

Date: July 7, 2022

To: City of Delray Beach
Development Services
100 NW First Avenue
Delray Beach, FL 33444

Re: 355 N. Congress Avenue Bay 1-4 – Wanderlust Dogs (Conditional Use)
(2022-155)

JUSTIFICATION STATEMENT FOR CONDITIONAL USE

Section 2.4.5 (E)(5) findings:

(5) **Findings.** In addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;

Response: Wanderlust Dogs is proposing to locate in an existing MIC Mixed Industrial / Commercial zoned site within a single-story tilt-up concrete construction building with 5 bays that is 14,895 gross sq. ft. in area. This Building is noted as #1 on the plans and Wanderlust Dogs plans to occupy the 4 bays towards the front within 12,358 sq. ft. in area. The building fronts on Congress Avenue to the west. Adjacent to this building to the south and a majority of the uses on the west side of Congress Avenue are used for home improvements product showrooms such as kitchen cabinets, bathrooms and flooring or other uses such as automotive parts & repair, etc. There is an open vacant property directly across from this site. The north side of the property fronts on a canal and to the north is a large linear two-story professions services complex. To the east of the site is a large industrial complex.

Wanderlust Dog is a unique dog hotel with all activities to be in an interior sound proof stress-free and socially enriching environment with supervised and controlled dog play areas offering their canine guests plenty of space to run and play.

- (b) Hinder development or redevelopment of nearby properties.

Response: Wanderlust Dogs will be a unique dog hotel that, as a destination for the dog owner community, will enhance interaction of nearby home improvements and automotive properties.

LDR Sec. 4.3.3 (W) Domestic animal services. Facilities providing domestic animal services shall obtain a permit issued by Palm Beach County Animal Care and Control Division prior to the establishment of the use and must comply with the following: (Ord. No. 17-21, § 2, 10-19-21)

Response: Acknowledge and understood.

- (1) Hours of operation are limited to 7:00 a.m. to 8:00 p.m., except for veterinary clinics providing emergency services. (Ord. No. 17-21, § 2, 10-19-21)

Response: Wanderlust Dogs is open 7 days a week with at least one staff member on-site 24 hours a day. The daytime hotel hours of operation for the public will be 7:30 a.m. to 6:00 pm. Day dogs must be dropped off by 10am. Overnight dogs must be dropped off by 12pm. The latest a dog can be picked up to go home from day and/or overnight is 6pm. After hours staff will be on site 7 days a week, 7:00am -8:00pm. For overnight boarding, 8:00pm-7:00am, an on-site attendant/staff member will always be on the premises in case of emergencies. The dogs will never be left on site unattended.

- (2) Domestic animal service facilities shall be fully enclosed with solid core doors and walls sufficiently insulated to minimize noise and odor detection from outside the facility. If frequent, habitual, or long continued animal sounds are plainly audible from adjacent properties, the building is not considered sufficiently insulated. (Ord. No. 17-21, § 2, 10-19-21)

Response: The facility will be within an existing concrete tilt up wall Industrial Building with solid rear metal doors and storefront entry door systems. All interior walls will be finished with an insulation system to minimize noise and odor detection from outside the facility. The facility will be equipped with air exchange systems, which process new outside air into the building and remove stale indoor air every 20 minutes. Additionally, Wanderlust Dogs uses a system called Synexis that is a dry hydrogen technology. This system cleans and treats the air to diminish odors and illness within the facility. The facility is also equipped with 24/7 music to ensure dogs aren't reacting (barking) when they hear outside noises. The music keeps them relaxed and therefore reducing the noise levels inside and out.

All indoor areas will have a raised air drainage system below the special K-9 turf. This allows all liquids to easily pass through and then be sprayed into a drainage system. We use a spray system called Wysi-Wash, which attaches to a regular garden hose and breaks down bacteria and smell. The solid waste will be picked up immediately by our staff and put in covered waste bins. Those waste bags will be removed and put in an enclosed dumpster outside until weekly pick-up occurs.

- (3) Outside activities and services are limited to drop-off and necessary outdoor walks of animals in direct control of a person by means of a leash or cord. Pursuant to Section 4.6.6, any other outside use requires approval through the conditional use process specifically determining the outside aspects of the use are appropriate. (Ord. No. 17-21, § 2, 10-19-21)

Response: Pet drop-off will be within existing parking on the north side of the property. Dogs are brought into two lobbies for drop off. Wanderlust Dogs provides two lobbies so check in and check out are quicker and less dogs are out front, waiting to come inside. All pet activities will be inside within controlled play areas.

- (4) Pet services that are limited as an accessory use by the zoning district must be accessory to an approved domestic animal service. (Ord. No. 17-21, § 2, 10-19-21)

Response: Wanderlust Dogs Hotel will be the primary use of the facility.

- (5) On-site disposal of carcasses is prohibited. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no veterinary functions or euthanizing of animals at the Wanderlust Dogs Hotel. Wanderlust will work directly with a local veterinary clinic to immediately come and remove the deceased dog, or in case of an emergency situation, there is a freezer on-site connected to the emergency

generator to preserve the animal until it can be removed. The owner is contacted immediately from the emergency contact information provided on file. The owner will be directly involved with our response. If the owner cannot be reached, the facility has the right to contact their vet of choice for immediate assistance.

(6) *Parking Requirements.* The minimum number of parking spaces required shall be determined by the gross floor area. Facilities offering a mix of domestic animal services shall provide parking spaces based on the cumulative use designation of each area. (Ord. No. 17-21, § 2, 10-19-21)

(a) Pet services and veterinary clinics shall provide 4.5 spaces per 1,000 square feet. (Ord. No. 17-21, § 2, 10-19-21)

Response: Not applicable.

(b) Pet hotels and animal shelters shall provide one space per 300 square feet. (Ord. No. 17-21, § 2, 10-19-21)

Response: See attached traffic engineering study. A special parking reduction has already been requested through the Transportation Planner, Brian Ruscher.

(c) Common areas within a facility offering a mix of domestic animal services shall calculate parking spaces based on the use requiring the least amount of parking spaces. (Ord. No. 17-21, § 2, 10-19-21)

Response: See attached traffic engineering study. A special parking reduction has already been requested through the Transportation Planner, Brian Ruscher.

(7) *Overnight boarding.* Only veterinary clinics, pet hotels, and animal shelters may offer overnight boarding services subject to the following: (Ord. No. 17-21, § 2, 10-19-21)

(a) An on-site attendant shall be present at all times during boarding services. (Ord. No. 17-21, § 2, 10-19-21)

Response: An on-site attendant shall be present at all times during boarding services. Staff is kept on site in the evening with a small group of 10-12 dogs. Unlike other kennel facilities that put the dog in their kennel with their food and then leave, Wanderlust Dogs makes sure each dog is fed individually with staff supervision. Afterwards, staff stays in the inside play area with the dogs, lays with them, takes pictures for their owner and has them decompress before being put into their overnight suites to sleep. Again, music is continuously played all night to keep the dogs relaxed and balanced. An overnight attendant stays on-site in case of an emergency.

(b) Pet hotels and animal shelters shall not be located within a mixed-use building with residential uses. (Ord. No. 17-21, § 2, 10-19-21)

Response: There are no residential uses within the building, only commercial uses along with the proposed Wanderlust Dogs Hotel.

(c) *Emergency Preparedness Plan.* Facilities approved for and offering overnight boarding services shall provide an Emergency Preparedness Plan to ensure continued humane care conditions are provided for the animals and their attendants, in case of an emergency, power outage, natural disaster, or other similar event. The plan shall include the following: (Ord. No. 17-21, § 2, 10-19-21)

1. Description of how the animals in the facility will be accommodated if the main power source is out for more than 12 hours. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be a permanent roof-top back-up generator. The roof structure of the building was designed to accommodate an on-site roof-top back-up generator.

2. An auxiliary power generator, either portable or permanent, is required, and shall be designed and equipped to power, at a minimum, the surgery and boarding rooms, for a period of not less than 24 hours. (Ord. No. 17-21, § 2, 10-19-21)
 - a. Generators shall not be dependent on a municipal water supply for cooling purposes. (Ord. No. 17-21, § 2, 10-19-21)

Response: The generator will be a new self-contained generator that is not dependent on municipal water supply for cooling capable of providing a period of not less than 24 hours of power.

- b. Both portable and permanent generators shall be tested on a quarterly basis and a test log shall be maintained for inspection by the City of Delray Beach, upon request. (Ord. No. 17-21, § 2, 10-19-21)

Response: The generator will be tested on a quarterly basis and a test log will be maintained.

3. A minimum of one attendant on-site must be able to operate the generators. (Ord. No. 17-21, § 2, 10-19-21)

Response: A minimum of one attendant on-site will be trained and able to operate the generator.

4. Veterinary clinics, pet hotels and animal shelters that provide overnight boarding services and were legally established prior to the adoption of Ordinance No. 17-21 shall provide the facility's emergency preparedness plan within two years of the effective date. (Ord. No. 17-21, § 2, 10-19-21)

Response: This is a new facility and this requirement is not applicable.

5. Businesses that do not provide an on-site or portable auxiliary generator may request relief through the waiver process pursuant to Section 2.4.7(B). (Ord. No. 17-21, § 2, 10-19-21)

Response: An on-site generator will be provided.

- (8) *Outside use areas.* Domestic animal service facilities may be approved for outside use areas pursuant to Section 4.6.6, subject to the following: (Ord. No. 17-21, § 2, 10-19-21)

- (a) Outdoor cages, crates, kennels, or other enclosures intended for animal habitation, and not for exercise or training purposes, are prohibited. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no outdoor cages, crates, kennels, or other enclosures intended for animal habitation, nor for exercise or training purposes.

- (b) A solid finished masonry wall or privacy fence six feet in height shall be provided on all sides of outside use areas designated for domestic animal services. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no outdoor use areas proposed for the facility.

- (c) Pervious outside use areas intended for domestic animal services may be counted towards open space requirements. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no outside dog run area proposed for the facility.

- (d) Outside activities are limited to 7:00 a.m. to 8:00 p.m., except for necessary outdoor walks of one animal at a time in direct control of a person by means of a leash or similar device. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no outside use area proposed for the facility.

- (e) Separation requirements: (Ord. No. 17-21, § 2, 10-19-21)
 - 1. Properties with outside use areas intended for domestic animal services shall not be located within 300 feet of residentially zoned properties or other properties with outside use areas intended for domestic animal services as measured from lot line to lot line in a straight line. (Ord. No. 17-21, § 2, 10-19-21)

Response: The north property line of this facility is located around 113 ft from the main property line of ARW Waters Edge LLC community which is north of the canal and on the west side of Congress Avenue. However, the ARW Waters Edge LLC community line shown on the Property Appraisers website is of the entire community and the nearest home is around 380 feet from the north property line. There will be no outdoor use area proposed for the facility.

- 2. Outside use areas are subject to required minimum building setbacks, which may be increased as part of the conditional use approval. (Ord. No. 17-21, § 2, 10-19-21)

Response: There will be no outdoor use area proposed for the facility.

Respectfully:

Richard A. Berrie, P.A., MAURP, VP for the firm.
(Architect, Masters of Art in Urban & Regional Planning)