Aerial photo	E: Public comments
	C: Open house meeting and supplemental materials	F: Draft resolution

Attachment A: Location Map for Planning File 10-024



Prepared by:
Community Development Department
Printed: October 1, 2010



Site Location

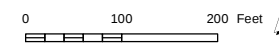
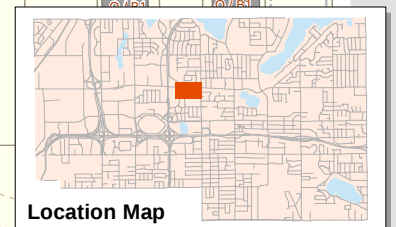
Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (8/30/2010)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: planning_commission_location.mxd

Attachment B: Aerial Map of Planning File 10-024



Prepared by:
Community Development Department
Printed: October 1, 2010



Site Location

Data Sources
* Ramsey County GIS Base Map (8/30/2010)
* Aerial Data: Kucera (4/2009)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
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0 50 100 Feet



**The Woof Room, LLC
Roseville Interim Use Permit Application**

6. Statement of Intent:

The proposed use for the property at 1430 County Road C is a dog daycare named The Woof Room. The space will be used as a daycare for dogs during the day and a hotel for dogs at night. Dog-related merchandise will be sold on-site. We request this interim use permit for a 5 year time period, at which time we will submit a renewal (or a new application if necessary).¹

7. Additional Required Information:

a. Legal Description and PIN:

The property owner could not provide us with the legal description. Bryan Lloyd, with Roseville Community Development, informed us the legal description is on file and we do not need to include it with this application.

PIN #10.29.23.21.0038

b. Proposed Plans:

Please see the attached plans.

c. Open House Summary:

An open house for the proposed business and interim use application was held on Wednesday, September 1, 2010. The city of Roseville provided the addresses of 89 individuals, all of which were mailed invitations to the open house. The open house was from 6:30pm – 7:30pm. None of those that received the invitations attended the open house. As such, we could not secure any feedback from constituents about the property's proposed use. We did include the open house information sheet printed for the open house with this application.

d. Consultant Fees:

N/A

¹ The property will also be used for Deckci Décor, an event planning and décor business, which we have been informed, is a permitted use. The space will be subdivided to house both businesses.

The Woof Room, LLC
Roseville Interim Use Permit Application

e. Written Narrative:

The Woof Room takes pride in providing a safe and fun environment for dogs and becoming their home away from home. Dogs will be well taken care of and loved as if they were our own. With over 12,000 sq. ft. of indoor play space and another 10,000 outdoors, the dogs will have plenty of space to relax and enjoy themselves. Other facts about The Woof Room:

- We are locally owned and operated.
- We limit the number of dogs admitted each day to ensure a safe and fun environment.
- Dogs are separated by both size and play style to ensure their comfort and enjoyment.
- All dogs must complete a required evaluation prior to being admitted into the daycare to ensure the daycare environment is a good fit for them.

Currently, the space is quite run down. Our renovations to the proposed site will begin with extensive cleaning and sanitizing to ensure a healthy environment for the dogs. All cleaning products used will be safe for the dogs. Interior walls will be constructed, and then we will paint the walls, ceiling, and floors of the warehouse space. Continuing with plans will be the creation of our playrooms - this is where the dogs will spend the day. In a separate area from the play areas will be comfortable hotel suites for our overnight guests. Webcams will be installed in all three play areas as well as some of the hotel suites so owners can check in on their dogs while they're away. We also will be installing a security system. The outdoor space will be created for dogs to relieve themselves and will consist of playground pebbles and artificial turf. The outdoor space will be fully enclosed with fencing, so the dogs will not be distracted by passing cars or other outdoor happenings. All play areas, both indoor and outdoor, will be sanitized and cleaned daily.

Although we did not have any attendees at the open house, potential concerns we anticipate relate to dog waste and barking. Ramsey County allows for two ways to dispose of pet waste: flushing it down the toilet and disposing of it in a bag in the garbage. We will be using biodegradable bags specially made to prevent odor to dispose of waste. They will be environmentally friendly and will help eliminate any potential odor from the bags.

Dog barking is often a concern of residents when such facilities move into a neighborhood. Fortunately, most have found that the amount of noise is barely audible outside of property lines. All staff will be trained in dog behavior and pack mentality to ensure that incessant barking does not occur. Additionally, Roseville Animal Hospital has frequent dog day visitors and boards dogs overnight, and is located less than a mile west of our facility.



The Woof Room Open House Information Sheet September 1, 2010

The owners, managers and staff at The Woof Room understand that they're more than just dogs. We take pride in providing a safe and fun environment for dogs and becoming their home away from home. Dogs will be well taken care of and loved as if they were our own, while having the most fun possible!

Highlights of The Woof Room:

- ❖ Over 12,000 sq. ft. of indoor play space and another 10,000 outdoors
- ❖ We are locally owned and operated
- ❖ We limit the number of dogs admitted each day to ensure a safe and fun environment
- ❖ Dogs are separated by both size and play style to ensure their comfort and enjoyment
- ❖ We will have more combined indoor/outdoor play space than any other dog daycare in the Minneapolis-St. Paul area

1. Why is The Woof Room good for Roseville and for the neighborhood?

Currently, 1430 County Road C is an old industrial building that is run down in need of repair. Positive community development helps both neighborhood and city developments, particularly in this stretch of Country Road C. By moving our business to the neighborhood, we will be taking an industrial warehouse and turning it into an oasis for our four-legged friends. There should be little impact on traffic, as clients simply drop off or pick up their dogs, rarely staying for more than a few minutes. Additionally, our outdoor improvements will increase the overall aesthetics of the neighborhood.

2. Will dog barking be an issue?

You do not need to be concerned about being burdened by barking dogs at The Woof Room. In fact, the dogs you may hear barking during the day right now are likely do to them being stuck in the house all day, without a daycare or play environment for them to visit while their owners are away.

The Woof Room will be a calm and friendly environment where the dogs are encourage to enjoy themselves in a relaxing setting. If you've ever visited a dog park before, you will notice that there is not much barking, but more of dogs running and playing with each other and their toys. The staff and owners at The Woof Room will be trained on pack leadership tendencies to ensure the dogs interact well with each other and do not cause unnecessary commotion. Also, no dog will be admitted to The Woof Room before passing a mandatory assessment to determine if they are a good fit for a daycare environment. We assure you that keeping noise down is a top priority for us, and similar to other daycares both around the Twin Cities and the country, noise levels form dog daycares are minimal and barely noticeable.

3. When will The Woof Room be open and what changes are you making to the property?

Our renovations will begin with extensive cleaning and sanitizing to ensure a healthy environment for the dogs. All cleaning products used will be safe for the dogs. Continuing with plans will be the creation of our playrooms - this is where the dogs will have their fun! In a separate area from the play areas will be comfortable hotel suites for our overnight guests. Webcams will also be installed so owners can check in on their dogs while they're away. Besides the rest of the finishing touches (paint, check-in lobby, floors, etc.) we will end our renovations by creating an outdoor haven for the dogs to relieve themselves and enjoy the Minnesota weather (when it cooperates). The outdoor space will be fully enclosed with fencing, so the dogs will not be distracted by passing cars or other outdoor happenings.

The Woof Room Supplemental Information

Often we encounter confusion about what exactly a dog daycare is. Many people think of large boarding facilities with rows and rows of cages and barking dogs. This is the exact opposite of how a dog daycare is designed. The Woof Room (TWR) will not have kennels – nor will dogs be locked away by themselves with little interaction all day. At TWR dogs that are visiting for daycare will spend the day in one of our three playrooms. The playrooms are large contained “open play” areas that will house multiple dogs of similar size and temperament. These areas will be staffed and continuously monitored to prevent dogs from barking or becoming aggressive. Staff will be trained in dog behavior, pet CPR, and dog pack management.

Understandably, individuals often question whether noise would be an issue with dog hotels and daycares. With a visit to your nearby dog park or dog daycare (Pampered Pooch in St. Louis Park or Dog Days in St. Paul are excellent examples), you will quickly see that the environment in a dog daycare is not what one would imagine. There is very little – if any – barking throughout the day. In fact, the only time some dog daycares experience barking is when someone new is introduced to the dogs.

Why do dogs bark?

It's important to have some understanding about dog behavior to understand why little to no barking occurs at dog daycares. The three main reasons that dog bark are: 1) Boredom, loneliness, or anxiety 2) Territorial – someone new enters their space 3) To communicate with you. When people think of barking dogs, they often are picturing dogs that experience #1 – the main reason dogs bark (boredom, loneliness, or anxiety). This is why you see the dog in someone's backyard barking for hours or you hear your neighbor's dog barking when they leave to go to work. This is the exact reason why dog daycares work so well – they eliminate the root cause of this type of barking. Dogs are continuously kept with other dogs and are played with all day – they are not kenneled at all, at any point of the day.

How do I know this will work in Roseville?

This has been a successful model in Roseville as well as other cities around the Twin Cities metro, the state of Minnesota, and across the country. Many dog daycares and hotels are located in urban neighborhoods with residences directly adjacent to the daycare property and do not experience issues with resident complaints and noise. In Roseville, Roseville Animal Hospital boards an average of 1-10 dogs per night and informed us that they don't believe they have ever received noise complaints (Roseville Animal Hospital is less than a mile West of the proposed space). Dog Days, an urban dog daycare located in a busy residential neighborhood on Grand Avenue in St. Paul, has residences directly adjacent to the space on two sides of the property and serves an average of 18 dogs per day. Silver Dog Bed and Biscuit, a dog hotel located in West St. Paul, houses as many as 140 dogs overnight in their hotel and has residences directly adjacent to their property, as well as across the street from their property.

How will you avoid barking at The Woof Room?

Our dog daycare environment is designed to be relaxing and calm. Dogs will be encouraged to play with one another, but such play will be closely monitored and facilitated by our staff. Staff will be with daycare dogs at all times and will be able to control noise levels in the space. Dogs will be at daycare and in the play areas between the hours of 7am and 7pm daily.

Daycare dogs will spend the day in one of three large, open play areas (they will not be kenneled at any point of the day). Barking, when it does occur in this type of environment, is often due to dogs with nervous tendencies or separation anxiety issues, both of which would not be suitable for the daycare environment. Because of this, no dog will be admitted to TWR until they have passed a mandatory assessment to determine whether they are a good fit for a dog daycare environment. Dogs are also separated by their size and play style to ensure the dogs maintain a safe and pleasant setting. New dogs will be gradually introduced to the other dogs to avoid unnecessary excitement, and dogs attending daycare quickly become acclimated to the environment.

The staff and owners at TWR will be trained on dog pack leadership tendencies to ensure dogs interact well with each other and to avoid unnecessary commotion and barking. This training will allow for a quick resolution of any sudden excitement or nervous barking.

Additionally, dogs will be routinely and regularly be given the opportunity to enjoy the outdoor area. The outdoor area will feature artificial turf and a privacy fence. Dogs will be allowed to relieve themselves, get fresh air, and enjoy a change of scenery before returning to the indoor play area. The dogs are brought out as a pack, in their play groups, so there will not be a chance in the group of dogs they have been interacting with. By avoiding the introduction of new dogs in the outdoor area, the dogs will not become over-excited and bark. The full privacy fence will ensure that dogs are not distracted or barking by cars, people, or other animals that may pass by. For the side of the outdoor area that is near residential space, there will be three barriers – there is currently a tall privacy fence. Evergreen trees have been installed on the North side of the fence (on our property), and finally we are installing an additional privacy fence.

At 7pm, when daycare dogs have been picked up by their owners, dogs will be checked into the TWR's hotel for dogs. TWR will have 17 individual hotel suites for dogs that need to stay overnight (TWR will not be building any additional hotel suites, 17 is the maximum number of hotel suites that will be built). TWR's hotel is designed for noise reduction and comfort of the dogs. Dogs will not be staying in kennels, but in their own room with a minimum size of 4 x 6 x 10' (walls will be built out of drywall to ensure noise control). Hotel rooms will be enclosed by another wall (made out of drywall) to separate the hotel space and further reduce noise. Finally, the hotel is in the front office section of the property, the furthest space away from the residences to the South of the property.

All overnight dogs will have spent some time in the daycare environment that day, so they are typically tired and ready for a good night's sleep. Nightlights and soft music will be utilized to ensure a calm sleeping environment. Part of the dogs' enrollment process will include determining each dog's optimal sleeping conditions and all efforts will be taken to make the hotel room as comfortable for the dog as sleeping at home.

***If* barking does occur, what would you do about noise?**

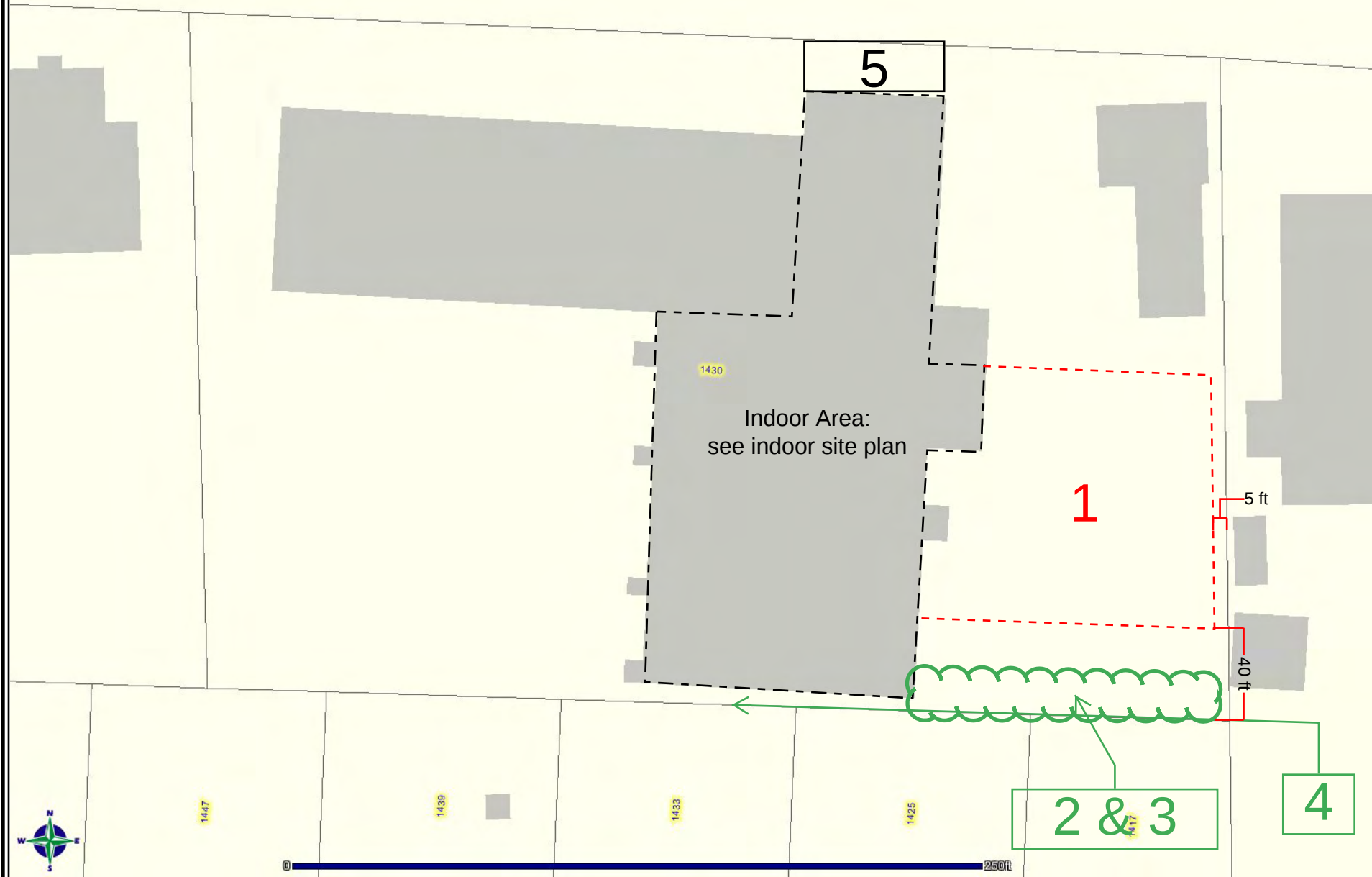
We assure you that keeping noise down is a top priority at TWR, and similar to the hundreds of dog daycares and hotels throughout the Twin Cities and the United States, noise levels from dog daycares are minimal and often go unnoticed.

If noise ever did become an issue, we'd be happy to install additional soundproofing measures (air walls, landscaping barriers, etc) in the space. As previously mentioned, several walls will be installed to ensure noise is not an issue for dogs staying the night.

More on pet waste

We will only be accepting house-trained dogs. There may be infrequent accidents indoors, which would be quickly cleaned with a dog-friendly cleaning solution. As for outdoors, pet waste will be collected several times daily (which will ensure no lingering odor) and disposed of in odor-eating bags. As for pet urine, the outdoor area will be hosed down and cleaned nightly. It will be cleaned with a special solution that will eat the odor of urine and is non-toxic and earth friendly. Additionally, we will have a small bathroom area with woodchips (inside the outdoor area) and will encourage dogs to relieve themselves in this area. In the winter, we'd just scoop out the yellow snow similar with pet waste. We would not hose down the area, we wouldn't want to create ice. Once the snow melts we'd do a more thorough cleaning to address any urine that leaked through.

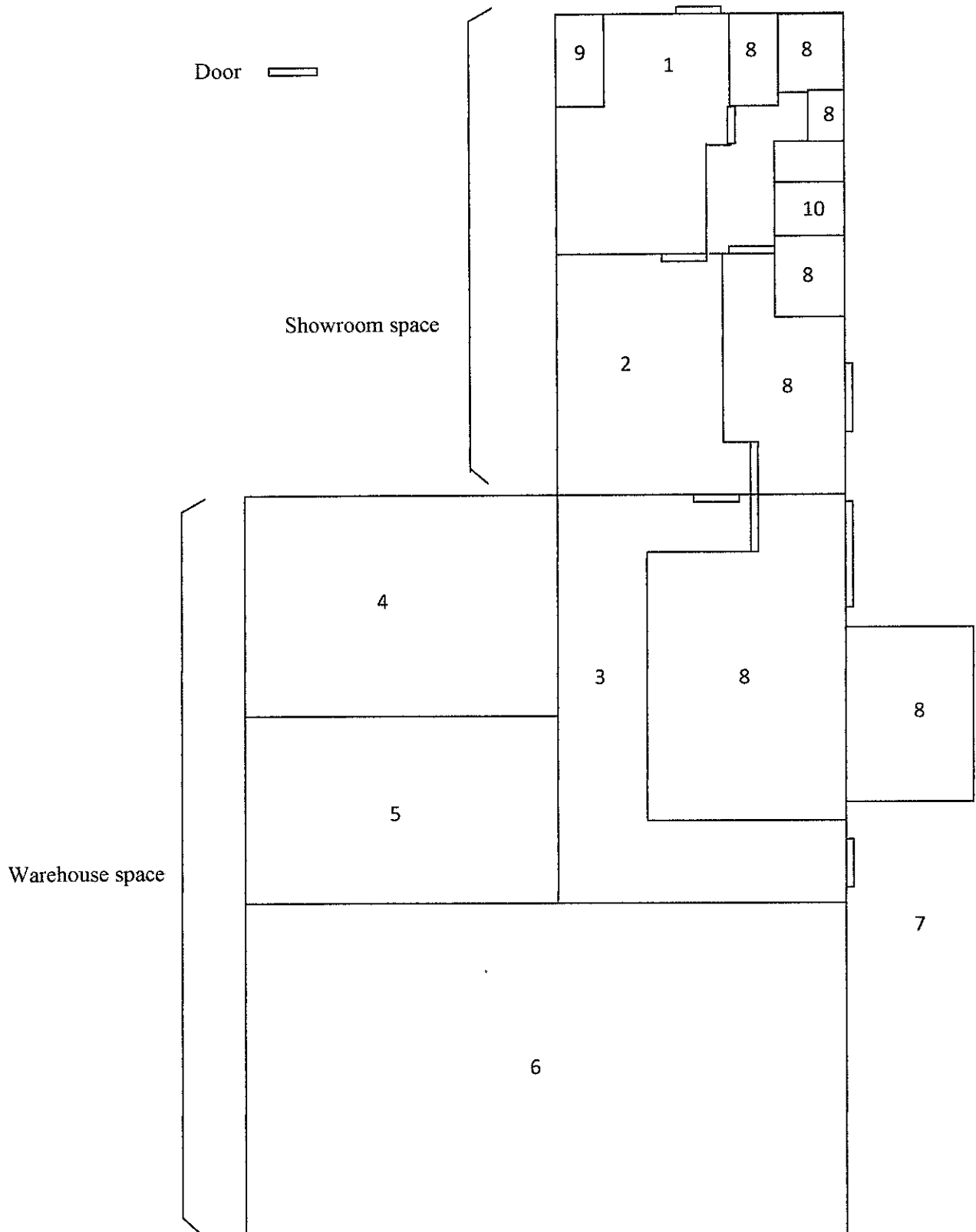
Outside Site Plan



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SOURCES: City of Roseville and Ramsey County, The Lawrence Group; August 30, 2010 for City of Roseville data and Ramsey County property records data, August 2010 for commercial and residential data, April 2009

The Woof Room, LLC
Roseville Interim Use Permit Application
Indoor Site Plan



**The Woof Room, LLC
Roseville Interim Use Permit Application**

Key for Outside Site Plan

- 1 – Outdoor play area¹
- 2 – There is a large grove of 50-75' tall trees (approximately 8-10 trees) along the southern end of the outdoor play area.
- 3 – Austrian Pine Evergreen trees have been planted along the southern end of the play area next to the grove of trees to add to the aesthetics.
- 4 – The property owner on the South end of the property has constructed an 8' tall wood privacy fence that spans the length of the outdoor play area. Additionally, the property owner directly East of the proposed site is an industrial property that has constructed an approximately 4' tall fence.
- 5 – There are 5 parking spaces allocated in front of the building for The Woof Room.

Key for Indoor Site Plan

- 1 – The Woof Room Lobby Area²
- 2 – The Woof Room Hotel³
- 3 – This will be a walkway between the dog play areas and the wall that separates The Woof Room from Deckci Decor
- 4 – Small dog play area
- 5 – Relaxation dog area
- 6 – Big dog play area
- 7 – Fenced, outdoor play area
- 8 – Deckci Décor spaces (event planning and décor business)⁴
- 9 – Break room for employees
- 10 – Potential space for grooming area for dogs

¹ The outdoor play area will be completely fenced and will feature a combination of playground pebbles and artificial turf for the dog's enjoyment. 1a indicates where we intend to have the playground pebbles; 1b indicates where we intend to have the artificial turf.

² This is where we will have dog-related merchandise for sale from local businesses. Additionally, we will feature dog-related art and photos from local artists and photographers. This is where dogs will check-in for their time at The Woof Room

³ This room will be where the "hotel" is located. We are projecting that an average of 10 dogs will stay the night at The Woof Room in the first year. The hotel will feature luxury suites with webcams as well as regular hotel rooms. All rooms will be separated with dogs having their own space separate from other dogs.

⁴ Deckci Décor is also co-owned by Cici and Decker. The Deckci Décor space will include two offices, a private bathroom, a 3 stall bathroom, a showroom, a laundry area, and a storage area.

September 29, 2010

Molly Redmond and Steve Ring
1455 Rose Place
(Email to Community Development Director, Pat Trudgeon)

Hi Pat,

Steve and I have the following concerns/questions re the Woof Room. Most of them deal with the proposed outside play yard of the facility.

1. What are their plans for sanitation? I note that their surfaces proposed are astroturf and some sort of pebbles. The realities of trying to clean up dog feces make me quite doubtful that these surfaces could be satisfactorily cleaned.
2. If high pressure hoses were going to be used for sanitation, where does the contaminated water go? Directly into the storm sewer? Is the drain size adequate for high volumes of feces-polluted water? Is there more than one drain?
3. What would be the hours the outdoor yard would be in use? If it's an overnight kennel, what will late hours for dogs going out be?
4. From our house east to the end of the street, 5 out of 6 homes on the north side of the street have dogs frequenting our back yards. The company's vague prospectus just explains that dog barking will not be a problem...this strikes us as naive at best.
5. Our house and the Solberg house to our east are still looking into that ridiculous gap in the privacy fence, where the fences are 15 feet away from each other, giving us a clear and ugly view of the industry. Will this plan fix that bizarre gaffe?
6. What code items, exactly, cause the need for the interim permit request?
7. Would there be any protection afforded the few remaining trees near the privacy fence?
8. Would there be any setback required from the property line for the outdoor play yard?
9. Would there be any maximum of dogs set?

Frankly, we found the industry materials most non-informative about real potential for problems, and no real solutions in case these problems arise...these omissions make me wonder if the applicants have any experience with this sort of business, or with any business dealing with dogs.

Sincerely,
Molly Redmond & Steve Ring

September 30, 2010

Matt McLeod and Molly O'Brien
1433 Rose Place
(Email to Pat Trudgeon)

We at 1433 Rose place are also very concerned with both the outdoor and indoor facility. Our property is literally a few feet from where their large dog indoor play area will be and the back corner of our lot will be only feet from their outdoor play area. We are very concerned about the noise of both the indoor and outdoor areas, both for our quality of life (and our dogs) and for our property value. We also think it's completely unrealistic to think that they can contain the noise and impact on their very close neighbors. This is not a good fit at all.

Lynn Walters
1425 Rose Place
(Email to Pat Trudgeon)

It appears that the City of Roseville intends to continue to disregard the interests of property-owners in this neighborhood. The Albrecht property is still in violation of city codes after 30 years of inaction on the part of the city. Now the city wants to permit a nuisance business property to move in. Houses in our neighborhood have been steadily losing value over the last few years. It is now very difficult to sell them at all.

If the City of Roseville will not protect the value of our properties, I will initiate legal action against the city and I will encourage all of my affected neighbors to join me in a class action.

(Email to applicant)

Do you have any previous experience running a dog care facility? Do you have sufficient financial resources to ensure that the facility would be completed and maintained as you propose? You say you are pet owners and have a small business. I was a professional dog handler and training instructor for over 30 years. Your proposal sounds unrealistic and rather amateurish to me. The city would be wise to take a closer look at the feasibility of your plan before they commit city resources to defend it in court.

From: [REDACTED]
To: [Pat Trudgeon](#)
Cc: [REDACTED]
Subject: Commercial boarding kennel use permit request
Date: Saturday, October 30, 2010 6:01:41 PM

The two women who have requested a use permit for their proposed commercial dog kennel showed up, uninvited, at my door on Saturday afternoon. I spoke to them for a few minutes and asked a few questions. It became apparent that they are naïve amateurs who have no previous dog business experience. They appeared to be surprised that anyone would object to having a commercial boarding kennel in their back yard.

Meeting these two women hardened my resolve to oppose their proposal. The adjacent Albrecht property has been out of compliance for 30 years and is still not up to code. Based on that experience, we cannot expect that a commercial dog boarding kennel in our neighborhood will be required by the city to be well-run, in compliance and not a nuisance to those who live nearby.

I came to this neighborhood 10 years ago. I have lovely neighbors and I enjoy my home. But I've had my fill of the City of Roseville's utter failure to enforce city codes and represent the property interests of my neighbors and myself.

Lynn Walters

From: [REDACTED]
To: [Pat Trudgeon](#)
Subject: Woof Room
Date: Sunday, October 31, 2010 7:12:16 PM

Pat,

Here are the Q & A e-mails I sent to and received from Kristen in October. I thought you'd been in on them all, but am not sure, so am sending the lot. There were a few more re inviting me on a site tour--which I couldn't do--but no real info in those.

peace,

Molly R.

1. Sent by me to Kristen Oct. 14

Hi Kristen,

I was copied your response to Lynn's concerns, and you did address some of mine.

I would appreciate more information regarding the sanitation issues outdoors. There are some other unclear items regarding the land use, as well.

1. I note that surfaces proposed are astroturf and some sort of pebbles. The realities of trying to clean up sticky dog feces make me quite doubtful that these surfaces could be satisfactorily cleaned. (If they can be--how?) More info would be appreciated.

2. If high pressure hoses were going to be used for sanitation, where does the contaminated water go?

--Directly into the storm sewer?

--Is the drain size adequate for high volumes of feces-polluted water?

--Is there more than one drain?

3. How will other waste be contained between scheduled pick-ups?

4. I note that Roseville Codes, Ch1007.01A4 discusses a 40-foot strip between the back boundary and the residential area that is to be landscaped, and not to be used for parking. Is part of the Conditional Use Permit to allow the play yard closer than this 40-foot zone?

5. Regarding screening, our house and the Solberg house to our east are still looking into a ridiculous gap in the privacy fence, where the fences are 15 feet away from each other, giving us a clear and ugly view of the industry property. Is the City requesting that you as new proprietors would somehow fix that that bizarre gaffe as part of the Code Ch1007.01A4 or Code Ch 1007.01A2?

6. I'm not sure that the Grand Avenue Dog Days facility is a parallel example for property value comparisons, as that Macalester-Groveland area tends to have quite high property values throughout...my guess would be that they are substantially higher than those in this Rose Place neighborhood--and might be comparing apples to oranges.

Also, the Roseville Animal Hospital does not seem a helpful comparison, as it is totally indoors. Plus, it has a tall tree/shrub area plus a garage and parking area serving as a de facto buffer area between it and the apartment building.

Sorry it's taken a while to get back to you. I know it's helpful for you to get as much on the table as possible before the November meeting.

Thanks, Kristen.

Sincerely,
Molly Redmond
1455 Rose Place

2. Sent by Kristen in response, Oct 15,

Hi Molly,

Thank you so much for your communication with us. We understand your concerns and are happy to answer all of your questions to help ensure that these are not feasible issues for a well-run dog daycare. Here are responses to the questions you outlined:

1. Our plan is to use turf/synthetic grass in the outdoor area. AstroTurf is very commonly used for outdoor play areas at dog daycares. It is the most popular option, as it has a non-porous rubber bottom layer, is very durable and is easy to clean. In fact, many homeowners buy astroTurf to specifically use as a pet bathroom area (even indoors). The American Kennel Club actually produces such a product - <https://www.pottypatch.com/>. Feces will be picked up and bagged. Urine and wet feces will be cleaned and sanitized. This cleaning process includes spraying the area, combined with the use of anti-bacterial, urine-neutralizing and odor-eliminating products. All products used will be non-toxic and environmentally safe, meaning they are non-harmful to animals, people and the natural surroundings. There are many products in the market, but some popular examples used at dog daycares nationwide are the Green Scene and Nil Odor lines. If you'd like, you can read more about these products here:
<http://www.all-greenjanitorialproducts.com/Green-Scene-All-Purpose-Neutral-Cleaner-p/1001.htm>
<http://www.all-greenjanitorialproducts.com/Bacteria-Enzyme-Urine-Digester-p/1087.htm>
<http://www.all-greenjanitorialproducts.com/Water-Soluble-Odor-Neutralizer-p/1086.htm>
2. All dog poop will be picked up, and the area will be cleaned via the methods described above. The described cleaning products neutralize the bacteria and leave us with an environmentally-friendly water/cleanser mix. The amount of liquid produced by this cleaning will be less than that produced by a normal lawn-watering or a standard rainfall, so volume is not a concern. It will runoff into the storm sewer.
3. Our plan for the outdoor area includes a small enclosed space for the garbage that will house waste until it is picked up. All waste will be put into odor eating bags prior to being put in the garbage cans.
4. There will not be parking within 40 feet of the fence. The new privacy fence we are installing will be approximately 15 feet from the current fence in place.
5. Our space is the warehouse and office space on the East side of the building. We are leasing the space from the property owners, and the fence gap that you mention is not part of our area. Our lease does not include the outdoor space to the West side of the warehouse. As such, they will not be requiring us to fix that as it is not our property and we are not leasing that area.
6. I tried to find comparable dog daycares in the Twin Cities. There are quite a few of them in the metro area, but it would be difficult to find an exact comparison. There are many around the county, a fair amount of which have one side (if not more) bordering residential properties.

Thank you again for your communication. I hope these responses have helped you further understand these issues. We would love to have the

opportunity to meet you and would be happy to have you come by the space for a tour and guide of what will be happening on a normal day at the daycare. Additionally, we plan to set-up a tour of another dog daycare that works with a similar quantity of dogs, so that city officials may see first hand that noise, odors, etc will not be issues. I would recommend that you attend if you are able to. Please let me know if you have any further questions.

Thanks and have a wonderful day!

Kristen

3. Sent by me Oct 15 in Response to Kristen's note of Oct 15

Hi Kristen, and thanks for your quick & comprehensive response. Clearly, dog sanitation issues are a lot more sophisticated than my simple plastic bags & trowels experience.

>

I am assuming that the City has had some sort of engineer look at the capacity of the storm sewer regarding volume of runoff per cleaning, etc.

If I sound like a nutcase on this subject, it's because, in the past, there was an episode where the storm sewer serving the industry behind us was not adequate to their property usage, and we wound up with periodically flooded backyards until the City had one with a large opening capacity installed. (Mallard ducks could swim there...)

>

I do admit to still having some concerns re barking--because 5 out of the 6 properties on the north side of Rose Place down to the cul-de-sac end have dogs... Maybe the double dose of privacy fences will do the trick.

>

By the way, off-topic, Pet Haven is great. Many years ago, we got a spectacular dog from them.

Sincerely,
Molly Redmond
1455 Rose Place

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 8th day of November 2010 at 6:00 p.m.

The following Members were present: _____;
and _____ were absent.

Council Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION NO. _____
A RESOLUTION APPROVING THE WOOF ROOM, DOG DAYCARE AND
BOARDING, AT 1430 COUNTY ROAD C AS AN INTERIM USE IN ACCORDANCE
WITH §1013.09 OF THE ROSEVILLE CITY CODE (PF10-024)**

WHEREAS the property at 1430 County Road C is owned by MT Holdings II, LLC., which supports the application by The Woof Room; and

WHEREAS, the subject property is legally described as:

**Registered Land Survey 070, ex. the W 306 feet, Tract D
PIN: 10-29-23-21-0038**

WHEREAS, the property owner seeks to allow a dog daycare and boarding facility; and

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed INTERIM USE on November 3, 2010, voting 6-1 to recommend approval of the use based on the comments and findings of the staff report prepared for said public hearing which found to adequately address the concerns raised by the public; and

WHEREAS, the Roseville City Council has determined that approval of the proposed INTERIM USE will not result in adverse effects on the public health, safety, and general welfare, and that it will not impose additional costs on the public if it is necessary for the public to take the property in the future;

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council, to APPROVE the proposed dog daycare and boarding as an INTERIM USE in accordance with Section §1013.09 of the Roseville City Code, subject to the following conditions:

- a. The daycare use shall be limited to 40 dogs and the overnight boarding use shall be limited to 17 dogs, but additional capacity may be considered and allowed through future INTERIM USE approvals;
- b. All exterior walls and ceilings of the indoor dog daycare, play areas, and boarding spaces shall be comprised of brick/concrete block or shall be covered with

gypsum board or other sound-insulating material to be approved as part of the building permit review process;

- c.** All solid pet waste shall be collected at least once each day, placed in bags to minimize odors, and deposited into the trash;
- d.** All affected indoor flooring areas shall be promptly cleaned up using appropriate cleaning/disinfecting products following pet waste “accidents”;
- e.** The outdoor activity area shall be thoroughly cleansed and rinsed at least once each day during warm weather, and as soon as practicable after periods of freezing weather, with all of the rinse water being directed into a rain garden approved by the City Engineer;
- f.** The outdoor activity area shall be enclosed with an opaque screening fence, 8 feet in height, and located at least 40 feet from the southern property boundary;
- g.** The outdoor activity area shall not be used for recreational purposes between 7:00 p.m. and 7:00 a.m.;
- h.** If barking becomes a nuisance to surrounding property owners, the business owner shall work with City staff to identify additional measures to mitigate the problem and shall then implement such measures;
- i.** Retail sales of pet-related items shall be limited in scope so as to be clearly ancillary to the daycare/boarding use; and
- j.** This approval shall expire on October 31, 2015 or upon the discontinuation of the dog daycare/boarding use for more than 60 consecutive days, whichever comes first. The dog daycare/boarding use shall only be continued beyond October 31, 2015 with renewed approval of the interim use; application for renewal should be made by September 1, 2015 to ensure that a renewed approval may be granted prior to October 31st.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor: _____; and _____ voted against.

WHEREUPON said resolution was declared duly passed and adopted.