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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

February 3, 2025
Anne W. Klepfer, Township Manager
Upper Hanover Township
1704 Pillsbury Rd
East Greenville PA 18041

Re: MCPC #25-0004-001
Plan Name: Doggy Day Care CU
(1 lot comprising 1.02 acres)
Situate: 53 Gravel Pike, Red Hill, PA, 18076
Upper Hanover Township

Dear Ms. Klepfer:

We have reviewed the above-referenced conditional use application as you requested on January 9, 2025. We forward this letter as a report of our review.

BACKGROUND

The applicant, Kathleen Diehl, seeks to take occupancy of the ground floor of the building located at the above-referenced address to operate a dog daycare center. The applicant proposes no structural changes other than interior improvements (new paint and flooring). The subject parcel lies in the CB Commercial Business Zoning District, within which said business could only be permitted as a conditional use. Pursuant to §500-818(A)(3) of the Upper Hanover Township Code, the Township submitted a copy of the application for our advisory review. We note that the applicant has submitted with her application to the Township 27 pages of letters showing substantial support from her loyal customer base from the business's former location in Pennsburg Borough.

REVIEW AND FINDINGS

"Dog daycare" is not a permitted by right or conditional use within the CB Commercial Business District (§§500-1501, 1502). Further, no definition of "dog daycare" or any synonym thereof exists in the Code. Because "dog daycare" is neither a by right nor express conditional use, the Code defers to the Board of Supervisors to determine whether the use is or is not "of similar nature to the uses permitted by right" (§500-1502 A). To provide guidance and our recommendation for the Board of Supervisors' consideration, we offer the following findings:

RELATED "BY RIGHT" USES

A. DAY CARE CENTER

"Day-care center" (§500-1502 K) is the closest by right use with relation to traffic impacts. Customers will arrive for drop-offs and pick-ups similar to a daycare center.

RELATED CONDITIONAL USES

A. VETERINARIAN OFFICE

While the Code specifies that the Board of Supervisors is to compare the land use in question to those uses permitted by right, we believe it is also important to consider the express conditional uses. Not only is a veterinarian office (§500-1502 G) similar to a dog daycare in that the clientele of the former arrive and depart with animals to receive services for said animals, but the Code stipulates that for the veterinarian office to be allowed as a conditional use, "any area used for the keeping of animals shall be enclosed within a building." This clause resembles the proposed use in that all animals will be kept indoors.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal: The site is in the CB district and abuts the LIC-1 Light Industrial and Limited Commercial District; the structure also faces a farm. For these reasons, we believe that a dog daycare would be a compatible land use in this location. However, in the course of our review we have identified the following issues that the applicant and Board of Supervisors may wish to consider prior to making their decision. Our comments are as follows:

REVIEW COMMENTS

OPEN SPACE

The site does not appear to offer any enclosed greenspace for the dogs. The need (or lack of need) for outdoor space in the daily operations of the dog daycare should be discussed with the applicant.

OCCUPANCY

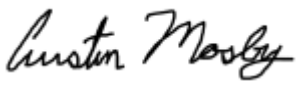
The maximum number of dogs permitted should be defined for the health and safety of the animals. This will also affect the volume of customer traffic.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal; we believe what we have presented here will be helpful for the township to consider in its conditional use decision.

Please note that the review comments and recommendations contained herein are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Sincerely,



Austin Mosby
Planner I
Montgomery County Planning Commission
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c: Kathleen Diehl, Applicant
Richard Fain, Chairperson, Planning Commission

Attachment A: Reduced Copy of Applicant's Proposed Site Plan

ATTACHMENT A

