

K9 RESORT CUP

Request for a proposed Animal Services, Boarding & Day Care facility for the existing 9,750 square foot building located at 14033 Southwest Freeway, Suite 705. The site is located in the Sugar Creek commercial retail center at the northeast corner of US 59 Southwest Fwy and South Parkway Boulevard. The property was annexed in 1984 and subsequently zoned as B-2, General Business, which requires a CUP for Animal Services, Boarding & Day Care. The existing building has been most recently used as a watch and jewelry store and was developed as part of a larger retail center. The site will utilize excess parking to build the outdoor pet area and has a shared parking agreement with the overall shopping center that meets minimum parking requirements for the entire site. This commercial retail center is also zoned as B-2, General Business, with medium to high intensity uses with which an Animal Services, Boarding & Day Care use is compatible.

This property is identified in the Future Land Use Plan as a “Neighborhood Activity Center.” This category is meant to serve as small commercial centers that act as a “main street” for nearby neighborhoods and are mixed used and walkable. Neighborhood Activity Centers can include retail, office space for small companies and professionals, and compact forms of residential. Although the land use, location, and development are all proposed to be codified, the brand of K9 Resort is not part of codification. In the future, if a different Animal Services, Boarding/Day Care would like to move in, that use would be allowed if all approved CUP conditions are being met.

PLANNING & ZONING RECAP

Planning & Zoning Commission held a Public Hearing on January 26, 2023 at which no speakers were present. After the close of the public hearing, the commission held discussion and direction and chose to table Consideration & Action at a subsequent meeting. Discussion revolved primarily around the quality of fencing, the maximum number of animals allowed at one time, waste management, the operational staffing of the business, and noise impacts on neighbors.

After the Discussion & Direction, staff reached out to our Animal Services department as directed by Commission. The suggested minimum square footage that the applicant mentioned during the Public

K9 Resort Conditional Use Permit

Hearing and captured in the chart below aligns with the guidance from Animal Services. In addition to minimum square footages, the applicant has also provided an estimated maximum number of animals for boarding and daycare as shown below. Sugar Land's Animal Shelter is not staffed overnight similar to K9 Resorts, and also disposes of their waste in a similar manner: solid waste bagged and put in a dumpster. Images of the proposed fencing are also included in addition to the elevations calling out the specific material.

Small Dog	Less than 30lbs	12 sq. ft. per dog	Typ. size 20-24"
Large Dog	30lbs and over	18 sq. ft. per dog	Typ. size 36-46"

A primary concern was also the noise that could be produced by animals outdoors. Based on studies performed by Purdue University sound put out by a dog would be approximately 43.9dB at 200 feet which is the distance to the nearest residential home. The sound of cars moving at 65 mph along US 59 would be approximately 52.9dB at 400 feet which is the distance from US 59 to the nearest residential home. These numbers means that the sounds of vehicular traffic would be heard rather than the barking animals. These numbers assume the best case scenario for vehicles: only cars not speeding, and the worst case scenario for dogs: loudest possible dogs with no fence or sound mitigation. Because the difference is more than 6dB, the louder sound would effectively mask the softer one.

After the presentation of the additional information, Planning & Zoning Commission voted to Recommend Approval of the Conditional Use Permit for Animal Services, Boarding/Day Care for a K9 Resort Facility.

RECOMMENDATION

Staff and Planning & Zoning Commission Recommend Approval of the Conditional Use Permit for Animal Services, Boarding/Day Care.

PUBLIC HEARING NOTICE

The Notice of Public Hearing was published in a newspaper of general circulation and on the City of Sugar Land's Internet Home Page. All property owners within 200' of the subject property were notified. The public hearing notice included a link to an online form that can be submitted to provide comments in advance of the meeting. At the time of writing this report, staff has received no inquiries and is not aware of any opposition to the Conditional Use Permit.



NOTICE OF PUBLIC HEARING

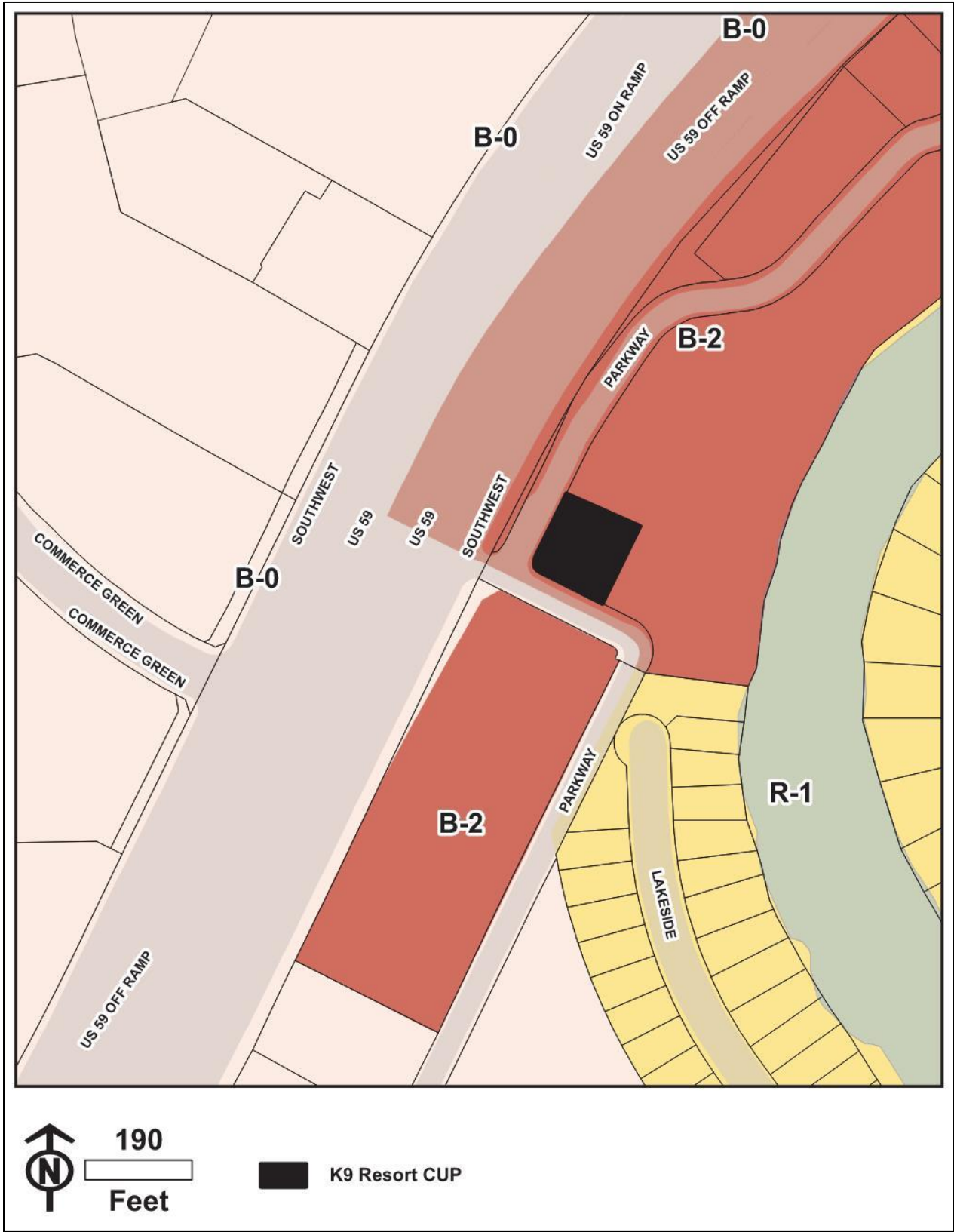
PROPOSED CONDITIONAL USE PERMIT FOR ANIMAL SERVICES, BOARDING & DAY CARE AT 14033 SOUTHWEST FWY SUITE #705

City Council Public Hearing 5:30 p.m., February 21, 2023, City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North, hosted via live stream at <http://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/sugarlandtxgov/live>, and Sugar Land Comcast Subscribers can also tune-in on Channel 16, to hear all persons interested in the proposed Conditional Use Permit for Animal Services, Boarding & Day Care for a K9 Pet Resort facility at 14033 Southwest Fwy. Further described as 0.23 acre portion of the 10.4044 acre Commercial Reserve 'A' of The Park at Sugar Creek.

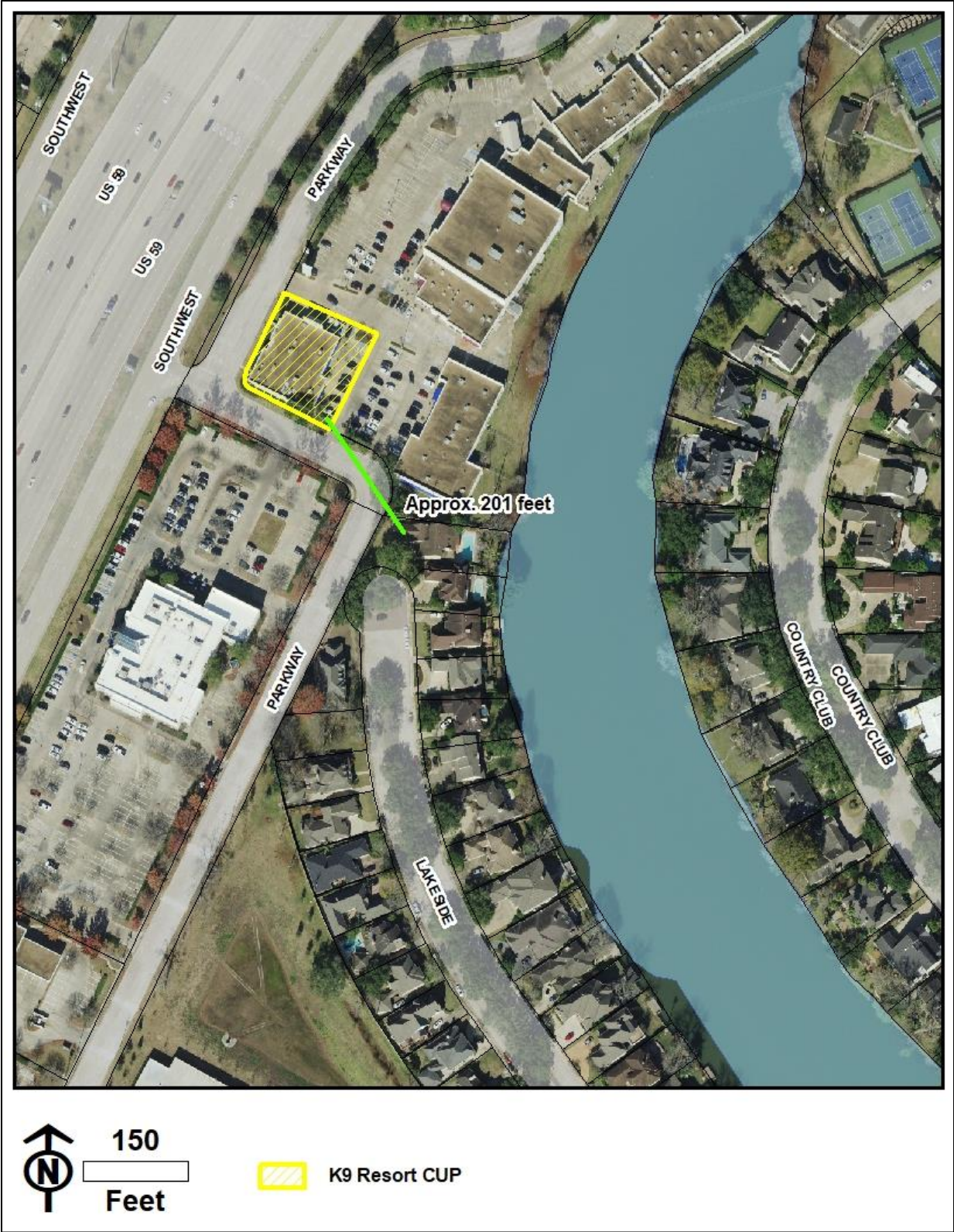
The proposed Conditional Use Permit is for a 9750 sq. ft. building located at the northeast corner of US 59 Southwest Fwy and South Parkway Blvd. The land use, Animal Services, Boarding/Day Care, requires a Conditional Use Permit in the B-2, General Business zoning district. The existing building is 9750 sq. ft. and is proposing to add an additional 3566 sq. ft. of outdoor area including an opaque 8ft fence and additional row of landscaping outside of the new fence.

The agenda item for this meeting will be placed on the City of Sugar Land website at www.sugarlandtx.gov under "Meeting Agendas" City Council no later than Friday, February 17, 2023. Request details or provide feedback on the proposed Conditional Use Permit online at www.sugarlandtx.gov/PublicHearingComment or contact City of Sugar Land Planning & Development Services Department at (281) 275-2218.

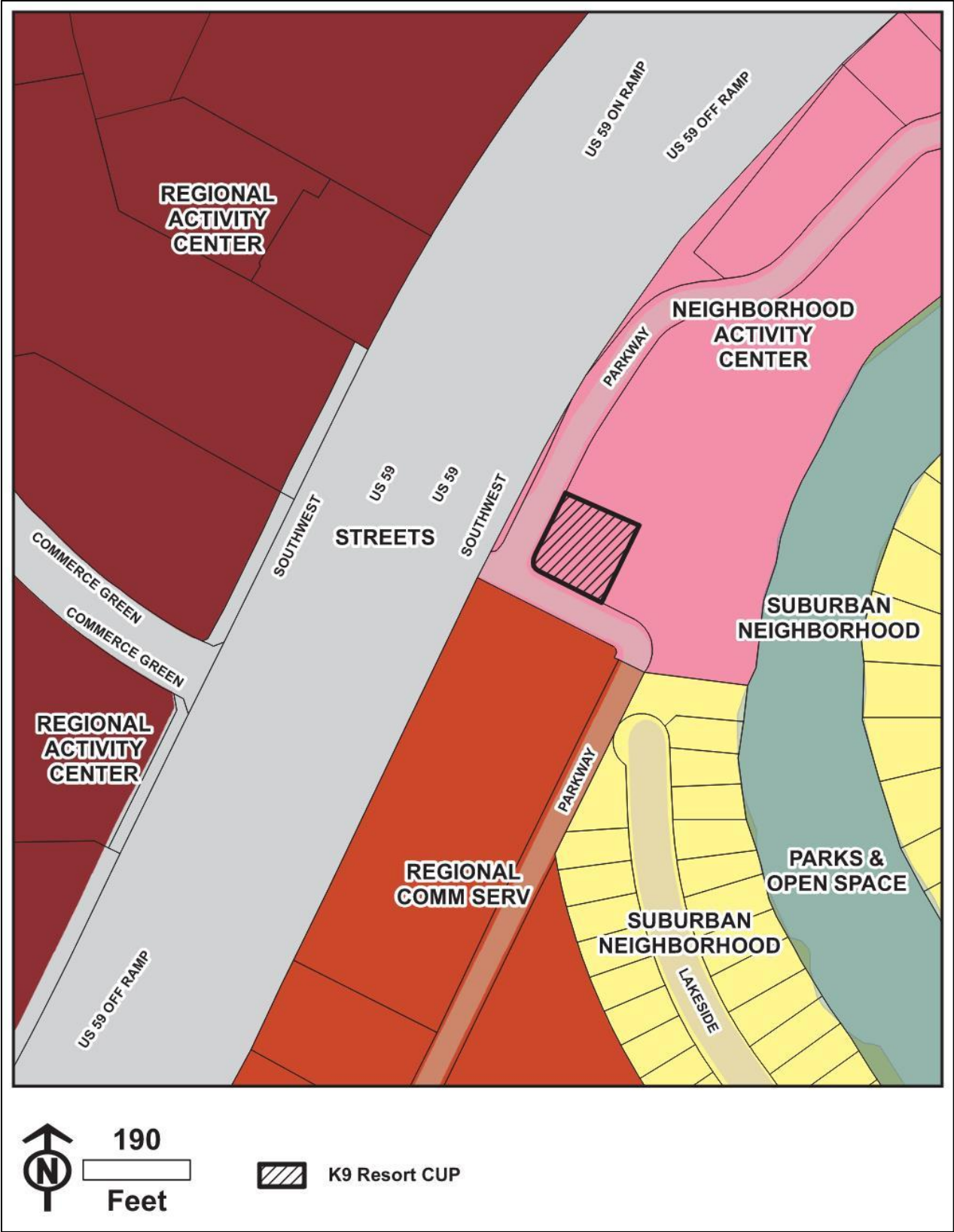
VICINITY MAP



AERIAL MAP/DISTANCE TO RESIDENTIAL



FUTURE LAND USE MAP



REQUEST FOR CUP

June 21, 2022

Planning & Development Services Department
City of Sugar Land
2700 Town Center Blvd. N
Sugar Land, TX 77479

Dear Planning & Development Services Department,

We, MCD Associates, LLC, are writing to request a Conditional Use Permit (CUP) at 14033 Southwest Freeway Suite #705 Sugar Land, TX 77478 for Animal Services, Boarding/Daycare. We are the franchisee of K9 Resorts in the greater Houston area owning and operating the luxury daycare and boarding facility.

We have identified the site at 14033 Southwest Freeway Suite #705 Sugar Land, TX 77478 as a prime location for Animal Services, Boarding/Daycare as it is a freestanding building surrounded with other commercial/retail uses. Any residential homes are far enough away that there will not be an impact on their noise levels due to distance, the proximity to the highway, and our operational systems. The center also has ample parking for the uses in the center when taking into account the parking lot and underground parking.

In conjunction with this letter we will also be submitting our Conditional Use Permit (CUP) application and additional documentation of the site, operations, parking details, and sound information.

For any additional questions please do not hesitate to contact Michael Dore at michaeldore@k9resorts.com or 407-739-0423.

Best,

Michael Dore
Managing Partner
MCD Associates, LLC

LETTER ON NOISE & OPERATIONS



8/13/2019

Topic: Noise

K9 Resorts facilities are different than tradition kennels. The main differentiator is through our operating standards and procedures of the facility. These factors are how we mitigate sound from the outdoor area.

The fence surrounding the outdoor area is at a height of eight (8) feet tall. Since the source of the limited noise that will occur happens at one (1) to two (2) feet off the ground; the fence serves as a deflective surface to project any dog sounds back towards the facility. This fencing system is specifically chosen because there are no gaps between the vertical slats and posts which further insulates sound, should it occur. This also prevents dogs from seeing any external visual triggers such as vehicles or animals.

From an operational perspective we **do not** allow overnight boarding in our outdoor areas. All overnight boarding is conducted inside our climate controlled and sound mitigating interior environment with individual rooms for each dog or family. In addition, dogs **do not** have individual runs with direct unimpeded access to the outdoor area. Dogs are only allowed in the outdoor area when there is a Petcare Technician(s) to accompany them. Dogs are also cycled throughout the day, so they go to the outdoor area in small groups with a Petcare Technician. Any dogs contributing undue noise to the group will be brought inside to rest and relax.

As such, our facilities allow for a warm and welcoming co-tenant relationship with local businesses and the community. As an example, attached is a letter from Councilwoman Katherine Mitchell who actually lives directly behind the K9 Resort located in NJ.

Very truly yours,

Tim Katsch
Vice President of Operations

PROPOSED FENCING IMAGES



Proposed fencing made of 'BuffTech Allegheny Beige Granite' is made of recycled polyethylene and is reinforced with steel. This fencing is the standard for K9 across the country as it is nonporous, unlike masonry, so it can be disinfected and cleaned to eliminate odor and bacteria; dampens sound better than masonry; and is 8' tall to further buffer sound rather than the standard 6' fencing.