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POD G SOUTHWEST — JAMES BUSINESS PARK

Conditional Use Approval (CU-2026-01)

Justification Statement

Revised August 28, 2026

Revised October 14, 2026

Introduction

The Applicant, Jamlyn Supply, Inc., is requesting approval of a conditional use within this existing light industrial and commercial warehouse development. The site plan was initially approved by Development Order on July 22, 2022 (SPR-2022-01). Subsequently, on January 2, 2026, the applicant received approval from the City, by Ordinance No. 2025-10, amending Chapter 101, revising Section 101-1, to establish a definition for Recreation, Indoor Sport Court (Padel). Prior to that, on August 23, 2024, the City administratively approved SPM-2024-03, which added 45,841 square feet of Indoor Recreation and 5,051 square feet of Health, Physical Fitness use to the approved use program. Then on August 5, 2025, a variance was approved by Development Order (VAR-2025-02) to the Xcel Padel tenant to allow a reduction of the required 1,000-foot distance from another establishment licensed for the retail sale of alcoholic beverages. This facility is located within the southwest portion of Pod G, directly west of the Publix Plaza, and is fully constructed. The plat of "Pod G Southwest" was previously approved and is recorded in the Public Records, containing approximately 11.666 acres.

The Applicant is proposing a dog daycare with overnight boarding and grooming within 10,855 square feet in Unit 700 (Bay 3A) of the North Building at 17035 Persimmon Boulevard West. The revised Site Data table identifies the tenant space at 10,855 square feet, of which 2,435 square feet is animal boarding kennel area. The balance is the reception area, office, grooming area and daycare area. Sheet A-2.1 has been updated in this regard. The facility will include indoor pet care, boarding, supervision, customer reception, office and support functions, grooming, kennel and boarding areas, and related accessory service areas. A fenced outdoor pet relief and play area of approximately 1,840 square feet is proposed contiguous to the occupied tenant space, within the existing loading area on the east side of the building and entirely within the area previously designated for loading for Unit 3A. The outdoor area will be improved with an AirGrid base installed directly over the existing concrete loading apron and K9Grass antimicrobial pet turf laid over the AirGrid. The outdoor area is accessory to the primary indoor operation and will be used for supervised pet relief and limited outdoor activity.

A companion Site Plan Modification application, SPM-2026-02, has been filed concurrently with this Conditional Use petition, as contemplated by Zoning Verification Letter ZV-2026-03, to update the approved use program, the Site Data table, and the affected site plan components.

Nature of the Operation

How this business actually runs matters to how the City evaluates it, so it is worth setting out before getting to the individual criteria.

The facility operates predominantly as a weekday dog daycare. Owners drop their dogs off in the morning on the way to work, the dogs stay through the day under staff supervision, and the owners pick them up in the evening on the way home. That pattern accounts for most of the activity at the facility and most of the trips it generates, and it follows the ordinary commuting day rather than adding to it.

Overnight boarding service demand is concentrated around holidays, vacations, and specific client needs. On a typical weekday in the middle of the month very few dogs stay overnight; around Thanksgiving, the winter holidays, and spring break more do. The Applicant is not minimizing that component, and it is the reason the Conditional Use is requested under the "Overnight kennel, including kennels ancillary to veterinarian services" category. It is simply not the center of the operation.

The facility is predominantly a dog facility but is not exclusive to dogs. Cats and other small animals, such as birds and reptiles are occasionally boarded, generally around holidays, and they are housed in the separate private rooms and suites rather than in any group area.

Within the 10,855-square-foot tenant space, Sheet A-2.1 tabulates 825 square feet of reception and office area, 438 square feet of grooming area, 5,347 square feet of daycare areas, and 2,435 square feet of boarding areas. The daycare areas are more than twice the boarding areas, and the boarding areas are roughly a fifth of the tenant space. The building is laid out for daytime care, and the plan itself demonstrates that boarding is subordinate to it.

The space is organized around that program. The front of the tenancy is a reception and customer lobby with a fifteen-foot counter, and a small ancillary retail display sits at that counter for customers who are already in the building. Behind reception are the grooming area with two bathing tubs and cage dryers, separate communal daycare rooms for small, medium, and large dogs, eight private rooms and a group of private suites for animals that need higher-service or individual accommodation, a laundry, an employee break room, a kennel prep area, and a comparatively small kennel area with individual runs at four by five, three by five, and five by five feet. In addition to the man door, a new ramp down accessed by the existing overhead door leads to the outdoor yard.

The operator runs three other facilities in Palm Beach County and Westlake would be the fourth. The procedures described in this statement and in the supporting plans are existing, in-use protocols rather than something written for this application.

Consistency with Development Order SPR-2022-01

Condition 2 of Development Order SPR-2022-01 provides that "[a]ll uses must be in compliance with the Code definition of 'light Industrial Uses'." The Applicant has evaluated the proposed use against that condition and believes the proposed use complies with it.

The Code defines Light Industrial Uses as land uses that include construction operation and storage facilities, manufacturing, assembly, processing or storage of products "when such activities have minimal and inoffensive external impacts such as smoke, noise, dust, soot, dirt, vibration, stench, or adverse visual impacts on the surrounding neighborhood." The operative content of the definition is a performance standard, and the City has consistently described it that way. The SPR-2022-01 staff report, immediately after quoting the definition, states that "[t]he above definition will serve as the basis to determine

allowable uses, and their potential impact in terms of smoke, noise, dust, soot, dirt, vibration, stench, or adverse visual effect." Zoning Verification Letter ZV-2026-03, issued March 24, 2026, repeats that sentence in the present tense. That is the way we read and interpret the condition.

The approved use program is consistent with that interpretation. The representative uses accepted with the 2022 approval include Indoor Recreation, Contractor Supply Store, Party Rental & Supply, Equipment Rental & Supply, and Medical & Pharma Laboratories & Research Centers, several of which are not manufacturing, assembly, processing, or storage of products under a literal interpretation of the definition. The City has also applied the condition this way in practice. SPM-2024-03 introduced 45,841 square feet of Indoor Recreation (the padel facility) and 5,051 square feet of Health, Physical Fitness use administratively as a minor modification, expressly finding that "[t]he uses listed in the modified site plan were approved by the City Council on June 5, 2022, as part of application SPR-2022-01," without any amendment to Condition 2. The currently approved Site Data table also carries a cheer club and a massage therapy and spa use, and the City Council granted VAR-2025-02 allowing the padel tenant to serve alcoholic beverages.

The underlying zoning is Mixed Use. In the MU permitted use table, "Light industrial uses" is one permitted use among many; Retail Sales or Service, Office, Commercial recreation uses, Athletic Training Facility, Veterinary, and Food Service, Restaurants and cafes are permitted by right, and "Overnight kennel, including kennels ancillary to veterinarian services" is a conditional use. The Downtown Mixed Use future land use category is, as ZV-2026-03 describes it, "intended to accommodate a mix of residential, commercial, and service oriented uses in a cohesive development pattern."

Measured against the impact standard the definition supplies, the proposed use complies with Condition 2. The operation is conducted almost entirely indoors within an existing tenant bay. It produces no smoke, dust, soot, dirt, or vibration. Potential noise and odor impacts are addressed through building construction, mechanical design, and operational controls described in the Noise Management Plan and the Odor, Sanitation, Animal Waste and Facility Maintenance Plan submitted with this application. There are no adverse visual impacts; the outdoor pet area is located within an existing loading area on the east side of the building, oriented toward the Publix at Westlake service and loading area, and is not visible from Persimmon Boulevard West or from any residential area.

The revised tenant drawings and the Site Data table dated August 28, 2026 tabulate the interior area by function, the parking and loading counts are carried through the Site Data table, the sound attenuation materials are specified by manufacturer with data sheets on Sheet A-2.2, and the outdoor pet area is drawn and dimensioned with its containment and drainage detail. Condition 2 asks whether the external impacts of a use are minimal and inoffensive. That question can now be answered from the plans rather than from narrative description alone.

Proposed Use and Classification

The proposed use is a commercial use, which is allowable within the Mixed Use zoning district. More specifically, the proposed dog daycare with overnight boarding and grooming is most appropriately classified under the City's permitted use table as:

> *"Overnight kennel, including kennels ancillary to veterinarian services."*

This use is identified as a conditional use in Table 119-127, Permitted Uses. Zoning Verification Letter ZV-2026-03 confirms this classification and confirms that the use requires Conditional Use approval by the Planning and Zoning Board and the City Council together with a Site Plan Modification. The proposed pet daycare and overnight boarding operation fits within this category because the facility will provide supervised daytime pet care together with overnight boarding and kennel services. The Applicant has classified the use under the overnight kennel category because overnight boarding occurs, even though daycare is the predominant activity and boarding is offered as a service to daycare clients. The Site Data table uses the corresponding parking and use category, "Animal Boarding Kennel and Pet Grooming," which has been added to the Proposed Use row alongside the previously approved Light Industrial and Indoor Recreation and Health, Physical Fitness uses.

The proposed use is also consistent with the Downtown Mixed Use future land use category, the Mixed Use zoning district, and the approved development order for James Business Park. It is a service-oriented commercial use located within an existing approved business park and supports Westlake's growing residential and employment base by providing a needed local service in an appropriate non-residential setting.

As discussed, Applicant will accept a condition of approval on Application CU-2026-01 that it is contingent on approval of SPM-2026-02, so that Application CU-2026-01 may be heard first by City Council. (Applicant also agrees to staff's proposal to include as part of Application SPM-2026-02 a request to modify Condition 2 of SPR-2022-01 to read:
2. All uses must either be Light Industrial Uses or Commercial Uses.)

Indoor Operational Plan

During the intake and approval process to accept new pets, all dogs undergo a four-hour temperament test. They must be vaccinated and require medical records from their veterinarian to be considered. The facility maintains a clean, sanitized facility with a specialized air conditioning and filtration unit made specifically for boarding to keep airborne pathogens away. All staff is Pet CPR certified and trained to give top notch care to the dogs. When playing in the dog yards, indoor or outdoor, there will always be a staff member supervising. Pet owners can only enter the front lobby area, and only trained personnel and staff can enter the rear area where the dogs are located for daycare and boarding.

The interior layout includes separate daycare play areas for small, medium, and large dogs, together with separate individual holding and separation areas for dogs that require individual handling or cannot be combined with other animals. A dimensioned floor plan identifying each area and its square footage is submitted with this application as Sheet A-2.1. Interior partition walls in the play and kennel areas are five feet above finished floor at the top of wall, and the reception glass runs from four to eight feet above finished floor. Detailed capacities, staffing, supervision, and emergency procedures are set out in the Operational Plan submitted with this application.

On capacity, a maximum of 70 dogs are boarded overnight, and that is a peak-period figure rather than a typical night. A maximum of 35 dogs are in the outdoor area at any one time, counted across the large dog and small dog play areas combined. Because the yard is divided into two roughly equal, separated areas rather than being a single pen, those animals are never in one undifferentiated group. Overnight, one trained attendant remains on site whenever any animal is boarded, including when only a single

animal is boarded, with a second attendant on peak holiday periods.

The demising walls and tenant separations will be designed to meet all applicable requirements, including fire separation between tenant spaces, and will incorporate the sound-absorbing materials and mats described in the Noise Management Plan.

Noise attenuation is built into the tenant improvement rather than left to operations alone. Three types of material do the work. An open cell spray foam insulation is applied at two inches to the underside of the existing metal deck, a Class A, Class I material with a Flame Spread Index below 25 and a Smoke Developed Index below 450 that meets the NFPA 285 exterior wall assembly and NFPA 286 fifteen-minute thermal barrier requirements. Wall-mounted acoustic panels are provided in four-foot by eight-foot units with a frameless, Class A, acoustically-rated six-pound-per-cubic-foot fiberglass core, rated at an NRC of 0.85 at one inch and 1.15 at two inches. Suspended acoustic ceiling baffles use the same core and the same ratings.

Data sheets for each are provided on Sheet A-2.2. Those data sheets are representative of the products to be installed. These are industry-standard acoustic materials, and comparable products of equivalent type and performance may be substituted. Consistent with the note carried on Sheet A-2.1, final selection and the locations and quantities of baffles and panels will be confirmed by the acoustical engineer at construction documents.

Operationally, dogs are grouped and separated by size and temperament, a barking dog is redirected by staff immediately, a persistent barker is removed from the group to an individual area, and a dog that cannot be managed is excluded from the program. Exterior doors and gates remain closed except for animal and staff passage. Feeding and intake are staggered, and overnight the dogs are held in individual runs with dimmed lights and ambient sound masking. Full detail is provided in the Noise Management Plan submitted with this application.

Outdoor Pet Relief and Play Area

The outdoor play yard consists of the area around the existing ramp and the neighboring dock positions directly behind Unit 700 (Bay 3A). Sheet A-1.1 dimensions the enclosure at approximately 60 feet by 33 feet 4 inches overall, of which approximately 1,840 square feet is play area, carried as two bays at 26 feet and 29 feet, with the remaining 5-foot strip along the rear serving as the landscape and dry well area. It occupies only area previously designated for loading for Unit 3A and does not encroach into any other unit's loading area.

The yard is not a single open outdoor area. It is divided into two supervised play areas, a large dog outdoor play area and a small dog outdoor play area, which is what the 26-foot and 29-foot bays on the plan represent, alongside the 5-foot landscape strip. Dividing the yard allows size-separated groups to be outside at the same time without mixing, which matters for supervision, for group sizing, and for keeping noise down. It also means the outdoor capacity is spread across two separated areas rather than concentrated in one.

No architectural changes to the building are proposed. Access to the yard is through the existing man door and there are no new or modified building doors and no wall openings. Additional access from the existing overhead door to a new proposed ramp to the yard will be provided.

The enclosure is a six-foot-high white PVC privacy fence. A solid fence rather than chain link is used deliberately, because it acts as a noise barrier at the source. Where the fence sits atop the existing three-foot six-inch concrete ramp wall, the fence above the wall is three feet high. A three-foot-wide stepping stone and pad path provides the walking route to the gates.

Four gates are provided, and all of them are part of the fence enclosure rather than the building. One gate leads from the existing man door landing into the play area, and that is the everyday staff and animal route out of the building.

One internal gate within the enclosure divides the large dog play area from the small dog play area. The remaining two are four-foot-wide gates with ten-inch magnetic gate latches leading in from the rear drive aisle, one to each play area, provided for occasional maintenance access. Those two swing outward, consistent with the dumpster enclosure gates located immediately adjacent to the tenant's enclosure, and they remain closed and latched except during maintenance. They are not used for animal movement or for daily operations.

Three 16-foot by 20-foot UV shade sails are provided, and the color is specified as grey to complement the existing building. The sails are supported by four-inch steel posts set in four-foot-deep concrete foundations, with drawings and details to be provided with the building permit application. Each post carries eye bolts threaded through its diameter, and the sails are held by steel cables with quick-release mechanisms so they can be taken down quickly ahead of a high-wind storm. Eye bolts into the existing concrete tilt-wall are secured with structural epoxy, with the wall eye bolt set at twelve feet above finished floor.

The playing surface is K9Grass by ForeverLawn with AlphaSan antimicrobial protection, laid over an AirGrid base installed directly on the existing concrete slab. The turf is infill-free and has a flow-through backing, so waste and odor are not trapped in the surface, and the AirGrid is the drainage plane between the turf and the slab.

The outdoor area is used only between 5:00 a.m. to 11:00 p.m., with use outside that window limited to emergencies. Dogs are taken outside in supervised rotations and are never left unattended in the outdoor area.

Outdoor Area Drainage and Waste Containment

The reference to "subsurface drainage" in the original justification statement was imprecise and is withdrawn. No piped subsurface drainage system is proposed for the outdoor area. The drainage description carried in the July 27, 2026 revision of this statement is superseded in full by the system now drawn on Sheet A-1.1 and in Detail 02 on Sheet A-2.1, which is described below.

A proposed eight-inch Type D curb rings the enclosure and is set above the finished grass elevation. The yard therefore functions as a contained basin. Surface flow is directed inward, and nothing sheet-flows out of the enclosure onto adjacent pavement or toward any stormwater inlet.

Along the full rear of the enclosure, a five-foot-wide strip carries the receiving system. The existing concrete in that strip is removed, three feet of soil is excavated, and two feet of #57 stone is placed in the excavation and wrapped in trench wrap and soil separator fabric so that soil does not migrate into and clog the stone. Twelve inches of topsoil and grass are placed over the stone. The finished grass surface sits below the top of the curb, so surface flow from the turf runs off into the landscape area and percolates rather than ponding or escaping.

What that assembly amounts to is a natural dry well: grass over a soil layer over rock and filter cloth, sized to receive the liquids generated in the yard and to purify them naturally as they percolate. Nothing is piped anywhere. No animal waste, no wash water, and no runoff leaves the enclosure or reaches the stormwater management system. The curb is the physical barrier and the dry well is the receiving system. The Applicant has no objection to a condition of approval confirming that nothing from the outdoor area discharges to the stormwater management system, and the detail will be coordinated with the Building Department at permit.

Waste handling is what keeps that system working. Solid waste is picked up by staff the moment it is deposited, indoors and out. Dwell time is the single largest driver of odor, so nothing is allowed to accumulate. Waste is double-bagged and sealed at the point of collection. A Low Profile Dog Waste Station with a round can is provided in the yard, giving staff a bag dispenser over a lidded, perforated, lined can at the point of use. Bagged waste is then placed in a dedicated, lidded, leak-proof container located inside the tenant space, not in the site dumpster enclosure, and waste is removed from the site by the private hauler two times per week. That interior container is washed and deodorized as required and not less than once per week.

The turf is spot-cleaned continuously, rinsed at the end of each outdoor rotation and again at closing, and treated on a scheduled basis with EcoStrong Outdoor Odor Eliminator, a concentrated bio-enzymatic product. The enzymes break down the waste, naturally-occurring bacteria consume it, and the bacteria convert the waste to water, which evaporates. The product is non-toxic and safe for pets and people, and is labeled for use on lawns and turf, concrete and stone, and in kennels. It is applied by pump or multi-use sprayer at the manufacturer's dilution, and surfaces are re-wetted after the first application as the manufacturer directs. In addition to the enzymatic treatment, surfaces are treated with a veterinary-grade disinfectant on the cleaning schedule. Waste is never rinsed, swept, or washed into any drain, inlet, swale, or pavement area. Pest control is provided under a monthly contract with a licensed operator.

Hours of Operation

Customer hours, meaning the hours the lobby is open for drop-off, pick-up, grooming appointments, and accessory retail, are Monday through Friday 7:00 a.m. to 7:00 p.m., Saturday 9:00 a.m. to 5:00 p.m., and Sunday 9:00 a.m. to 3:00 p.m.

Staff are on site before the lobby opens and after it closes for opening preparation, animal care, the final outdoor rotation, and closing cleanup. One trained attendant remains on site overnight whenever any animal is boarded, including when only a single animal is boarded, with a second attendant on peak holiday periods

The outdoor yard is used between 5:00 a.m. to 11:00 p.m. All outdoor rotations are accomplished within that window. The final outdoor rotation begins at approximately 8:30 p.m. and concludes by 11:00 p.m., after which dogs remain inside the building until 5:00 a.m. the following morning. The Applicant has no objection to a condition of approval fixing outdoor hours at 5:00 a.m. to 11:00 p.m., with emergencies as the exception. After 11:00 p.m., the outdoor area is used for emergencies only.

Staffing runs to approximately eight employees at the greatest shift. That is a maximum-shift figure, generally during the holiday periods when boarding demand is highest, and it is not the everyday weekday number.

Emergency Operation and Storm Sheltering

The facility is designed to remain open and to care for boarded animals through hurricanes and major storms rather than closing and turning animals away. To support that, the tenant will install a manual transfer switch on the tenant's electrical service so that the space can be operated from a portable generator if utility power is lost. The transfer switch is an interior electrical installation permitted with the tenant improvement. The generator itself is portable. It is not stored on the property, no permanent generator is proposed, no exterior generator enclosure or equipment pad is proposed, and no fuel storage is proposed. A generator would be brought to the site only ahead of a pending storm and removed once the event has passed. The facility's storm procedures, including the shade sail take-down and the post-event inspection of the enclosure, are set out in the Operational Plan.

Accessory Retail

The retail component is less than 200 square feet, it is ancillary to the principal use, and it is not open to the general public. It serves only clients whose pets are at the facility. It consists of miscellaneous dog supplies and treats, specialty shampoos specific to the pet's stay, and convenience items for pets. The display is located within the reception and customer lobby, entirely within the reception and office area already counted in the parking calculation. It generates no independent customer trip, and for that reason it does not change the parking calculation.

Parking Justification

A. Applicable Westlake Parking Rate

The City of Westlake Code includes a defined parking rate for the applicable animal-care use category. Table 8-6 of the Land Development Regulations, adopted by Ordinance 2021-06 (Chapter 8, Parking Regulations), identifies:

> *"Animal boarding kennel and pet grooming — 1 space per 400 square feet of office."*

Because the proposed use falls within the City's defined animal boarding kennel and pet grooming use category, no parking waiver or alternative parking methodology is requested. The proposed parking requirement is calculated directly using the City's adopted parking standard for the specific use.

B. Proposed Floor Area Allocation

The tenant space totals 10,855 square feet, of which 2,435 square feet is kennel boarding, 5,347 square feet is the daycare areas, 475 square feet is the reception area, 438 square feet is the grooming area, 350 square feet of office area, with 1,810 square feet taking up corridors and restroom area. Note the total area allocated to office use for the purpose of the parking calculations is 3073 SF. (2,435+5,347+3,073=10,855) The animal care area is non-office and is not double-counted anywhere else in the table.

C. Parking Calculation

Applying the Code rate to the office area, 3,073 square feet divided by 400 square feet is 7.68, which is 8 parking spaces. That is the Code requirement for this tenant space.

The Applicant is not asking to be held only to that figure. Staff observed in Comment 13 that the operation anticipates roughly eight employees at peak together with customer drop-off and pick-up activity, and that is a fair observation. In response, the Applicant has voluntarily shown 11 spaces for Bay 3A on the revised Site Data table: 8 employee spaces at the greatest shift plus 3 reserved drop-off and pick-up spaces. Notes 11 and 12 on the Site Data table state it as follows:

> *Note 11: "3 RESERVED DROP OFF & PICK UP SPACES FOR BAY 3A ARE SHOWN AS REQUIRED PARKING. THE RESERVED PARKING IS 1.5% OF REQUIRED PARKING THUS LESS THAN 5% MAX."*
>
> *Note 12: "ANIMAL BOARDING KENNEL & PET GROOMING PARKING RATE PER CODE IS 1 SP PER 400 SF OF OFFICE HOWEVER, UNIT 3A TENANT PROPOSES 8 EMPLOYEES AT GREATEST SHIFT AND 3 DROP OFF AND PICK UP SPACES (RESERVED) FOR A TOTAL OF 11 SPACES."*

Depicting 11 spaces does not change the Code requirement, which remains 8. It demonstrates that the Applicant has addressed the actual impact of the use rather than relying on the minimum. It is worth noting that eight employees is a greatest-shift, holiday-period figure and not a typical weekday count, so the 11 spaces proposed is conservative.

D. Reserved Drop-Off and Pick-Up Spaces

Three of the eleven spaces are reserved for customer drop-off and pick-up. Because those spaces are reserved, the Applicant has evaluated them against the City provision that governs the reservation of parking, and addresses it here directly rather than leaving it to a later round of review.

Section 8.9(1)(H) of the Land Development Regulations, adopted by Ordinance 2021-06 (Chapter 8, Parking Regulations), provides:

> *"Assigned parking. Parking spaces assigned to a specific use may be authorized by the city manager or his/her designee, provided the number of spaces assigned to a particular use does not exceed 5% of the number of spaces required for such use."*

The same subsection further provides:

> *"Assigned spaces and required signage shall be indicated on the approved site plan associated with the affected use. Assigned parking shall not be considered in shared parking calculations."*

The Applicant has done what that provision requires. The three drop-off and pick-up spaces and their signage are shown on the Site Plan, adjacent to the Bay 3A entrance, and they are not included in any shared parking calculation. Note 11 on the Site Data table measures the three spaces against the parking required for the development: three of the required is 1.5 percent, comfortably inside the 5 percent ceiling.

Section 8.9(1)(H) expressly contemplates authorization of assigned parking by the city manager or his or her designee. The Applicant requests that authorization as part of this approval, and the spaces and their

signage are shown on the Site Plan submitted with the companion Site Plan Modification as the provision requires.

E. Technical Parking Justification

The proposed parking calculation is appropriate because it applies the City's specific adopted parking standard for "Animal boarding kennel and pet grooming." The City's code establishes this parking requirement based on office area rather than total building area. That distinction is important because the majority of the tenant space is used for pet daycare, boarding, kennel, grooming, indoor animal care, and support functions. Those areas do not generate parking demand in the same manner as conventional office, retail, restaurant, or assembly space. Parking demand is primarily associated with the office, reception, administrative, customer support, employee, and drop-off and pick-up components of the facility.

The operating model reinforces that. Employees arrive before customer hours and hold their spaces through the shift, so employee demand is steady and predictable. Customer activity is short-duration and naturally staggered, because drop-off runs with the morning commute and pick-up runs with the evening commute, and a typical counter transaction takes only a few minutes. Grooming appointments are scheduled across the day. Boarding pick-ups and drop-offs are concentrated at the front and back ends of holiday periods, which are not the same days as peak weekday daycare turnover.

Loading

The outdoor pet area occupies the existing ramp, a new ramp and two adjacent dock positions directly behind Unit 700 (Bay 3A), and those positions are labeled accordingly on the plans. The Code requires 4 loading spaces for this development. The approved plan provided 40, and with the two positions given up, 38 remain, which is 34 more than required.

The development therefore continues to satisfy the loading requirement by a substantial margin, and does so without relying on any dock serving another tenant bay. Only the loading positions previously designated for Unit 3A are used, and there is no encroachment into any other unit's loading area. The dock positions being converted are those directly serving Unit 700, a tenant that does not receive tractor-trailer deliveries, so no other tenant loses loading capacity or maneuvering area. The fence is set inside the existing loading apron and does not encroach into the drive aisle or the fire access lane. The shade sails are installed at a clear height that maintains the required vertical clearance over the paved area beneath them, and no post is located within the drive aisle. Animal movement is entirely between the tenant door and the fenced enclosure, a distance of a few feet, and animals never cross a drive aisle, a loading maneuvering area, or the dumpster service route. The dumpster enclosure and its service approach are unchanged.

Signage

No signage approval is requested with this petition. The tenant anticipates wall signage on the building frontage and potentially at the rear, and a tenant panel on the existing ground sign. All signage will be submitted under a separate sign permit and will comply with the approved James Business Park Master

Sign Plan (MSP-2022-02) and Chapter 113 of the City Code. Permitted signage locations are shown on the approved Master Sign Plan.

Conditional Use Criteria Justification

The proposed dog daycare with overnight boarding satisfies the applicable conditional use criteria of the City of Westlake Code, as follows:

Criterion 1 — Comprehensive Plan

> *"Comprehensive plan. The proposed use is consistent with the comprehensive plan."*

The proposed dog daycare with overnight boarding is consistent with the City's Comprehensive Plan because it is a commercial service use located within the Downtown Mixed Use future land use category. The use supports the City's mixed-use planning framework by providing a needed local service within an existing approved non-residential business park. The use is also consistent with the approved development order for James Business Park, as discussed under Consistency with Development Order SPR-2022-01 above.

Criterion 2 — Chapter Requirements

> *"Chapter requirements. The proposed use is consistent with all applicable requirements of this Chapter."*

The proposed use is properly classified as "Overnight kennel, including kennels ancillary to veterinarian services," which is identified as a conditional use in Table 119-127, Permitted Uses. The proposed use will comply with applicable City conditional use, site operation, parking, access, sanitation, screening, and buffering requirements. The use will operate within an existing tenant bay, with the approximately 1,840 square foot outdoor pet area limited to a fenced, supervised, accessory relief and play area. The use will also comply with the City's adopted parking rate for "Animal boarding kennel and pet grooming" based on the proposed office area, and the Applicant has shown parking in excess of that rate as described in the Parking Justification above.

A companion Site Plan Modification (SPM-2026-02) has been filed to update the approved use program, the Site Data table, and the affected site plan components, and signage will be permitted separately in accordance with the approved Master Sign Plan and Chapter 113.

Criterion 3 — Zoning District Standards

> *"Zoning District Standards. The proposed use is consistent with the zoning district standards for such use as provided in Chapter 3."*

The proposed use is consistent with the Mixed Use zoning district and the character of the existing James Business Park. The use is commercial in nature and is appropriately located within an existing non-residential business park. The proposed dog daycare and overnight boarding operation fits within the conditional use category for "Overnight kennel, including kennels ancillary to veterinarian services," and does not introduce residentially intrusive activity, outdoor storage, industrial processing, or any use that would be incompatible with surrounding commercial development.

The proposed use is also consistent in character with other approved uses within James Business Park, including the Indoor Recreation and Health, Physical Fitness uses approved under SPM-2024-03.

Criterion 4 — Public Welfare

> *"Public Welfare. The proposed use provides for the public health, safety, and welfare by" addressing pedestrian access, vehicular ingress and egress, adequate roadways, onsite circulation and parking, and access for public safety purposes.*

The use will utilize the existing approved access, circulation, parking, and fire access systems serving James Business Park. The outdoor pet area is contiguous to the tenant space, allowing staff to move animals directly between the indoor facility and the outdoor area without crossing public streets or primary drive aisles. Access is through the existing man door as well as the existing overhead door to a new proposed ramp down will be provided to the yard. No new or modified building doors are proposed and no wall openings are proposed.

The proposed operation also includes internal management procedures that support public welfare and safe operations. Dogs will be evaluated before acceptance into the program, vaccination records will be required, and animals will be separated by size and temperament within the facility. The Operational Plan submitted with this application sets out maximum capacities, staffing levels, supervision procedures, and protocols for escaped animals, medical emergencies, fire and severe weather, and after-hours issues, including a 24-hour contact available to the City and to adjacent tenants. The fenced enclosure, gates, and shade sail posts are located so that fire access and onsite circulation are unaffected. The only gates on the drive aisle side are the two four-foot maintenance gates, which swing outward into the tenant's own former loading area, matching the adjacent dumpster enclosure gates, and which stay closed and latched except during maintenance. Animals do not move through them. The reserved drop-off and pick-up spaces are located at the Bay 3A entrance so that customer activity stays out of the loading and service circulation.

The proposed use also makes a direct contribution to public welfare during declared emergencies. The operator intends to shelter and care for boarded animals through hurricanes and major storms, supported by a manual transfer switch that allows the tenant space to be run from a portable generator, should the need arise. Pet sheltering capacity is a recognized gap in storm preparedness, because households that cannot place a pet are measurably less likely to evacuate when told to do so. A facility of this type inside the City gives Westlake residents a local option they currently have to leave the community to find, and it reduces the number of households that either delay evacuation or shelter in unsafe conditions rather than leave an animal behind.

Criterion 5 — Screening and Buffering

> *"Screening and buffering. The proposed use utilizes such techniques as landscaping, screening, buffering, site or building design, or business operation procedures to mitigate impacts on surrounding properties," including noise, odor, lighting, signs, waste disposal, visual impacts, and hours of operation.*

The proposed use includes several compatibility protections. The outdoor area is located in an existing service and loading area, is accessory to the indoor use, and is fenced and supervised. The six-foot solid

white PVC privacy fence screens the yard visually and functions as a barrier at the source for sound. Odor and sanitation are addressed by the infill-free antimicrobial turf assembly, immediate waste pickup with double-bagging and containment inside the tenant space, scheduled bio-enzymatic treatment, and a veterinary-grade disinfectant program.

On waste disposal specifically, the enclosure is designed as a contained basin. An eight-inch Type D curb set above the finished grass elevation rings the yard, and a five-foot-wide natural dry well runs the full rear of the enclosure, built up from two feet of #57 stone wrapped in trench wrap and soil separator fabric with twelve inches of topsoil and grass over it. Surface flow runs off the turf into that landscape area and percolates. Nothing is piped anywhere, and no animal waste, wash water, or runoff leaves the enclosure or reaches the stormwater management system. The Applicant has no objection to a condition of approval confirming that.

The existing S.I.D. drainage and retention area, the existing six-foot concrete wall, and existing landscape buffering along the east property boundary provide physical separation from Publix at Westlake. The area is oriented toward a commercial loading and service area, not toward a residential neighborhood, an outdoor dining area, or a customer gathering area. The surrounding context is an industrial and service environment. There is no residential receptor with a line of sight or a line of sound to this tenancy, and there are very few people in the immediate vicinity who could be disturbed by it.

The primary operation occurs indoors, including daycare, boarding, grooming, animal care, and customer support functions. Grooming is a customary component of the proposed pet-care operation and supports both daycare and boarding activity.

Noise is mitigated through the building improvements described in the Indoor Operational Plan above, including two-inch PolyCon PC 500 open cell spray foam insulation at the underside of the existing metal deck and Acoustics America wall panels and suspended ceiling baffles, with locations and quantities to be determined by an acoustical engineer at construction documents, together with group sizing and separation, a standing rule that exterior doors and gates remain closed except for animal and staff passage, and a written complaint response protocol. The North Building itself, at 135,541 square feet, separates the outdoor pet area from any residentially designated property to the west, so there is no direct line of sound to any residential district; the nearest homes are a significant distance west, across Persimmon Boulevard and the M-2 canal. Full detail is provided in the Noise Management Plan and the Odor, Sanitation, Animal Waste and Facility Maintenance Plan submitted with this application.

Criterion 6 — Patterns of Development

> *"Patterns of Development. The proposed use will result in logical, timely, and orderly development patterns."*

The proposed use represents orderly occupancy of an existing tenant bay within an approved business park. It does not require expansion of the building, new public roads, new utilities, or conversion of residential land. The use supports the continued build-out and tenant diversification of James Business Park.

Criterion 7 — Purpose and Intent

> *"Purpose and Intent. The proposed use will be in harmony with the general purpose and intent of this chapter and the goals, objectives, and policies of the City."*

The proposed use is in harmony with the City's mixed-use and non-residential development objectives because it provides a needed local commercial service within an existing approved business park. The use is appropriately scaled, primarily indoor, operationally controlled, and compatible with the surrounding commercial environment.

The use is also well-suited to Westlake's growing residential population, as many residents and employees will benefit from local access to dog daycare, boarding, and related grooming services without having to travel outside the community. Because the operation is built around weekday drop-off and pick-up on the commute, it serves the working households already traveling this corridor.

The storm sheltering component reinforces that. A local facility that stays open and cares for boarded animals during a hurricane, supported by a manual transfer switch and a portable generator, should the need arise, serves a community need that is not otherwise met within the City and is consistent with the City's interest in the health, safety and welfare of its residents.

Criterion 8 — Compatibility

> *"Compatibility. The overall compatibility of the proposed development with adjacent uses," including adverse visual impacts, environmental impacts, and other negative impacts such as noise, glare, odor, mechanical equipment, and lighting.*

The proposed use is compatible with adjacent uses. The facility is located within an existing business park building, and the outdoor area is limited to an approximately 1,840 square foot fenced, accessory area within an existing loading zone that served only Unit 3A. The site design, existing wall, landscape buffering, indoor operational emphasis, supervised outdoor activity, sanitation measures, and compliance with the City's adopted parking standard mitigate potential visual, noise, odor, parking, and operational impacts.

The operational characteristics of the facility further support compatibility. Daycare is the predominant activity and drives the weekday pattern of the business, with dogs dropped off in the morning and picked up in the evening. Boarding is offered to those same daycare clients and is concentrated around holidays and vacations rather than run as a full-time kennel, which is why the floor plan devotes 5,347 square feet to daycare areas and 2,435 square feet to boarding areas. Dogs will be screened before acceptance, vaccination records will be required, and the facility includes separate interior areas to manage animals by size and temperament.

No changes to the building footprint, elevations, parapet height, or architectural treatment are proposed. The only exterior work is at the existing loading area on the east side of the building, and it consists of the fence, the gates, the shade sails, the new ramp down from the existing overhead door, the curb, and the landscape and dry well strip. The wall-mounted fan note that appeared on an earlier tenant drawing has been removed. Any roof-mounted mechanical equipment will be screened from line of sight by the existing building parapet. No new site lighting is proposed. Shade sail color is grey, selected to complement the existing building. The proposed use generates no smoke, dust, soot, dirt, or vibration, and noise and odor are controlled through the building improvements and operational protocols described above and in the supporting plans.

One further point bears on compatibility. Nobody has a stronger interest in this use being compatible than the property owner. James Business Park, LLC owns and manages this building and its other tenancies, and the owner is the party who bears the consequence if a tenant creates a nuisance for its neighbors. A tenancy that generated complaints from the other businesses in the park would be the owner's problem to solve, and this tenancy was underwritten with that in mind. Taken together with the setting, which is an industrial and service environment with no residential receptor having a line of sight or sound to this tenancy and very few people in the immediate vicinity who could be disturbed, the compatibility question here is being managed by the party with the most at stake in getting it right, in about as forgiving a location for this use as there is in the City.

Conclusion

The Applicant is requesting approval of this conditional use, as presented. This justification statement, the plans, and the supporting materials have been revised in response to Planning and Zoning Staff Comments #1 dated July 24, 2026 and to the revised tenant drawings and Site Data dated August 28, 2026. An Operational Plan, a Noise Management Plan, and an Odor, Sanitation, Animal Waste and Facility Maintenance Plan are submitted with this application and address the operational characteristics of the use in detail. The companion Site Plan Modification, SPM-2026-02, has been filed to update the approved use program, the Site Data table, and the affected site plan components.

Thank you.