



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** RES 17-072    **Version:** 2    **Name:** 17-18 Atlas Pet/House of Dogz  
**Type:** Resolution    **Status:** Passed  
**File created:** 6/1/2017    **In control:** City Council  
**On agenda:** 6/1/2017    **Final action:** 6/1/2017  
**Title:** GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN INDOOR KENNEL, LIMITED TO DAYTIME CARE AND A 1,443 S.F. OUTODOOR FENCED YARD AT THE EXISTING ATLAS PET LOCATION IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT AT 12761 CENTRAL AVENUE NE. APS ENTERPRISES. (CASE FILE NO. 17-0018/LSJ)  
**Sponsors:** Bryan Schafer  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Atlas Pet - Attachments.pdf

Date	Ver.	Action By	Action	Result
6/1/2017	2	City Council	Adopted	Pass
5/9/2017	1	Planning Commission	Recommended for Approval	Pass

**DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

**GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN INDOOR KENNEL, LIMITED TO DAYTIME CARE AND A 1,443 S.F. OUTODOOR FENCED YARD AT THE EXISTING ATLAS PET LOCATION IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT AT 12761 CENTRAL AVENUE NE. APS ENTERPRISES. (CASE FILE NO. 17-0018/LSJ)**

Planning Commission (Public Hearing)	05/09/17
<b>City Council (Conditional Use Permit)</b>	<b>06/01/17</b>
Action Deadline	6/16/17

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Atlas Pet has been in business in Blaine for 24 years and is looking to expand their services to include a dog daycare business at their location at 12761 Central Avenue. The owners of Atlas Pet own the existing 8,000 square foot multi-tenant building where they are currently located. The end tenant space is now vacant and Atlas Pet will use this space to operate the dog day care. This use falls under the definition of a kennel in the Zoning Ordinance, which requires a conditional use permit in the B-3 (Regional Commercial) Zoning District.

The attached narrative describes how Atlas Pet will operate the new portion of the business called House of Dogz. Dogs will be cared for at this location during the day only and there will be no overnight kenneling that will occur. The hours of operation will be Monday through Saturday, from 6:00 a.m. to 7:00 p.m. Sunday hours may be added later.

The narrative and site plan include information on a 1,443 square foot outdoor space that will be used for the dogs to play and use the bathroom. The space will be enclosed with a 6-foot high board on board maintenance-free fence. Staff understands the need to include a fenced area for the dogs to use the bathroom, but is cautious about allowing this area to be used for extended play times for the dogs. This is a fairly small site in close proximity to other commercial buildings and uses. While the narrative states that the dogs will be attended at all times, it is sometimes difficult to control the noise associated with an outdoor kennel. The Planning Commission elected to add a condition to the approval that states that the City Council may review the conditional use permit in the future if numerous noise complaints are made against this use.

The site is current on landscaping and the parking requirements as this building was installed under the current Zoning Ordinance requirements.

By motion, approve the Resolution.

**Attachments**

- Zoning and Location Map
- Narrative
- Site/Landscape Plan
- Floor Plan
- Fence Description

**WHEREAS**, an application has been filed by APS Enterprises as Conditional Use Permit Case File No. 17-0018; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on May 9, 2017; and

**WHEREAS**, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

**WHEREAS**, the Blaine City Council has reviewed said case on June 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.24(dd) of the Zoning

Ordinance to allow for operation of an indoor kennel, limited to daytime care and a 1,443 s.f. outdoor fenced yard at Atlas Pet at 12761 Central Avenue NE in a B-3 (Regional Commercial) zoning district based on the following conditions:

1. No overnight kenneling is allowed. Hours of kenneling limited to the hours between 6:00 AM and 7:00 PM.
2. A certificate of occupancy must be obtained for the new portion of the business. This will include Building and Fire Department review.
3. A fence permit must be obtained from the Building Inspection Department for the 6-foot high, board on board, maintenance free fence. The fence must be consistent with materials submitted for this application.
4. The business must operate in general conformance to the narrative associated with this application.
5. Dogs must be leashed at all times outside of the fenced area. Dogs shall not be allowed outside other than coming to and going from the business.
6. Dogs in the fenced area must be attended at all times.
7. Dog waste must be picked up immediately by business personnel.
8. Barking dogs must be moved back into the building as soon as possible.
9. Any expansion of this business in any way will require a conditional use permit amendment.
10. A kennel license must be obtained through the City Clerk.
11. The City Council may review the conditional use permit in the future if numerous noise complaints are made against this use.

**PASSED** by the City Council of the City of Blaine this 1<sup>st</sup> day of June, 2017.