

CC Packet 3: Muddy Paws

07.28.2021 City Council Agenda Packet:
15120 W. Freeway Drive

From: [Jennifer Wagner](#)
To: [Ben Gutknecht](#)
Subject: Muddy Paws - Columbus
Date: Friday, July 16, 2021 4:07:49 PM
Attachments: [image001.png](#)

Dear Ben,

I hope that is OK that I am emailing you. I have heard that there will be a meeting on July 28th at 7PM and I truly want to make it but not sure that I will be able to. I feel that it's important that you hear from the parents of the dogs that attend daycare at Muddy Paws. My dog is a Siberian Husky and his name is Banjo; he has been going to daycare for about 4 years now because he has extreme separation anxiety. I've brought him to 4 daycare centers in total and all have been great. I admit that Muddy Paws is my favorite. I am very over-protected of Banjo and feel EXTREMELY safe with him going to Muddy Paws. The excitement he gets starts about a mile before we get there. Muddy Paws is great for the community and for the dog community. We would be absolutely devastated if you shut them down. May I ask even why you would want to? It's been a great part of Columbus for several years now and successful.

Olivia Lesto "may" be young but I know with everything she is exactly what Muddy Paws needs. Age does not and should not matter. Banjo and others love going to her/them. She has lots to learn about starting and owning a business, yes, and that will come. Plus her Dad is there to help. I have NO doubts about it at all.

What do I need to do to help Muddy Paws stay open?

Sincerely,

Jennifer Wagner
Sales Consultant
Forest Lake Chevrolet Cadillac
651-464-1400 (work)
651-308-6496 (cell)



Date: July 22, 2021
To: City of Columbus City Council
From: Mark Anderson; North Metro Animal Care and Control
Subject: Muddy Paws Doggy Daycare and Boarding Conditional Use Permit Review

Application and Site Visit Review Summary and Findings:

On 07/14/21, at approximately 12:00 (Noon), I was part of a group from the City of Columbus that visited the facility located at 15120 West Freeway Dr. in the City of Columbus. The purpose of the visit was to see the facility to get an idea of its size and layout and gain an understanding of its proposed operational plans. While not a formal site inspection, there were some standout concerns:

1. Ventilation/Odor Control – On entering the facility, I noted high humidity and moderate to strong odor of urine.
2. Sanitation – I noted that there were several articles of upholstered furniture in the animal containment areas and was told that the animals use these furniture pieces. This is concerning because upholstered furniture cannot be adequately cleaned and sanitized. I also noted several areas in the facility where walls had exposed surfaces that are not impervious to moisture to facilitate cleaning and disinfecting. These areas included bare wooden doors on the kennel runs as well as several walls that had exposed/damaged dry wall, and bare composite board.
3. Staff knowledge of the use of disinfectants – Staff members were unfamiliar with the contact time for bleach to effective as a disinfectant is 10 minutes.

Professional Staff Considerations and Recommendations:

1. I believe the goal of this memo is to provide the City with some guidance in rule making, not only for this facility but for any other facilities of its type related to the housing of dogs that wish to locate within the City of Columbus. This would be to provide some measure of protection for dog owners, the animals, and to give guidance to the owners to help them run a successful business.
2. Columbus City Ordinance Article VI, Section 4-611, E. Defines a Kennel as – “Any premises where four (4) or more dogs or canines over six (6) months of age are kept boarded, bred, and/or offered for sale, or professionally boarded, groomed, and/or professionally trained”.
3. It stands to reason, that a facility operating to house and care for animals within the City of Columbus is subject to the provisions of the City Animal Control Ordinances. In particular, Article VI, Section 4-635, which requires that a professional boarding kennel is also to apply for a dog kennel permit as required in Section 7A-809 of the City Code.
4. The standards that the commercial facility is required to meet in order to maintain a Kennel Permit issued by the City are outlined in City Ordinance Chapter 7A-809 (D.1.).

5. Chapter 7A-809 (D.1.) require applicants to follow all local, state, and federal laws, guidelines and regulations. This would include the provisions of the Minnesota Pet and Companion Animal Welfare Act which is applicable to Animal Boarding Facilities and includes a section relating to Dogs and Cats, MN STAT 346.39. Which provides requirements for the housing of dogs and cats and provides requirements for Shelter Size, Temperature, Ventilation, Confinement and Exercise Area Surfaces, Drainage, and Sanitation.
6. Minnesota Board of Animal Health Rules 17121.0520 can also provide additional guidance relative to these requirements.
7. It is my recommendation that the City and the Applicant take steps to ensure the facility meets these above and all requirements outlined in the City Ordinance Section 7A-809, especially with regard to ventilation, sanitation and infection control measures.
8. Further, I recommend the following conditions as discussed at the Site Visit and indicated to be reasonable by applicant at the 07.14.2021 meeting:
 - a. Improve interior area's where impervious surface does not exist. Such as, exposed unfinished wood kennel doors and exposed dry wall.
 - b. Have the Fire Department review the existing/proposed fire plan for consistency with original fire plan from 10 years ago to ensure this is still an acceptable emergency plan.
 - c. Limit maximum boarding capacity to Kennels only, not wire crates/mobile kennels.
 - i. Based on actual Kennel Count:
 1. Minimum=26 (1 dog/kennel)
 2. Maximum= 58 (Number indicated by applicant and approximately consistent with 1-2 dogs per/1 kennel)
 - d. Create a maximum allowed total number of dogs with both boarding capacity and a maximum allowed day care capacity.
 - i. Total capacity cannot exceed 1 Staff member to 12 Dogs.

Mark Anderson



To: City of Columbus City Council

From: Ben Gutknecht, Associate Planner

Date: June 3, 2021:

Revised June 9, 2021, per comments from City Council Agenda Packet Review.

Revised July 08, 2021, per additional submittals from applicant, received 06.20.2021

Revised July 21, 2021, per additional submittals from applicant post City Animal Control Office comment, received July 14, 2021.

RE: Muddy Paws Conditional Use Permit and Text Amendment Application

Background:

Muddy Paws is an existing canine boarding and grooming business located within the I-35 freeway corridor of the City of Columbus. The operation was first approved in May of 2012. The initial approval was through the means of an Interim Use Permit for the reuse of a non-conforming business, then at a later date the City Code was amended to include “Reuse of legal nonconforming businesses located within the CR District on May 3, 2003 for Commercial Boarding” as a means to further bring the use into compliance. The original IUP expires May 9, 2022 and a new owner proposes to take over the business. Due to the temporary nature of an interim use permit, and actions taken by the Council regarding future uses within the freeway corridor, the applicant is applying for a Conditional Use Permit and a Zoning Ordinance Text Amendment to expand small animal boarding, daycare and grooming business and to continue the use of the existing canine boarding and grooming business with the addition of cat boarding. The proposal includes changes to the floor plan with addition of cat boarding locations otherwise little to no change in the interior layout and minor aesthetic and site changes.

MUDDY PAWS ZONING ORDINANCE TEXT AMENDMENT

Findings of Fact

1. The City received a complete Zoning Ordinance Text Amendment application from Joseph Lefto (Muddy Paws) on May 7, 2021.
2. The 60-day review deadline is July 6, 2021.
3. The 120-day review deadline is September 4, 2021.
4. The applicant proposes to continue the existing use on the property, which consists of a dog boarding, daycare, and grooming facility, in addition, applicant proposed to board cats as well.

5. The “Property” in question is a total of 2.79 gross acres, located 15120 West Freeway Dr. NE, legally described as That Part of the Northwest Quarter of the Southeast Quarter Lying Southerly of the North 846 feet Thereof and Lying Westerly of Westerly Right-of-Way Line of Interstate 35; Subject to Easement of Record, Anoka County Minnesota (PIN: 24-32-22-42-0009).
6. The property currently supports a commercial dog boarding, daycare, and grooming businesses, initially approved via Interim Use Permit and a Zoning Ordinance Amendment, followed shortly after with an additional Zoning Ordinance Amendment to allow existing use with anticipated veterinary activity as a Conditional Use for future business changes that had not yet materialized prior to end of the initial Interim Use Permit term.
7. The Property is zoned Commercial Retail (CR), which only allows Domestic animal veterinary clinics with commercial boarding facilities as a conditional use. The applicant has requested that the CR District be amended to allow small animal boarding, grooming or day care, with ancillary veterinary care and/or retail sales of pet supplies.
8. The proposed zoning ordinance is consistent with the existing use of the property and consistent with the direction for a forthcoming Zoning Ordinance Amendment, however, the text amendment allows for an immediate fix to any zoning inconsistencies in the interim.
9. The zoning ordinance text amendment public hearing was held by the Planning Commission on June 2, 2021. There were no public objections to the Zoning Ordinance Text Amendment.
10. The zoning ordinance text amendment was approved by the City Council on June 23, 2021.

Recommendations

1. The Planning Commission should adopt the above Findings of Fact and recommend approval of the zoning ordinance text amendment to Section 7A-763 of the City Code, allowing small animal boarding, grooming or day care, with ancillary veterinary care and/or retail sales of pet supplies in the CR district.

MUDDY PAWS CONDITIONAL USE PERMIT

Findings of Fact

1. The City received a complete Conditional Use Permit (CUP) application from Joseph Lefto (Muddy Paws) on May 7, 2021.
2. The 60-day review deadline is July 6, 2021.
3. The 120-day review deadline is September 4, 2021.
4. The “Property” in question is a total of 2.79 gross acres, located 15120 West Freeway Dr. NE, legally described as That Part of the Northwest Quarter of the Southeast Quarter Lying Southerly of the North 846 feet Thereof and Lying Westerly of Westerly Right-of-

Way Line of Interstate 35; Subject to Easement of Record, Anoka County Minnesota
(PIN: 24-32-22-42-0009)

5. The Property is zoned Commercial Retail (CR).
6. The neighboring Property directly to the north consists of a similar sized vacant parcel, the neighboring properties to the west/ southwest consist of a horse racing track and hotel. To the east of the Property is County Highway 54 and Interstate 35.
7. The property is currently used as commercial dog boarding, dog daycare, and grooming business, previously approved via Interim Use Permit.
8. The Property currently consists of an existing six thousand (6,000 s.f.) square foot building with an attached three thousand (3,000 s.f.) square foot fenced play area ~~dog run~~ in the rear and a three hundred (300 s.f.) square foot enclosure, primarily for elimination ~~dog run~~ to the front. Additionally, the current site includes an unscreened dumpster and a Class V gravel parking area.
9. The applicant proposes to continue to use the Property as a commercial dog boarding and grooming business with the addition of boarding cats.
10. The applicant is applying for a Conditional Use Permit to be compliant with the intent of Section 7A-763 (C) and continue to be in compliance with the intent of the forthcoming Ordinance Amendment, which currently proposes this use as a Conditional Use going forward. Further it allows the applicant a permanent use permit to reflect the investment on the Property.
11. The applicant states they do not intend on altering the day-to-day operations of the current operations such as small animal daycare, boarding, and grooming, and minor retail sales.
12. The existing building contains two indoor play areas, introduction area, ~~29-26~~ kennels and a grooming room per current floor plan dated 07.14.2021.
13. In addition, there ~~are two~~ is one bathroom, an equipment room, a ~~break~~ prep room, office, ~~lounge~~, and reception area per current floor plan dated 07.14.2021.
14. The applicant stated that the proposed cat boarding would be in its own enclosure, as reflected on the revised floor plan dated 05.28.2021.
15. Typical business hours include drop offs and pickups occurring Monday through Friday between 6:00 a.m. to 7:00 p.m. and 7:00 a.m. to 6:00 p.m. for Saturday and Sunday.
16. The applicant does propose to change the exterior color to a neutral color to be more harmonious with neighboring businesses. Additionally, the applicant proposes to aesthetically alter exterior signage with improvements to design and logo.
17. Further, the applicant proposes to improve on the pet related retail offerings and clean and aesthetically alter the interior for both human and animal benefit.
18. In the future, the applicant proposes to partner with neighboring businesses to offer pet care services in conjunction with their business.
19. The Property is currently serviced via private well water and an on-site septic system. Further the building is heated by a geothermal system based off the private well.
20. The applicant has requested to continue the use of the private well exclusively for the geothermal system. Additionally, the applicant requests 36 months to hook up to public sewer and septic.

21. Section 7A-767 of the City Ordinance requires no use shall be approved in the CR district without connection to public utilities. Additionally, Section 14-305 requires sewer and water connection for all existing buildings that it is available to.
22. There are no proposed changes to the landscape plan.
23. There are 20 parking spaces indicated on the Site Plan located within the application packet dated 05.07.2021. This appears to be adequate based on the number of pet stations, size of dog grooming area, and reception/future retail area. The applicant has requested the size be reduced to 18 parking spaces. Staff believes this to be adequate taking into consideration Section 7A-812 requires one space per maximum employees on a shift (4 spaces), one space per 200 square feet of retail/service area (approximately $2,493 \text{ s.f./}200=12.5$) and one space per 2,000 square feet of gross area of storage area ($3,507 \text{ s.f./}2,000=1.7$) for a total of 18.25 parking spaces.
24. The parking area is currently non-conforming per City Ordinance Section 7A-812, which requires all access drives and required parking areas for all businesses, attached residential dwellings, churches, and schools shall be surfaced with bituminous or concrete.
25. All dimensional standards for existing and proposed uses are met.
26. The Planning Commission held the required public hearing on the Muddy Paws application on June 2nd, 2021.
27. The City Council reviewed the application on June 9, 2021, and continued action on the application until review of requested additional information and health and safety plans was able to be completed.
28. The applicant submitted additional information as requested by the City Council on June 20, 2021.
29. On June 23, 2021, the City Council continued the Conditional Use Permit application to allow further time to review the applicant's additional submittals.
30. A 60-day letter of extension was sent to the applicant via email on June 25, 2021.
31. The following findings were drafted upon review of the applicant's additional submittals.
32. The applicant notes they do not expect to see more than five (5) customer vehicles in the parking lot at one time, including pick up and drop off times.
33. They average five (5) grooming appointments per day.
34. The applicants are still working on a floor plan that is conducive to the boarding of cats.
35. The facility currently supports 26 kennels, all of which are at least five (5') feet in height. Additionally, they have 5 folding crates for those dogs that find crates more comfortable.
36. With the current configuration of kennels and crates, the applicant believes they can board approximately 45 dogs when taking into consideration families dropping off multiple dogs.
37. The applicants outlined their policy should a dog be injured while onsite; First, they attempt to take the dog to their usual vet, if that is not possible, Muddy Paws works closely with Blue Sky Animal Hospital or South Shore Animal hospital. For Emergencies dogs will be brought to Paw Emergency Hospital or Blue Pearl Emergency Hospital.
38. Nutri Source lamb and rice formula is provided for dogs that have not been provided any by their owners. The facility also has a refrigerator with storage for food, other food additives, and medicine.

39. Water is provided 24 hours a day both in the kennel and in the play area, medication is given as instructed, and each dog has a score card used to track feeding and medication, the chart is initialed by whomever fed, watered or administered medication.
40. All dogs boarded or in daycare have access to both indoor and outdoor play area where they are monitored at all times. Outdoor is typically available during warmer months, such as March to November. During winter dogs are usually let out only for bathroom breaks and occasional play.
41. A Sanitation and Wellness Plan has been submitted which covers administration of medication, medication and meal documentation, meal administration, and feeding and watering guidelines. It also includes the cleaning process in the existing Staff Handbook, which addresses the cleaning of kennels, play area, grooming and feeding room, and front lobby area.
42. The applicant submitted a "Fire Emergency Plan", which outlines staff's duties should a fire be present, such as leading dogs to outdoor play area. Additionally, it outlines that a number of slip leads are located throughout the building should dogs need relocation to the parking lot. There are also three (3) fire extinguishers located around the building. Further, it outlines that smoke detectors are present throughout the building, which are monitored by a security system that immediately notifies the Fire Department and building owner should they go off. Lastly, it states that the Fire Department has installed a lock box with a master key on the property and a white box is located near the door with a layout of the kennel room to identify where dogs may be boarded.
43. Upon continuation of the application review, City Staff requested that the contracted Columbus Animal Control Officer review the application materials for licensure component and animal health and safety and conduct site visit.
44. Upon review of application materials, the Animal Control Officer drafted and sent a memo dated July 13, 2021, outlining their comments and concerns.
45. Upon receipt of the Animal Control Officer's memo, the applicants responded with additional information dated July 14, 2021, consisting of answers to the Animal Control Officer's questions and an updated Site Plan.
46. A site visit was conducted on July 14, 2021. In attendance was the Animal Control Officer, the Associate Planner, Councilmember's Logren and Hegland, the applicants, and current owner and operators of "Muddy Paws".
47. At the July 14, 2021 City Council meeting, City staff identified six primary concerns ~~comments~~ made by the Animal Control Officer while at the Site Visit, they are as follows: Improve interior surfaces to be impervious for effective disinfectant, review fire plan with fire department, identify maximum number of animals for boarding (26-58 dogs), identify maximum number of animals for boarding *and* daycare (capacity cannot exceed 12 dogs per 1 staff member), applicant should adhere to animal boarding health and safety standards outlined in State Statute 346.39 and 1721.0520, and air ventilation should be improved.
48. Upon review of the summary, City Council voted three to two on July 14, 2021, to continue the review of the CUP application and direct staff to have the Animal Control Office draft a memo with recommendations.
49. No formal or additional conditions were made at that time.

Recommendations

Based upon the above Finding of Fact and Planning Commission recommendation, the Muddy Paws CUP should be approved, subject to the following conditions:

1. Approval of the CUP is contingent upon compliance with recommendations and comments made by the City Animal Control Officer.
2. Approval of the CUP is contingent upon compliance with recommendations and comments made by the City Engineer.
3. Approval of the CUP is contingent upon compliance with recommendations and comments made by the Fire Marshal/Fire Chief, Building Official and an annual fire department inspection.
4. Approval of the CUP is contingent upon compliance with recommendations and comments made by the City Attorney.
5. Approval of the CUP is contingent upon compliance with requirements by the Anoka County Highway Division.
6. Approval of the CUP is contingent upon compliance with requirements by Rice Creek Watershed District.
7. All dogs and cats allowed in day care or overnight care require up-to-date rabies and any other required vaccinations.
8. A maximum of sixty (60) total cats and dogs are allowed on premises for boarding, daycare, and grooming.
9. ~~A maximum of sixty (60) animals are allowed for boarding.~~
10. ~~A maximum of sixty (60) animals are allowed for daytime care.~~
11. The keeping of more than one dog or cat in an individual kennel is permitted for pets from the same owner, when requested by the pets' owner.
12. Dogs shall only be allowed out of doors in fenced-in areas and under continued employee supervision.
13. An updated floor plan indicating the location and number of cat kennels will be required for administrative review prior to cats being boarded on premises.
14. All boarding kennels shall be indoors.
15. The facility shall be structurally sound, maintained in good repair, and designed to protect the cats and dogs from injury and restrict the entrance of other animals.
16. Each cat and dog shall be provided with adequate floor space to allow such animal to turn about freely and easily stand, sit and lie in a comfortable and normal position.
17. Facility shall be sufficiently heated or cooled when necessary and be compliant with recommended ambient temperature standards outlined in State Statute of not less than 50 degrees Fahrenheit or exceeds 85 degrees Fahrenheit at floor level.
18. Outdoor facilities shall be constructed to provide shelter from excessive sun, rain, snow, wind, temperature, and other elements. It shall also be sufficient space to provide proper exercise and movement of each dog contained and enclosed by walls or fences sufficient to keep dogs within and prevent entrance of other animals.

19. The dogs and cats shall have access to clean water all times and be fed nutritious foods on a daily basis. Further, food and water shall be stored in sanitary conditions and containers sufficient to prevent pests or vermin infestation. All other food provided by pet owner shall be stored as required to maintain sanitary/safe condition and shelf life.
20. Dogs and cats shall be kept in safe clean conditions and treated a manner promoting the pets' health, comfort, and wellness consistent with the additional submittals received June 20, 2021, regarding pet wellness.
21. Kennel and facility cleaning shall be conducted as outlined in additional material submitted by applicant on June 20, 2021, which included portions of the existing handbook pertaining to facility cleaning and on July 14, 2021
22. Fire plan and preparedness shall be conducted as outlined in additional material submitted by applicant on June 20, 2021, which included a Fire Safety Plan.
23. Dog and cat excrement shall be removed from indoors and outdoors containment areas on a daily basis and disposed of in a manner consistent with approved solid waste disposal regulations. As outlined in the additional submittals received from applicant on June 20, 2021.
24. Conduct of the business shall be consistent with the application and additional materials received and deemed complete by the City on May 7, 2021, May 28, 2021, ~~and~~ June 20, 2021, and on July 14, 2021.
25. The dog and cat daycare and boarding facility may not house an animal, dog, or cat declared dangerous or potentially dangerous by any jurisdiction.
26. The dog and cat daycare and dog and cat boarding facility cannot rescue animals, dogs, or cats or house recused animals, dogs, or cats.
27. The applicant shall connect to public utilities as required per Section 14-305 no later than December 31, 2021. ~~July 30, 2022, prior to September 30, 2021.~~
28. One handicapped accessible parking stall and sign shall be located on the Property.
29. The applicant shall bring their property access and parking lot into compliance per standards outlined in Section 7A-812 no later than December 31, 2021. ~~Due to this being a Conditional Use Permit for an existing use approved previously via Interim Use Permit, Planning Commission staff recommends the City Council allows the applicant until July 30, 2023, 12-24 months to complete the required improvements.~~
30. All site lighting shall be downcast and shrouded.
31. There are to be no chemicals, gasses, hazardous wastes, fumes, or odors including that of composting organic material, on the Property as a result of this business.
32. Any and all uses allowed in the CUP shall be constructed, maintained, and practiced consistent with all applicable federal, state, and local laws and regulations, including but not limited to air quality, water quality, noise standards, odor regulations, and proper animal boarding procedure.
33. The Applicant must maintain valid certification received from all relevant State of Minnesota regulatory agencies for all permitted uses on the property.
34. Approval of the Conditional Use permit does not absolve the applicant of any other permitting requirements such as Building, Watershed District, County, etc.

35. The applicant shall reimburse the City for all out-of-pocket expenses incurred in the review and issuance of the CUP and for all ongoing inspections and enforcement actions required for the CUP.
36. The CUP, once issued, may be revoked upon a finding by the City Council that the property and/or use is not in compliance with the conditions for approval of such use, following notice and hearing.
37. The IUP approved on May 9, 2012, for Jessica Evers on the Property is terminated upon approval of the CUP.
38. The applicant shall install the required dumpster enclosure as required by Section 7A-813 (C) no later than September 30, 2021.

Please do not hesitate to contact me should you have any questions.

Date: July 13, 2021
To: City of Columbus City Council
From: Mark Anderson; North Metro Animal Care and Control

Subject: Muddy Paws Doggy Daycare and Boarding Conditional Use Permit Material Review

Review Comments with respect to General Business Questions and Answers submitted:

1. In paragraph 2, Muddy Paws (MP) state that their labor force is made up of 4 full-time and 4 part-time workers. However, they do not state what minimum staffing levels are.
 - a. Will their insurance allow for employees under the age of 18? Many commercial carriers of liability, workers compensation, will not cover employees under the age of 18. Furthermore, there are restrictions on work hours for minors under the age of 18. This should be addressed.
2. In Paragraph 14, regarding lighting in the facility. Natural light is not as important as is adequate lighting to facilitate cleaning and inspection of all areas of the facility.
3. In Paragraph 15, MP states that dogs are supervised 100% of the time, but then states in the same paragraph, "this does not mean that there is always someone physically present with the dogs when they are in daycare".
 - a. They explain that this is because the facility will have the doors open between the indoor play area and the outdoor play area so dogs can come and go at will. I admit that I am not intimately familiar with the operations of doggie daycare, but this seems to indicate that there could be lack of appropriate supervision, depending on staff levels. Obviously with many dogs coming and going, it's going to be difficult to keep eyes on the dogs at all times.

i. <i>This item is addressed under Condition number 11.</i>

Review Comments with respect to Animal Health and Safety Questions:

1. In paragraph 2, they say they have **26 Kennels**. However, they further state that they can operate with closer to **45 dogs** (See Paragraph 4.). Most boarding kennels will double up animals that live together and have no issues doing it. However, this is not fully explained as to how they can operate with 45 dogs when they only have 26 kennels.
 - a. Capacity of each kennels should be 1 dog, or 2 dogs depending on size.
 - b. All dogs must have sufficient room to stand, turn around, and lie down.
 - c. Overbooking and stretching capacity should be avoided for the safety and wellbeing of the dogs being housed.
 - d. Dogs from different households should not be placed together in the same kennel. As this can contribute to the spread of communicable diseases, parasitic infections, etc.

i. *These items are currently addressed via conditions number 10, 14, and 15.*

2. How is MP calculating maximum capacity? Is it to be based on spaces available for boarding combined with a certain number of daycare dogs?

i. *Potential Condition: The applicant shall outline what the maximum capacity of dogs and cats are expected for animals that are boarded and in day care.*

3. Also, in paragraph 2 MP notes they use wire crates for boarding dogs.

- a. This concerns me because wire crates are not intended for long term confinement of animals.

4. It appears that they can't nail down exactly what their capacity will be.

- a. They state that they have 26 Kennels in Paragraph 2, but then say they have 32 spaces for dogs (See Paragraph 4). Looking at their floor plan, I count what appears to be 23 kennels (spaces) in the kennel room, and 6 spaces in the indoor play area (I can only assume these are spaces for indoor crates).

- b. Since nothing is labeled, it is difficult to discern from the floor plan what is kennel and what is cage. Further, Capacity should be reasonably limited to the number of spaces available for boarding in the facility. However, 32 spaces don't appear on the floor plan, even with the 6 wire crates mentioned. Ordinance says, "The actual number of dogs allowed shall be based upon the capacity of the principal structure to contain boarding pens, indoor exercise or training areas, grooming areas, and feeding areas". But it is not specific about it.

- c. I think this needs to be nailed down with Muddy Paws.

i. *Potential Condition: The applicant shall submit and updated floor plan, updated to indicated exact number of kennels and labeling kennel type.*

5. Another area of concern, since they do not indicate what their minimum staffing level is or will be. Regarding the Fire Emergency plan, is there sufficient staff on duty at any given time to evacuate animals in the event of a fire emergency.

- a. How will one or two people be able to evacuate 45 dogs to the parking lot and are there enough dog leads?

i. *Potential Condition: There shall be at least one slip on dog lead, per animal for the maximum number of dogs that may be in day care/boarded.*

6. They are using dish soap to clean utensils, and beds. This does not sufficiently disinfect these items. They should be using a solution of bleach and water to disinfect items like these.

i. *Potential Condition: Cleaning solution shall contain a solution of bleach and water to properly disinfect utensils and beds.*

7. Each separate area should have its own set of cleaning supplies: Mops, buckets, brooms, etc. to prevent spread of contagions.

i. *Potential Condition: There shall be separate cleaning supplies (i.e., mops, buckets, brooms) for each separate area to prevent spread of contagions.*

8. Muddy Paws needs to familiarize itself with reportable diseases. There is a table available on the Minnesota Board of Animal Health Website. Any of these cases or suspected cases should be reported to the MN Board of Animal Health as directed.
9. One item not addressed is, how will they handle dogs in heat?
 - a. These dogs must be housed separately in kennels that are inaccessible to male dogs housed within the facility. Or, in the alternative, not boarded in the facility.
 - i. Potential Condition: Applicant shall outline how they plan to handle dogs in heat and how they will be separated or if allowed in the facility.
10. Lastly, security fencing is required in all outdoor areas where animals will be outdoors, the City may require privacy screening, fencing or appropriate landscaping per ordinance.

1. There is a minimum of 2 staff members present at all times within the facility. The ratio of staff to dog is a minimum of 1:12.
 1. Current insurance allows for employees under the age of 18. Current restrictions on work hours for minors are followed as stated by the Child Labor Laws for the Minnesota Department of Labor and Industry. [Sec. 181A.04](#)
 2. In 2016, the entire facility was upgraded to LED lighting.
 3. Paragraph 15 actually says “This **does** mean that there is always someone physically with the dogs when they are in daycare”. Staff are interacting with dogs both indoors and outdoors at all times.
-
1. True capacity range is between 31-58 dogs dependent on dog configuration Using the metrics below, the capacity can range between 31-58 dogs.
 1. 15 kennels (4x5 **Queen**) → capacity of 1 dog over 35 pounds or 2 dogs under 20 pounds
 2. 10 kennels (4x6 **King**) → capacity of 1 dog over 80 pounds or 2 dogs under 40 pounds or 3 dogs under 10 pounds
 3. 1 kennel (5x8 **Presidential**) → capacity of 1 dog over 150 pounds or 2 dogs under 80 pounds or 3 dogs under 40 pounds
 4. 6 folding crates (outlined in red)→ capacity of 1 dog per crate
 5. Only dogs from the same household are allowed to share a kennel.
 2. Maximum capacity for boarding dogs is between 31-58 dogs. We estimate the maximum capacity for daycare is 84 dogs. See #5 for staffing related to this. It should be noted that the building has room for expansion and the ability to add more kennels into the facility.
 3. The wire crates are not intended for long term use but rather for overnight use while dogs are not in play groups. All boarded dogs are free roam for 13 hours a day.
 4. Please see attached updated floor plan with color coated kennel spaces
 5. There are slip leads available for staff to use in case of an emergency. The staff to dog ratio is 1:12.
 6. Agree to the condition.
 7. Agree to the condition.
 8. Muddy Paws will familiarize themselves with reportable diseases and have a printed table available for staff to see when working.
 9. Dogs who are in active heat are banned from daycare and boarding for at least 4 weeks.
 10. Noted.



- Queen Suites
- King Suites
- Presidential Suites
- Crates

General Business Questions

1. Muddy Paws is open 7 days a week. We are open from 6am-7pm Monday-Friday and from 7am-6pm Saturday-Sunday. Although staff will always be there on holidays we have unique hours on Christmas, New Year's Eve, and Thanksgiving as well as any other holiday deemed necessary in the future. Holiday hours will be notified to the public in advance as we will either be closed to the public or have specific hours for pickup/drop off. Thought has been put into drop-off/pick-up options outside of core business hours yet will be something we will need to consider down the road.
2. The soon to be co-owner of Muddy Paws, Olivia Lefto, has a double major in marketing and sales along with a minor in accounting. There are no required credentials for the employees at Muddy Paws. The positions at Muddy Paws include Manager, Shift Manager, and Kennel Attendant. We require that shift managers are at least 18 years old. The majority of staff is either in high school or college. Throughout the school year you will see many staff members working part-time whereas in the summer they are able to work full-time. In the summer we have roughly 4 full-time workers and 4 part-time workers.
3. The current parking lot has been more than adequate for our current flow of customers as well as employees. We are open to the public all day throughout our operating hours to allow more flexibility when it comes to dropping off and picking up. Between 6:30pm-8:30am a majority of the dogs are dropped off while their owners are heading to work. Between 4:30pm-7pm most of the dogs are getting picked up during this timeframe. Similar to a children's daycare, you will not see more than 5 customers parked in our parking lot at a time as our drop-off and pick-up procedures are efficient. We do have customers coming in throughout the day but this is typically 1-2 cars at max.
4. We have asked the seller to provide for a portion of the expenses related to city sewer and water hookup (33% +/-). The biggest issue is our ability to contract for this work to be done and expect completion. Contractors are extremely busy right now, we do not have a close date established for this business yet. We think it is very reasonable to allow us the timeframe we have asked to complete this work.
5. In general, I have no concerns with the adoption of St. Paul's community definitions. I would ask that you rephrase outdoor facilities (#8) to state: "If utilizing outdoor facilities as part of a boarding or daycare operation, access to shelter from excessive sunlight, rain, snow, heat, wind, heat, cold or other elements shall be provided." In our facility, we do not need to "construct" any form of shelter for these purposes as the dogs are not kept outside. They can enter and exit the building at will (subject to weather and supervision).

Animal Health and Safety Questions

1. Working on floor plan which would house cats in office that is very separate from the dogs (don't plan to introduce cats to facility until operations are running back to normal once the transfer of ownership has occurred and funds have been made for this introduction)
2. There are 26 kennels in the kennel room constructed with metal siding and wooden doors. All kennels are 5 feet high but the specific sizing per kennel is listed below:
 - 15 kennels - 4'x5'
 - 10 kennels - 4'x6'
 - 1 kennel - 5'x8'
 - 6 folding crates - XL size 42"x28"x30" (used for those dogs who are more comfortable in a crate). We do have a few families who prefer to bring in their own crate when boarding and we gladly accommodate this. Anything that will ensure the comfort of their dog while boarding.
3. Grooming services will only be provided to dogs. There is an average of 5 dogs per day on days that grooming is offered. Grooming appointments can be as simple as a toe nail trim. Grooms are not typically offered on weekends unless they are already boarding with us and have a service scheduled out ahead of time so we can be properly staffed.
4. The maximum of 60 boarded animals was assigned by the city. With the current kennel configuration, we can operate closer to 45 dogs today. Our smallest kennels (4'x5') can accommodate a dog up to approximately 80lbs (a large lab), our medium kennels (4'x6') can accommodate a dog up to most giant breeds of 175lbs (large St Bernard) or a family of 2 dogs (lab sized) or a family of 4 small dogs (jack russel terriers, we have one of those families who boards often), our largest kennel (5'x8') can accommodate even the largest dogs up to 225lbs+ or a family of 2-3 large dogs (lab sized).

With the current set up we have 32 spaces to board dogs with the combination of kennels and crates. Since many families do have multiple dogs, we have been able to easily accommodate 45 dogs for overnight boarding.
5. See "Sanitation and Wellness of Pets Plan." The runs are not hosed down but rather hand mopped and cleaned with an electric scrubber.
6. See "Waste Management Plan"
7. When looking at the daycare space and number of dogs it can accommodate it is much more important to look at the temperament of the dog rather than the size of the dog. It would be a piece of cake to have 60 St Bernards at daycare. They are large but very lazy so they really only take up the amount of space needed for their body to lay on the floor. Now, 60 mini Australian Shepherds would be a nightmare! They are small and

need a lot of space to run so having 60 of them in one group would be a lot of work. Definitely doable, but it would be a lot. Every day does bring a different variety of breed, size, age, temperament and energy. We have easily accommodated 60 dogs in daycare before. It does require a staff who can read body language and are attentive to maintaining the group dynamic. No matter the size of the group, we do make changes as needed to the play groups (the play area is split in half) by switching out a dog here or there when the excitement gets too high or if there are any other issues that might come up. By making small changes as needed throughout the day it makes managing a group of 60 dogs quite easy.

8. See "Sanitation and Wellness of Pets Plan." No intestinal parasites testing requirement
9. See "Sanitation and Wellness of Pets Plan."
10. We will take a dog as young as 8 weeks as long as they have their Bordetella and first distemper vaccine from a veterinarian.
11. If a dog is injured and an owner is not able to come and pick them up then we will transport them to the vet. We do first try to bring them to their regular vet if that is an option. If not, then we generally contact Blue Sky Animal Hospital or South Shore Animal Hospital. The current owner has worked with both of them in the past and they have both been very good about seeing patients when needed. If it is an emergency and their regular vet is not available then they will be taken to Paws Emergency Hospital or Blue Pearl Emergency Hospital.
12. See "Fire Emergency Plan."
13. Nutri Source lamb and rice formula is provided for dogs that have not brought their own food. We also have refrigeration available for dogs that come in with food that needs to be either frozen or refrigerated (wet food, raw food, meds, etc.). Water is available to dogs 24 hours a day both in their kennel and in the play area. Medication is given as instructed by the owner. Each dog has a score card that is used to keep track of feeding and medication administration. Staff is required to initial off and provide any notes about the dog so that their owner, as well as other staff, are aware of each dog's eating habits and behaviors throughout their stay.
14. The kennel room has 3 small windows that provide natural light on a small scale. However, all of the boarded dogs attend daycare during the day so they have hours of unlimited access to the outdoor play yard which provides fresh air and lots of light. The indoor play area is fully lit throughout hours of operation.
15. All daycare and boarded dogs have access to the outdoor area. This is used for elimination and also for playtime. Whether the dogs are in the indoor play area or outdoor play area they are supervised 100% of the time by staff members. This does mean that there is always someone physically with the dogs when they are in daycare. During the months of about March/April until October/November we have the doors open so that the dogs can go in and out as much as they want. It is only in the winter months that we keep the doors shut. The dogs are let outside routinely in order for them to use the restroom but majority of playtime is held indoors due to low temperatures. But, we still go outside a lot and let them play in the snow!
16. Confirmed.

Fire Emergency Plan

Daycare Dogs and Staff

- All dog play spaces along with the boarding room have an exit leading outdoors
- If fire is present, staff will lead dogs outside into an outdoor play area
- Located throughout the building are accessible slip leads for staff to use if the size of fire requires removal of dogs to the parking lot.
- Removal of dogs to the parking lot would be through the east side fence which is attached to the outdoor play area.
- There are 3 fire extinguishers located in the building that are easily accessible to staff.

Boarding Dogs

- Smoke detectors are present throughout the building and are monitored through Sentry Systems.
- Sentry Systems provides immediate notification to the Fire Department along with the owner of the building.
- The Fire Dept has installed a master key box on property giving them access to keys into the building. (Box located near door outside of kennel room)
- Inside the kennel room, there is a posted white board near the door indicating to firefighters which kennels have a dog in them. This is done through a visual layout of the kennel room along with an "X" marking which kennels are occupied at that time.

Sanitation and Wellness of Pets Plan

Medications and Feeding

- Staff members must be trained in administration of meds in order to give a dog prescribed medication that has been provided to us from their owner.
- Both medication administration and feeding of meals is documented via a report card that the owner receives upon pickup to ensure that the dog is receiving the proper care that they need.
- Meals that have additives such as wet food or yogurt are monitored and replaced after a given amount of time to ensure there is no consumption of bad food.
- Both water and dry food are provided in the kennel for dogs staying overnight.

Cleaning Process

Cleaning Kennels (snippet taken from staff handbook)

- Remove all dishes from kennels from the previous night and wash them with dish soap
- Remove all beds from kennels of dogs who are departing for the day and clean with dish soap
- Vacuum all kennels and walk areas with the shop vacuum
- Mop all kennels and walk areas with mop water solution (water, bleach, Odoban)
- Wipe down Kennel walls and doors from top to bottom (Odoban)
- Clean the vacuum cleaner/attachments and allow to dry for future use

Cleaning the Play Area (snippet taken from staff handbook)

- Sweep up all hair and dirt (into trash and not swept outside)
- Mop around all edges, corners, and the intro area using fresh mop water
- Use the scrubber to clean the entire floor
- Wipe down intro area fence using kennel cleaner and towel
- Make sure the table is clear of all trash and wiped down
- Wipe down beds and ramps with kennel cleaner and towel
- Clean all dirty dishes/ water buckets
- Refill spray bottles
- Remove pet waste and bring to dumpster outside of the building

Cleaning of Grooming/Feeding Room (snippet taken from staff handbook)

- Sweep main area with push broom
- Vacuum entire area including behind and under everything as hair gets everywhere
- Mop/Use Scrubber on entire floor
- Clean grooming tub wiping down walls and cleaning any hair out of the drain
- Ensure feeding table is wiped off and clear of food

Cleaning of the Front/Lobby Area (snippet taken from staff handbook)

- Sweep the entire area in the front
- Vacuum all areas up front including bathroom, hallway, reception area, and office making certain to get all remaining hair. Paying close attention to edges, corners and behind doors.
- Mop/use scrubber on all floors (any area that the scrubber cannot reach must be hand mopped)
- Wait to mop the very front reception area until 7pm, or until all dogs have gone home for the day to ensure safety of customers
- Take out all garbage (office, reception, restroom, hallway, kennel room, and grooming room)
- Replace with new garbage bag as needed
- Wash any water dishes/buckets from up front
- Make sure the front counter is clean and clutter free

Every 6 weeks a deep cleaning is done throughout the entire facility that is required to be signed off by staff members who have completed each task stated on the list. Should there be an outbreak of kennel cough or any other illness, the public is made aware and the dogs showing symptoms are moved to isolation until the owner is able to pick them up. Once there is a confirmed case, the entire building is deep cleaned and sanitized.

Wellness of Pets

- Pets entering the facility for any service must be up to date on their Bordetella, Distemper, and Rabies vaccinations. Proof is required and must be entered into our system.
- Posted throughout the office are educational posters on procedures to be done in medical pet emergencies.
- Pet profiles are flagged for dogs that have special medical conditions, and concerns about the dog can be noted within these profiles for other staff members to see.
- Information received from the owner upon drop-off is noted and provides insight for staff on what this particular pet needs to succeed at daycare/boarding.
- Dogs are monitored by staff at all times and are never left alone to ensure safety of all dogs staying at the facility. This includes the time that the dogs are outside in the play yards both when relieving themselves and playing. The maximum capacity for the outdoor play area is 60 dogs.
- Freshwater is accessible to dogs all day. Staff are required to switch out water buckets at least 2 times and at any time that the water levels become low/dirty. The overnight kennel suites that the dogs stay in overnight have a water bowl in them as well.

Waste Management Plan

- While dogs are in daycare, they have the ability to relieve themselves at any time outdoors given that the doors leading to the outdoor play area remain open for them.
- Dog waste is routinely picked up outdoors by staff throughout their shift. A picture is placed below of what staff use to pick up waste. If a dog urinates inside, then it is mopped up. If a dog poops inside, it is picked up with a paper towel and then mopped.



- Halfway through the day, waste designated garbages are brought to the dumpster and then replaced with a fresh bag.
- Waste removal process has been confirmed through the ACE Garbage company and is in compliance with how pet waste should be disposed of.



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To: JOSEPH LEFTO	Contact: JOSEPH LEFTO
Address: 15120 W FREEWAY DRIVE COLUMBUS, MN 55025	Phone: 612-226-5688
Project Name: MUDDY PAW DOGGY DAYCARE	Fax:
Project Location: 15120 W FREEWAY DR, COLUMBUS, MN	Bid Number:
Attachments: DOGGY DAYCARE PARKING LOT (updated).pdf	Bid Date: 6/16/2021

Item Description

REMOVE & REPLACE PARKING LOT

- 4" Bituminous Pavement Replacement (990 SY)
- Remove Existing Bituminous Surface To Accommodate A 4 Inch Pavement Section. Dispose Of Off Site.
- Shape And Compact Existing Aggregate Base.
- Furnish And Install A 2 Inch (Compacted Thickness) MN/DOT 2360 Type SPNWB330B Bituminous Base Course.
- Furnish And Install A MN/DOT 2357 Bituminous Tack Coat.
- Furnish And Install A 2 Inch (Compacted Thickness) MN/DOT 2360 Type SPWEA330B Bituminous Wearing Course.
- Furnish And Install Parking Lot Striping To Match Existing.

Total Price for above REMOVE & REPLACE PARKING LOT Items: \$23,700.00

Total Bid Price: \$23,700.00

Notes:

- All work to be completed in 2021.
- Proposed Work Does Not Include: Landscape Restoration, Irrigation Repair/Restoration, Private Utility Locates/Repairs, Sub-soil Corrections, Erosion Control, Towing Charges, Permits and Fees, Multiple Mobilizations, Surveying or any Unforeseen Conditions, Guarantee on drainage or ponding of water on lots with less than 1% slope.
- Noted Addn: None
- For more information: www.bitroads.com

Payment Terms:

This proposal is subject to credit approval and is valid for 15 calendar days, after which time price quotes may be withdrawn without notice. This quote is based on standard AGC subcontract language and shall become a rider to any contract.

Payment due upon receipt of invoice. A finance charge of 1 1/2% per month (18% per year) will be charged on any balance over 30 days past invoice date, unless otherwise agreed upon in writing. We gladly accept Visa, Mastercard, Discover & American Express.

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<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: BITUMINOUS ROADWAYS, INC. - MENDOTA HEIGHTS</p> <p>Authorized Signature: _____</p> <p>Estimator: Omar El-omar Omar.El-omar@bitroads.com</p>
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Memo

To: Columbus City Council Members
From: Janet Hegland
CC: Elizabeth Mursko, City Administrator
Ben Gutknecht, Associate Planner
Date: 6/9/2021
Re: Muddy Paws CUP Application for Review at June 9, 2021, Columbus City Council Meeting

I am writing this memo to outline my questions regarding the Conditional Use Application for Muddy Paws and to recommend postponing action on the recommendation for approval from the Columbus Planning Commission until additional information is submitted by the applicant. I would like to state up front that I am supportive of the application and excited that Muddy Paws may continue to offer boarding/grooming/daycare services to dogs and cats but I am concerned that the information provided in the application is inadequate to draft conditions that would be reasonable and provide for the safety/health of the animals served at this facility. The reasons for my concern are outlined below.

- Kennel licensing requirements under Minnesota statutes do not apply to training and boarding facilities, animal day care facilities, groomers, or your own personal pets. The MN Board of Animal Health, responsible for issuing Kennel licenses, directs owners of the above facilities to contact their city and county to ensure compliance with local ordinances. Anoka County does not have regulations related to training and boarding facilities, animal day care facilities, or animal groomers. Our city ordinances do not address requirements of these facilities because they have been allowed in the past under Interim Use Permits. **This means our review of the CUP application and conditions must consider the city's responsibility for ensuring the health and safety of animals in this facility.** I believe we need more information from the applicant to do our due diligence in this regard, which can be provided in response to the below questions and any additional questions the Council deems appropriate.
- The applicant is applying for a new Conditional Use Permit (CUP), this business previously operated under an Interim Use Permit (IUP), which expires May 9, 2022. A CUP may transfer with the land sale, so the conditions in this CUP will transfer to any future owner operating a Boarding/grooming facility on that site. We will not have an opportunity to amend the CUP unless the applicant re-opens the CUP to make changes. This is in contrast to the IUP, which by definition is temporary (up to 5 years), requires review with each renewal and does not transfer to a new owner. Therefore, we must not only be thinking about the current applicant's plan, but that of any future owner of the business. The applicant simply stating that the business model will not change from the current model is inadequate because we do not have a description of the current IUP's business plan, the new owners intend to make changes from that business model and the IUP is not transferable to a new owner. So we start from scratch.
- I worked as a Veterinary Technician for 30+ years (part time) at a small animal hospital that provided pet boarding (dogs, cats, birds, reptiles, pocket pets) for clients. I also served on the Board of Directors of the Animal Humane Society of Ramsay County so I have some experience in this area. There were multiple sections that I felt were not adequately addressed in the application that relate to ensuring the health and safety of the animals, to minimize

possible nuisances or hazards to surrounding businesses and to be consistent with all other CUP applicants. Responses to the following questions would likely allay my concerns and provide for a more thoughtful set of conditions for this CUP. **I would recommend that we forward this list of questions and/or others that the Council deem appropriate and conduct the final CUP review after the applicant has sufficient time to respond.**

General Business Questions

1. There are essentially three separate services outlined in the application, Grooming (dog only?), Boarding (cats and dogs) and Day Care (dogs only?). The findings of fact state that typical hours include drop offs and pickups occurring between 6:00 am and 7:00 pm, it does not include the days of the week that the business is open. Please provide the days of the week the business is open, the core hours of operation for the boarding, grooming and day care business and any accommodations you are willing to make for pick-ups and drop-offs outside of those core hours of operation. Which holidays is the business closed?
2. The findings and application do not state how many full time and part time employees the business will employ and what credentials they will have. Please provide a list of the positions that will be employed by your facility, whether the positions employees or contractors and if they are full time or part time.
3. The findings of fact state that there are 20 parking spaces, I am not sure if this is adequate for the number of clients stated in the recommendations (maximum of 60 animals for boarding and maximum of 60 animals for daycare and an unspecified number of animals for grooming). It would be helpful to understand the timing of the coming and going of the clients to determine if parking is adequate, as I assume the daycare clients are dropping off and picking up over an hour or two at the beginning and end of the day.
4. I heard Mr. Lefto state during the public hearing that he had arranged for establishment of an escrow account with contributions from the current owner, Ms. Evers, to offset the cost of connecting to city water and sewer. If there is an escrow account established, please explain the request to delay (from Sept. 30, 2021, to July 30, 2022) the requirement to connect to public utilities as required per Section 14-305? Is there a timeframe established for the escrow account to be used by?
5. We do not have definitions in our ordinances for animal boarding, day care or commercial day care. I recommend that we adopt definitions like those used by the City of St. Paul (attached) as part of the findings of facts for this CUP.

Animal Health and Safety Related Questions

1. The findings of facts in the draft CUP state: "The applicant stated that the proposed cat boarding would be in its own enclosure", but the floor plan provided has the cat cages lining the walls of the grooming room. How will the cats be shielded from the noise of the dryers and the barking dogs being groomed?
2. The findings of fact state that there are 29 kennels; I count 23 in the kennel room and it's unclear how many are in the grooming area. Please provide the number of separate kennels/runs that are currently on site. There is no description of the cages or indoor runs so please provide a description of the kennels, including the material they are made of, dimensions of the cages and/or runs and the number of each, and the configuration (are they stacked, if so, how high?).

3. The findings of fact or recommendations do not include an estimate number of animals a day that will be seen for grooming. Please provide an average number of grooming appointments anticipated and which days these may be scheduled. Is grooming only for dogs or does this include cats too?
4. It would be helpful to better understand, based on the size of the kennels/runs, how many small, medium, large, and giant size (e.g., St. Bernard) animals can be boarded. It appears that the current kennel capacity shown on the floorplan cannot accommodate 60 animals, if this is incorrect, please provide more detail to show how 60 animals can be accommodated and how many animals by size (e.g., small, medium, large, giant) the current kennel capacity can accommodate. If a maximum of 60 animals boarded is a future goal, please include a plan for increasing the capacity, including timeframe and where the additional kennels/runs would be located.
5. Please provide a description of how the runs/kennels are cleaned and disinfected, including the type of disinfectant used, the frequency of cleaning. Can the runs be hosed down and if so, where does the run-off drain to?
6. Similar to our requirements for a manure management plan at the Harness Racing Track, please provide a description of your procedures for the removal and disposal of animal and food wastes, bedding, and debris to minimize vermin infestation, odors, and disease hazards.
7. Please provide a detailed description of the Day Care facilities and services and how a maximum of 60 animals can be accommodated. If a maximum of 60 animals in Daycare is a future goal, please include a plan for increasing the capacity, including timeframe and where the additional Daycare facilities would be located. How many dogs of what size can be accommodated in the current facility configuration? There are 6 boxes lining the wall of the indoor play area on the floor plan, but they are not labeled. Are these temporary kennels?
8. Please provide a description of your vaccination policy for boarding, daycare, and grooming. Do you require a certificate from the veterinarian indicating the animal has been tested and found free of intestinal parasites?
9. What is your isolation protocol should an animal become ill with a potentially infectious virus, such as kennel cough, during their stay with you?
10. What is the age minimum for animals you will board, groom, or allow in Day Care?
11. Please provide your procedures should an animal become ill or injured and the owner is not available or is unable to get the animal to a veterinary clinic; or the situation is such that emergency care is warranted. Do you have a veterinary clinic that you have secured the services of in these instances?
12. Is your facility staffed 24/7, if not, what are the fire prevention procedures you have in place to ensure that animals would not be trapped should there be a fire in the building when there is no staff present?
13. Please provide your feed (type and quality of food available, storage conditions, e.g., is refrigeration available for perishable food), water (ability for animals to access fresh water) and medication (should the animal need to be medicated during its stay) protocols or procedures.
14. Is there natural light available to the kennel area or if not, what is the lighting schedule?

15. Please provide your protocol for having dogs in the outdoor fenced-in areas. Is this area used just for elimination purposes or do they also have time outdoor to play? It states in the conditions that dogs out of doors are under an employee's supervision, but does this mean there is always someone physically outside with them? How many animals can be outside together at once?
16. Please confirm that you will not board or house rescue animals or strays and that you will not house an animal that has been declared dangerous or potentially dangerous by any jurisdiction, including but not limited to any city or state.

Additional Recommendations

1. Typically, there is a site visit by one or more Planning Commissioners and often one or more Council Members for new CUPs as part of the CUP review/approval process. My understanding is that the Planning Commission's Chair was not able to get his request for a site visit granted prior to their meeting and public hearing on the application. I would therefore like to request that the applicant arrange for a time that interested Council members/Planning Commissioners could visit the facility for a tour prior to final approval of the CUP.
2. I would recommend a requirement that once per year, the City of Columbus Animal Control contractor, currently North Metro Animal Care & Control, shall inspect the facilities to determine continued suitability for animal day care or animal boarding. Criteria for suitability could be adopted from the City of St. Paul's ordinance (see attached) or similar language as the Council sees fit.

Draft Criteria for Inspection of Facilities to determine continued suitability for animal day care or animal boarding from City of St. Paul's Ordinances:

Chapter 348. - Animal Day Care and Animal Boarding

Sec. 348.05. - Regulations

Once per year, the animal control officer shall re-inspect the facilities to determine continued suitability. Nothing in this section shall prevent animal control officers to inspect the premises more often than once per year. The premises shall meet the following minimum criteria:

- (1) The facility shall be structurally sound, maintained in good repair, and designed so as to protect the animals from injury and restrict the entrance of other animals.
- (2) Each animal shall be provided with adequate floor space to allow such animal to turn about freely and to easily stand, sit and lie in a comfortable and normal position.
- (3) Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and enclosures of debris and excreta.
- (4) Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable food.
- (5) Provision shall be made for the removal and disposal of animal and food wastes, bedding and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.
- (6) The facility shall be sufficiently heated or cooled when necessary.
- (7) The facility shall have interior walls, ceiling and floor surfaces constructed of materials which are resistant to the absorption of moisture and odors, or which surfaces shall be treated with sealant or with paint. Floor surfaces shall not be made of unsealed wood. Interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris.
- (8) Outdoor facilities shall be constructed to provide shelter from excessive sunlight, rain, snow, wind, heat, cold or other elements.
- (9) Outdoor facilities shall provide sufficient space for the proper exercise and movement of each animal contained therein.
- (10) Outdoor facilities shall be enclosed by walls or fences sufficient to keep animals within and to prevent entrance of other animals.

City of St. Paul Code of Ordinances

Chapter 348. - Animal Day Care and Animal Boarding

Sec. 348.02. - Definitions.

Animal boarding means and includes every place kept or maintained for the care and socializing of live dogs or cats for any amount of time by a person other than the owner of the live animal. An animal boarding facility may also offer animal day care. Animal boarding does not include facilities that provide breeding of animals, selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

Animal day care means and includes every place kept or maintained for the care, grooming, training, exercising, and socializing of live dogs or cats for less than twenty-four (24) hours per day by a person other than the owner of the live animal. Animal day care does not include facilities that provide animal boarding, breeding or selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

Commercial animal day care means any animal day care establishment that is located in a building other than a residence.

Home occupation animal day care means any animal day care establishment that is located in a residential building. A home occupation animal day care can only be operated by a person residing in the building. A home occupation animal day care can care for no more than three animals at one time including any animals that are owned/kept by the resident/licensee.

(C.F. No. 08-567, § 2, 6-25-08)



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MAY 07 2021

City of Columbus

16319 Kettle River Blvd. Columbus, MN 55025 Phone: (651) 464-3120 Ext. 1008 Website: www.ColumbusMN.us

APPLICATION FOR CONSIDERATION OF: CONDITIONAL USE PERMIT

Application Information Form

APPLICANT:

Name: Joseph M. Lefto Phone: 612-226-5688 (Alt.): Address: 26305 Glen Oak Dr Email: leftj01@gmail.com City: Wyoming State: MN Zip: 55092

OWNER: (If other than applicant)

Name: Evers Properties Phone (work) (Alt.) 763-607-0350 Address: 15120 W Freeway Dr NE Email: jevers@muddypawdoggyday City: Columbus State: MN Zip: 55038

Legal description of property: PID # 24-32-33-42-0009

Lot(s) Block(s) Additions(s)

Existing use of property: dog boarding Present zoning: 3410

Action Requested: Please check (v):

Conditional Use Permit [checked], Conditional Use Permit Amendment []

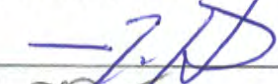
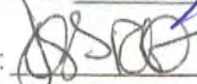
Brief description of the Conditional Use (this does not serve as the narrative submittal requirement)

applicant seeks a CUP to continue operating a dog daycare and boarding business as current exists as this property under an existing IUP.

Submittals Check List:

Application Information Sheet (Permit)	<input type="checkbox"/>	<u>Information Recommended by Zoning Administrator:</u>
Scaled Site Plan (Showing all current <i>and</i> proposed site conditions such as buildings, traffic circulation, signs, landscaping, etc.)	<input checked="" type="checkbox"/>	
Civil Plans (including utility, lighting, etc.)	<input type="checkbox"/>	
Building Elevations	<input type="checkbox"/>	
Certified Survey	<input type="checkbox"/>	
Narrative Statement (What is the use you're applying for, what activities will be included in such use, how will it affect the community, how will it affect the direct neighborhood, (addressing noise, light glare, odors, fumes, etc))	<input checked="" type="checkbox"/>	
Watershed Approval/Permit (if applicable)	<input type="checkbox"/>	
Required Fees Paid	<input checked="" type="checkbox"/>	
Additional Information (further information that you believe is relevant and helps explain the Conditional Use)	<input checked="" type="checkbox"/>	
<p><i>Note: this checklist is an outline intended to provide a general statement of the required submittals for a Conditional Use Permit. For exact requirements you should refer to the Columbus City Ordinance (Section 7A-540 through 7A-549) found in the Zoning Code available on the City website www.ColumbusMN.us</i></p>		

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT:  DATE: 04/23/2021
 SIGNATURE OF OWNER:  DATE: 04/23/2021

For Office Use Only		
Date Application Received	<u>05/07/2021</u>	PC # <u>21-117</u> 60-Day Deadline <u>07/06/2021</u>
Permit Fee	<u>\$200.00</u>	Escrow Amount <u>\$1,500.00</u> Total Amount Paid <u>\$1,700.00</u>
Date Paid	<u>05/07/21</u>	Check # _____ Receipt # _____

Narrative Statement

- Owners

Olivia Lefto

My name is Olivia Lefto and I am a 2021 graduate from the University of Minnesota Duluth. In May of 2021 I am moving back to Wyoming, MN and am planning on purchasing the Muddy Paws Daycare business in Columbus. My parents are playing an active role in ensuring that the property and the business thrive. I have worked at Muddy Paws and other boarding facilities throughout high school and college. I have also volunteered for pet related non-profits. My experience and passion for animal care, my UMD Bachelor's degree in Business with a Major in Sales, a Major in Marketing, and a Minor in Accounting, my energy, and my family's support combine for a formidable force in the small business world.

My move in plans include continuing operations as usual which includes dog daycare, dog boarding, and dog grooming. We do not expect to make any changes to the structure. However, there are some early changes that I would like to make:

- Changing the exterior to a neutral color to better blend in with neighboring businesses
- Improve and Simplify exterior signage
- Add more pet related retail offerings to customers
- Clean up and freshen up interior to create a more welcoming environment for both customers (dogs) and their owners

Longer term plans include partnering with other businesses to offer pet care services in conjunction with their core business (i.e., dog care for Running Aces Hotel guests).

In addition, I plan to be a great neighbor and an active member in local government. You can count on me learning more about the city and asking for ways to be involved, as an individual and as a business owner. I look forward to hearing from you soon.

Joe Lefto (Spouse: Jolene Lefto)

My name is Joe Lefto. My wife, Jolene, and I have spent our entire adult life in the Forest Lake area raising three daughters. For me, I actually grew up in Stacy and prefer the rural life. Today, we live in Wyoming. My wife was a school teacher at Linwood Elementary and I have spent the last 20 years managing large operations in Commercial Real Estate and Corporate Trust Services for Wells Fargo Bank, N.A. In

addition, we own a storage business near Deerwood, MN and a small residential rental business in Hugo.

As a family, we have been involved in youth sports, music, dance, and church activities in the area for many years. In addition, I have served on local and State non-profits that focus on youth, safety, and underserved communities. Since 2008, I have served Forest Lake as Vice President of the Forest Lake area Community Scholarship Foundation where we hand out over \$200K a year to local students and community members who are pursuing any form of higher education. Our experiences, our commitment to the community, and our desire to preserve a way of life in the north metro, puts us in a great position to support our daughter in the purchase and operation of Muddy Paws. We look forward to this next chapter for our family.

Other Items

- City Water/Met Council Sewer

We understand that this property has a private well and septic system. We also understand that the City requires properties to connect up to city water and the Met Council Sewer utilities. This property utilizes geo-thermal for climate control. We are requesting that we be allowed to continue the use of the private well due to this circumstance.

We would seek city guidance as to the need to city water in light of the private well need as the business has very little need for water. We will, however, comply with City wishes and will “hook up” as required. We would, however, request that the business be given 36 months to arrange for the design and installation as well as required remediation of any existing septic tanks, etc.

- Signage

The Commercial Sign is a two way sign facing North and South. It is an unlit, painted sign constructed primarily out of wood. We will be working with a commercial designer (my oldest daughter) to develop a new image for this business, including improved Logo and signage. Simplicity and Upscale will be the themes that emerge for the business.

From: Joe Lefto <leftj01@gmail.com>

Sent: Thursday, May 27, 2021 9:11 PM

To: Ben Gutknecht <planningtech@ci.columbus.mn.us>

Subject: Re: Planning Staff Report_ Muddy Paws Conditional Use Permit and Zoning Ordinance Text Amendment

I made one mistake in my last response. Your total capacity of 60 is just fine. We just want the ability to properly house a cat or a dog.

Sent from my iPhone

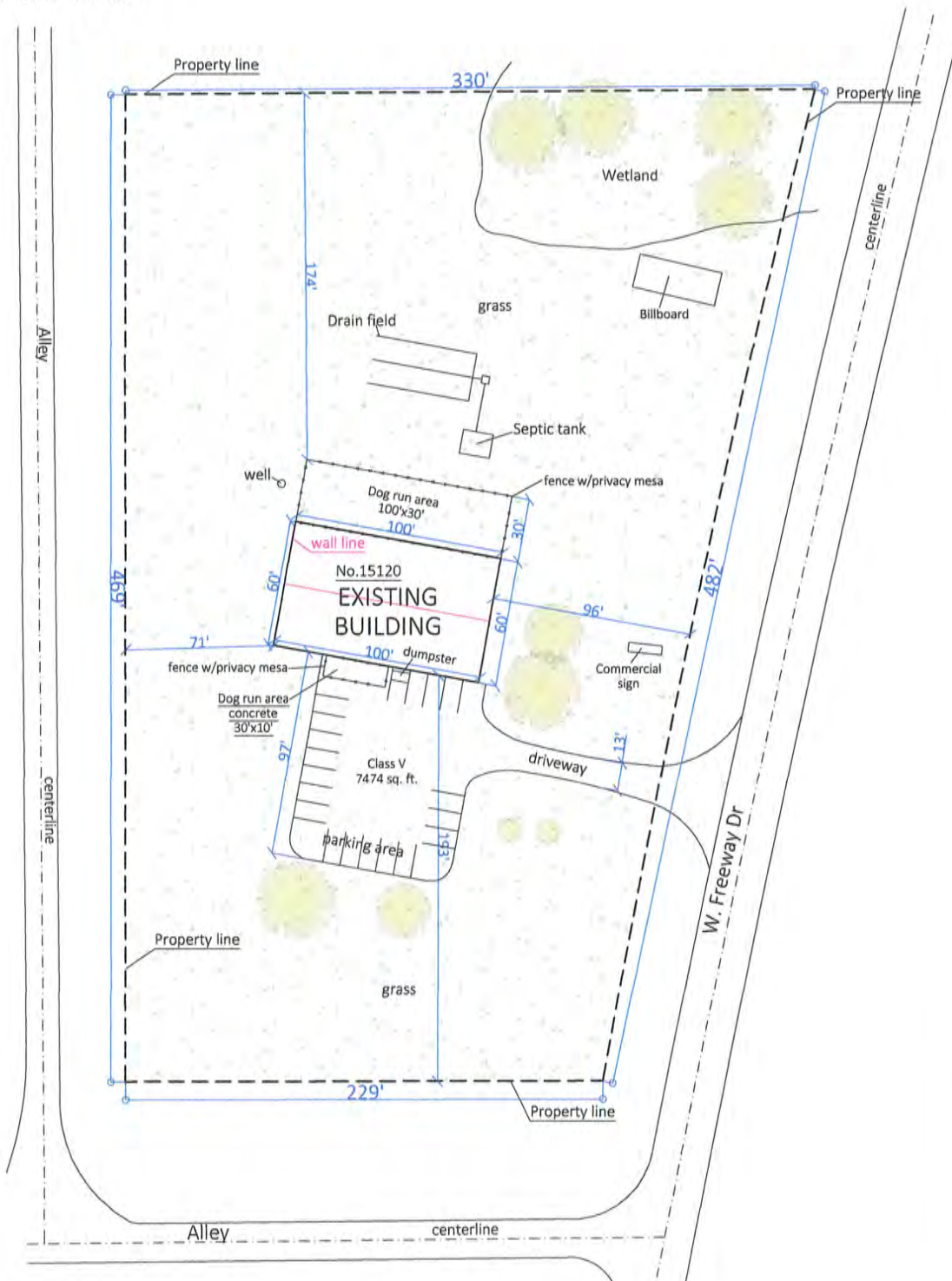
On May 27, 2021, at 4:09 PM, leftj01@gmail.com wrote:

Thank you. A couple point of clarification:

1. I would prefer if the term dog could be replaced with dog/cat or pet. We hope to be able to provide cat stays in one of the rooms under this permit. Cats would be inter mixed with dogs. However, I would anticipate that we could house the same number of cats as dogs in the future. I would rather that we contemplate that in the language today.
2. Regarding item 14, typical hours. Drop offs and pick ups can occur between 6AM – 7PM.

SITE PLAN

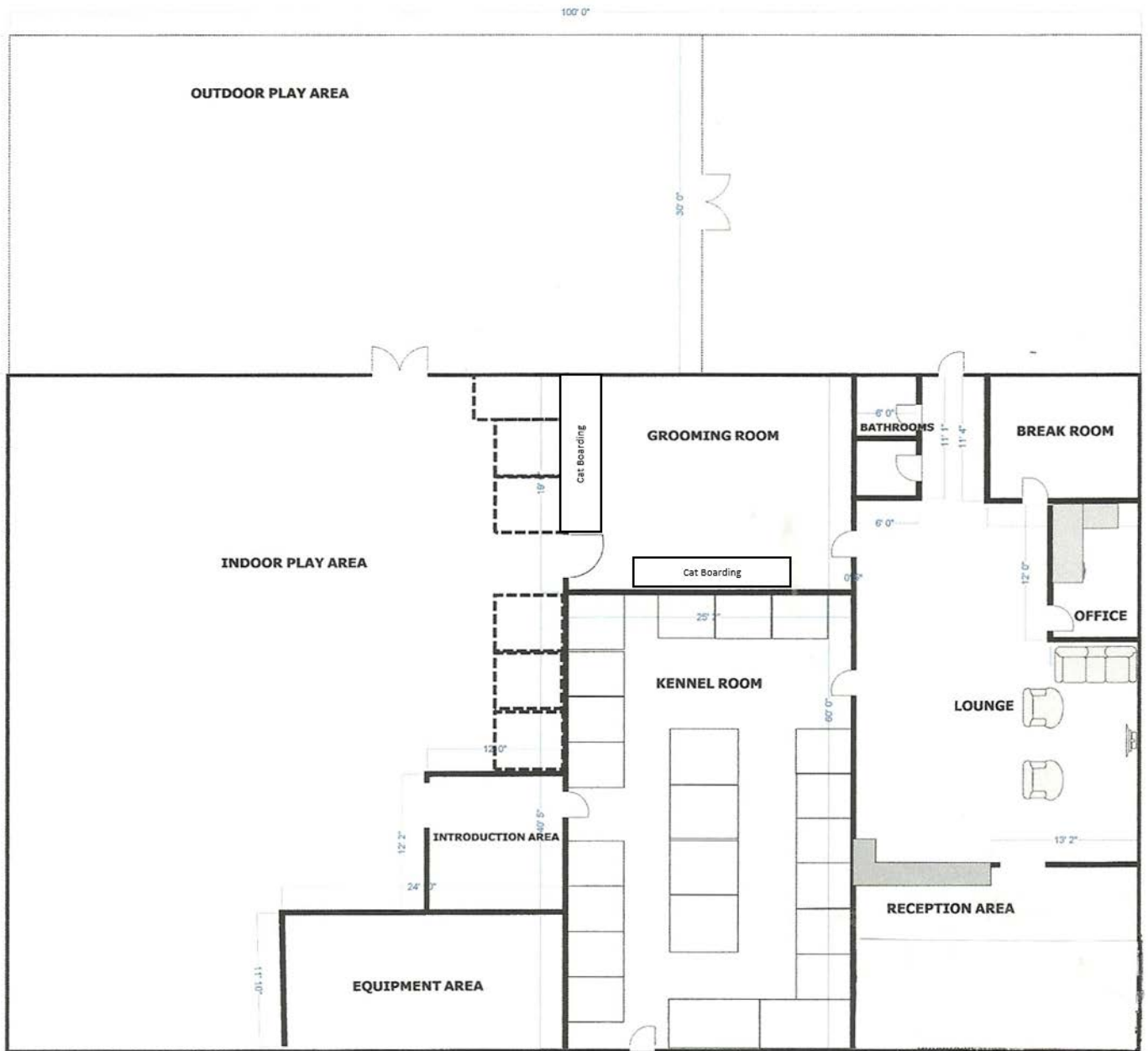
15120 W. Freeway Dr
 NE, Columbus, MN 55038
 Parcel ID: 24-32-22-42-0009
 Lot area: 2.79 Acres
 Plot Size: 11"x17"



Calculating Building and Lot Coverage Percentages

Lot area: 121,532 sq.ft.
 Total building coverage (gross floor area): 5,956 sq.ft.
 Building Coverage Percentage: $5,956 \text{ sq.ft.} / 121,532 \text{ sq.ft.} = 0.04900 = 4.9\%$
 Total Lot Coverage: 17,789 sq.ft.
 Lot Coverage Percentage: $17,789 \text{ sq.ft.} / 121,532 \text{ sq.ft.} = 0.14637 = 14.6\%$

Created by:



From: [Kevin Bittner](#)
To: [Ben Gutknecht](#)
Subject: RE: Muddy Paws CUP and Text Amendment Application Turnaround Time Question
Date: Monday, May 24, 2021 10:15:36 AM

Ben,

Just to be official, I have no comment on this application since there are no site modifications proposed.

Kevin

Kevin F Bittner, P.E.

Principal Engineer

Bolton & Menk, Inc.

Phone: 763-433-2851 ext. 2362

Mobile: 612-270-6926

Kevin.Bittner@Bolton-Menk.com

Bolton-Menk.com