

April 28, 2022

Dogtopia (doggy daycare) at Route 1 and Coachman Circle (North)—Aquia Commercial Parcel

(TM 21-50B):

Parcel Address: 195 Coachman Circle

Parcel Size: 2.89 acres overall, appx 1.3 acres usable

APPLICATION

A Conditional Use Permit is required in order to build and operate a “doggie day care” facility on the 2.89-acre parcel (TM 21-50 B) located at the SE corner of US Route One and Coachman Circle (North). The property is currently assessed at over \$1.25 million dollars, but more than half of the land (1.5 +- acres) is not developable due to topographic and environmental elements of the property. This lower-lying part of the overall parcel will remain undisturbed and provide a significant largely wooded buffer area between the proposed doggy daycare facility and any nearby commercial or residential uses.

The subject Aquia commercial property is zoned B2 General Commercial. “Veterinary Clinic” uses are permitted by-right within the B-2 zoning district; however, there is not a specific use category within the County Ordinance that accommodates a “doggy daycare” type use (as proposed), so the County has determined that in the B-2 zoning district, a Conditional Use Permit is required for such use. The proposed doggy daycare use provides for care and related services for dogs but is not a commercial kennel (and no dog runs).

OVERVIEW

Dogtopia/Malyco LLC Operating proposes to operate a doggy daycare service on the property within a 6950 square-foot building to be constructed on the site (see attached GDP). The remaining part of the parcel will remain as open space, largely disturbed. Dogtopia currently operates a doggie daycare facility in Spotsylvania County along Route 3 within a multi-tenant commercial center adjacent to the shopping center that formerly contained the UKROPS Grocery Store, and has over 180 facilities/ doggy daycare operations across the country, 16 of which are located in Virginia.

The dogs are over 3 months old, friendly and social, and must be spayed or neutered if over 7 months old, with all-current required vaccinations.

Among the services provided by Dogtopia include separate indoor playrooms/space for daytime playtime (each playroom sanitized during naptime-- typically 12 noon to 2PM-- between playtime sessions), exercise to keep the dogs fit and well-balanced, safe and certified cleaning products for the dogs, grooming to include nail trim, pampering and spa baths, brush-outs, ear cleaning and tooth brushing, precise medication tracking, and full-time supervision involving canine coaches.

The very front of the facility has space for various service -related items for sale that can be purchased by the dog owner. **Most Dogtopia dogs attend doggy daycare 2-3 times a week.** Overnight stays/limited boarding is also available, but this is generally incidental and considered a minor/ancillary component of the overall/primary day-to-day doggy daycare business. When there are overnight stays for any of the dogs, it is almost always associated with dog owners who work in public safety jobs or military work that requires them to work overnight or extended shifts.

The current zoning of the existing doggy daycare facility located within a commercial center in Spotsylvania County, is **C-2**, a zoning district that permits a variety of commercial uses very similar to the permitted uses under the Stafford County **B-2 zoning** district. Given the relatively intensive type uses permitted as of right under the County's B2 zoning district, it is more than reasonable to categorize the proposed "doggy daycare use" as an allowable use with the issuance of a Conditional Use Permit under B-2 zoning.

Among the list of commercial uses allowed in both Stafford County's B-2 zoning and Spotsylvania County's C-2 zoning include:

Stafford County B-2 Permitted Uses

- Adult day care facility
- Car wash
- Pet store
- Veterinary Clinic
- Building material sale and storage and mulch sale
- Mini storage warehousing
- Convenience center
- Machinery sale and service
- Barber/beauty shops
- Child- care facility
- Clubs, lodges
- Drug store
- Flex office
- Lumber/building/electrical/plumbing supply
- Funeral home
- Recreational enterprises such as fitness centers
- Hotels
- Schools
- Indoor flea markets
- Restaurants, and other similar commercial uses.

Spotsylvania County C-2 Permitted Uses

- Amusement arcades
- Veterinary hospitals/services
- Child-care center
- Car wash

- Restaurants
- Furniture and carpet stores
- Hotels
- Indoor athletic and commercial recreational facilities
- Private schools
- Funeral home
- Theater
- Business service and supply

As noted, Spotsylvania’s C-2 zoning district, where the existing doggy daycare facility in this area has been located and operating, without complaints, for about 8 years now, permits many similar uses as are allowed in Stafford’s B-2 zone.

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Similar existing uses (and their zoning) currently located in Stafford County include:

White Oak Animal Hospital, located at 10 Walsh Lane, offers supervised overnight boarding and full-time grooming services as part of their operations. In fact, as their attached (EXHIBIT #1) brochure indicates, many of the services offered by Dogtopia are provided by White Oak Animal Hospital. Like the proposed Dogtopia site the White Oak Animal Hospital site is zoned B-2 General Commercial.

Stafford Animal Hospital, located at 3454 Jeff Davis Hwy (now Richmond Hwy) offers services that include bathing, wellness, and kennels. Their site is zoned B-1 Commercial. The B-2 General Commercial Zoning District in Stafford also permits all B-1 permitted by-right uses.

610 Animal Hospital, located at 395 Garrisonville Road, Suite 107, is zoned PTND.

Aquia-Garrisonville Animal Hospital, located at 878 Garrisonville Road, offers similar services as noted above, and a kennel, and is zoned B-2 General Commercial.

Pets Plus, located at 2610 Jeff Davis Hwy (now Richmond Hwy) provides pet services including grooming, boarding and adoptions. The Pets Plus site is zoned B-2 General Commercial.

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CONDITIONAL USE PERMIT STANDARDS

1. *The use shall not tend to change the character and established pattern of development in the vicinity of the proposed use—**The proposed use is located on a small B-2 zoned parcel fronting US Route One. The site adjoins existing highway commercial uses that include a full-service auto dealership, a 7-11 convenience store with gasoline sales and a Motel to the immediate south of the subject parcel along the 4-lane Route One highway. The proposed doggy day care use is not out of character to these and other similar uses that front on Route One in the general area.***

2. *The use shall be in harmony with the uses permitted by right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties—As shown on the outlined list above the proposed use is well within the intensity and character of many other uses allowed by right under the subject B2 zoning district. And while there is a single family residential subdivision (Hills of Aquia) located immediately east of the subject site, the proposed use is very well separated from any homes located within the subdivision, including an approximately 1.5- acre largely wooded area with an RPA designation that is part of the overall subject site. This wooded area will remain undisturbed and undeveloped (see GDP) --- thus providing a very significant buffer between the proposed doggy daycare use and the nearby residential homes.*
3. *The location and height of buildings, the location, nature and height of walls and fences, and the extent of landscaping on the site will not hinder or discourage appropriate development or use of adjacent land--- The proposed doggy daycare building will be a small one-story facility of about 6950 sq ft centered on the front 1.3 acres of the overall site, with a retaining wall in back that also helps to separate the proposed use from any adjoining uses. The proposed building will be primarily brick, consistent with guidelines contained within the zoning ordinance, and will not hinder or discourage development of adjacent lands nor impair the value thereof.*
4. *The use shall not adversely affect the health and safety of persons residing or walking in the vicinity of the proposed use—The proposed doggy daycare use is arguably in the lower range of intensity of uses typically allowed even by right under the B2 zoning district. The planned building and associated parking lot for the doggy daycare use are significantly separated from adjacent uses in the vicinity, particularly by the largely wooded and vacant area of appx 1.5 acres that is to remain undisturbed.*
5. *The use shall not be detrimental to the public welfare or injurious to property or improvements in the area—The property is zoned B2 and the proposed use is well within the intensity and type of uses contemplated therein. Indeed, the unique services offered by the doggy daycare facility will provide the surrounding residents, many of whom are pet owners, with a convenient place and service that a growing number of pet owners have been searching for to help keep beloved family pets safe, secure and well cared for when their owners are at work or away from home for a small trip or vacation.*
6. *The use shall be in accord with the purpose and intent of the Comprehensive Plan of the county-- The County Comp Plan, future Land use and zoning for the subject site shows it within the Urban Services Area designation, within commercial node and corridor (Rte One) status and zoned B2 urban commercial. The proposed use, as well as the pattern of existing Route One frontage commercial uses in the immediate vicinity is consistent with the County's Comprehensive Plan for the general area.*

PROPOSED DOGTOPIA BUILDING, RETAINING WALL

The proposed Dogtopia facility will contain approximately 6950 square feet. A small space at the front of the building offering items for retail to dog owners is located at the main entrance. Behind this main entry area are three large, separate indoor rooms with rubberized floors, one room devoted to larger dogs, one for smaller (size) dogs, and a third room used as a toy room for the dogs (for exercising/playtime activity). A smaller outside play area completely fenced, is located immediately behind these indoor playrooms (see GDP and building layout plan).

A retaining wall, appx 18' high at its apex, and extending about 115 feet across and behind the proposed building footprint will be constructed on the site. A safety fence will be erected atop this wall. See the GDP depicting same. This wall separates the appx 1.3-acre part of the site where the building and parking is to be developed, from the lower lying 1.5 +- acre part of the overall site that will remain vacant, largely wooded and undisturbed.

EMPLOYEES AND HOURS OF OPERATION

Dogtopia operations typically employ between **20-25** persons per facility. The proposed hours of operation will be 6AM to 7PM Monday through Friday, 10AM to 5PM on Saturday and 11AM til 2PM on Sunday.

GENERALIZED DEVELOPMENT PLAN (GDP)

Ten (10) copies of the GDP are attached. An electronic version of the GDP has also been provided. As shown the proposed facility/building contains about 6950 square feet, laid out as described above. Per the proffer condition, the exterior material of the building shall be primarily brick or stone. The building will be oriented to face the front corner of US Route 1 and Coachman Circle (north), with the main entrance into the building located at that front corner.

Access to the site will be from Coachman Circle (north) directly across from the service road leading over to St William of York Catholic Church. This entrance accesses the main parking lot for the use, with a total of 25 spaces. A small outdoor fenced in area is located at the rear of the building, an area that backs up to the low lying, undisturbed open space area that adjoins the existing Nissan Car dealership use and overall site (this is also the farthest point away from any residence in the adjoining subdivision).

UTILITIES

The facility will be served by an existing 8" public waterline along Coachman Circle, and via a sanitary sewer LATERAL connection to the existing 12" sewer line located in the lower elevations of the site to the immediately south of the actual building placement (see sheet 4 of GDP). The proposed site is within the County's Urban Services Area.

STORMWATER MANAGEMENT – to be provided via on-site underground storage facility.

TRAFFIC IMPACTS AND ANALYSIS

As outlined in the attached Gorove-Slade Traffic Analysis technical report the proposed doggy daycare use will generate about 276 vehicles trips per day, far below the 1000 trips per day threshold that would trigger the need for a full TIA-Transportation Impact Analysis. Importantly, the analysis is based on actual customer trip counts at existing Dogtopia facility operations, one located in Spotsylvania County just west of Fredericksburg, and one in Springfield, Virginia. At their heaviest use times, during both its AM and PM peak hours, the proposed use only generates about 14 trips per hour. Accordingly, as concluded in the attached Gorove-Slade Traffic Analysis, the proposed doggy day care use will in no way burden the subject location with undue traffic.

As required the completed Conditional Use Permit TIA Determination Form is attached.