



City Manager's Office

MEMORANDUM

DATE: January 30, 2023

TO: Honorable Mayor and City Council

THROUGH: Doug Thornley, City Manager Approved Electronically

FROM: Alex Woodley, Director of Parking & Code Enforcement
Ashley Turney, Chief Innovation and Experience Officer

SUBJECT: Chewy's Distribution Center located at 8001 North Virginia Street

Since September of 2022, Code Enforcement received multiple complaints regarding the new Chewy's Distribution Center located at 8001 North Virginia Street from the residents in the adjacent residential neighborhood. Concerns ranged from blinking lights on the docks, noises from the trucks backing up, and from activity outside of the building after 11:00 pm. A previous memo was drafted for the City Council on October 11, 2022.

Code Enforcement Officer Perez was assigned to the case. Since September of 2022, the Director has visited the location and has communicated with multiple representatives of the business and the property on several occasions. Although they have expressed a desire to work with the City, they do not intend on ceasing 24 hour operations.

Code Enforcement continues to receive new complaints from residents related to noise from vehicles entering the property after 11:00pm. Chewy has expressed they intend to continue having vehicles enter the property as it is allowed with their 24 hour use. Code Enforcement continues to respond to complaints and will continue to have officers work over time in the middle of the night, and issue citations to the business and the property owner for violations of noise and trucks idling when the officer is able to confirm such violations. The latest citation issued will be on January 31, 2023 for violations observed at midnight of January 27, 2023. The violations include noise and loading and unloading between 11:00 pm and 6:00 am. The business representatives expressed their intent to appeal the next citation issued by Code Enforcement. Code Enforcement has conducted five different overnight inspections and has only been able to confirm two violations which have resulted in citations issued.

There are no barriers between the homes to the east of the distribution center due to the elevation difference between the residential neighborhood and the commercial property. Below is a photo of a common view at night from the homes.



Since Code Enforcement has been in contact with the representatives the following actions were taken:

- They found a solution to stop the blinking of the red/green dock lights.
- They mocked up the tinting of the red/green lights to reduce the apparent glare.
- They replaced the beepers on their yard trucks with white noise.

The representatives are aware of their responsibility to maintain the property in compliance and they have shared different approaches to address future possible violations. The Code Enforcement Director has explained to their representatives that as long as their 24 hour activity continues to occur on the south end of the building we anticipate neighbors will continue to issue complaints. Chewy representatives have not been willing to limit operations after 11:00pm to the other sides of the structure that do not face the residential neighborhood.



City Manager's Office

MEMORANDUM

DATE: October 11, 2022

TO: Honorable Mayor and City Council

THROUGH: Doug Thornley, City Manager Approved Electronically

FROM: Alex Woodley, Director of Parking & Code Enforcement
Chris Pingree, Director of Development Services (CP)
Angela Fuss, Assistant Director of Development Services (AF)

SUBJECT: Chewy's Distribution Center located at 8001 North Virginia Street

Code Enforcement received multiple complaints regarding the new Chewy's Distribution Center located at 8001 North Virginia Street from the residents in the adjacent residential neighborhood. Concerns ranged from blinking lights on the docks, noises from the trucks backing up, and from activity outside of the building after 11:00 pm.

Code Enforcement Officer Perez was assigned to the case. The Director visited the location and communicated with multiple representatives of the business and the property. Code Enforcement Officer Perez also conducted multiple late-night inspections of the property and performed decibel testing.

Director Woodley reviewed the conditions of the Special Use Permit with the Director and Assistant Director of Development Services and all concluded the restriction of outdoor activity after 11:00 pm was specific to the loading and unloading of trucks and was not related to vehicles entering or leaving the location. There is currently no loading or unloading of trucks, the existing vehicle used to move the containers has been equipped with a white noise machine, and the activity of blinking lights has been mitigated. The existing lighting has a tint which diminishes any brightness and the decibel readings collected from the site average forty-two – fifty (42 – 50) decibels. The acceptable decibel reading is forty-nine (49). The representatives are aware of their responsibility to maintain the property in compliance and they have shared different approaches to address future possible violations. The Code Enforcement Case is closed. Any future complaints received will be addressed through formal enforcement procedures.