

PLANNING COMMISSION MEETING MINUTES

Tuesday, January 25, 2011 AT 7:00 P.M.

MEMBERS PRESENT: Tom Gray, Dan Carter, Dave Pierce, Merle Parks, Malisa Wallace, Craig Stephan and Jason Krone

MEMBERS ABSENT: Robin Neal

STAFF PRESENT: Don Slone, AICP, CFM, City Planner/Floodplain Administrator

Chairman Parks called the meeting to order at 7:00 p.m. and asked for a roll call.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the November 23, 2010 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes as written and Commissioner Krone seconded the motion. Chairman Parks asked if there were any questions or comments concerning the minutes. Seeing none, he called for the vote. The motion passed unanimously and Chairman Parks, Commissioner Pierce and Commissioner Wallace abstained as they were absent from the meeting.

NEW BUSINESS

Chairman Parks introduced **Item No. 2: Special Use Permit: SUP-125: "Primp My Pup Pet Spa & Hotel"** The applicant requested a Special Use Permit for a kennel operation to allow a place for owners of cats and dogs to take their animals for the day or night. Services include: grooming, overnight boarding and short term care for people who travel and obedience courses with or without owner's participation. The applicants are Brian and Theresa Costello, Primp My Pup, LLC, under contract from James and Linda Armbrust, property owners of record. The property contains approximately 6.0 acres zoned A-1, Agricultural District that is the location of the former Walker School located at 115 N. 134th Street.

Chairman Parks opened the public hearing at 7:02 p.m. and asked for a Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the six (6) conditions listed in the Staff Report. The City Planner stated that he would be glad to answer any questions the Planning Commission may have.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Brian Costello, Primp My Pup, LLC**, stated they he did not have a presentation but would be happy to answer any questions from the public or the Planning Commission.

Chairman Parks asked for any questions or comments from the audience. **Daniel Warne, 131 N. 134th St.**, stated that he was in favor of the project but had a question about the location of the outside kennels as he lives to the north of the subject property. The City Planner stated that the outside kennels are to be located on the south side of the building and then referred the question to Mr. Costello for any further comments. Mr. Costello stated the outside kennels would be located on the south side of the building as shown on the Exhibit. Mr. Warne also asked about the 20' right-of-way to be dedicated and where it was located. The City Planner provided his copy of the Exhibit for the site to Mr. Warne and stated that the 20 feet of right-of-way would align with the right-of-way along his property to the north for a future street improvement, new sanitary sewer and waterlines. Mr. Warne also asked how many dogs would be boarded on the property at any one time and Mr. Costello stated that they anticipate 15 to 20 dogs as maximum number.

Chairman Parks asked for any other questions or comments from the audience. Seeing none, he closed the public hearing at 7:14 p.m. and called for a motion. Commissioner Pierce made a motion to approve the item with the six (6) listed conditions in the Staff Report to include the outside kennel runs be located on the south side of the building. Commissioner Stephan seconded the motion.

Chairman Parks asked Mr. Costello if he was okay with the listed conditions. Mr. Costello stated that they were in agreement with the listed conditions and added the requirement for the outside kennels to be located on the south side of the building.

Chairman Parks then asked the City Planner if a septic system would be approved for new construction in this location. The City Planner stated that staff would probably support the request as public sanitary sewer is not available to this location. Chairman Parks asked the City Planner if this special use would produce a significantly increase in traffic along 134th Street and he said he did not think that this type of use would generate a significant amount of traffic in comparison to the current traffic along 134th Street.

Commissioner Carter asked the applicants about the owners that drop off their animals as stated in paragraph 3 of his letter. Mr. Costello stated that it is like Doggie Day Care where you can drop your pet off for the day for structured play time with staff.

Commissioner Pierce asked how many employees they will have and Mrs. Costello stated that they usually have five (5) employees at any one time with a maximum of ten (10).

Chairman Parks asked if the Planning Commission had any further questions or comments. Seeing none, he called for the vote. The motion passed unanimously.

The City Planner stated that the Governing Body will consider this item on February 14, 2011 with a Planning Commission recommendation of approval.

Chairman Parks introduced **Item No. 3: Zoning & Subdivision Amendments: BSZP-116: "Penalties for Zoning and Subdivision Violations"** The City Planner requested on behalf of the Planning Commission to consider an amendment to the Zoning Ordinance, Article XXIX, Section 5: Violation and Penalty; Article XXXI: Sign Regulations, Section 5: Penalties; and the Subdivision Regulations, Article XI, Section 5, Penalty to amend the language for penalties to be consistent with the provisions of State Law under K.S.A. 12-761: Violations, Penalties and Actions that apply to penalties for violations of the Zoning Ordinance, Sign Regulations and Subdivision Regulations.

Chairman Parks opened the public hearing at 7:20 p.m. and asked for a Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval of this item as written in the Staff Report. The City Planner stated that he would be glad to answer any questions.

Chairman Parks asked for any questions or comments from the audience. Seeing none, he closed the public hearing at 7:22 p.m. and called for a motion. Commissioner Stephan made a motion to approve the item as recommended by staff with a second from Commissioner Carter.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none, he called for the vote. The motion was approved unanimously.

The City Planner stated that the Governing Body will consider this item on February 14, 2011 with a Planning Commission recommendation of approval.

Chairman Parks asked if there was any further discussion or other items. Seeing none, he adjourned the meeting at 7:25 p.m.



Planning Commission Secretary