

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, March 8, 2011

1. **Call to Order:** Commissioner Robin Reid called the meeting to order at 7:00 p.m.

Present: Planning Commissioners, Robin Reid, Kathleen Martin, Kent Williams, Beth Nielsen, and Victoria Reid

Absent: Charles Nolan, John Anderson

Also Present: City Planner Dusty Finke

2. **Public Comments on items not on the agenda**

No public comments.

3. **Update from City Council proceedings**

Council member Weir presented a report of recent activities and decisions by the City Council.

4. **Planning Department Report**

Finke provided an update of upcoming Planning projects. The Commission asked questions related to the Lennar project.

5. **Approval of January 11th and February 8th 2011 Draft Planning Commission meeting minutes.**

Motion by Nielsen, seconded by V. Reid, to approve the January 11th 2011 minutes as written. Motion carried unanimously. (Absent: Nolan and Anderson)

Motion by Martin, seconded by Williams, to approve the February 8th 2011 minutes as written. Motion carried unanimously. (Absent: Nolan and Anderson)

6. **Public Hearing – Ordinance Amendment – Chapter 8 of the Medina City Code related to dog boarding and other commercial uses related to animals.**

Finke presented the request for the ordinance amendment. He explained the existing zoning code for the commercial general district did not specifically list animal daycare or boarding facilities within the districts.

Finke explained the Ordinance Amendment was initiated not by the City, but rather an applicant, Kingstedt. He said the text changes add the specific use of animal daycare boarding/overnight boarding and it increases the maximum outdoor space to

15,000 square feet. He explained staff had visited other boarding facilities in the metro area to get a better understanding of the use and its possible impacts on neighboring properties. As a result of the visits, staff recommended adequate indoor space within the principal structure for boarding and exercise of the animals along with language requiring indoor impervious surfaces along the floors and the base of walls. Limitations on the outdoor space, including quality of fencing, hours allowed utilizing the outdoor space, a noise mitigation plan, and improvements to reduce impacts on neighboring tenants.

Finke asked if the Commission felt this use should be allowed. If so, should animal daycare and boarding be listed as a separate conditional use, or placed together with Pet Stores and Vet Clinics. If the conditions for the uses are likely to be similar, staff recommends using a general term for all animal uses.

Applicant Tom Kingstedt explained the reason they are so interested in starting up a doggie daycare and grooming business in Medina. They are considering a location on Tower Drive which has a large outdoor area. He said the site is attractive because it provides an opportunity to have a larger area for the dogs to play. They would construct an 8 foot high fence so the dogs would not see what was happening outside of the play area. The play area would also have an area for the dogs to relieve themselves. He explained the smaller the outdoor area the greater chance the noise would be greater. The outside area would not be a permanent boarding area. He said solid waste would be picked up immediately and stored in containers. Nielsen asked how many dogs. Kingstedt said approximately 60 dogs. Nielsen said if they had daytime boarders would 60 dogs be the maximum allowed per day. R. Reid asked if Kingstedt owned a doggie daycare business currently. He said they did not. He said they have friends that own a doggie daycare facility and have been going to a lot of dog daycares to drop their dog off and visit those businesses.

Kingstedt said doggie daycares that are 24 hours a day, 7 days a week, are rare. He explained in most of the doggie daycares the dogs are left alone at night with no supervision. He said they would also offer cage free boarding which is a new option that other businesses aren't offering. He said they wouldn't have the typical 3' x 3' cages as other businesses do, but rather suites would be constructed with dimensions of 7' x 7'. The suites would allow for more than one dog if a family has more than one dog and the dogs are used to being together. For the dogs that are used to having the run of their house, their doggie daycare will provide an environment that allows the dogs to roam around indoors as they would if they had the run of their house. Kingstedt said the dogs would have more room to roam without cages, which would help the dog adapt to the environment more easily and would be more typical to them being at home.

Nielsen asked about other boarding facilities nearby. Kingstedt said he is only aware of Camp BowWow being nearby, which is located in Plymouth.

Kingstedt said the location they are looking at for their doggie daycare in Medina would allow for easy access onto State Hwy 55. Their business would also offer grooming and daytime boarding without overnights as another option.

Nielsen asked about how frequent trash would be picked up to get rid of the solid waste from the dogs. Tom Kingstedt said waste would be picked up individually with biodegradable bags and then put into small sealed containers.

V. Reid asked the applicant how close the 15,000 square foot fenced in play area would be to the property lines. Jillene Kingstedt said the play area they are suggesting would be closer to 13,000 square feet in size, rather than the 15,000 square feet they were originally planning. She said the fence meets the setbacks of the principal structure.

Martin asked if there were industry standards to assist in reviewing and drafting the CUP standards. Tom Kingstedt said he wasn't aware of any strict standards that could be utilized in drafting the CUP standards. He said the standards that exist today are not what he wants to design his business around, since they would allow for a living environment that would not be acceptable. He is planning on designing a facility that has much higher standards than the doggie daycares they've visited within the metro area. Martin requested staff to further research standards as guidelines.

Tom Kingstedt asked the Commission for a change to the draft ordinance. He said as part of their doggie daycare they would like to provide the option for clients to drop off their dogs on their way to work and be able to bring them outside to relieve themselves earlier in the morning. He suggested 6:30 a.m. He said they didn't have any reason to have later hours than what was being recommended. He said they are looking at the health of the dog by allowing the dogs to go outside earlier. Nielsen asked why staff was recommending those particular hours. Finke explained that the animals would be under more control, which would mean less noise if inside.

Finke said at 500 feet on a clear morning you would be able to hear dogs if they were outside. Martin said parameters could be changed. Tom Kingstedt said it would be difficult to take a lot of dogs out on a leash at the same time in the early morning hours. He said there wouldn't be more than a couple of dogs at a time out in the early morning hours. Williams asked about setting conditions on the time period a dog could go out. Finke said it would be difficult to enforce, but could be included on land uses separately.

Public Hearing was opened at 7:48 p.m.

Finke asked the Commission if doggie daycare uses should be allowed. R. Reid asked if there had been a reason why it hadn't been listed within the district. Nielsen asked if the use had ever been considered at all. Martin said she checked Edina and

Maple Grove and couldn't find either City addressing animal daycare facilities in their codes.

Williams asked what the difference was between CG, Commercial General and the Business districts. Finke said the CG district allows more retail than the Business districts. R. Reid asked how many Commercial districts we had and Finke replied four.

The Commission agreed that the CG district should allow an animal daycare use as a conditional use.

The Commission discussed the difference between an animal daycare and a Veterinarian Clinic. Williams suggested Pet Stores, Vet Clinics and Animal Daycares be lumped together, as long as an outdoor space would be looked at differently. R. Reid asked if an upper square footage limit be set on outdoor spaces or if a percentage of the lot could be used. The Commission suggested leaving out any maximum outdoor space limitations since the characteristics could be different in each location and it would be better to look at them individually through the CUP process. Finke explained if a maximum square footage was set, the City would know the maximum. V. Reid asked how the number of animals within a building could be limited. Finke said there is state statute language that would allow many more animals than what the City would want. R. Reid suggested more language on the fence for the outdoor play area. Tom Kingstedt said the type of fence they prefer avoids splinters in paws, opaque to not distract the dogs, a height that they wouldn't be able to jump (8 feet) and a design they couldn't climb. The Commission concluded that a maximum square footage of play area not be established. They further suggested taking the outdoor areas out of the Uptown Hamel and Mixed Use District.

The Commission discussed the existing language that only allows a maximum of 2,000 square feet of outdoor area and felt that that could be expanded.

The Commission discussed the distance of how far residential should be from animal daycare facilities. The Commission concluded animal daycares with outdoor play areas should be a minimum of 500 feet from residential and 200 feet from residential if the animal daycare is completely indoors.

The Commission added language to require the indoor and outdoor areas to be kept well maintained. They suggested modifying the appearance of fencing. The Commission didn't have an issue with changing the hours per the applicant's request for use of the outdoor play area. Finke suggested more general language to address each application individually. The Commission asked that animal waste be picked up and temporarily contained until properly disposed of. The Commission recommended staff develop an odor, waste and noise mitigation plan.

Zoning Districts – Use same language for Business, Commercial Highway, and Commercial General. The Commission said if the use was all interior, then it would be fine in other districts.

Public Hearing closed at 8:41 p.m.

Motion by Martin, seconded by V. Reid, to recommend approval of the Ordinance Amendment with the recommended changes. Motion carried unanimously. (Absent: Nolan and Anderson)

7. **Commission Training: Discussion of “Land Use Basics” online course.**

The Commission discussed the training.

8. **Commission Training/Open Discussion: Reviewing Site Plans; Questions about Comprehensive Plan or Zoning Code.**

The Commission held an open discussion reviewing site plans.

9. **City Council Meeting Schedule**

10. **Adjourn**

Motion by Martin, seconded by Nielsen, to adjourn the meeting at 9:02 p.m. Motion carried unanimously. (Absent: Nolan and Anderson)