



Presentation for the City of Overland Park City Council

May 21, 2007

Special Use Permit #2007-7 for 9135 Barton St.

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Background

On March 26, 2007 and April 23, 2007, The Planning Commission discussed and voted on the application for Special Use Permit #2007-7 for the operation of a dog day care and boarding facility at 9135 Barton St. in the Congleton Industrial Park. After the March 26th meeting, plans for the use of the property were changed to address comments from Planning Department staff, Commissioners, and the protesting party. The members of the Planning Commission who were present unanimously approved the Special Use Permit on April 23rd with eight votes in favor of the Permit and none opposed and none in abstention. The Special Use Permit requires City Council approval, and a valid protest petition has been filed.

This document provides information about the proposed business operations as well as details about issues which have been of contention. We appreciate your time in researching this information. The document is separated into the following sections:

- I Information on the Camp Bow Wow[®] Site Selection Process**
- II The Camp Bow Wow Franchise System**
- III Explanation of Site Design**
- IV Sound Considerations**
- V Camp Bow Wow Supports the Community**



I Information on the Camp Bow Wow® Site Selection Process

During both the March 26th and April 23rd meetings, there was question about how this site was selected. We provide the following additional background on the site selection process.

Camp Bow Wow Fulfilling a Community Need

Our process of becoming Franchisees of Camp Bow Wow began in March of 2005. We had had several bad experiences in attempting to find boarding for our dogs when we were going to be out of town. The problems that we noted and many others in the City have noted is that good boarding care for dogs is difficult to find, and when one does find a suitable place, that place often does not have capacity. That is the source of our mission of opening a special dog day care and boarding facility in Overland Park. This was, and despite the positive addition of new day care and boarding facilities, continues to be a much needed service in the City of Overland Park. There are a substantial number of citizens who are dog owners, and to those owners, good care for their dogs is quite important to them.

After meeting with the Franchisor staff and doing research, we came to the conclusion that Camp Bow Wow is a top notch business, providing a structure for excellent customer service and ensuring that the dogs have fun and are safe at all times. The Camp Bow Wow Franchisor staff supports us with systems, facility design, policies and procedures, as well as an ongoing specialized knowledge base which will assist us in running the best dog day care and boarding facility possible.

Site Selection Considerations

Before we started searching for a site, the Planning Department was contacted about what zoning area would work best for Camp Bow Wow, and we were told that Industrial zoning, away from single family residential would work best. Our search for a site continued for the next 21 months, and we expanded our search to neighboring cities. Why so long? Our building must meet the follow criteria:

- stand-alone building,
- located in industrial zoning areas,
- buildings that are between 5,000 to 8,000 square feet, and
- buildings that have the space for outdoor break areas for the dogs.





Prior to proceeding with lease negotiations, the City Planning Department was contacted about the particular location to determine if staff had any problems with our use at that location. Once we received the Planning Department's favorable opinion, we proceeded with the lease negotiations.

Industrial Zoning Is a Good Fit for Businesses Such as Camp Bow Wow

The property located at 9135 Barton is the only property on which we have moved forward with a Special Use Permit Application. We feel that Industrial zoning is the most appropriate for our use.

The existing comparable businesses operating dog day care and boarding in Overland Park are in CP-1, CP-2, and Industrial (Puppy's Playpen at 95th and Nall; Pawz at Play at College and Mastin; and Duke's Backyard in Stillwell, respectively). **Importantly, we have interviewed neighbors of the first two operations, which had Special Use Permits approved by the City Council in 2004 and 2005 and which are quite similar in nature to Camp Bow Wow, and we were unable to find any complaints about the operations of those businesses.**

Although we have looked at sites in Commercial zoning areas, we feel that Industrial zoning is more appropriate because there is far less office activity in Industrial districts, and the permitted uses in Industrial zoned districts include many that are quite unlike office operations that require a more peaceful atmosphere. **Additionally, Planning Department staff fully supports Industrial zoning for our type of use.** According to the Overland Park Unified Development Ordinance, the following uses are permitted in Industrial districts:

- Manufacturing, processing, fabricating or assembling of any commodity
- Warehousing, wholesaling or storage of any commodity
- Laboratories
- Public and private utilities
- Appliance Repair Centers
- ***Administrative Offices associated with another permitted use.***
- Pest Control Services
- Communication Towers and Antennas



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The following is a partial list of the many businesses located within the Congleton Industrial Park:

- Sears Parts and Service
- Dale's Athletic Club
- Augustine Exterminators
- Ryan Tree and Lawn
- Bump City/All American Indoor Sports
- City of Overland Park Public Works
- Harder Performance Driving School
- Marlen Research
- Dick Ray Master Plumber
- Kansas Gas Service
- Courtyard Pool and Patio
- Pro Tow
- Toro Turf Professional Equipment Co.
- Terminex

According to the 2005 Overland Park Land Use study, Industrial zoning consisted of only 519 acres or 1.3% of Overland Park land usage; whereas, zoning areas that could be used for administrative offices consisted of 1798 acres (4.5%) for Commercial zoning and 1410 acres (3.5%) for Office zoning, so the area and number of buildings we could look at was quite limited compared to areas that can accommodate office use.

We understand that Industrial zoning might be quite attractive for those who are using the space for office use due to far lower costs of leasing or owning the property, but we feel that those who do acquire Industrial zoning space for office use should understand that some of the characteristics, especially sound levels, that might be common in Industrial zoning areas is what causes the costs of the space to be lower.

The dogs in the Camp Bow Wow outdoor break area will certainly bark, but the sound levels from this activity will be no more intrusive than other sounds that will typically be





experienced in an Industrial area. Additionally, the dogs will be constantly monitored when in the outdoor break areas and there will not be constant barking from the dogs which could lead to an ordinance violation if it occurred for more than 30 minutes at a time.

II The Camp Bow Wow Franchise System

Camp Bow Wow was successfully developed to provide a fun, safe, and upscale environment for dogs to play, romp, and receive lots of love and attention! Dubbed the “Land of Happy Dogs”, we provide all of the services a dog owner could need – Grooming, day care, training, and inside overnight boarding!

We selected CBW because while we have the love for dogs and wanted to spend our days helping dogs live the good life, we found that CBW provided a strong support structure in the form of a proven track record in safety, cleanliness, design and operational knowledge. Most of the lessons from the “trial and error” of opening this non-traditional business have already been learned. In addition, “Best Practices” are shared between camps daily so that systems and services are constantly improved.

The Camp Bow Wow Franchise Agreement requires the following:

- ❖ There is a six-day mandatory corporate training program that the owner must complete before opening the camp. The training agenda includes operations knowledge and testing, financial workshops, brand/concept training as well as extensive on-the-job training at the corporate-run store in Boulder, Colorado.
- ❖ The Franchisor training staff flies out to each camp and completes a mandatory five-day training class called “Poop Camp” at the owner’s facility with the owner and camp staff. CBW requires the hiring of a minimum of one employee per ten cabins so that there is a fully-trained staff prior to opening. The training includes a Red Cross Pet First Aid Certification process.
- ❖ CBW performs quarterly evaluations to ensure that camps are up to specifications with the most current Operations Manual, marketing and promotional products, and camp equipment specifications. The evaluation is conducted by a corporate employee and is usually in the form of a surprise inspection.



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- ❖ CBW has a Secret Shopper program and web cam monitoring is conducted to ensure waste is continuously removed and the correct staff-to-camper ratio is being maintained. The owner/operator is required to have web cams live 24 hours a day to facilitate constant monitoring.
- ❖ CBW completes annual "Poop Camps" at the open facilities to refresh and teach any new specifications and operational procedures.

Operations Information

Kennels (or "Cabins")

- ❖ The campers are kenneled during the day when being fed, napping, or during a "time-out." In the evenings, boarding campers are housed in a 4'x 4', 4'x 8', or a 5'x 10' Cabin. Each Cabin is in a climate controlled environment that includes a raised cot with a fleece blanket. An air-tight storage container (steel trash can) is kept outside the Cabin with the camper's personal belongings and/or food and treats.

Indoor Play Areas

- ❖ The structured indoor play areas allow campers to access both indoor and outdoor break areas where they socialize with other campers similar in age, temperament, and size. While in the indoor play areas, the campers are always accompanied by an employee who monitors their interaction and redirect the activity if necessary. Camper time-outs are also used and rowdy campers have their owners called for pick-up.

Hours of Operation

- ❖ Pick-up and drop-off occurs anytime during the normal hours of operation of 6:30 am until 7:00 pm, Monday – Friday; 7:00 am until 10am and 4 pm until 7 pm, Saturday and Sunday. Depending upon customer demand, day camp will only be offered Monday – Friday; boarding will be offered seven days per week.



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Staffing

- ❖ Staffing requirements include two employees for the first 15 dogs and an additional employee for each increment of 15 dogs. The employees are normally onsite 30 minutes prior to opening and 30 minutes after closing.

Safety First

- ❖ Many competitors do not provide facilities that allow the dogs to relieve themselves outdoors and if they do, they often do not have the same stringent standards for constant cleaning and removal of waste. Allowing use of indoor facilities for this purpose can be hazardous for the dog's health as well as the employee's.
- ❖ Often, competitors do not exercise the dogs and when they do, they charge additional fees. Our fees include all-day play for boarders and day-campers.
- ❖ CBW does not allow a camper to leave the premises once he is checked in behind the specially-designed secure entryway.
- ❖ CBW will not allow a facility to open without a minimum height of eight feet in privacy fencing along the outside perimeter of the outside break area to ensure that no camper can scale the fence and escape.

Barking and Noise

Privacy Fencing

- ❖ Outdoor break areas are surrounded by attractive 8' solid vinyl privacy fencing. While it is far more expensive than chain link fencing, the solid vinyl fencing is used both to dissipate sound and to prevent dogs from seeing things outside the property that might make them bark.

Camp Counselor Dog Monitoring

- ❖ While campers are allowed to spend time inside and outside, an employee accompanies them at all times. In traditional kennels, many times dogs bark for attention because of lack of contact with humans and other dogs. At CBW, the environment allows for socialization and eliminates the dog's need to bark. The staff is trained to address excessive barking by individual campers to minimize the noise both within and outside the building.





Sound Level Studies

- ❖ We have studied sound levels emanating from other dog day care and boarding facilities in addition to the normal sound levels in the Congleton Industrial Park, and while barking from outdoor break areas will be noticeable, the decibel levels (approximately 75 dB's at 50 feet from outdoor break areas) are not measurably louder than trucks making deliveries, noise from similar activities which are common in a light industrial area, and the normal traffic noise emanating from Nieman Road and Highway 69. People who are *inside* a neighboring building would have exposure similar to that of other sounds in a normal office environment (52 dBA).

Soothing Environment

- ❖ CBW also pipes in classical and/or soothing music at night which calms the campers.

Drainage

- ❖ In our facilities we never spray anything down to clean it – we use a light misting device and specialized squeegees to assist us in cleaning the equipment.
- ❖ We use a professional auto-scrubber to clean the floors which intakes any excess water into the machine, minimizing water consumption as well as maximizing cleanliness.
- ❖ When cleaning the yards daily, the amount of water used is the equivalent to a 5 minute human shower. We utilize Spartan Chemical Company's Consume Eco-Lyzer. It is a patented disinfectant that is used to kill both pathogenic bacteria and odor causing bacteria, but the product itself is safe and consists of non-pathogenic, naturally-occurring microorganisms that you would find in the surrounding soil.
- ❖ Spartan Chemical Company claims that while using routine cleaning schedules with Consume Eco-Lyzer, and understanding Mother Nature's natural process of evaporation and digestion, discharge of any natural materials during a heavy downpour would probably be no more than parts per billion.

Odor

- ❖ Disposal of animal waste is not an issue as we constantly clean and disinfect





with the Spartan Consume Eco-Lyzer – This is the same type of disinfectant used at hospitals, childcare facilities, and vet clinics.

- ❖ Our clientele expect a spotless and clean-smelling facility. Solid waste must be cleaned as it occurs; otherwise, odors might become prevalent and live web cam views of the play areas would leave an unfavorable impression on our clientele.
- ❖ CBW provides all franchisees set cleaning schedules and franchisor site evaluations are conducted year-round to ensure proper maintenance of the CBW facilities.

Waste Disposal

- ❖ The CBW waste removal routine includes constant play area patrol so that waste is picked up and deposited in a galvanized steel trash can with lid and a two millimeter trash can liner. The liner is removed, sealed and deposited in the facility dumpster at least twice per day. The dumpster is emptied twice per week. A typical CBW produces one large lawn garbage bag of waste per day.
- ❖ In the rare event that a dumpster odor issue arises, a special enzymatic solution is sprayed in the dumpsters to eliminate the odor. This system is recommended by animal control officers who use similar methodology.



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Typical Camp Lobby



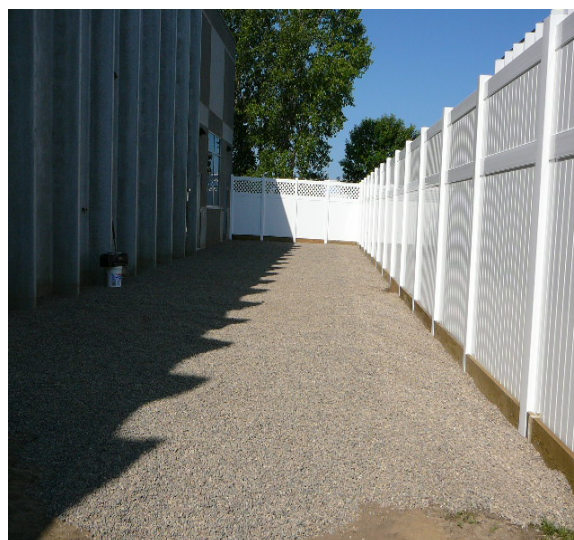
Camp Interior Play Areas and Cabins



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Camp Exterior Break Areas





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National Advertising Samples

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III Explanation of Site Design

The Planning Commission and the protesting party expressed concerns about the outdoor break area concept that was presented during the March 26, 2007 meeting. In particular, we fulfilled the following requirements:

- site design plans created by a professional engineer, addressing storm water runoff, showing outdoor break area dimensions in relation to property line, fence location, etc.;
- reduction of the outdoor break area size to create a greater buffer between the area and neighboring property;
- re-design of the ADA ramp at front entrance to the building; and





- study of existing pavement conditions and soil characteristics.

We engaged engineers with the firm of Shafer, Kline and Warren in order to address all of the above concerns. In addition, we reviewed preliminary plans with City Planning Department staff and we adjusted the plans in accordance with their comments. Planning Department staff supports the current solutions.

Please see the attached drawings for additional details, including dumpster enclosure and other dimensional characteristics.

Size of Outdoor Break Area

In addition, in consideration of some Commissioner comments the outdoor break area West-East dimension was reduced from 60 feet to 51 feet to create a larger buffer between the outdoor break area and the property to the East of the building. A landscaping berm will be added on the East side of the outdoor break area.

IV Sound Considerations

Sound Studies at Comparable Dog Day Care and Boarding Sites

We studied the sound issue at existing dog day care and boarding facilities in Overland Park, using both objective and subjective methods. Most important, there is not a single record of a complaint about either of the facilities for which Special Use Permits have been approved by the City Council, one in 2004 and one in 2005. We verified the lack of complaints with both the City of Overland Park Police Department and with the neighbors.



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Pawz at Play – College and Mastin: We interviewed staff at Capitol Federal Savings, a neighbor to the North, and Car-X, a neighbor to the South. Staff at both sites said that they heard barking occasionally but had no complaints about the barking interfering with their ability to operate effectively.



Capitol Federal ATM next to Pawz at Play (fence for Pawz at Play approximately 20 to 30 feet from ATM):



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Puppy's Playpen – 95th and Nall: This facility is on the end of a strip center, and we interviewed the neighbors, and again, there was no complaint about the sound level at this facility.



Neighbor Exposure to Proposed Camp Bow Wow Outdoor Break Area:

The following pictures show views of neighboring buildings from the perspective of the proposed outdoor break area:

View to Southeast Corner:



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View to East:



View to Northeast corner:



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Decibel Sound Study

The following chart shows different readings taken at local sites as well as benchmark readings for comparison purposes. It should be emphasized that people who are inside a neighboring building would have exposure similar to that as described in the measurements taken when the dogs were inside (52 dBA). It should also be noted that dog barking has a tonal quality that is more noticeable than other types of mechanical sound, so psychologically, the human ear might be as sensitive to barking that is actually 10dBA less than a mechanical sound. We are confident that the sound levels from activity at Camp Bow Wow will be no more intrusive than other activities in the Congleton Industrial Park, especially including the heavier traffic on Highway 69 and on Nieman Road.

Comparative Sound Energy Measurements			
Location	Noise Source	dBA Measurement	Subjective Measurement
-	Threshold of pain	130	-
-	Jet engines	120	DEAFENING
-	Loud rock band	110	-
-	Loud horn	100	-
-	8-hour Industrial noise exposure limit	90	VERY LOUD
Camp Bow Wow Troy, MI	20 feet away from dogs who had been incited to bark	82	
-	Busy downtown street	80	-
350 feet from Highway 69-East side of Nieman	Light highway traffic	80	-
9120 Nieman	Busy street traffic - 8:30 a.m.	76	
-	Stenographic room	70	LOUD
Pawz at Play - College & Mastin	Approximately 15 dogs OUTSIDE - 30 feet from fence - during consistent barking - 10:45 a.m.	68	-
Puppy's Playpen - 95th and Nall	100 feet from building - 20-30 dogs barking INSIDE - Truck made delivery 200 feet down back alley - 1:00 p.m.	65	-
Pawz at Play - College & Mastin	Approximately 20 dogs OUTSIDE - 30 feet from fence - during barking - 2:30 p.m.	65	-
9120 Nieman	Medium traffic levels	64	
-	100 feet away from freeway	60	-
Camp Bow Wow Troy, MI	100 feet away from dogs who had been incited to bark	59	
Puppy's Playpen - 95th and Nall	100 feet from building - 20-30 dogs INSIDE barking	55	-
Pawz at Play - College & Mastin	Approximately 30 dogs INSIDE - 35 feet from building - during consistent barking	52	-
-	Average open office	50	MODERATE
-	Soft background music	40	-
-	Average residence - No activity	30	QUIET
-	Whisper	20	-
-	Human breathing	10	VERY QUIET
-	Threshold of audibility	0	-





V Camp Bow Wow Supports the Community

In the last two years, Camp Bow Wow has participated in the following events to support the community and homeless pets:

- Martini's and Weenies - a fundraiser for Animal Haven
- Strut with Your Mutt - a fundraiser for Wayside Waifs
- Paws in the Park – a fundraiser for The Pet Connection
- Splish, Splash Puppy Bash - City of Lenexa
- Doggy Dippin' Days - City of Olathe
- Paws in the Park - City of Parkville Animal Shelter
- Woofstock - at Camp Bow Wow in Springfield, Missouri - fundraiser for various charities

A big part of our mission with Camp Bow Wow will be to make the community in which we live and work a better place. We will contribute resources which will help make Overland Park a more pet-friendly city, and we will work hard to help reduce the homeless pet problem. Camp Bow Wow will enable a large portion of Overland Park's citizenry to provide a good place for their dogs to be when they are on vacation, or simply while they are busy at work. Camp Bow Wow will be a place where a "dog can be a dog."

