



**CPED STAFF REPORT**  
Prepared for the City Planning Commission

CPC Agenda Item #1  
March 30, 2015  
BZZ-7052

**LAND USE APPLICATION SUMMARY**

*Property Location:* 6045 Pillsbury Avenue S  
*Project Name:* Urban Hound Dog Daycare  
*Prepared By:* [Kimberly Holien](#), Senior Planner, (612) 673-2402  
*Applicant:* Aqua City LLC  
*Project Contact:* Paul Vogelgesang  
*Request:* To establish an animal shelter (dog daycare) in an existing building.  
*Required Applications:*

<b>Conditional Use Permit</b>	To allow an animal shelter (dog daycare) in the II, Light Industrial District.
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**SITE DATA**

<b>Existing Zoning</b>	II, Light Industrial District
<b>Lot Area</b>	18,750 square feet / .43 acres
<b>Ward(s)</b>	II
<b>Neighborhood(s)</b>	Windom
<b>Designated Future Land Use</b>	Transitional Industrial
<b>Land Use Features</b>	N/A
<b>Small Area Plan(s)</b>	N/A

<b>Date Application Deemed Complete</b>	February 25, 2015	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	April 26, 2015	<b>End of 120-Day Decision Period</b>	N/A

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The site contains a 12,400 square foot industrial building that most recently housed a contractor's office. The building extends from lot line to lot line along the east property line and contains a series of overhead doors facing the south. A surface parking lot is located on the south side of the building with access from Pillsbury Avenue S.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** This stretch of Pillsbury Avenue between 60<sup>th</sup> Street W and 61<sup>st</sup> Street W includes a variety of industrial uses. The property directly north of the site contains a contractor's yard and the property to the south is a commercial mower repair business. There is a manufacturing use across Pillsbury Avenue to the west. The properties abutting the site to the east are zoned RIA and contain single-family homes.

**PROJECT DESCRIPTION.** The applicant is proposing to establish an animal shelter (dog daycare) use in an existing industrial building. A small office space for the existing contractor's office will be maintained within the building. All activities related to the proposed dog daycare use will be conducted within the building. The business will include a large dog playroom and a small dog playroom completely within the building. Rooms will be under constant supervision while dogs are out in the play area. The applicant states that their goal is to provide a realistic and healthy balance of both individual and group attention to dogs and all dogs will be walked on leashes for bathroom breaks around the vicinity to allow for individual attention and care. Canines will play in groups and rest in their kennels in rotating shifts throughout the day. Kennels will include nylon, raised beds and rotating dog bowls that are rotated into kennels only during feeding time to maintain order and cleanliness. The applicant will be installing a wet dry vacuum system for cleaning.

The zoning code does not specifically list dog day care as a use. However, the use has previously been determined to be substantially similar to an animal shelter by the zoning administrator. An animal shelter requires a conditional use permit in the II, Light Industrial District.

**RELATED APPROVALS.** Not applicable

**PUBLIC COMMENTS.** No correspondence had been received as of the writing of this staff report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow an animal shelter (dog daycare) based on the following [findings](#):

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

Staff finds that approving a conditional use permit to allow an animal shelter (dog daycare) would not be detrimental to or endanger the public health, safety, comfort or general welfare. The activities associated with the use will be conducted entirely within a large industrial building to control noise levels and odors. A wet dry vacuum system will be installed for easy clean-up and dogs will be taken for walks for bathroom breaks. The existing building is constructed of concrete

and fully insulated, which will also assist with noise abatement. The temperament of the dogs will be evaluated upon arrival so that no dangerous dogs are on premises. The establishment of this use, according to the operating parameters set by the applicant in their statement of proposed use, will not have adverse off-site impacts.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The proposed animal shelter (dog daycare) will not be injurious to the use and enjoyment of other property in the vicinity, nor will it impede the normal or orderly development and improvement of surrounding property for uses permitted in the district. The surrounding area is primarily industrial with some fairly intense industrial uses. The properties east of the site contain single family homes. Walls of the building are fully insulated and windows facing the east are currently filled in with glass block. The existing building conditions will minimize any noise. There will be no entrances or exits on the east side of the building. As previously stated, all activities related to the use will be conducted within the building, aside from taking dogs for walks, which is a common activity in residential settings. With the staff recommended conditions of approval, the proposed use will have no detrimental impact on the surrounding area.

3. *Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.*

Utilities, drainage facilities and access roads are existing and adequate. The applicant is not proposing to make any modifications to these facilities as part of the application.

4. *Adequate measures have been or will be taken to minimize traffic congestion in the public streets.*

The site has adequate off-street parking to accommodate the use. The parking requirement for the previous contractor's office use is one space per 500 square feet of gross floor area in excess of 4,000 square feet, or 17 spaces for this 12,400 square foot building. The parking requirement for an animal shelter is identical, also requiring 17 spaces. The property has 10 legal parking stalls and non-conforming rights to seven spaces. The site plan shows an existing parking area in front of the building, between the building and Pillsbury Avenue S. This is not a legal parking area and staff is asking that this space be landscaped as a condition of approval. There is also one parking stall shown in the right-of-way and staff is recommending that this space be removed and replaced with landscaping. The amount of parking provided on site after these conditions of approval is expected to accommodate the demands of the use and will not result in traffic congestion in the public streets.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The site is designated as Transitional Industrial on the future land use map in the Comprehensive Plan. The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy I.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

I.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes

pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.**

I.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

**Land Use Policy 1.14: Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses.**

I.14.2 Allow industrial uses outside of Industrial Employment Districts to transition over time to other uses.

I.14.5 Encourage and implement buffering through the site plan review process to mitigate potential conflicts between industrial uses and adjacent other uses.

As noted above, the site is labeled as transitional industrial on the future land use map. Industrial areas located outside of Industrial Employment Districts are labeled “transitional” since they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial employment districts. The proposed use supports this future land use designation as it is less intense than many other uses permitted in the II, Light Industrial district. The property is not located in an industrial employment district and the application is providing measure to mitigate any potential off-site impacts. As such, the proposed use is consistent with the applicable policies of the Comprehensive Plan.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the requested land use applications are approved, the proposal will comply with all provisions of the II District. The Department of Community Planning Economic Development’s policy is to bring sites into conformance with the design and maintenance standards in Chapter 54I, Off-street Parking and Loading when evaluating a conditional use permit. In this case, the property has an on-site parking area with no landscaping that is paved right up to the curb. Staff recommends that a landscaped yard 7-feet in width with plantings a minimum of three feet in height and 60 percent opaque be installed between the parking lot and the curb. Staff also recommends landscaping the paved area between the building and the public street. The parking stalls shown in these locations are not legal and thus no reduction in required parking will result from the additional landscaping.

The applicant is showing three signs for the use. The signs on the south and west elevations are permitted. However, the north elevation is a non-primary building wall and no signage is permitted in this location. Separate sign permits will be required.

There are also specific development standards that apply to this use, as follows:

**Specific Development Standards for an animal shelter:** Except in the I3 District, all activity shall be within a completely enclosed building with soundproofing and odor control. Outdoor kennels shall be prohibited.

The use will comply with these standards.

**RECOMMENDATIONS**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the Conditional Use Permit for an animal shelter in the II, Light Industrial district by Aqua City LLC for the property located at 6045 Pillsbury Avenue.

Recommended motion: Approve, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. Dogs shall not be left unattended in any outdoor areas adjacent to the site. Barking dogs shall be returned indoors immediately.
3. A landscaped yard seven feet in width with plantings a minimum of three feet in height and 60 percent opaque shall be installed between the parking lot and the public street.
4. Landscaping shall be installed in the paved area between the west building wall and the public street.

## ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan
4. Plans
5. Photos
6. Correspondence

# AQUA CITY IRRIGATION

6045 Pillsbury Avenue South • Minneapolis, Minnesota • 55419

(612) 866-3300

Fax: (612) 866-8999

February 25<sup>th</sup>, 2015

To Whom It May Concern,

Aqua City Irrigation Inc. has been a family run company located within the city of Minneapolis since 1971. We now intend to convert part of our current office and warehouse space into a canine daycare and boarding facility.

We will provide both daycare and boarding for our canine friends, and we feel that the addition of these services will be a great asset to community members and our canine friends. This will also present employment opportunities for surrounding residents. We feel that the timing is right for this venture because people are purchasing more dogs than ever, and are looking for extensive care for their pets.

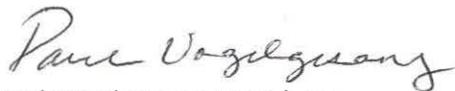
The addition of our new business would fit right in to the existing light industrial/commercial neighborhood that surrounds us. We have and will continue to operate our businesses with highest level of consideration for our neighbors.

The intended public hours of our boarding and daycare facility are from 7:00am until 6:00pm seven days a week. Employees will arrive at the facility at 6:00am and leave at 8:00pm after putting canine guests to bed. Our boarding and daycare facility will include both a large dog playroom and a small dog playroom to ensure safety for canine guests and peace of mind for their owners. Both rooms will include movable dividers for small and large group play times. Play areas will include rugged, climbable play-stations that are entertaining and easily cleaned. Rooms will be under constant supervision while dogs are out in play area. Prior to their stay, dogs will go through a half day "trial stay" to determine that the addition of the new guest is a good fit.

Our goal is to provide a realistic and healthy balance of both individual and group attention to our canine visitors. For this reason, dogs will be walked on leashes for bathroom breaks around the vicinity in order to allow for individual attention and care. Canines will also be able to play in groups and rest in their kennels in rotating shifts throughout the day. We are installing 12 security cameras in total throughout all rooms and the exterior parking and street areas. Kennels will include nylon, raised beds and rotating dog bowls that are rotated into kennels with dogs only during feeding time for optimal cleanliness and comfort. Dogs will eat breakfast, lunch and dinner (as specified by owner) in their designated kennels. Instead of a draining floor system, we are installing an Aqua Air Wet Dry Vacuum system that allows for quick and thorough cleaning. This system is quickly becoming the industry standard.

We are very excited to add this business in our existing building. We view it as not only a great investment for the property, but a great and much needed service for the community that we have been a part of for the last 40 plus years.

Sincerely,



Paul Vogelgesang, President  
Aqua City Irrigation Inc.

# AQUA CITY IRRIGATION

6045 Pillsbury Avenue South • Minneapolis, Minnesota • 55419

(612) 866-3300  
Fax: (612) 866-8999

February 25, 2015

## **Required findings:**

The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare. All canine friends will be leashed while on their walks and supervised by trained personnel at all times. An Aqua Air Wet Dry vacuum system will be installed in the building that not only allows quick clean up but sanitizes as well.

The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. All activities would take place in the building with the exception of the previously stated on leash walks. Walls of the building have been insulated and sheet rocked and windows have been glass blocked including the east side that faces residential neighbors so that any noise would be eliminated. There will be no entrances and or exits on the east side of the building.

The existing utilities, access roads, and drainage are in place and more than adequate to handle the building, as they have been since 1998 when we purchased the property.

Adequate measures have been taken to minimize traffic congestion in the public streets. No long term parking is required for the conditional use. Drop off and pick up of our guests and any parking would take place in our existing parking lot.

The conditional use is consistent with the applicable policies of the comprehensive plan. The site is guided as transitional industrial on the future land use map. This facility fits right in to the future of Minneapolis.

The conditional use shall in all respects conform to the applicable regulations of the district we are located in.

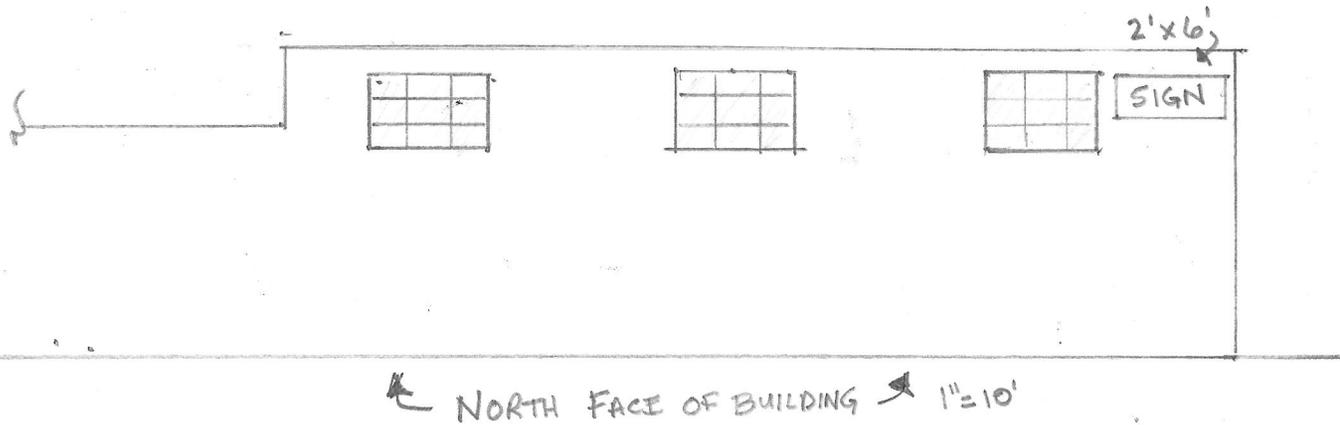
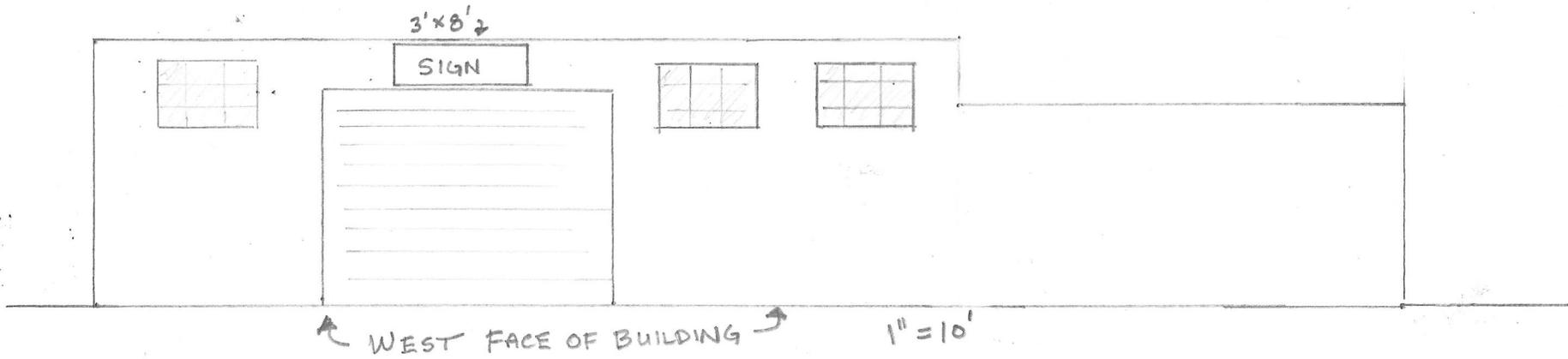
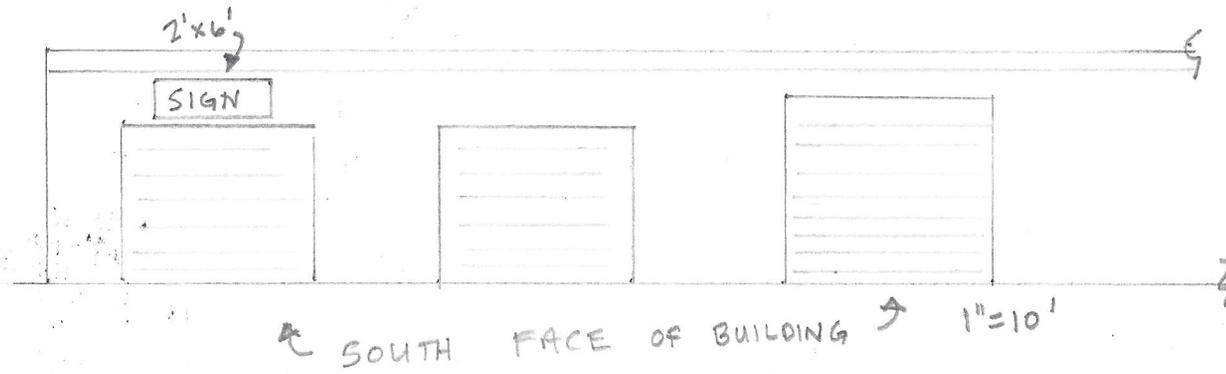
Sincerely,



Paul Vogelgesang, President  
Aqua City Irrigation Inc.







PROPOSED SIGNS  
 AQUA CITY LLC  
 6045 PILLSBURY AVE  
 MINNEAPOLIS MN 55419



6045

new city



aqua city





6045

aqua city  
IRRIGATION













February 9, 2015

Dear Mr. Quincy,

Aqua City Irrigation Inc. has been a company located within the Windom community for 17 years. We now intend to convert our office and warehouse space into a canine daycare and boarding facility. In order to do so, we must apply for a Conditional Use Permit. We are currently in the midst of the application process for such a permit. As part of the process, we must inform the surrounding community members of our intentions.

The applicant who seeks the approval is:

Aqua City LLC  
Paul Vogelgesang  
(612) 866-3300  
paul@aquacityil.com

The address for which we desire to get zoning approval is:

6045 Pillsbury Ave S  
Minneapolis, MN 55419

We plan to continue respectfully running our current business within the community, and hope that the addition of a canine daycare and boarding facility is an asset to both you and our furry friends. Please feel free to contact either us, the city of Minneapolis, or Hennepin County with any concerns.

Sincerely,

Paul Vogelgesang

February 9, 2015

Dear Windom Community,

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