

Staff Summary Report



Hearing Officer Hearing Date: 3/15/11

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by **WIGGLES & WAGS PET RESORT** located at 1181 East Baseline Road for one (1) use permit.

DOCUMENT NAME: 20110315cdsl06 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **PETER PIPER PLAZA - WIGGLES AND WAGS PET RESORT (PL110049)** (Howard & Tammy Teeter, applicants; Pollack Investments, property owner) located at 1811 East Baseline Road, Suite No. 1811, in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11016 Use permit to allow a dog day care facility with overnight boarding.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

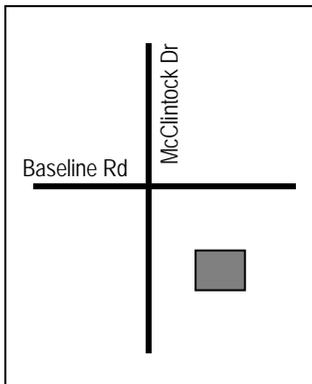
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



This is a request for a use permit to allow a Dog Day Care and overnight boarding business in the PCC-1 zoning district. The site is located at 1811, at the southeast corner of Baseline Rd and McClintock Drive, within the Pollack Peter Piper Shopping Center. Wiggles and Wags will occupy three suites within the plaza for a combined total of 3705 s.f. of indoor space and approximately 1170 s.f. of outdoor recreation area (two separate areas proposed). Staff supports the use permit subject to conditions. To date, no public opposition has been received.

PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
5. Site plan
6. Enlarged Site Plan
7. Floor Plan 1811
8. Floor Plan 1813
9. Outdoor Area
- 10-11. Applicant Photograph(s)
12. Staff photograph

COMMENTS:

The Wiggles and Wags Pet Resort is an upscale indoor pet hotel and doggie day care. They state in their letter of explanation that their business has existed locally for two years as a mobile service and will be expanding their business to a store front location within the Peter Piper Plaza. Business hours of operation will be Monday-Saturday 7am- 7pm; Friday 7am-7pm; they will be closed on Sunday but will have staff on site to care for the dogs. There will be 4-7 staff members on property during business hours. The business may accommodate up to forty (40) dogs at a time.

The applicant is proposing to fence off two outdoor areas behind their tenant spaces for outdoor recreation. The dogs will be accompanied by staff at all times in the recreation area with waste immediately removed from the premises. The proposed outdoor area will require a separate Development Plan Review application for modification of the site plan. Additionally, the parking file for the center will need to be updated with the reduced number of available parking spaces. Staff performed a cursory inventory of the parking, based on the current uses and proposed uses; with the determination that the six (6) spaces to be removed for the outdoor area could be spared without detriment to the other uses within the center.

Use Permit

The Zoning and Development Code requires a use permit for kennels within the PCC-1 Zoning District. The applicant has provided authorization from the property owner for the use. Staff finds the proposed request meets the Zoning and Development Code criteria for approval of a use permit. The business plan as proposed will not create a nuisance for the surrounding properties or businesses. The use is no more intense than other commercial businesses located in the center; there appears to be no nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions.

The shopping center is adjacent to single family residential; to date staff has not received any comment from the surrounding area. Staff encouraged the applicant to directly contact the adjacent residential neighbors.

Conclusion

Staff recommends approval of the use permit subject to conditions. We will require that all dog waste be removed from the premises immediately and all dog walking areas to be kept clean on a continual basis. The owner(s) will control excessive barking dogs and will cooperate with any additional measures necessary to alleviate disruptive behavior both inside and outside the premises. Should staff receive complaints from the surrounding area regarding the operation of the business; the applicant shall be remanded back to the Hearing Officer for review of the use permit.

REASON(S) FOR APPROVAL:

1. The use covered by the permit, the manner of its conduct, and any building which is involved, 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 to any conditions, requirements, or standards prescribed therefore by the Zoning and Development Code;
2. There appears to be no significant increase in vehicular or pedestrian traffic. The use is no more intense than other commercial businesses located in the center;
3. There appears to be no nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions. The owners have assured that the dog center will not allow excessive barking dogs. All waste will be picked up and disposed of immediately;
4. This use will not contribute to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan;

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

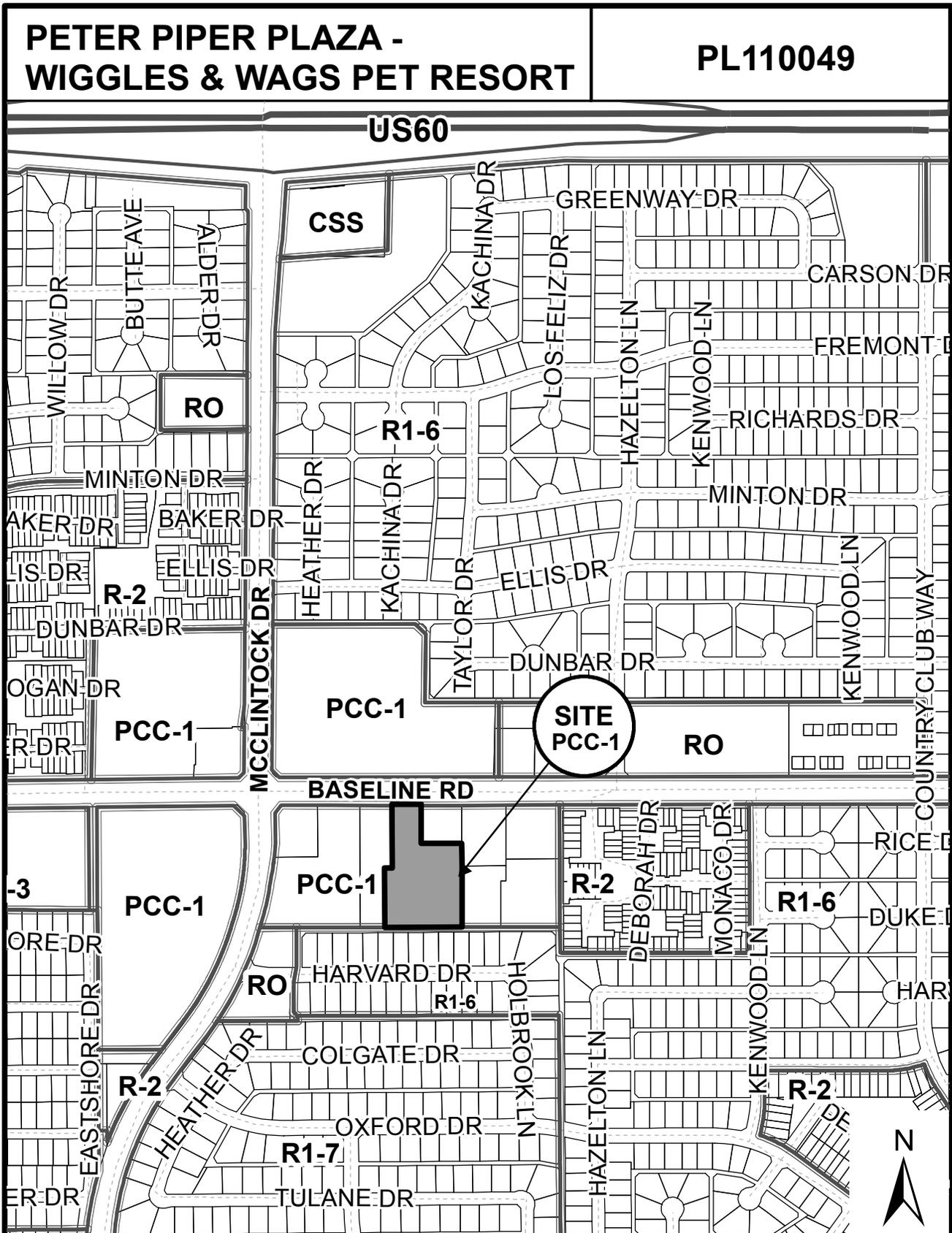
**CONDITION(S)
OF APPROVAL:**

1. The use permit is valid for Wags and Wiggles and may be transferable to successors in interest through an administrative review with the Community Development Manager, or designee.
2. Animal waste to be removed from the premises immediately and on a continual basis through out the day. The dog walking area to be kept clean at all times.
3. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
4. Obtain separate approval for modified site plan from the Development Review Commission and Building Safety Division prior to use permit becoming effective.
5. Update parking record for center.

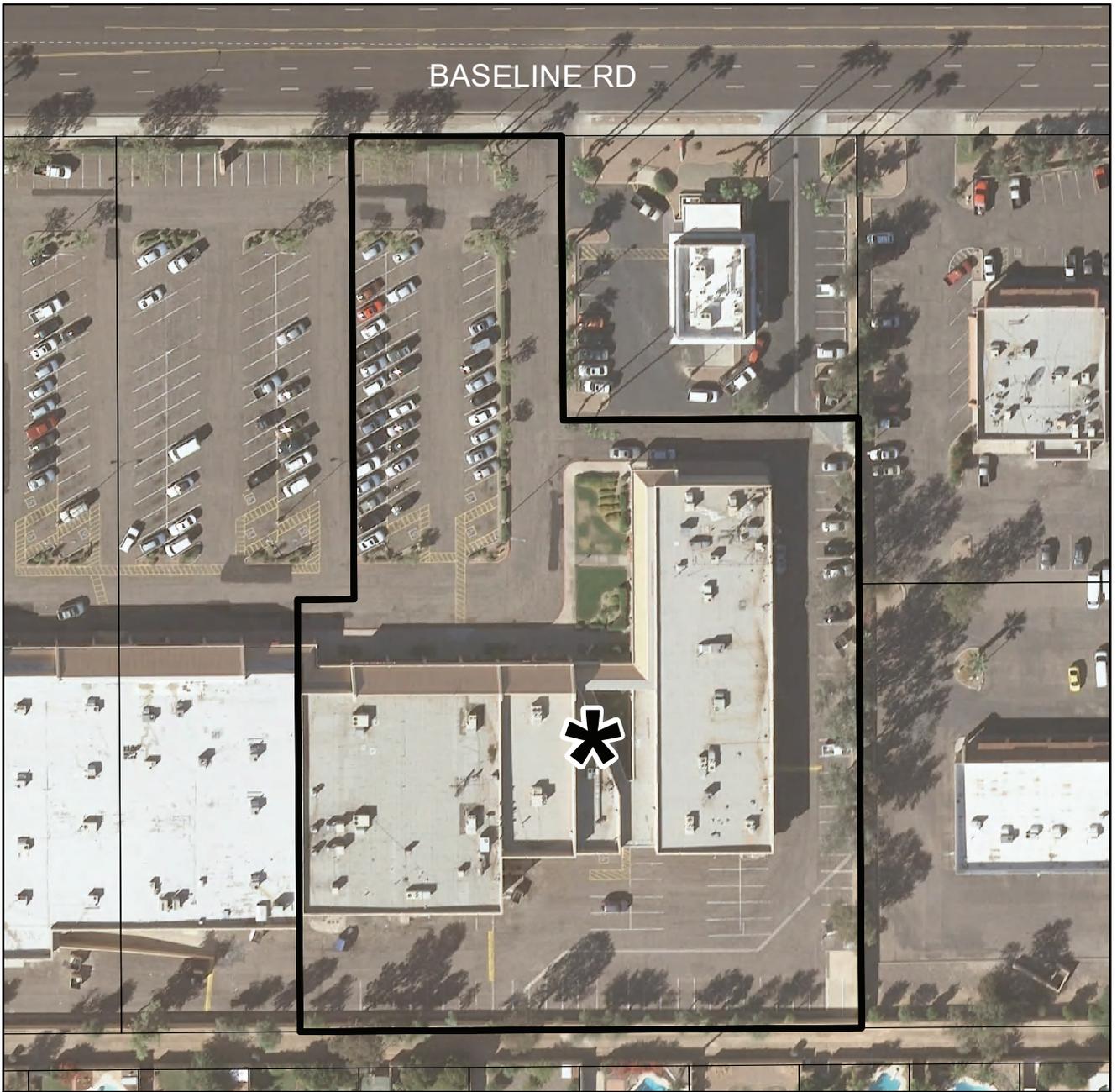
HISTORY & FACTS: None pertinent to this case

DESCRIPTION: Owner – Pollack Investments
Applicant – Howard Teeter
Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District

**ZONING AND
DEVELOPMENT
CODE REFERENCE:** Part 3, Chapter 2, Section 3-202
Part 6, Chapter 3, Section 6-308



Location Map



PETER PIPER PLAZA - WIGGLES AND WAGS PET RESORT (PL110049)

Letter of Explanation

Wiggles and Wags Pet Resort

We opened Wiggles and Wags, LLC, primarily a mobile dog training business, locally two years ago. Wiggles and Wags Training now services over 100 loyal customers in the Tempe, Chandler and Phoenix area. We look forward to expanding Wiggles and Wags, LLC, via a lease agreement with Pollack Investments, to become a full service Pet Resort in Tempe which will offer boarding suites for all size dogs, obedience training, a full service grooming salon, doggie day care, a small accessories shop and an outdoor play land.

Prior to moving to Phoenix, Tammy was owner-operator of a successful dog boarding kennel, also offering grooming and dog training, in Hiram, GA. She grew her capacity to over thirty dog suites in seven years, hired groomers and conducted obedience training as a Sole Proprietorship. Based on past experience and recent success, we are confident that our Wiggles and Wags Pet Resort will be a vibrant, professionally run and profitable small business in Tempe. We will continue to engage in community service and begin the expansion of our company with an existing, eager customer base.

The Wiggles and Wags Pet Resort will be open from 7am until 7pm, six days a week. We will be closed on Sunday to the public, but will have staff there to care for the dogs. With 31 suites for boarding we have the capacity to house up to 40 pets overnight. As owners, we will both be on site every business day to provide the proper management as well as care for the dogs. To start with we will hire one helper in the boarding area to tend to the needs of the dogs which includes clean up, feeding, watering and time outside in the Playland. As business grows we will hire additional help in the boarding area, or day care area, as needed. We will also have two groomers on staff who will work in our shop on a contract basis. The business will have between 4-7 support staff available during working hours.

We differentiate ourselves from the competition by providing an upscale facility that uses dog suites, not chain link enclosures, and a large outdoor Playland that will be walled in with full shade canopy for lots of exercise opportunity. One of us will always be monitoring the dogs in the day care area and enough can't be said of the benefits of having the experienced owners of the company dealing directly with customers and their dogs. This provides a very friendly and safe environment with a high degree of personal responsibility that will be very attractive to the community at large.

Wiggles and Wags Pet Resort is a customer service business which addresses the needs of pet owners in the local community who also frequent the other tenants in the Peter Piper Plaza. It is our experience that we will not be attending to more than 3-5 customers at one time because it is primarily a drop-off pick-up type business. There will be no significant vehicular or pedestrian traffic in the adjacent area.

Wiggles and Wags Pet Resort will not cause any nuisance exceeding that of ambient conditions due to several precautions and processes. *Odor:* An independent contractor has performed an inspection of the existing HVAC units and recommended a tune up on two units and the replacement of the obsolete HVAC unit above the boarding suites. Pollack has already responded with a lease amendment agreeing to the replacement with a new HVAC unit and tune ups will be performed. This will prevent any odors from building up as well as insuring the safety of the animals during warm weather. Industrial

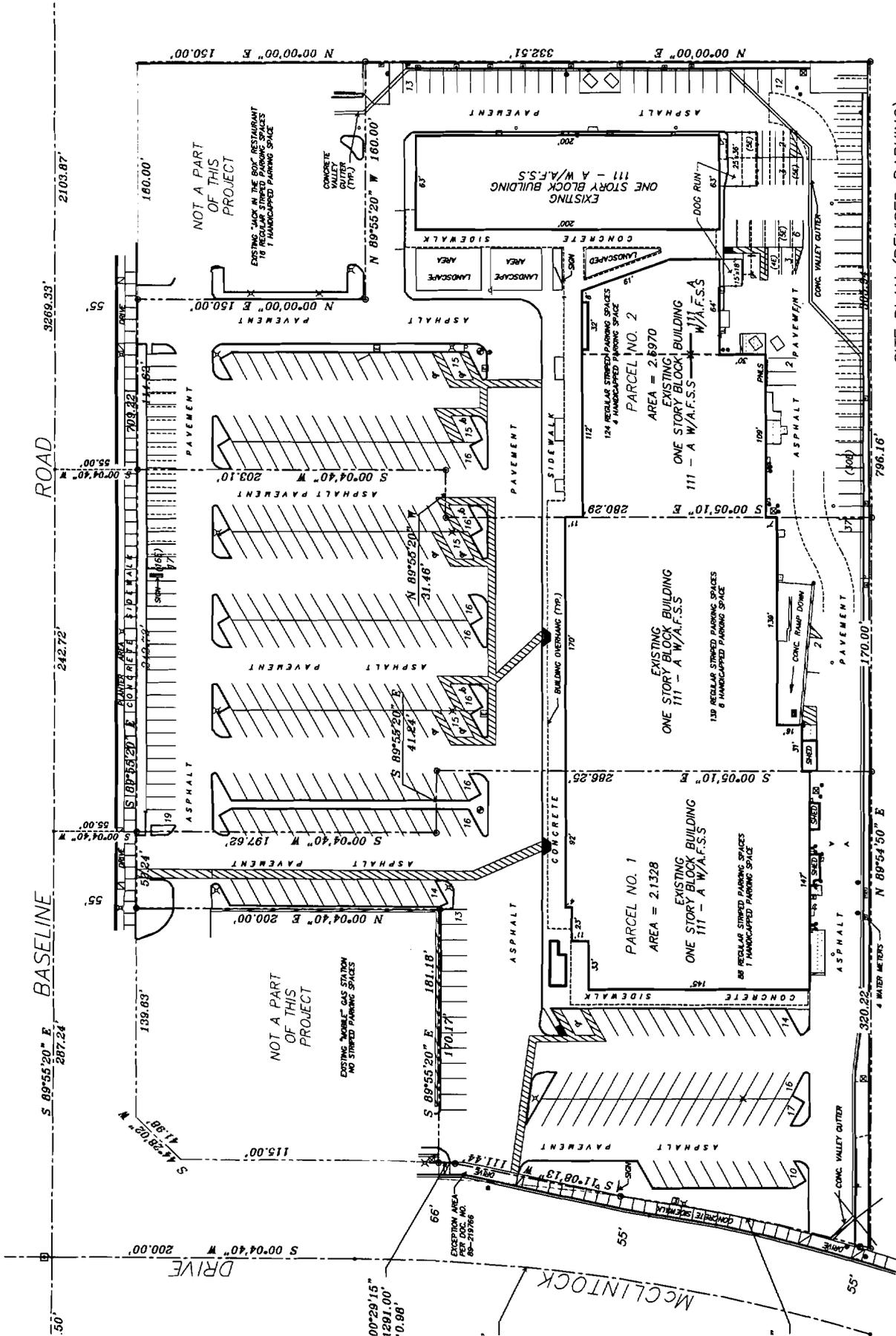
disinfectants will be used liberally in the maintenance of the dog boarding area, the day care area and the Playland to prevent any nuisance odors. Clean up operations will be performed on a regular basis throughout the day. *Noise:* Our operating hours will be from 7am to 7pm. The dogs will be let out into the Playland every few hours during the day for a brief period under staff supervision. The balance of their time (night time hours included) will be spent in their suites inside the building. This, along with the positioning of our 3700 sq. ft., tucked back into the corner of the Plaza away from other tenants, will prevent any noise complaints from either surrounding neighbors or tenants.

Wiggles and Wags Pet Resort will not be in conflict with the goals, objectives or policies of the City of Tempe. We are a family run business catering to other families in the community that need essential services for their pets. We add to the community's quality of life by providing a safe, friendly and nurturing environment for the four legged members of their family when they are not able to.

Wiggles and Wags Pet Resort will occupy existing suites within an established mall so it will be compatible with surrounding structures. There will be no alterations to the building. The walled in Playland, except for the shade canopy, in the rear parking area will match the surrounding structure.

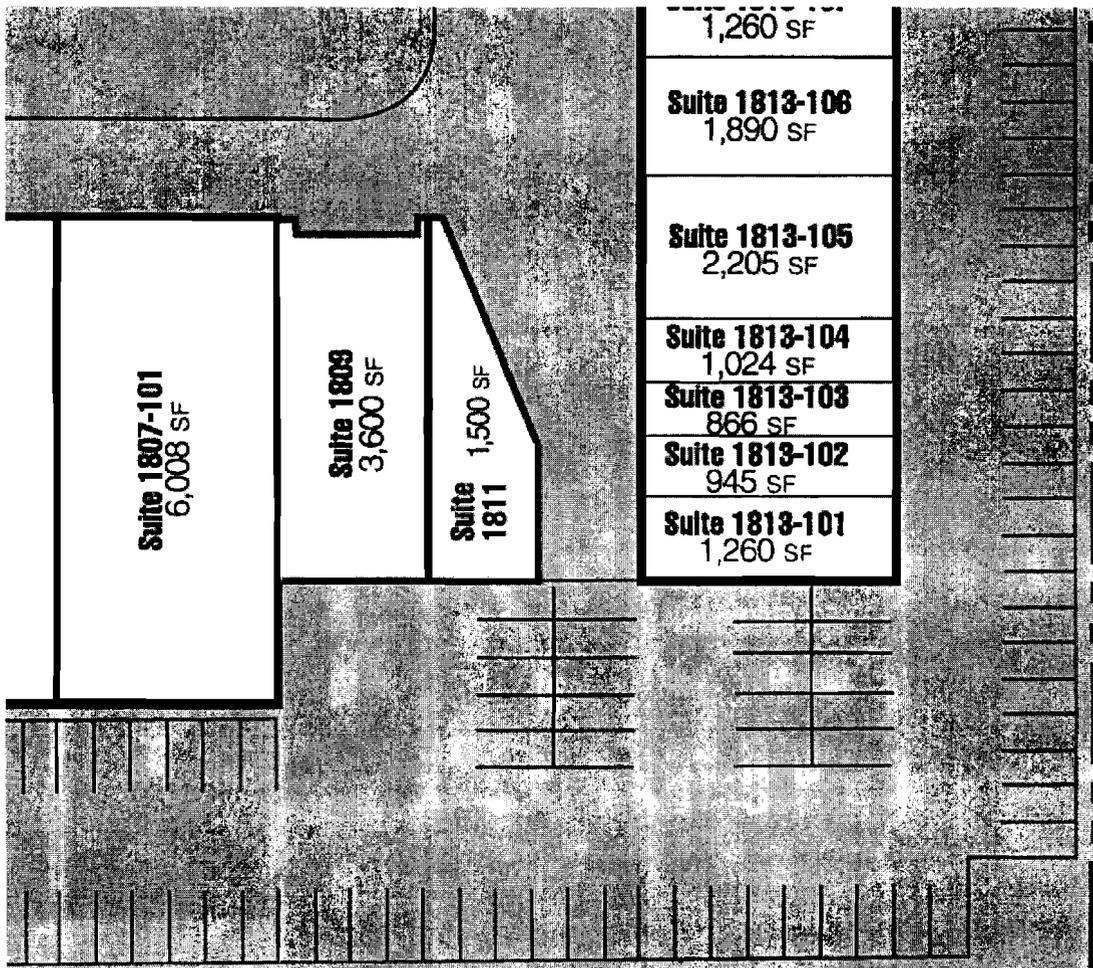
Wiggles and Wags Pet Resort complies with the city leash laws so that any dog that is being moved by one of our staff outside the facility for any reason will be leashed. Owners will be instructed to have their dogs leashed at all times which will prevent any disruptive behavior that could create a nuisance to the surrounding area or the general public. The safety of the staff, our clients and the animals is of utmost importance at Wiggles and Wags Pet Resort.

Howard and Tammy Teeter
Owners, Wiggles and Wags, LLC.



SCALE
 SITE PLAN (REVISED PARKING)
 PETER PIPER PLAZA
 372 PARKING SPACES PROVIDED

TEMPE ROYAL PALMS UNIT FOURTEEN
 BK. 183 PG. 44 M.C.R.

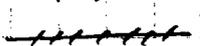


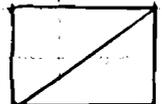
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SUITE #1811

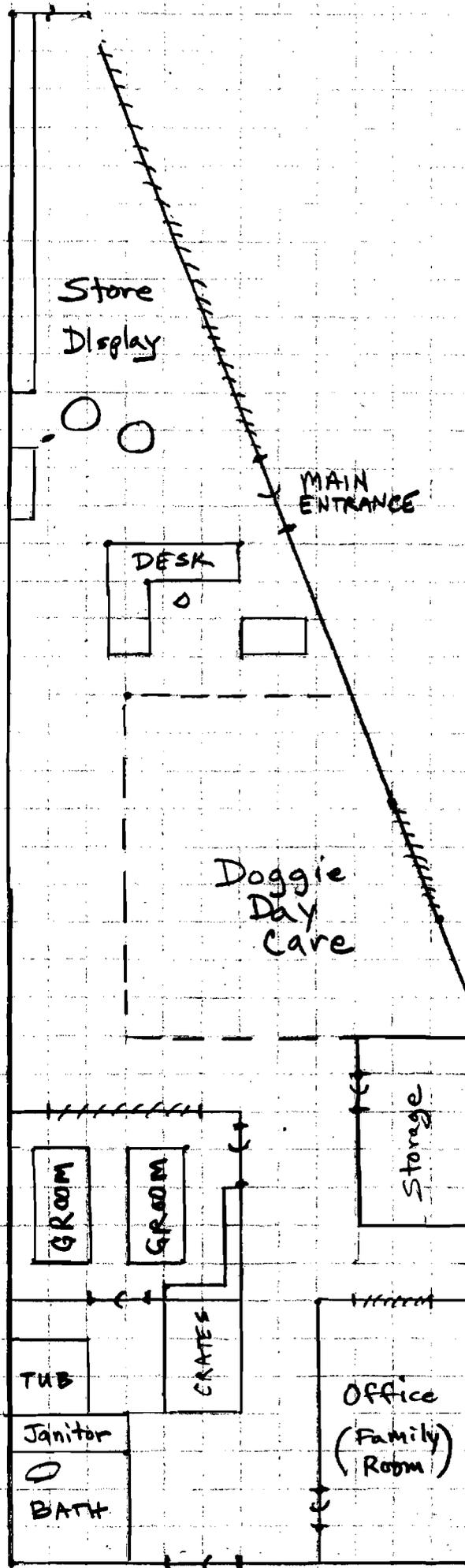
SCALE: 1 Block = 2 feet
1" = 8'

1500 ft²

Door: 
Window: 

Dog Suite: 

88'



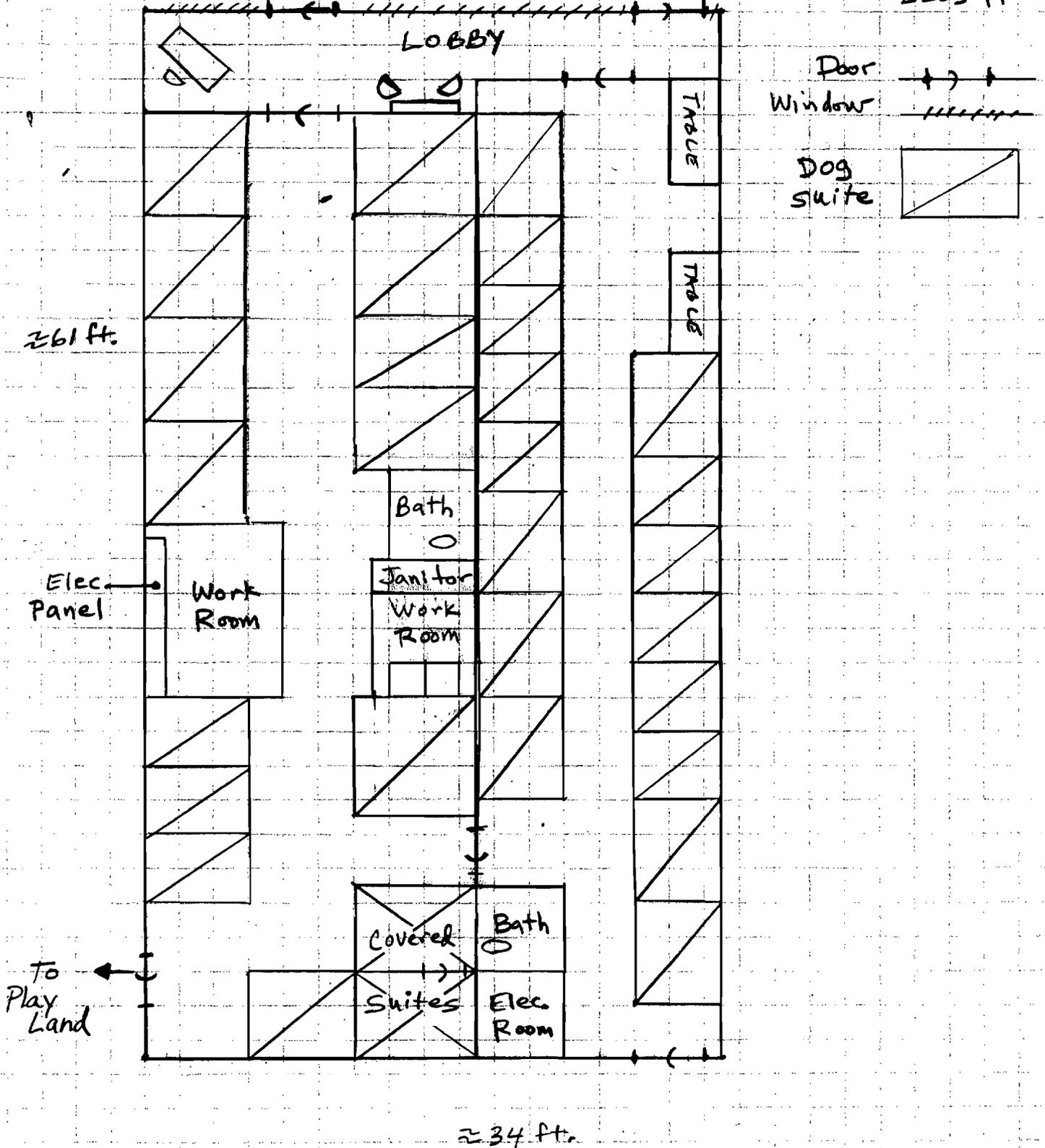
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BOARDING KENNEL SUITES

SUITE 1813-101 & 102

SCALE: 1 Block = 2 feet

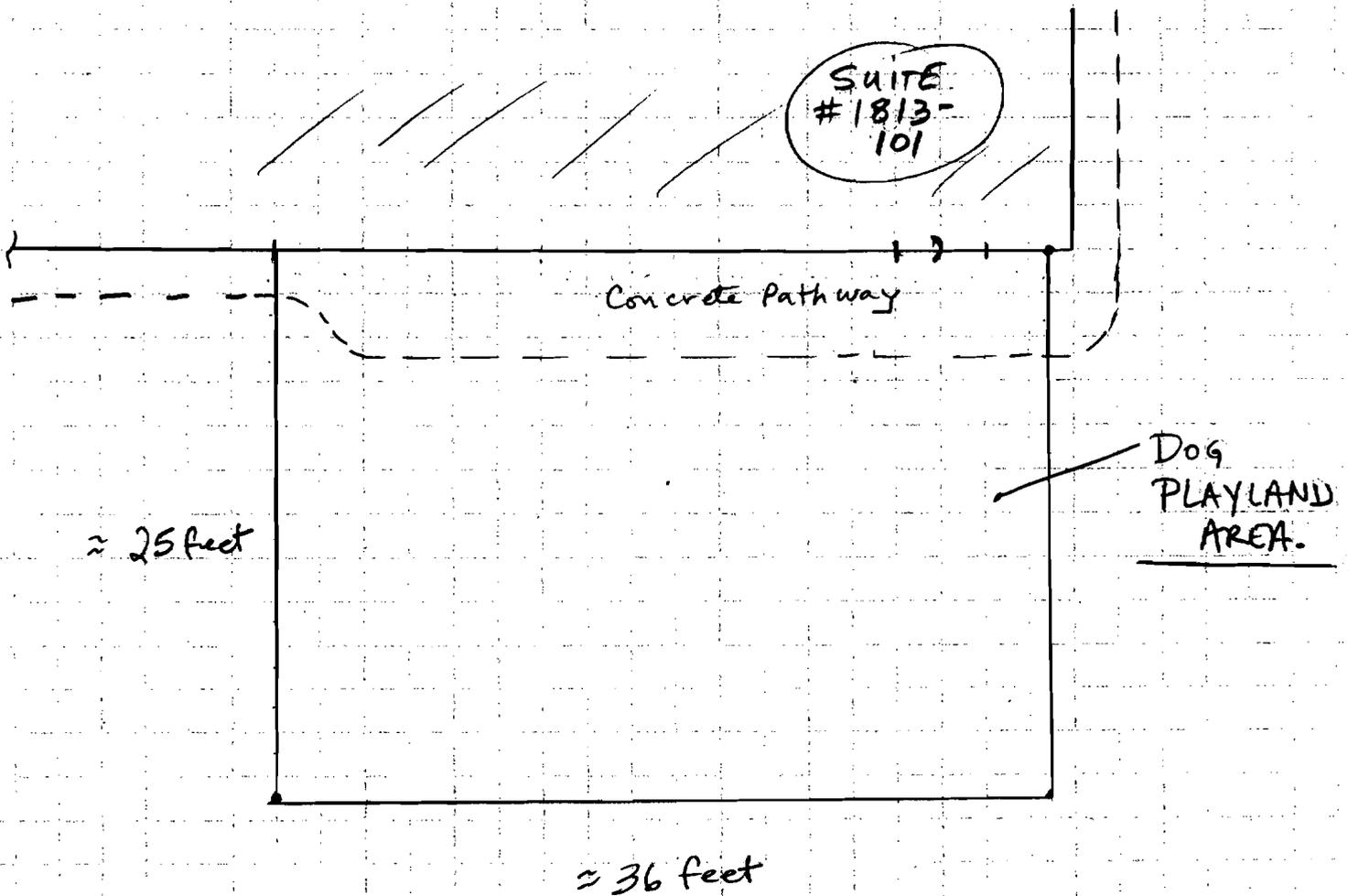
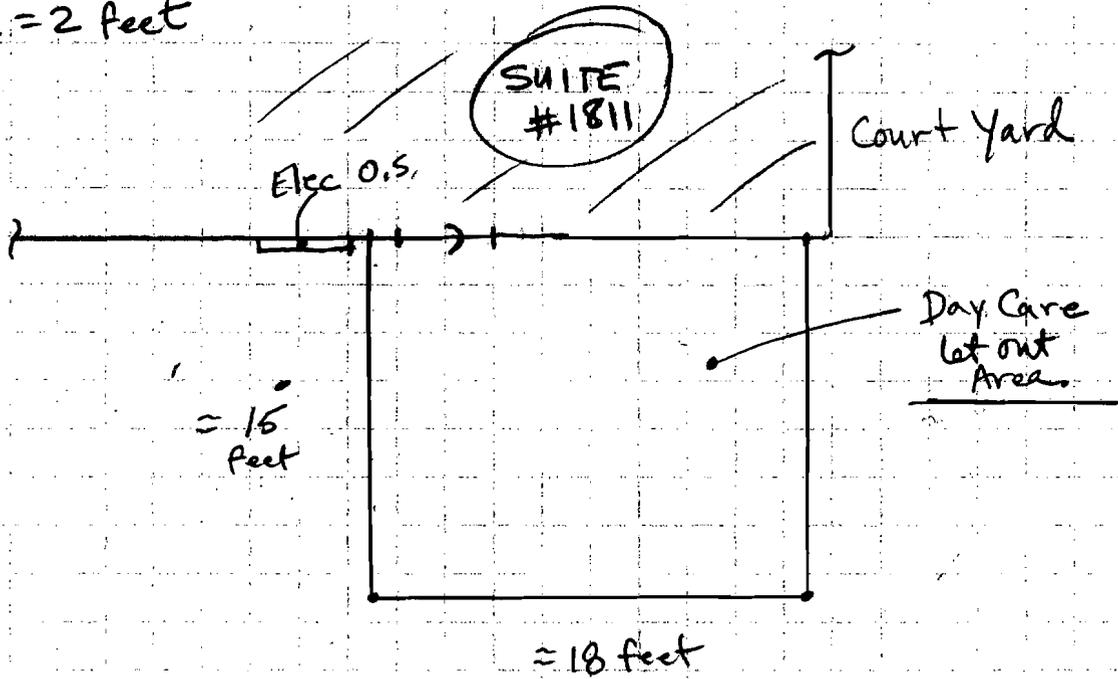
2205 ft²



(2-14-11)

Outdoor Areas

Scale:
1 Block = 2 feet









**PETER PIPER PLAZA – WIGGLES AND
WAGS PET RESORT**

1811 E BASELINE RD., SUITE NO. 1811

PL110049

FRONT OF BUSINESS

