



ZONING BOARD OF ADJUSTMENT
Thursday, November 16, 2017
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 7:30 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

OPMA STATEMENT: Read by Chairman Jonathan Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Jonathan Rardin, Daniel DiRenzo, Jr., Wyatt Sklar; Jeff Potter; Nacovin Norman; Jennifer Apell, and Jill Roth-Gutman.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Zoning Board Secretary; Jacob Richman, PP, AICP, Planner; Chris Noll, PE, CME, PP, Zoning Board Engineer; and Cosmas Diamantis, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from October 5, 2017. Mr. Sklar made a motion, which was seconded by Mr. DiRenzo, to adopt the Meeting Minutes from October 5, 2017. Affirmative votes by Rardin, DiRenzo, Sklar, Potter, Apell, and Norman. Minutes are approved.

Adoption Meeting Minutes from November 2, 2017. Mr. Sklar made a motion, which was seconded by Mr. Potter, to adopt the Meeting Minutes from November 2, 2017. Affirmative votes by Rardin, DiRenzo, Sklar, Potter, Apell, and Roth-Gutman. Minutes are approved.

AGENDA ITEMS:

17-Z-0031

Block(s) 437.01 Lot(s) 14

Zone: Industrial Restricted (IR) Zone

Relief Requested: A preliminary and final major site plan with a use d(1) variance and bulk (C) variances to convert a dance studio into a kennel and dog daycare, which also includes a proposed 920 SF building addition and construction of an exterior dog run/recreational yard along with various site and signage improvements.

AB Partners Properties, LLC (K-9 Resorts)

1149 Marlkress Road

Cherry Hill, NJ

Applicant's Representatives: Richard Hluchan, Esq. – Applicant's Attorney; Jim Miller, PP, AICP – Applicant's Professional Planner; Todd Gittings, PE – Applicant's Engineer; Nathan Mosley, PTOE – Applicant's Professional Traffic Engineer; Anthony Sirizzotti, AIA – Applicant's Architect; and Steven Parker – Franchisor for K-9 Resorts.

Exhibits Submitted: A-1: K-9 Resorts Brochure; A-2: K-9 Resorts Tenant Profile; A-3: Floor Plan & Elevations; and A-4: Site Rendering & Site Improvement Plan.

Mr. Hluchan introduced the application for K-9 Resorts which is a high-end daycare and boarding facility for dogs. Mr. Hluchan explained that the applicant will be converting the existing building (currently a dance studio) into a K-9 Resorts facility along with a 920 SF addition and 5,070 SF outdoor dog recreation area. Mr. Hluchan explained that the applicant is requesting variances for a 7' fence, a 7.25' side yard setback, to permit 50 parking spaces where only 16 are permitted, and to permit a façade sign facing Cardone Avenue which is not a public street. Mr. Hluchan submitted exhibits A-1 and A-2.

Mr. Parker gave an overview of the origins of the business and stated that he wanted to create an environment where dogs can be social while in daycare and while being boarded. Mr. Parker detailed the different boarding options and noted that while no grooming services are offered, they do offer baths. Mr. Parker reiterated that this is a high-end dog resort and that they have never received complaints pertaining to noise or odor at their other locations. Mr. Parker stated that the hours of operations are Monday through Friday from 7am to 7pm, Saturday from 9am to 12:30pm, and Sunday from 3pm to 6pm. Mr. Parker clarified that nonregistered customers can come in from 9am to 5:30pm on Monday through Friday. Mr. Parker stated that daycare drop-offs are typically from 7am to 9am and boarding drop-offs occur afterwards as

these customers are usually about to travel while the aforementioned customers are stopping by before work. Mr. Parker added that there is no dog daycare on the weekends.

Mr. Parker explained that all dogs have to be spayed and neutered and that each dog has to be mild tempered to be permitted into the facility. Mr. Parker noted that the architecture of the building does not look like a typical dog boarding facility. Artificial turf is utilized in the dog recreation area and all surfaces are sanitized and disinfected on a daily basis. Mr. Parker explained that staff arrive about one hour before opening and leave about one hour after closing. Mr. Parker stated that there is typically no staff staying at the facility overnight but that the owners/managers of the location can decide what is best. At minimum, the owners/managers of the location have remote access to security cameras. Mr. Parker added that there are no veterinarian services offered at K-9 Resorts. Mr. Parker noted that the 7' tall vinyl fence around the dog recreation area is to prevent dogs from jumping out as well as to dampen sounds. No dogs will be outside before 7am or after 7pm. Mr. Parker detailed the clean-up procedure when dogs urinate and/or defecate. Mr. Parker stated that boarding drop-offs can take anywhere from 1 to 10 minutes and that daycare drop-offs can transpire almost immediately. There will be a maximum of 66 dogs for boarding and daycare and they accept all dogs except for pitbulls (but only for daycare due to insurance reasons... pitbulls are permitted for boarding). All staff are trained and certified.

Mr. Sirizzotti described the purpose and style of the 920 SF "lean-to" addition. Mr. Sirizzotti explained that the exterior of the existing building will be entirely renovated in a classic style and then described the materials and colors to be utilized. Mr. Sirizzotti noted that there will be a new location for the main entrance (more centralized) and that ADA parking spaces will be adjusted to be as close to the entrance as possible. Mr. Sirizzotti submitted exhibit A-3 and gave an overview of the layout of the site and building. Mr. Sirizzotti added that the existing pavilion structure will remain in order to provide a shaded area in the dog recreation area. Mr. Sirizzotti detailed the proposed façade signage along Markkress Road and Cardone Avenue as well as noting that the applicant will be reconfiguring the existing monument sign. The signs will aesthetically complement the building and its architecture.

Mr. Gittings submitted exhibit A-4 and gave an overview of the layout of the site location, the site's characteristics, nearby roadways, and nearby land uses. Mr. Gittings noted that with the new addition, the building will be 6,947 SF in size. Mr. Gittings detailed the design the dog recreation area and reiterated that they will be revising the location of the ADA parking spaces so that they are closer to new entranceway. Mr. Gittings detailed the proposed landscaping and lighting upgrades and stated that they will work with the Township and its professionals to buffer (possibly with evergreens) the area between the site and the one remaining adjacent single-family home. Mr. Gittings stated that they will also work with Township staff and professionals on landscaping along Markkress Road and adjacent to the fencing surrounding the dog recreation area. The applicant also agreed to work with Township staff and professionals on the lighting plan.

Mr. Mosley gave an overview of the traffic analysis letter and the methodology for determining the uses' expected traffic impact. Mr. Mosley explained that this use will generate less traffic than other uses that are permitted in the IR zoning district. Mr. Mosley stated that he expects no signature impacts regarding level of service to Markkress Road or Cardone Avenue. Mr. Mosley stated that the K-9 Resorts use complements Penn Medicine in that employees at Penn Medicine can easily drop-off their dogs in the morning and pick them up in the evening. Lastly, Mr. Mosley clarified that the fifty (50) parking spaces on-site are existing spaces and are only being modified for improved ADA access.

Mr. Miller stated that he believes the proposed use advances the purpose of the Master Plan and that it is particularly suited and that it will not detrimentally impact neighboring uses. Mr. Miller noted that the site is centrally located and added that the adaptive re-use of the building is a benefit. Mr. Miller stated that the side yard setback variance is a more deviation and that it more related to the angle of the lot line while the addition makes for a more streamlined interior layout. Mr. Miller noted that the 7' tall vinyl fence around the dog recreation area provides safety and security for the dogs and that there are no sight triangle issues being created. With regard to the parking space variance, Mr. Miller explained that this is a pre-existing condition and that it would be an undue hardship to have the applicant remove spaces in order to comply with the Zoning Ordinance. Mr. Miller explained that the façade sign proposed along Cardone Avenue requires a variance as Cardone Avenue is technically not a public street; however, Mr. Miller explained that it functions like a public street in terms of the amount of vehicles that utilize this roadway. Mr. Miller went through the negative criteria to which he sees no substantial detriment. Mr. Miller noted that this use is different from older kennel style uses and that this use has a lower impact as compared to other uses permitted in the IR zoning district.

Mr. Hluchan stated that the applicant has no objections to the Department of Community Development and ERI review letters and that they agree to all comments contained within the aforementioned letters.

Public Comment: None.

Motion: Following a review of the application and conditions of approval by Solicitor Diamantis, a motion was made by Mr. Norman and seconded by Mr. Sklar, with affirmative votes for approval by Rardin, DiRenzo, Sklar, Potter, Norman, Apell, and Roth-Gutman for the approval of the Preliminary & Final Major Site Plan with Use d(1) and Bulk (C) Variances with conditions. Motion carries 7-0.

RESOLUTIONS

17-Z-0028

Block(s) 190.01 Lot(s) 23

Zone: Residential (R3) Zone

Relief Requested: Use d(1) variance to permit the continued use of the pre-existing, nonconforming property as a residential duplex.

Dennis & Susan Garbowski

333 Evergreen Avenue

Cherry Hill, NJ

Motion to Ratify: Following the review of the resolution, Mr. Sklar made a motion which was seconded by Mr. Potter, to memorialize the resolution for Dennis & Susan Garbowski. Affirmative votes by Rardin, DiRenzo, Sklar, Potter, and Apell. The resolution is memorialized.

Meeting Adjourned: at 8:44 PM.

ADOPTED: 12/7/17

ATTEST:



LORISSA LUCIANI, PP, AICP
ZONING BOARD SECRETARY



JONATHAN RARDIN, CHAIRMAN