Planning Commission Staff Report

Report Date: May 7, 2025
Case #25-360

Meeting Date:
May 12, 2025

Location:
1556 W. Prospect St

Parcel Number
3204161

Request:
Conditional Use request for a boarding kennel

Applicant:
Daniel Bestic

Property Owner:
1556 Prospect Road LLC

Zoning:
D2

Case Manager:
Nick Sugar, City Planner

Staff Recommendation
Refer to page 8

Contents

- Use Compliance Letter, 4.13.25
- Site Plans, 4.21.25
- Landscaping Plan, April 2025
- Elevations and Floor Plan, 3.3.25
- Trip Generation Analysis, 3.10.25
- Wetland Delineation, 12.13.24
- Asst. City Engineer review dated 5.7.25
- Fire Department Review dated 5.5.25
- Public Comments
- Supplemental Documents

Existing Conditions, Hudson GIS

Project Background:
The property at 1556 W. Prospect Street is approximately 6.5 acres. It was the former site of the Chalet of Hudson, a boarding kennel facility that has since closed. The previous buildings on the property were demolished in 2018. The current property owner is requesting to construct a new boarding kennel that would relocate and consolidate two Hudson businesses; Bed and Bark (5980 Darrow Road) and Dogs with Style (5929 Darrow Road).

The request would require Conditional Use and Major Site Plan review by the Planning Commission. At this time, only the Conditional Use application is before the Planning Commission. The Architectural and Historic Board of Review would review the design of the building.

Staff notes, within the submitted documents the applicant references potential phasing and alternate building footprints. This review was based on the current design of the 10,000 square foot building.

Adjacent Uses
The property is surrounded by residential to the north and east, a rail line to the west (Nortfolk Southern), and the Ohio Turnpike to the south.

Use Standards (Section 1206)

The overall use is classified as a Boarding Kennel per the following definition.

(39) "Boarding kennel" shall mean a facility for the keeping, breeding, raising, grooming or training of four or more domestic animals, that are not owned by the owners or occupant of the premises, for commercial purposes. This does not include animals in pet shops or veterinary facilities.

The applicant states the use would provide boarding, daycare, and grooming services.

Boarding kennels are a conditional use within Zoning District 2 and subject to the following conditional use standards of Section 1206.02

The below Conditional Use Standards are applicable to the proposed use

(1) *The use is consistent with the policies and intent of the corresponding plan district in which it is located, as set forth in the Comprehensive Plan (as amended from time to time).*
Staff Comment: The Future Land Use Map on page 51 of the Comprehensive Plan classified the property as Rural Residential. The classification is described as *"Single family, low-density development which preserves and protects the existing rural character and sensitive environmental areas such as woodlands, wetlands, agriculture, and floodplains. Development is typically characterized by single-family detached estate homes; however, rural conservation design and open space preservation techniques are also permitted."*

Staff notes the land use classifications within the Comprehensive Plan for parcels were primarily based on the underlying zoning district without an intent to change the existing allowances of the area.

(2) *The use is physically and operationally compatible with the surrounding neighborhood. Conditions may be imposed on a proposed conditional use to ensure that potential significant adverse impacts on surrounding existing uses will be reduced to the maximum extent feasible, including, but not limited to, conditions or measures addressing:*

A. Location on a site of activities that generate potential adverse impacts such as noise and glare;
Staff Comment: Staff notes the following:

- The proposed use would be adjacent to residential to the north and east.
- The submitted elevations and floor plan depict a building with a proposed footprint of 10,000 square feet.
- The applicant should document the total capacity of animals expected on the property at a given time. Staff notes the floorplan depicts the following number of animal enclosures, totaling 133:
    - Daycare: 59
    - Kennel: 49
    - Bathing: 8
    - Grooming: 11
    - Cat Room: 6

- The site plan depicts a multi-acre outdoor fenced area, in addition to fenced in outdoor yards extending from the indoor kennels. The application states dogs would be permitted outside from 6:00 am – 10:00 pm. The outdoor fenced area does not have a direct connection to the building. The applicant should provide additional documentation on the proposed use of the fenced-in area including:
    - Indicate if this fenced area would be open to customers or the public who were not currently boarding an animal.
    - Indicate if any exterior lighting is proposed.
    - Indicate how many animals are anticipated to be outside at a given time.
    - Indicate what level of staff supervision occurs when animals are utilizing the area.
    - Question if the fenced area needs to be at the proposed size to accommodate the boarding operations or if such can be reduced in size to only span the area south of the building.
- The applicant states decibel levels would not exceed the decibel levels of the train and highway. In addition to the noise requirements listed below, Section 1207.10 of the Land Development Code states *"No owner, keeper, or harborer of any animal shall permit such animal to continuously or frequently bark, howl, or emit other audible sounds that create offensive noise to the annoyance or discomfort of any person of ordinary sensibilities occupying any premises within 1,000 feet of the animal."* Additionally, Section 648.14 of the City's General Offenses code states *No person shall make, continue or cause to make or continue any unnecessary, excessive or offensive noise or sounds which are above the prevailing background sound level at any time within the City.* This includes *continuous or repetitious barking, howling or other audible sounds by animals harbored by any resident.*

  The applicant should submit a study from a consultant to fully document the existing noise levels and the anticipated noise of the facility along with existing baseline levels by providing an industry standards report with documentation verifying the noise levels would not exceed existing conditions and would not negatively impact surrounding uses.

  No activity or operation within the City shall exceed the maximum permitted sound levels db(A) as set forth below, measured from any point along the property line on which the noise source is located, except as provided in this section:

Source of Sound and Time	***Premises Receiving Sound/Sound Level db(A)***		
	Residential	***Commercial/Institutional***	***Industrial***
Residential			
Day	55	60	60
Night*	50	50	50
Commercial/Institutional			
Day	55	60	65
Night	50	50	55
Industrial			
Day	55	60	70
Night		50	60
* Night shall mean the hours between 9:00 p.m. and 7:00 a.m.			

B. *Hours of operation and deliveries;*
Staff Comment: The applicant states the business would operate 7 days a week. Business hours would be between 6:00am – 7:00 pm; however, as previously noted, the applicant states dogs could be permitted outside until 10:00 pm. Staff recommends these hours be reduced to mitigate evening noise and weekend disturbance.

C. *Location of loading and delivery zones;*
Staff Comment: Loading and delivery would occur at the parking lot proposed to the south of the building.

D. *Light intensity and hours of full illumination;*
Staff Comment: The applicant states landscape lighting would be utilized in the early mornings (6:00 am) and evenings (10:00 pm).

E. *Placement and illumination of outdoor vending machines;*
Staff Comment: Outdoor vending machines are not proposed

F. *Loitering;*
Staff Comment: Refer to previous comments regarding the outdoor fenced-in area.

G. *Litter control;*
Staff Comment: The applicant states their staff would manage trash and litter appropriately on property. Animal receptacles for feces would be near the parking lot and play yards with larger trash dumpsters south and west of the building. Question if a specialized dumpster and management service would be utilized for animal waste and how ongoing site maintenance is performed to resolve potential negative impacts.

H. *Placement of trash receptacles;*
Staff Comment: See previous comment regarding litter control.

I. *On-site parking configuration and facilities;*
Staff Comment: On-site parking would be constructed to the south, adjacent to the building.

J. *On-site circulation;*
Staff Comment: Customers and employees would enter the site via the proposed drive south of Hunting Hollow Dr. The primary entrance is located on the south side of the building and would be utilized to access a reception area. The parking lot would include a looped access to provide proper turnaround and access for emergency vehicles.

K. Privacy concerns of adjacent uses.

Staff Comment: Staff notes a large portion of the wooded site was cleared without a permit prior to site plan review submission. This included a wooded area that would have been between the proposed building and Prospect Street. City staff has coordinated with the City Prosecutor regarding this violation and requested the applicant include a landscaping restoration plan as part of the application. The submitted landscaping plan, more fully described on page 6, does not respond to this requirement.

(3) *The use can generally be accommodated on the site consistent with any architectural and design standards set forth in the applicable district regulations of this Code, and in conformance with all dimensional, site development, grading, drainage, performance, and other standards for the district in which it will be located.*
Staff comment: Staff notes the following:

- Section 1205.05 (d)(7)(D)(1) of the Land Development Code states t*he main entrance to the principal structure shall face the street.* Staff notes the proposed floor plan and building elevations suggest the main entrance would face the south.
- The following site characteristics would be studied further with a site plan review:
    - Existing easements that include:
        - 20 ft wide electrical transmission
        - 30 ft wide sanitary sewer
        - 100 ft wide Ohio Edison
    - Property line configuration, requiring a lot consolidation
    - Wetlands present at the northwest corner of the parcel
    - An existing pond proposed to be expanded to manage stormwater for the proposed improvements
    - A multi-purpose trail extension along the property frontage/right of way.

(4) *To the maximum extend feasible,* a*ccess points to the property are located as far as possible, in keeping with accepted engineering practice, from road intersections and adequate sight distances are maintained for motorists entering and leaving the property proposed for the use.*
Staff Comment: Staff notes the proposed driveway access would be located approximately 70 ft south of Hunting Hollow Drive. Suggest the proposed drive be moved further south to provide additional separation from Hunting Hollow and be located south of the existing house footprint of the home on the corner of Hunting Hollow and W. Prospect Street.

(5) *On-site and off-site traffic circulation patterns related to the use shall not adversely impact adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.*
Staff Comment: The applicant submitted a trip generation report. The report states the Institute of Transportation Engineers (ITE) does not provide a comparable land use for a boarding and grooming center. Therefore, the report utilized data from an existing site(s) to calculate the future site generated traffic at the new proposed site. The data was collected from the beginning of 2025. The report concludes there would be an anticipated 22 weekday trips in the AM peak hour and 9 weekday trips in the PM peak hour.

Staff notes the following:

- The study should be revised to include information on the scope of the existing businesses vs. the proposed scope of the new business. For example, would the new business support additional animal beds, staffing, etc.
- The study should include additional information to describe the methodology for how the existing counts were taken.
- The developer's traffic consultant should certify the referenced traffic data. Staff notes some inconsistencies with the data, such as total in and total out numbers not aligning for a given day.

(6) *The use will be adequately served by public facilities and services. Public facilities and services that may be considered in light of this standard include, but are not limited to, water, sewer, electric, schools, streets, fire and police protection, storm drainage, public transit, and public parks/trails. See also Section 1207.11, Adequate Public Facilities.*
Staff Comment: Staff notes the following

- The property is served by Summit County sanitary sewer. The property is not served by public water, however, is a pre-existing parcel located more than 400 feet from a public water line, and, therefore, could be served by a water well pursuant to Section 1207.11. The applicant should provide documentation from the Summit County Health Department verifying a well would be permitted and adequate for the needs of the use (grooming, bathing).
- The Hudson Fire Department has reviewed the request with the following comments:
    - A fire access road must extend to within 150 feet of all portions of the building. Fire access roads are further described in Section 1207.13(b)(9). Fire access roads must have a road surface engineered to provide a bearing weight of 60,000 pounds and a minimum width approved by the Fire Department.
    - As water service does not extend to the site, an approved fire detection and alarm system would be required for the building.

(7) *The use provides adequate off-street parking on the same property as the use in compliance with standards set forth in Section 1207.12.*
Staff Comment: The proposed site plan depicts 49 parking spaces. Staff notes the "Boarding Kennel" use is not listed specifically within Section 1207.12(f), which describes minimum and maximum parking per use. Additionally, such is not listed within the Parking Generation Manuel (Institute of Transportation Engineers). The most comparable use is "Veterinary Clinic", of which the ITE recommends 2.3 spaces per 1,000 square feet of ground floor area.

Staff recommends the applicant documents the methodology used to determine the number of spaces proposed.

(8) *Unless addressed in the special conditions and standards set forth below, the use will be screened with fencing and/or landscaping in excess of what is required in Section 1207.04, as appropriate, if the use may otherwise result in an adverse impact on adjacent property benefitting from such screening.*
Staff Comment: Staff notes the following:

- The Land Development Code requires a minimum 25 ft Bufferyard C along the northern and eastern property lines; however, to reduce anticipated impacts of the use, staff requests a minimum 50 ft width Bufferyard E be installed. Staff notes the bufferyard would be required along Prospect Street, as those trees had been removed by the applicant prior to submittal of the application. The remaining 50 ft should incorporate shade trees to establish an appropriate restoration plan for the front yard.
- The submittal does not address landscaping along the northern property line.
- Additional parking lot landscaping is required to meet the following requirements:
    - *Parking lots containing twenty or more vehicular parking spaces shall provide interior landscaping of the peninsular or island types of uncompacted, well-drained soil that contains a minimum of six inches of top soil mix, as well as perimeter landscaping. For every ten parking spaces or fraction thereof, the applicant shall provide not less than 160 square feet of interior landscaped parking lot areas containing at least one tree with a minimum DBH of two inches and four shrubs. The minimum landscape area permitted shall be 160 square feet with a minimum planting width of nine feet*
    - *All parking lots shall provide perimeter landscaping. Parking lots shall have perimeter landscaping of a minimum width of five feet exclusive of vehicle overhang. This perimeter landscaping shall contain sufficient plant material that will achieve an effective, opaque screen of a height of at least three feet within two years of installation. The perimeter buffer zone shall also contain deciduous trees and allow adequate snow storage area.*

(9) *The residential use is proposed at a density consistent with that of the existing neighborhood density or is compatible by its use of architecture, orientation of structures and parking, and landscape buffer. Where sufficient natural screening does not exist, or will be disturbed, development adjacent to existing residential shall blend with neighboring properties and increased density shall be directed away from neighboring properties.*
Staff Comment: Not applicable

City Departments:

☑ **Engineering**	Assistant City Engineer David Rapp has submitted the attached review letter dated May 7, 2025.
☑ **Fire Department**	Fire Marshal Shawn Kasson has submitted the attached review letter dated May 5, 2025.
☑ **Hudson Public Power**	Public Works Assistant Superintendent Dave Griffith has reviewed the request and has no preliminary comments.

Required PC Action

The PC shall consider the development application, the staff report, and then take final action. PC shall approve, approve with conditions, or deny the application based on its compliance with the appropriate review standards. All decisions of the Commission shall be based on findings of fact related to the relevant standards of the Code.

Recommendation

Staff recommends the Planning Commission review the submitted application, staff comments, and testimony from the applicant and public prior to formal action on the request. Staff recommends the Planning Commission consider the following items as part of any determination on the request.

1. Submit documentation for the anticipated number of staff and maximum number of animals on the premises.
2. Submit an exterior lighting plan for site plan review. Lighting shall be limited to typical business hours.
3. Reduce the area of the outdoor fenced in enclosure to not extend north of the building.
4. Submit a sound study from a consultant to document the existing noise levels and the anticipated noise of the facility to verify the noise levels would not exceed allowances and not negatively impact surrounding uses.
5. Reduce proposed operating hours to typical business hours. Limit weekend operating hours further to address potential impacts to surrounding development.
6. Provide additional documentation on waste disposal.
7. Revise the design of the building so the main entrance faces the street.
8. Revise the drive location to be located further south.
9. Revise the traffic study to include the analysis stipulated on Page 6 of the staff report.
10. Provide documentation from the Summit County Health Department regarding the feasibility of a water well serving the use.
11. Adequate fire access shall be provided to address the comments of the Fire Marshal contained in the May 5, 2025 review letter.
12. Submit the methodology used to determine the number of spaces proposed.
13. The landscape plan shall be revised to provide a minimum of Bufferyard E at the 50 ft width to the east and north. Parking lot landscaping shall be provided per Section 1207.04(l).