

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, September 22, 2016 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Nelson, Reveal, Wencil, and McMahon  
EXCUSED: Edgerton, Merrigan, Makarios, and Wickiser  
STAFF: Kady Dadlez, Cherie Englund, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**St. Paws - 16-064-802 - Determination whether dog day care and boarding is similar to other T3 traditional neighborhood district uses, 1920 University Ave. W., between Prior and Lynnhurst Ave. W.**

Kady Dadlez presented the staff report with a recommendation for approval with conditions. She noted that District 13 recommended approval, there were 6 letters in support, and no letters in opposition.

Chair Nelson asked what the parcel was zoned as prior to the T3 zoning. Mr. Torstenson said he thought it had been zoned B3.

Commissioner Wencil asked about the need for all eight conditions.

Ms. Dadlez said that condition 3 was added because the applicant had been using the park for a pet relief area, and condition 5 was added because the applicant had been operating without a license. The conditions make these things clear and provide direction for the license.

Margaret Dunn, the business operator, 1920 University Ave. W., said they are willing to follow the conditions. She added that their presence in the park has helped to curb unwanted activity there, and they help pick up litter.

Commissioner McMahon asked if they would continue walking the dogs in the park with the establishment of the indoor relief area. Ms. Dunn responded that they would like to continue walking the dogs in the park.

The applicant, Tom Dunn, 323 Maple Island Rd., said he has owned the property for 15 years. He said the building had previous industrial use and a lot of uses wouldn't work. He added that walking the dogs in the park has been a help for the park.

Mr. Dunn replied to Chair Nelson that they were involved with the Green Line rezoning process for the area and thinks the property should be used for its highest and best use. The building was vacant for two years before the dog care opened last February. It was a church before that.

Chair Nelson noted that the application dated August 1, 2016 shows the current use as vacant, but the business was established in February 2016.

Mr. Dunn said the building had been vacant prior to the dog care business moving in. They started their build out in August 2015 and opened the business in February.

No one spoke in support.

Wendy Harter, 2029 Upper St. Dennis Rd., spoke in opposition. She said she is the owner of Hip Hounds, currently doing business as Dog Days. They provide dog daycare in 3 St. Paul locations, and have gone through the City approval process for 4 St. Paul locations. She said that in February of 2007, Jeff Hawkins issued a statement of clarification stating that this type of business belongs in an I1 or I2 zone and that she has followed this rule in opening her last 3 locations. She would like consistency in where the City allows dog day care and animal boarding, and is concerned about allowing these uses in locations that could result in resident complaints. She also noted that being located in I1 and I2 areas has other challenges relating to cost and visibility.

Commissioner Wencil asked if condition 3 should be clarified or removed, because it sounds like this business could not use the park at all. Mr. Warner noted the letter from Mike Hahm, Director of the Department of Parks and Recreation, and said that the condition responds to the concerns expressed and direction provided in that letter.

Commissioner Reveal said that she does not think that the intent is to prohibit dogs from being in the park, as residents around the park use this space with their dogs. Chair Nelson noted that we are discussing a commercial operation.

Commissioner McMahon said the condition is fairly clear about commercial use the park as a pet relief area. A question for the people who enforce this condition might be if they are allowed to walk the dogs in or around the park using the sidewalk or by crossing over the grass area.

Commissioner Reveal said the condition would be enforced if there were a complaint to the City. The issue is not to burden the park with excess pet relief.

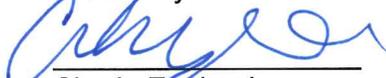
The public hearing was closed.

Commissioner Wencil moved approval with eight conditions. Commissioner Reveal seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted                      Yeas - 4              Nays - 0              Abstained - 0

Drafted by:

  
Cherie Englund  
Recording Secretary

Submitted by:

  
Kady Dadlez  
Zoning Section

Approved by:

  
Gaius Nelson  
Chair