



Agenda
Special Workshop of the
Parkville Planning & Zoning Commission*
Tuesday, July 12, 2016, 5:30 p.m.
City Hall Board Room

1. Call to Order
2. Work Session
 - A. Friends of the Parkville Animal Shelter (FOPAS)
3. Staff Updates
 - A. Missouri American Water Plant Relocation (Case No. PZ16-02A, PZ16-02B)
4. Adjourn

Notes:

- * This workshop is open to the public and all interested parties are welcome to attend. This workshop is not a public hearing; all agenda items are for discussion only. The Planning and Zoning Commission will not take any action on any workshop agenda item.

Staff Analysis

Agenda Item: **2.A**

Discussion: Discuss the Friends of Parkville Animal Shelter (FOPAS) desire to build a facility at 1356 Highway 9, city regulation of animal shelters and possible alternatives

Requested by: Kathy Baker on behalf of FOPAS

Location: 1356 Highway 9 (west of the intersection of Lakeview Drive with 9 Highway)

Parcel #: 20-7.0-26-400-002-006.000

Attachments: A. This staff report
B. FOPAS report to the Board of Aldermen (6 page report, 7 google maps showing comparative area facilities)
C. Preliminary analysis of Parkville Master Plan, Vision Downtown and Zoning Regulations by staff
D. Parkville Connection design manual excerpt – illustrative plan
E. Summary of comparable city regulations for similar uses by staff
F. Summary of comparable sites by staff
G. Concept Site Plan for new FOPAS facility; prepared by Warger Associates, LLC and dated 01-17-2013

Overview

Friends of Parkville Animal Shelter (FOPAS) operates an animal shelter for dogs and cats. The City currently contracts with FOPAS to accept stray dogs collected within the City limits. In 2006, the Board of Aldermen approved the interim use of 1356 Highway 9 for the animal shelter. At that time, it was anticipated that the site would likely be redeveloped as a component of the Parkville Connections plan within 18-24 months. Since disruption of that plan, the City has worked with FOPAS to find alternative sites in Parkville for a permanent shelter facility. FOPAS has also sought alternative sites to meet their needs in other areas of Platte County. To date, no other location has met the facility's operational needs or been within the nonprofit's financial means. FOPAS has expressed their desire to permanently locate at their site on 1356 Highway 9 and is seeking collaboration with the City in regard to complying with City code or finding a potential alternative solution.



FOPAS has previously discussed similar desires for this site with the Planning and Zoning Commission in a February 2013 work session. At that time, FOPAS shared potential plans for the site and discussed how they might use the site, potential building details, and how the facility would operate in a permanent facility. Specifically, FOPAS would like to build a new, permanent facility in their existing location and are asking the City zoning regulations be amended to allow an animal shelter for dogs and cats to be permanently housed at this location. The facility they wish to construct would be an approximately 10,000 square-foot, single-story building with indoor kennels and access provided to outdoor pens/recreation areas. See the attached FOPAS report to the Board of Alderman for additional detail regarding the facility.

FOPAS has previously discussed the option of constructing a permanent facility at their current site with the Planning & Zoning Commission in a February 2013 work session. At that time, FOPAS shared a plan for a permanent site and discussed how a permanent facility would impact the organization, site, and surrounding area. Potential impacts on existing and planned uses, concerns regarding noise, animal waste, visibility, traffic, and development character were also discussed with the Commission. The Commission desired further analysis of these questions and concerns and encouraged FOPAS to pursue other sites for a permanent facility. Since that time, staff and Board of Alderman members have met with FOPAS to discuss alternative sites and options to remain in their current location. With the exception of the attached materials, no new site details have been presented to the Commission since the February 2013 work session.

Prior to proceeding with any application or further development plans, FOPAS has asked to meet with the Commission to discuss options again.

Preliminary Analysis

Currently the site is not projected or zoned for an animal shelter or similar use. The Parkville Municipal Code does not define animal shelters. Like many other communities, the use is regulated as a "kennel". Parkville Municipal Code Section 400.030 defines "Commercial Dog Kennel" as "any place where more than three (3) dogs are kept." As such, staff's interpretation of the facility for the purpose of the code is considered a commercial kennel. The code only allows kennels in the I-3 Heavy Industrial District. The subject site is zoned "R-4" Multiple-Family Residential District and would not be appropriate for other heavy industrial uses if rezoned to the I-3 zoning district.

The adopted Parkville Master Plan projection for the site is Mixed Use Residential Neighborhood. This projection is primarily intended for moderate-density, residential uses but also includes limited neighborhood oriented non-residential uses designed as a component of a mixed-use development. Non-residential uses should be compatible with the character of the area and integrated into existing and proposed neighborhoods. An animal shelter in a free-standing building separated from the surrounding is not generally consistent with the mixed use residential neighborhood projection or goals outlined in the Master Plan. However, with proper design and site plan review, the use could meet many of the objectives desired by the plan. See attached preliminary analysis of zoning, Parkville Master Plan and Vision Downtown Plan for more detail.

Consideration must also be given to nearby existing uses and potential development opportunities on adjacent properties. The site is immediately abutted to the south by the Parkville Cemetery, to the north by commercial uses, to the west by undeveloped land previously approved for development as part of the Parkville Connections approved plans, and

to the east by 9 Highway which immediately abuts the subject site. Further east, Riss Lake and the Walnut Grove are the nearest developed areas. Residential development is predominant in the general vicinity of the site to the east, south, and west. The closest residential uses are to the south in Downtown Parkville and the Windscape Fourplexes to the southwest. 1350 Main Street and 9002 57th Street are the closest residential uses and are approximately 500 to 600 feet from the existing site. Farther east, homes are approximately 1,400 to 1,700 feet to the east/southeast in West Shore Estates at Riss Lake and approximately 2,300 feet from the original plat of Riss Lake.

The Parkville Connections Plan was previously approved for the area containing the subject site and abutting property. This plan contained mixed-use development containing residential uses of varying densities. The approved preliminary development plan included residential buildings as close as 180 feet to the north of the existing FOPAS site. The next closest residential units planned were single-family homes as close as 430 feet to the west. Final engineering and development plans were never approved for the Parkville Connections Plan and no development ever took place. No new details regarding the status of this development plan have been presented since progress on the plan stalled in October 2009.

Staff has also reviewed city regulations adopted by several other communities in the Metro. The list includes other communities with animal shelters, communities previously identified as comparable to Parkville, communities which Parkville has previously benchmarked itself against, or communities viewed as leaders in the Metro. Many communities limit kennel uses to rural (agricultural), commercial or industrial areas. Several require approval through a special use or conditional use permit. Some designate minimum setbacks from residential properties, require screening or buffering, and/or limit outdoor activities. See attached summary of comparable city regulations for similar uses.

Staff has also reviewed comparable sites identified by the applicant and additional sites identified by staff. Generally, commercial kennel uses are found in areas zoned commercial, industrial, agriculture, and rural residential; however, many are also in close proximity to residential zoning districts. Some facilities have outdoor kennels and recreational areas while others are fully enclosed. Where kennels or recreation areas were found, none allowed the animals to be left outside in yards overnight. With the exception of one facility, all others had limited outside hours restricted to daytime hours only and under the supervision of facility staff while animals were outdoors. See attached summary of comparable sites for more detail.

Preliminary Staff Recommendations

If support exists for locating a permanent facility for the Friends of Parkville Animal Shelter in this location, it would be appropriate to hold public meetings to consider a text amendment to the City's municipal codes as well as any potential changes that relate the city's goals and objectives of the adopted Master Plan. Amendments to the zoning code should be considered to allow the use as a conditional use in the existing "R-4" Multiple Family Residential District or an alternative zoning district. The Commission should consider whether or not a conditional use permit is required for the facility and if so, specify the minimum criteria for such uses. Staff recommends proceeding with an analysis of animal shelter/kennel regulations as part of the budgeted zoning code update. At a minimum, the code should be modified to better define the commercial kennel use and identify the minimum conditions that must be met with or without a conditional use permit for this type of use. These conditions should be regardless of location and address the cleanliness/sanitation, hours of operation, disposal of waste, and other minimum provisions appropriate for this type of use.

Exhibit B

The Friends of the Parkville Animal Shelter To The Parkville Board of Aldermen

Background

In Parkville animal control is one of the responsibilities of the Parkville Police Department (hereinafter the Police). Police officers pick up stray dogs and, absent other options, must themselves arrange care for them for the minimum of 5 days that city ordinance requires that they be held.

Before 1998, dogs which were picked up by the Police were housed in open pens located next to the railroad tracks in English Landing Park. City workers fed the dogs and cleaned the pens, usually once a day. The pens were cold in the winter, hot in the summer, rat infested, and if city workers were otherwise engaged, the dogs went without care. In addition, the pens were right next to railroad tracks and were subject to the thunderous noise of trains coming within feet of the pens.

There was no program to deal with stray or feral cats.

In 1998 the Friends of the Parkville Animal Shelter (FOPAS) was informally formed by a group of citizens in conjunction with other rescue groups to provide care for Parkville's stray dogs. FOPAS consisted of volunteers who offered their time to care for the dogs, to provide medical care when needed, and to work to get the dogs adopted.

With no facility of their own, FOPAS continued to use the pens by the RR tracks, but supplemented those few pens with additional space at a boarding facility and, most importantly, with foster homes for both stray dogs and a few homeless cats: all at their own expense.

These volunteers took upon themselves a significant burden: caring for a variety of dogs twice a day, 365 days a year. They also constantly worked to find additional foster homes (themselves often providing the most reliable foster homes) to get dogs adopted, and to raise the money to allow them to carry on these activities.

In 1999 a donation and a modest grant from the City of Parkville allowed FOPAS to build a small wooden shed to house cats and kittens, also in English Landing Park by the railroad tracks.

In 1999 FOPAS obtained its license from the State of Missouri as an animal shelter.

In 2000 The Friends of the Parkville Animal Shelter was incorporated as a non-profit corporation in Missouri. That same year FOPAS obtained its 501(c)(3) federal tax exempt status as a public charity.

From 1999 through October of 2006 FOPAS continued to work under the challenging conditions of the outdoor pens, foster homes, a limited number of places in boarding facilities for dogs (still paid for by FOPAS) and the small wooden shed for cats.

In October 2006, through the generosity of Pat and Judy Kelly, FOPAS was able to move into a former commercial building and residence at 1356 State Highway 9 in Parkville. The commercial building was retrofitted with 15 inside kennels, a few outdoor only kennels and the residence was altered to house cats.

In 2007 FOPAS entered into an agreement with the City of Parkville whereby FOPAS would, for a fee, take and assume responsibility for almost all stray dogs picked up by the Parkville Police within the city limits of Parkville. Dogs who are not reclaimed become FOPAS dogs after 5 days and are then available for adoption. FOPAS operates as a no-kill shelter, which means dogs and cats are not killed for space. FOPAS will, of course, euthanize an animal when medically necessary or, rarely, if the animal is a danger to volunteers.

In addition to dogs from Parkville, FOPAS takes as many homeless dogs as possible from Platte and Clay Counties.

The Mission of FOPAS

The Mission of the Friends of Parkville Animal Shelter is:

(1) To provide:

- A safe, clean shelter for homeless and abandoned dogs and cats.
- Medical care as needed, i.e. spay/neuter, vaccinations, treatments for medical conditions (including but not limited to heartworm, feline leukemia, and FIV), and microchipping.
- Education to the public regarding the need for the spaying/neutering of dogs and cats and the responsibilities of pet ownership.

(2) To find permanent and loving homes for the animals who come within our care.

How do we accomplish that mission? First, through volunteers. FOPAS operates almost exclusively through volunteer efforts. All officers and Board members are unpaid. Only a few part-time employees are paid for the hours they directly provide care to the animals.

Secondly, other than the small amount paid by the City of Parkville in exchange for the obligation to take almost all stray Parkville dogs, FOPAS operates on funds raised through donations and its own fundraising events.

What the Friends of Parkville Animal Shelter is requesting.

As previously stated, for almost 10 years, since 2006, FOPAS has been housed in a retrofitted facility at 1356 Highway 9 in Parkville under a temporary zoning exemption. This location has served FOPAS, the City of Parkville, and Parkville residents well. FOPAS would like to build a new, permanent, facility at this same address. The zoning ordinances of Parkville do not, now, have a provision for an animal shelter. FOPAS is asking that the zoning ordinances of Parkville be amended to allow an animal shelter for dogs and cats to be permanently housed at this location, or a location directly adjacent to this address.

To be clear, FOPAS wishes to upgrade its current facility by constructing a new building; **we do not wish to expand**. An overriding goal is that the facility continue to be run primarily through volunteers, and the current pet population (or only slightly larger) is considered all that volunteers can consistently manage.

While FOPAS has not had specific architectural plans drawn up for this Highway 9 site, we envision a low profile, unobtrusive building not easily visible from Highway 9. The ideal facility would be one story and slightly under 10,000 square feet. Kennels would be closed off to the outside at night to alleviate any noise concerns. The attached plans would, of course, have to be specifically drawn to fit the Highway 9 land and the facade would have to accommodate Parkville's requirements.

Alternative Sites.

Since its creation in 2000, FOPAS has been searching for a location to build a permanent facility to house and care for area strays. While our goal has always been to stay within Parkville, the lack of suitable sites has forced us to look at and act upon a few locations outside Parkville. For many reasons, size, cost and accessibility being the most prevalent, there have been few realistic sites to consider. Those sites which were considered the most viable, and the reasons they were not workable are:

(1) A tract of land owned by the City of Parkville on Highway FF by the Vikings football field. This tract has been offered more than once by Parkville. The facts which make this unsuitable for FOPAS are:

The Flood Plain. The land is on the flood plain and is not only susceptible to floods but has flooded several times within memory. The FOPAS shelter is full of dogs and cats and operates every day of every year. The reasons that operations can't be put on hold for an indeterminate period of time should there be a flood or the threat of a flood are obvious.

Moving many dogs and cats with short notice for an indeterminate period of time would be very difficult and expensive, if it could be done at all. Building up the minimum of 3 acres plus a parking lot and the road to the shelter to a height that would keep it from being at the 100 year flood level would cost at least \$600,000 which is prohibitive for FOPAS. Even if the land were to be built up so that a flood would not inundate the building, as we know from 1993 and 2011 stagnant water is dangerous and ruinous. In addition, the loan for a building in the flood plain, if it can be gotten at all, would be much more expensive than would otherwise be the case. Insurance on the building, if available, would be expensive and limited in scope.

Remote location. A large majority of our volunteers are women. FOPAS's work is done by these volunteers at the times they are able to come (most having full time jobs) which means that there are often only 1 or 2 volunteers at the shelter alone. This location could well be dangerous in these situations.

Also, the more remote and out of the way the location is, the less likely potential adopters will come to look at dogs and cats.

(2) Several acres off Tiffany Springs Parkway. Several years ago this site was made available to FOPAS. Consideration of this location was abandoned when it was clear that a road, including a bridge, would have to be built, and neighborhood objections were raised due to the availability of water. The area had previously gotten its water from private wells but had recently been put on city water. Unfortunately only a 3 inch pipe had been put in place. This meant that if several residents were using water at one time water pressure was greatly reduced. A shelter will, at times, use a considerable amount of water.

(3) Several acres on South Crooked Road. At one time FOPAS residents went through Platte County land records and sent several hundred letters seeing if any recorded land owners would be willing to sell us 3-5 acres of land. The one positive response was on South Crooked Road. This land, while large enough and nicely wooded, had a stream meandering through it which could not be blocked in any way. This would mean that the building would have to straddle the stream or significant bridges would have to be built. Both of these factors made this site cost prohibitive.

(4) 8600 Childress Road, Kansas City. This location has been our most realistic possibility to date. While not ideal since it was outside Parkville we did seek, and obtain, approval for building a shelter at this location from the City of Kansas City. However, this site has no water. After several attempts to find a place to dig a well it was recognized that city water would have to be brought in from Barry Road at a cost of approximately \$194,000, and that cost would be only to the property line, not to the building site. Since this would be in addition to any building, land preparation, and landscape costs this factor made this site too expensive.

Benefits to Parkville and Parkville Residents

FOPAS draws attention and interest in Parkville through several of its fund raising events, with Paws in the park being the most prominent. Each September during the morning of Paws in

the Park several thousand people converge on English Landing Park to celebrate dogs and to enjoy the park and Parkville itself. Each smaller event, such as Art for the Heart in downtown Parkville, also helps advertise the City.

The current location of FOPAS is a benefit to both the Police and the residents of Parkville. By being so close and accessible to Police 24 hours a day, the Police do not need their own holding facility and officers do not have to drive long distances to drop off dogs or to meet owner residents to release the dogs and to ticket them if appropriate.

FOPAS provides the lost dogs of Parkville residents a safe refuge, food, and medical care if needed within close proximity 7 days a week. Residents can reclaim their dogs virtually 24 hours a day, any day of the week. Over the past 3 years, FOPAS averages returning about 30 dogs to Parkville residents each year. (Please remember that this number is only those dogs which are returned to Parkville residents. Every year several dogs are brought to FOPAS which are not reclaimed and which then become FOPAS dogs.)

In contrast, for example, Riverside contracts with Wayside Waifs to take its stray dogs. Riverside must maintain its own holding pens for stray dogs. Each trip to Wayside for both the police and the city residents looking for their dogs must be made during Wayside's regular business hours at a distance between 52.6 and 62.8 miles (depending upon the route) round trip.

FOPAS also runs a trap, neuter and return (TNR) program to address the feral cat population, an issue for many in Parkville and one which no one else is addressing.

FOPAS has been a source of education about the shelter and pet related subjects when requested. Many brownie, girl scout, school, and other young adult groups visit the shelter regularly to learn about what we do. FOPAS also provides volunteer opportunities to citizens wanting to be involved and currently is supported by around 70 volunteers. Many of those volunteers frequent Parkville businesses. FOPAS has also been well received in the Parkville community with many businesses supporting and providing fundraising events for the shelter.

Other Animal Facilities with Close Proximity to Residential Areas.

There is nothing unique about the request of FOPAS to permanently locate its facility in an area not far removed from residential housing. There are several other examples of facilities which keep dogs within close proximity to residential areas without issues. A few examples are:

1. Amity Woods Animal Hospital - 160 ft to nearest house (ability to board 100 animals).
2. Platte Woods Animal Hospital - 200 ft to nearest two houses.
3. Gladstone Animal Shelter - 100 ft to nearest house.
4. Great Plains SPCA Lost Pet Center Animal Haven - 140 ft to nearest house from main building, dog houses are closer.

5. Pete & Mac's on Prairie View Road - 400 ft to nearest house (with ability to board ~ 200 dogs).
6. Great Plains SPCA Adoption Center - 450 ft to nearest house.
7. Animal Medical Center - 10 ft to nearest house (boarding for ~20 dogs).

Even now when, weather permitting, some dogs are kept in outside kennels and several others have access to the outside both day and night, it is rare that the dogs are disturbed enough to bark. Admittedly, when volunteers arrive in the morning and afternoon to care for the dogs, they do bark in excitement. As previously stated, a new FOPAS facility would bring dogs inside without access to the outside at night. In the day any barking which might occur blends in with other city noises such as the noise of Highway 9, other cars and buses, trains, resident's dogs barking, etc. FOPAS will continue to maintain walking paths on our own property to minimize our dogs' access to neighboring areas.

Mitigation of Impact on Adjacent Areas.

One important objective of FOPAS has always been to be a good neighbor and to mitigate the impact, if any; our presence may have on surrounding residences and businesses. Obviously our location many feet below the street level of Highway 9 serves that purpose well. The cemetery is an additional buffer as are the trees and other growth. Our plan is:

- to build our new facility even further behind the cemetery than the current dog building;
- to remove as few trees as possible;
- to add landscaping as needed and requested by the city; and
- to erect land berms if needed.

In addition, the land immediately bordering Highway 9 will remain the property of Mr. Kelly, with possible future development at his discretion.

Other than noise, FOPAS will continue our absolute requirements that our walkers immediately clean up after every dog being walked, that yards be cleaned daily, that trash be picked up by a commercial trash hauler at least 3 times a week, and that all areas, indoor or outdoor where dogs may be kept, even for a few minutes, be hosed twice a day.

Conclusion.

From 35 dog adoptions in 2000 to an average of 200+ dog and 150 cat adoptions a year, FOPAS has helped Parkville specifically and the Northland in general. From 2007 to 5/20/2016 alone, FOPAS has adopted 2124 dogs and approximately 1460 cats.

In an age where governments and taxpayers are stretched to provide or eliminate services FOPAS is a great example of citizens seeing a problem and taking responsibility to solve it themselves.

816-880-6650

CX N1074



Amity Woods Animal Hospital and Lodge

© 2013 Google

Google earth

816-741-8600

Exhibit 5



Oakridge Ct

N Gosby Ave

NW 70 Terrace

NW Tomahawk Ln

Platte Woods Animal Hospital

NW Hilltop Rd

NW Valley Rd

NW 72nd St

Roanridge Rd

29

409 ft

© 2013 Google

Google earth

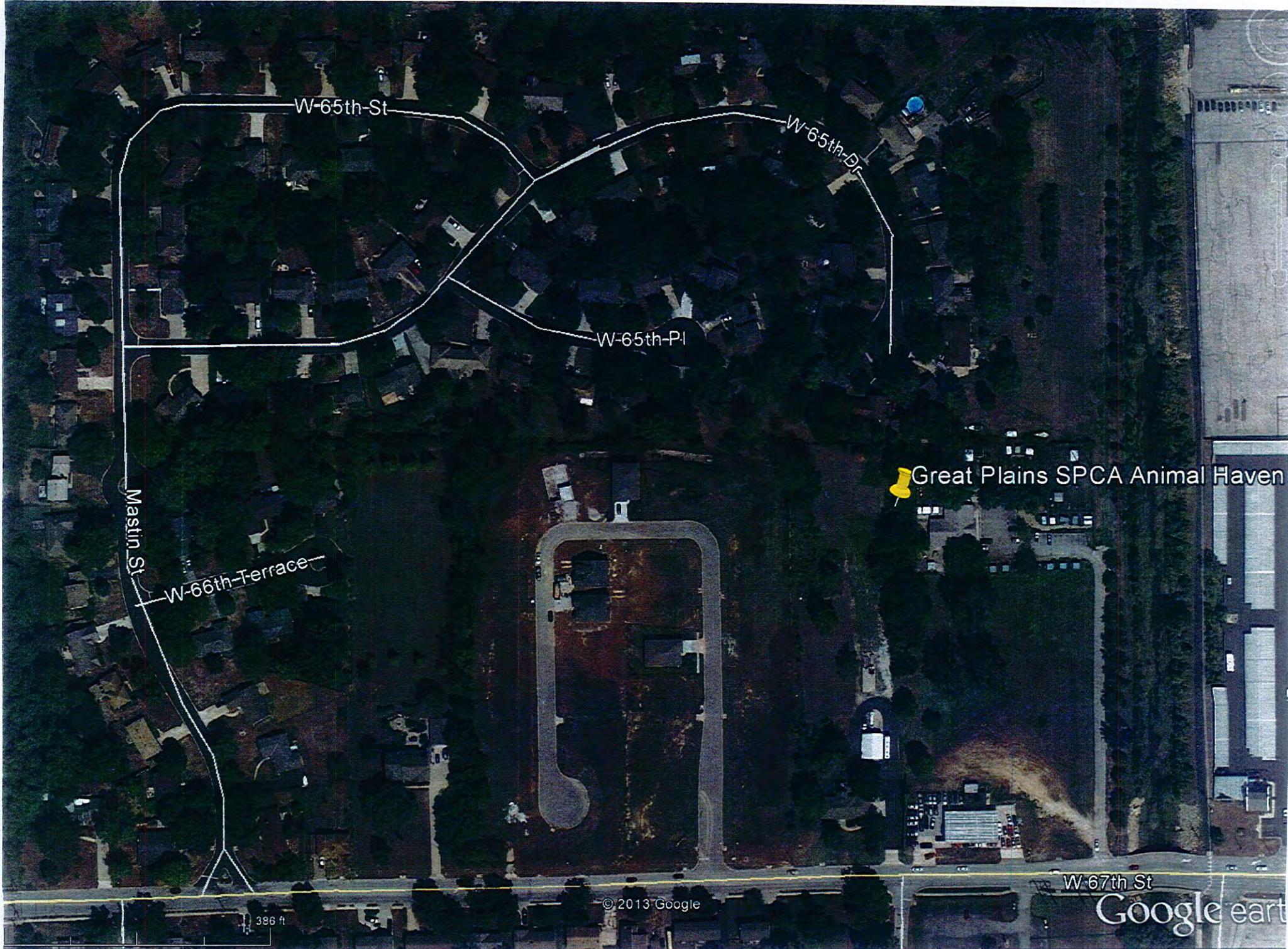
816-436-1810

Exhibit 6



816-621-7720

CREDIT 1



Great Plains SPCA Animal Haven

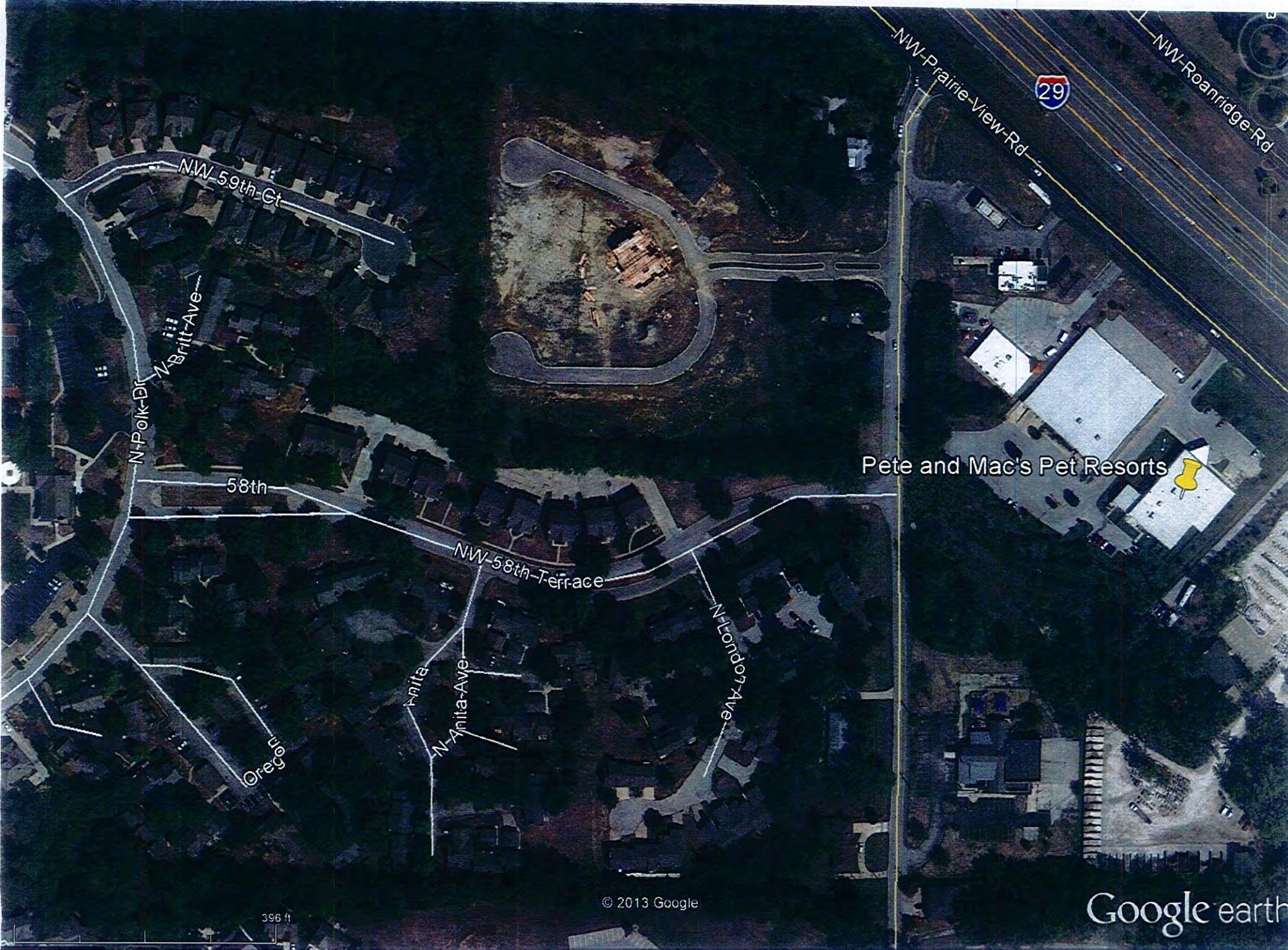
© 2013 Google

Google earth

386 ft

816-587-3900

EXHIBIT 8



Pete and Mac's Pet Resorts

396 ft

© 2013 Google

Google earth

913-742 7326

2 x 1011 + y



Great Plains SPCA Adoption Center

Antioch Rd

Mackey St

W-54th-Terrace

W-55th-St

Hadley-Ave

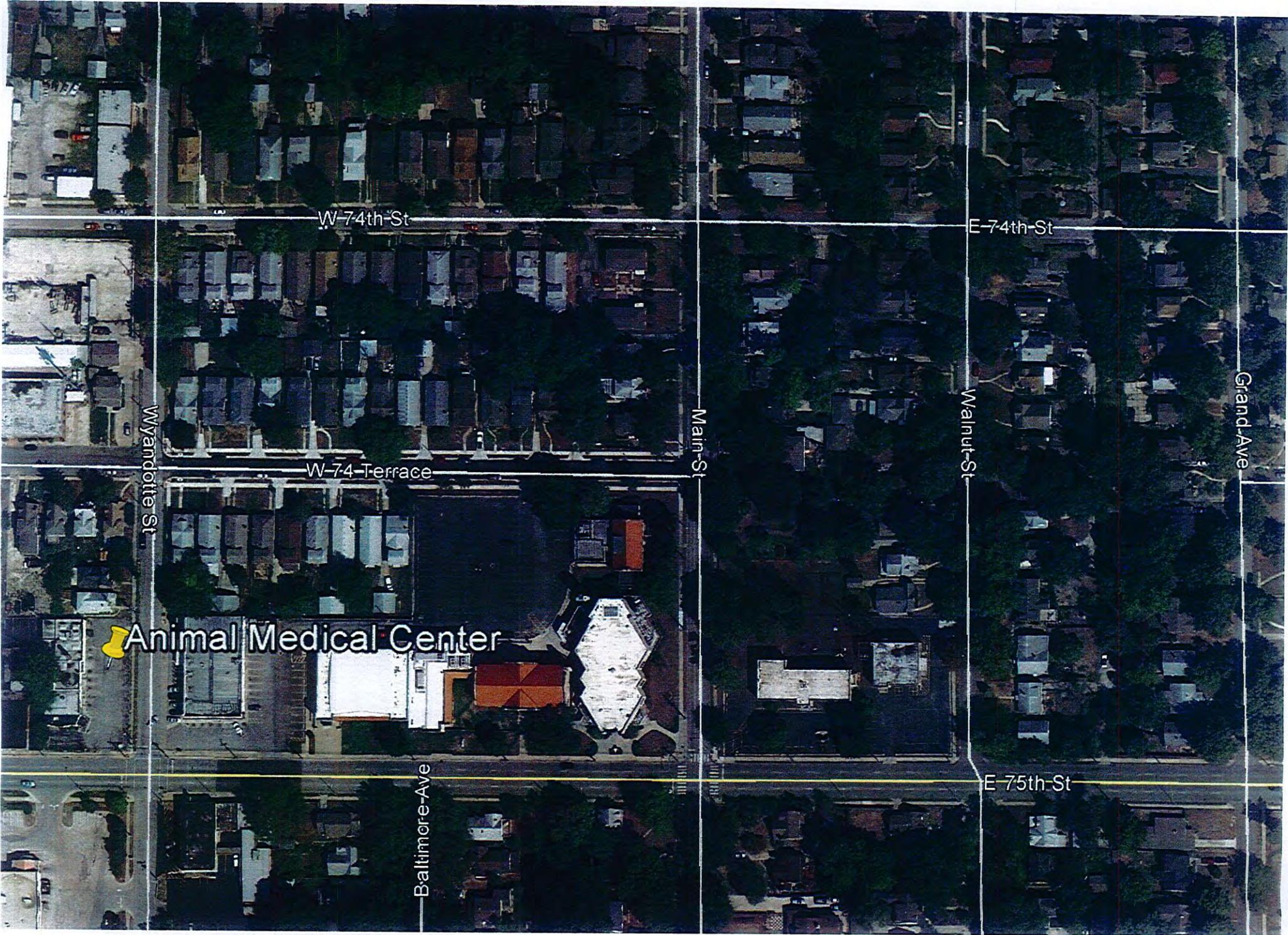
55th-Terrace

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816-333-9000

Exhibit 10



Animal Medical Center

Exhibit C

PRELIMINARY ANALYSIS - Parkville Master Plan, Vision Downtown and Zoning Regulations FOPAS – 1356 Highway 9

PARKVILLE MASTER PLAN

Projected Land Use

The Master Plan projection for the site is Mixed Use Residential Neighborhood. This category is intended for a variety of moderate-density, residential land uses including small lot single-family, attached residential dwellings primarily consisting of two-unit houses, townhomes, multiplexes, and garden apartment/condo dwellings, and institutional and civic uses intermixed throughout a master planned neighborhood design. Additional uses including live/work, offices, and neighborhood scale retail stores (not including automotive-oriented uses and free-standing pad sites) are permitted in this category under strict architectural and land use controls including the provisions of the Neighborhood Design Policies and Design Expectations and the Mixed Use Design Policies and Design Expectations. Such nonresidential uses are intended to provide services only to residents of the surrounding area and be placed in locations with a design character that blends into the neighborhood. Development form may include vertical mixed-use development with a variety of business and residential choices. All areas of a Mixed Use Residential Neighborhood are designed in a manner to promote pedestrian activity through a system of interconnected streets and varied streetscapes that also provide safe and efficient movement of vehicular traffic. Residential densities may vary throughout the neighborhood and may be higher than conventional single-family subdivisions.

A free-standing animal shelter would not generally be considered consistent with this projection.

Projected Land Use – abutting sites

North – Mixed use.

East – Residential Development and Parks & Open Space.

South – Moderate Density Residential Mix.

West – Residential Neighborhood.

Northwest – Moderate Density Residential Mix.

Animal shelters would not generally be considered consistent with this projection. Those districts that project non-residential uses, call for uses to be small, compact neighborhood oriented services, not including free-standing uses. Those districts that project non-residential uses, call for master planned development constructed under strict architectural and land use controls, with design character that blends into the neighborhood. All reference design policies and expectations from Chapter 6. See Mixed Use Development Design Policies and Expectations on pages 6-19 through 6-21.

Subarea projections:

East Street (9 Highway) between Platte County Community Center and the Intersection of Main and East Streets - Characterized as inconsistent with the desired character of Parkville and stifling to investments in the area. Existing development characterized as to close to 9 Highway providing little room for improved access, road widening, access management, parking,

sidewalks or other improvements. Plan calls for design standards, access management and streetscape standards.

Sub-Area Recommendation - 9 Highway generally from Hamilton St. to 45 Highway –

- Promote infill development along 9 Highway in a traditional mixed-use development pattern as a continuation of and connection to downtown – old town.
- Promote redevelopment of non-compatible uses in the corridor and reinvestment in aged development and infrastructure.
- Create nodes of neighborhood scale nonresidential uses.

Goals, policies and implementation actions

- Require new development to be compatible and connected to existing established neighborhoods
- Emphasize the design of new developments to include an interconnected mix of uses, limiting the amount of any isolated single-use areas.
- Provide transitions between dissimilar land uses through appropriate site design.
- Use durable building materials and architectural design compatible with the small town ambiance of Parkville and which also compliments the upscale residential neighborhoods.
- Require building designs that accommodate multiple uses and discourage “corporate” architecture and designs found in conventional freestanding pad and strip commercial districts.
- Development should be interconnected and integrated with adjoining land uses, rather than “backing up” to and creating a barrier.

Preliminary staff analysis

The desired use is not projected and may be incompatible with the projections, goals and objectives of the adopted Master Plan. Staff recommends prior to proceeding, the plan be reviewed as part of a public process and amended if determined appropriate. By meeting the goals and objectives related to design, compatibility and connection to surrounding neighborhoods, the use may be able to be made compatible with surrounding uses and projections for this area.

VISION DOWNTOWN PARKVILLE

With the exception of the southern-most portion of the subject site, all related properties are just outside, the study area. That portion that is in the study area is projected to be preserved as a residential neighborhood. The plan calls for this area to be “preserved and protected” restricting non-residential encroachment. The plan recommends infill in the residential neighborhood be similar to the existing neighborhood in size, massing, scale, materials and architectural style.

Preliminary staff analysis

The desired use is not projected and may be incompatible with the projections, goals and objectives of the plan. Staff recommends prior to proceeding, the plan be reviewed as part of a public process and amended if determined appropriate.

ZONING CODE

Existing Zoning

The desired site is zoned “R-4” Multiple Family Residential District. The desired use is not permitted in this district.

Abutting Zoning

North – B-1 and B-2 commercial.
East – R-1, R-2 and R-4 residential.
South – R-4 residential.
West – R-4 residential.
Northwest – TND mixed use residential / commercial.

Definition of use

The code does not define animal shelter. Section 400.030 defines “Commercial Dog Kennel” as “any place where more than three (3) dogs are kept. As such, the animal shelter for the purpose of the code is considered a commercial kennel.

Where permitted

The I-3 Heavy Industrial District is the only district where the desired use is permitted. Only three areas are currently zoned I-3 Heavy Industrial – a portion of the Park University endowment grounds, a portion of Platte Landing Park and the Magellan fuel storage facility property (see circled areas below).

I-3 zoning is not appropriate for the desired site. Although the district purpose states the district “is not intended to be the usual “heavy” industrial district where offensive uses may be permitted” the uses permitted are generally considered incompatible with existing residential uses and projected commercial and neighborhood development.



The following table summarizes each zoning district and whether the use is permitted, prohibited and whether other comparable uses are permitted.

Zoning District	Permitted	Prohibited	Comparable Uses Permitted
R-1	No	No	None
R-2	No	No	None
R-3	No	No	None
R-4	No	No	None
R-5	No	No	None
OTD-R	No	No	None
TND	No	No	None
PEC	No	No	None
B-1	No	No	animal hospital or clinic permitted subject to any treatment rooms, cages, pens, or kennels being maintained within a completely enclosed, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls
B-2	No	No	animal hospital or clinic permitted subject to any treatment rooms, cages, pens, or kennels being maintained within a completely enclosed, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls
B-4	No	No	animal hospital or clinic permitted subject to any treatment rooms, cages, pens, or kennels being maintained within a completely enclosed, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls
OTD	No	Yes	None
B-P	No	No	veterinary hospital or clinic permitted subject to outdoor pens are used only for exercise and recreational purposes and no animals are kenneled or kept outdoors for an extended period of time
I-1	No	No	None
I-2	No	No	animal hospital or clinic permitted subject to any treatment rooms, cages, pens, or kennels being maintained within a completely enclosed, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls
I-3	Yes	No	NA
I-U	No	No	None
CUP	No	No	None

Preliminary staff analysis

The zoning code would need to be revised to allow the desired use and unless permitted under the existing zoning (with our without a conditional use permit), the property would need to be rezoned. Specified conditions applicable to any shelter regardless of location should also be evaluated – noise mitigation, permitted outdoor uses / hours, run off / pet waste disposal, cleanliness / sanitation, etc.



The master plan for Parkville Connection is one that envisions a walkable, mixed-use community on approximately 30 developed acres. The site generally breaks down into the most intense area of mixed use on the east side, to the most residential, least mixed-use on the west side. A streamway in the heart of the site becomes extensive public park ground, including space for a public amphitheatre.

Critical elements of the plan include:

1. Connecting roadways from east to west, and north to south.
2. A series of trails and walkways that enable pedestrian and bicyclist movement as well as automobiles
3. Working with the lay of the land, so as to minimize the amount of cut and fill necessary
4. Creating a series of living options, from loft apartments to single family homes, with a variety of other types in between
5. Streets that are fronted with attractive buildings, with garage and vehicular spaces located to the rear of the property (or underneath)
6. The possibility of multiple future off-site connections, for both trails and roadways
7. Creating attractive fronts on both Highway 9 and Bell Road
8. A series of public spaces that lead people across the site. They range from very urban to very natural.

In general, the master plan allows for development that will meet current marketplace needs, but allow for transformation over time. This particular site is critical to the future vitality of the entire city, and is designed to enhance its immediate neighbors as well as those farther afield.



Exhibit E

Summary of comparable city regulations for similar uses

Jackson County, MO - Permitted only in AG. Subject to Conditional Use. Kennels, for more than six (6) dogs and cats provided that all animal enclosures are located not less than 200 feet from any property line.

Kansas City, MO – Shelter or Boarding Kennels allowed in the R-80 residential district, B-2, B-3 and B-4 commercial districts and all manufacturing districts subject to use regulations. Must be housed in fully enclosed, soundproof and air-conditioned building. May be exercised outdoors if fenced and with an attendant. Outdoor areas must be hard surfaced or grass. Landscaping, screening or fencing required to shield use from adjoining properties and public right-of-way. Not allowed within 200 feet of property line when in residential district.

Platte County, MO – Kennel (Boarding) allowed in the AG, Agricultural district and CH, Highway Commercial by special use permit, but not within 200 feet of any residential district. No other explicit standards stated.

Riverside, MO – Kennel allowed in Commercial district subject to a special use permit, in the Industrial district, and Planned District subject to approval of plan and standards for development. All require outdoor animal runs, pens or enclosures shall be located at least seventy-five (75) feet from lot lines abutting residentially zoned districts, except that runs, pens or enclosures associated with a veterinary or animal hospital may be as close as twenty-five (25) feet. Kennels shall require a minimum lot size of three (3) acres.

Blue Springs, MO – Kennel (more than 3 dogs) and animal care allowed in General Business and Regional Commercial districts subject to a conditional use permit, and permitted in Light Industrial District. All require outdoor animal runs shall be located at least seventy-five (75) feet from lot lines abutting SF-7 or less intensive zoning districts. Kennels shall require a minimum lot size of three (3) acres.

Leawood, KS – Kennel – Commercial or General (more than 3 dogs/cats) allowed in Planned Neighborhood Retail, Planned General Commercial, and Planned Business Park all by special use permit only. Facility shall be totally enclosed in such a way as to produce no objectionable noise or odors from the exterior of the kennel. May also include accessory outdoor yards and runs, and the provision of veterinary care. Subject to design, materials and other architectural and development standards. Subject to conditions regarding sanitation, cleanliness, safety, noise, etc. Runoff, washdown water or waste prohibited from being released into any storm water system.

Gladstone, MO – Dog kennel allowed by special use permit.

Liberty, MO – Kennel (3 or more dogs/cats) allowed in the A, agriculture; BP, business park; M-1, light industrial or M-2, general industrial districts, provided that a buffer to adjacent properties is provided.

Olathe, KS – Kennel (more than 4 animals) with outside runs allowed only by special use permit in agricultural, designated commercial and all industrial districts.

Lee's Summit, MO – Kennel is allowed only in Planned Industrial District. A kennel with outside runs shall be located not less than two hundred (200) feet from any property under separate ownership or from residentially zoned property.

Manhattan, KS – Kennel allowed in C-2. Neighborhood Shopping District and C-5. Highway Service Commercial District by conditional use permit, in I-2. Industrial Park District, and in LM-SC. Light Manufacturing-Service Commercial District. All pens shall be in an enclosed building when located within 300 feet of a residential district. If located further than 300 feet from a residential district all outdoor pens shall be screened from any adjacent property or public right-of-way. Sight obscuring screening of not less than six (6) feet in height shall be provided along all lot lines that abut a residential district.

Shawnee, KS – Kennel (more than 5 dogs) allowed in AG subject to 250 foot setback, Commercial Highway District subject to 200 foot setback unless building is completely enclosed (no outdoor space), special use permit require in overlay districts. Animal Day Care allowed in Commercial Neighborhood and Commercial Highway District but no outdoor kennels allowed. Both allowed in Industrial District.

Exhibit F

Summary of comparable sites

George Lee Dunn Animal Shelter & Control

3301 Park Dr
Kansas City, KS 66102
(913) 321-1445

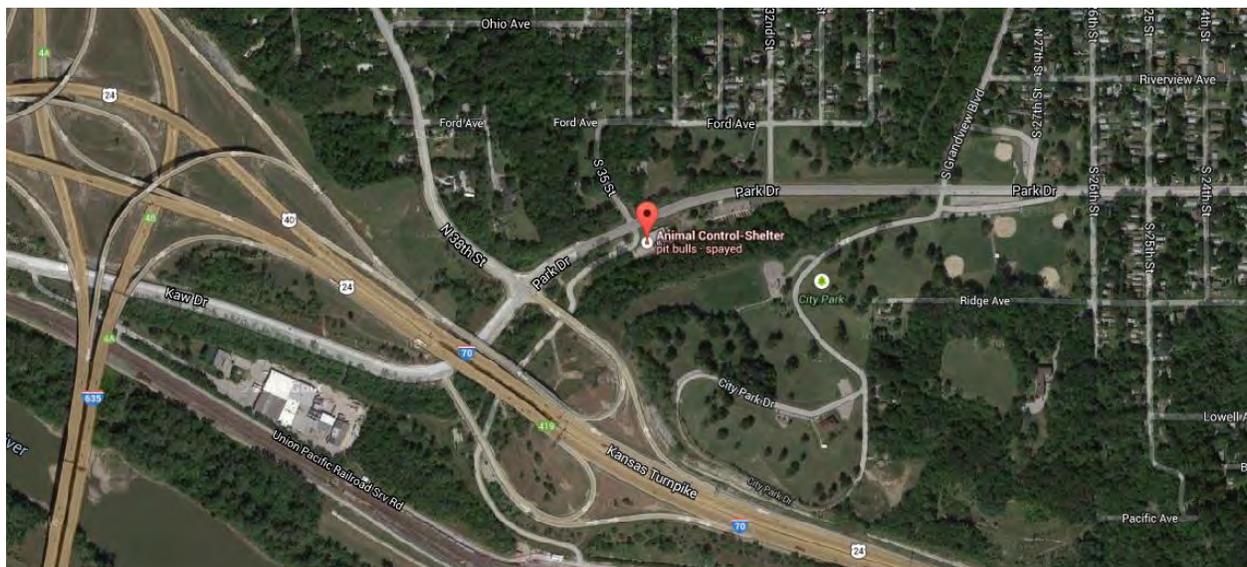
Division of Kansas City, Kansas PD

General location: Located at the northeast corner of I-70 and I-635 on Park Drive. Located on the north edge of City Park.

Zoning: R-1(B) single-family district. District allows “municipal facilities of a government nature.”

Approximate distance to nearest residence: 630’

Outdoor pens / kennels / recreation area: Fenced area for animal photos only. No outdoor kennels or regular recreation.



The Humane Society of Greater Kansas City

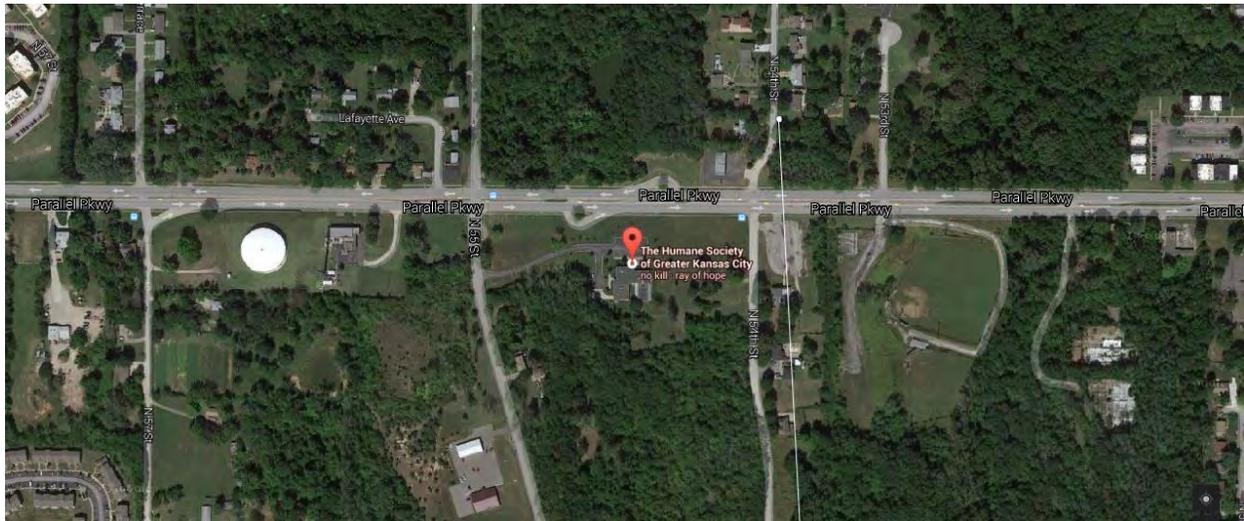
5445 Parallel Pkwy
Kansas City, KS 66104
(913) 596-1000

General location: 1.5 miles west of I-635 on Parallel Parkway.

Zoning: RP-5. "Veterinary clinics, dog kennels" allowed by special use permit. Must be cleaned daily, free from dirt, debris or garbage, and free from offensive odors, excrement must be stored in metal containers with a fly-tight lid and properly disposed of, and must drain appropriately and have no water leaks or dampness.

Approximate distance to nearest residence: 325'

Outdoor pens / kennels / recreation area: Not able to confirm with the operator, but appears to be an exercise area as viewed in the photo.



Wayside Waifs Inc

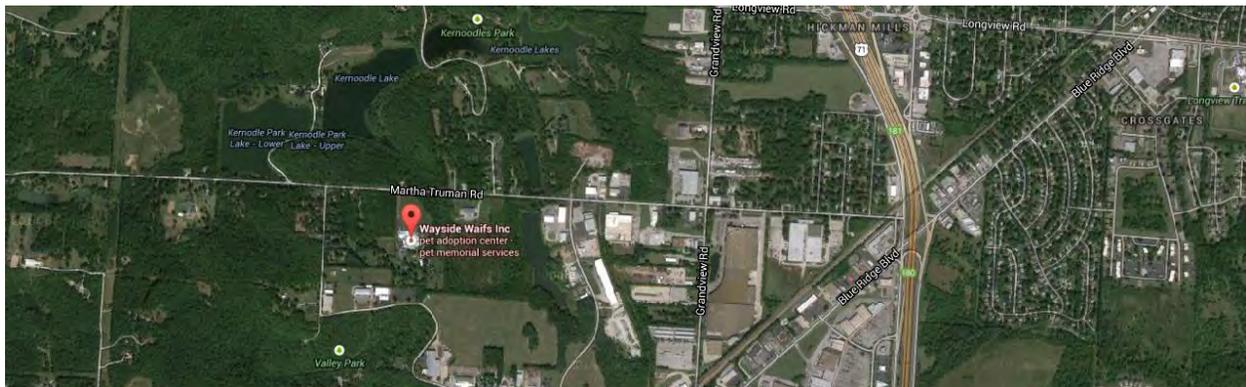
3901 Martha Truman Rd
Kansas City, MO 64137
(816) 761-8151

General location: South I-435 approximately 1.25 miles west of 71 Highway on Parallel Parkway, in Grandview.

Zoning: AG. Subject to approval of a Conditional Use permit. Permitted in I-1, Light Industrial District. Commercial animal establishment or kennels, for more than four (4) dogs and cats subject to cleanliness/sanitation, inspection and licensing standards. Would also be permitted in I-1, Light Industrial District.

Approximate distance to nearest residence: 700'

Outdoor pens / kennels / recreation area: 5 acre bark park open to members only. Open 24-7. 5 outdoor kennels or staff and employee pets only.



Amity Woods Animal Hospital and Lodge

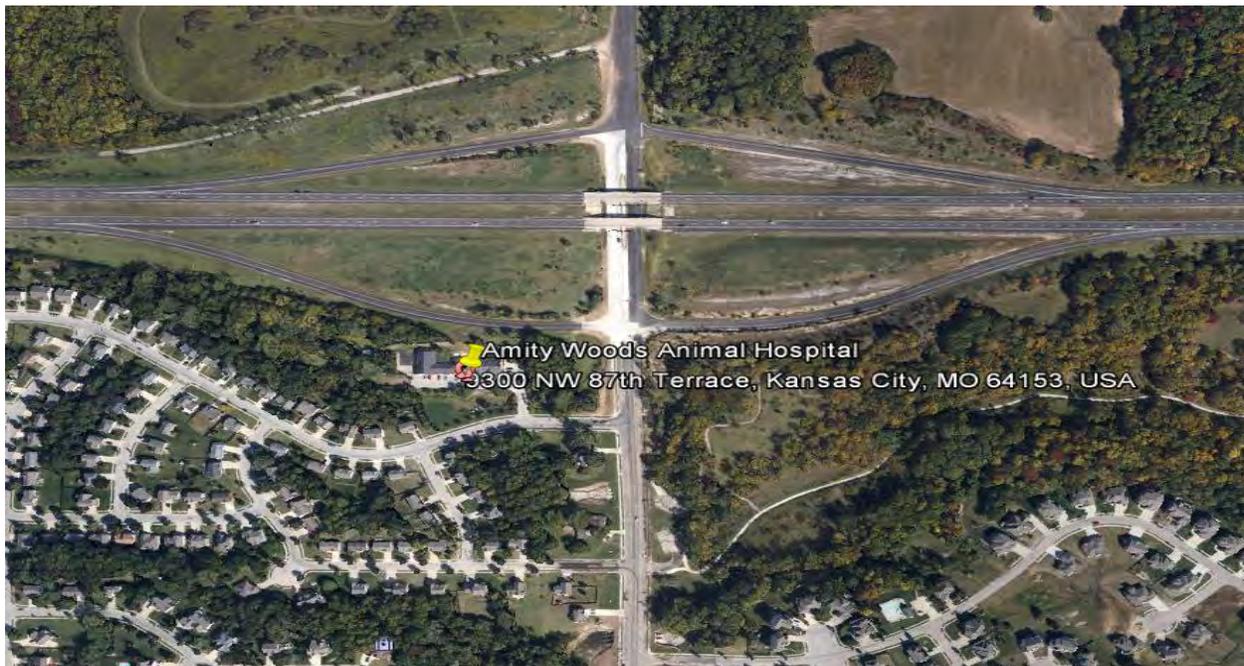
9300 NW 87th Terrace
Kansas City, MO 64153
816-880-6650

General Location: Located S of Highway 152 on 87th Terrace.

Zoning: B3-3, R-6 Community Business District.
This zoning accommodates a broad range of retail and service uses, often in the physical form of shopping centers or larger buildings than found in the B1 and B2 districts.

Approximate distance to nearest residence: 180'

Outdoor pens / kennels / recreation area: None.



Animal Medical Center

204 W. 75th St.
Kansas City, MO 64114
816-333-9000

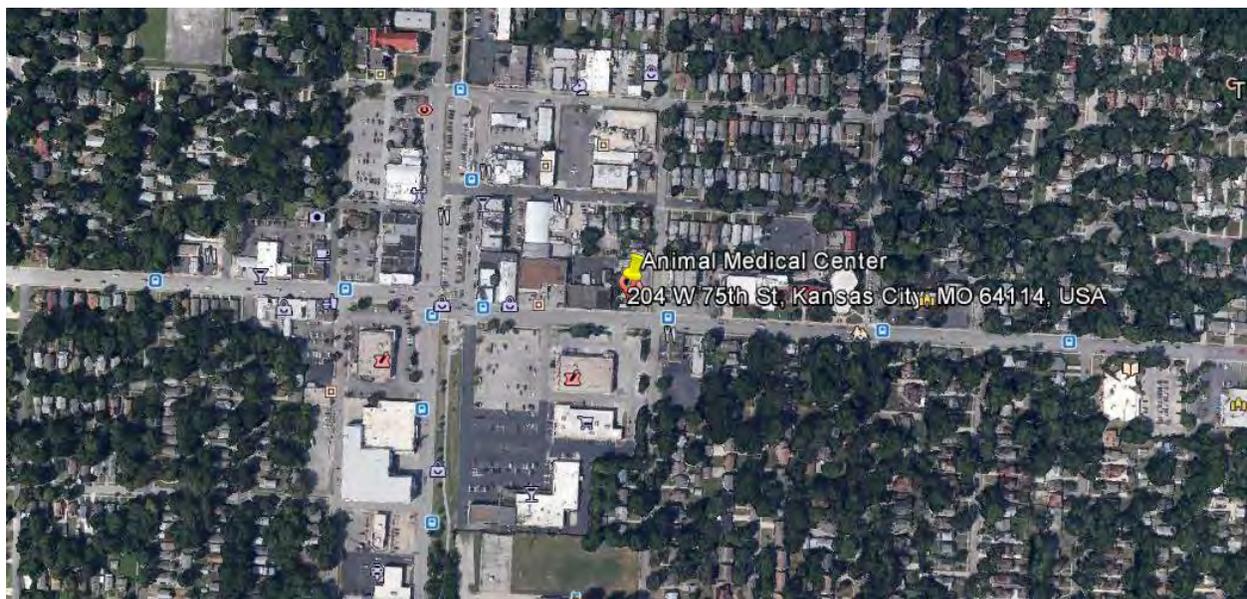
General Location: Located E of Wornall on 75th.

Zoning: B4-5 Heavy Business/Commercial 4 Districts

The primary purpose of the B4, Heavy Business/Commercial district is to accommodate “heavier” commercial activities and a limited range of industrial uses with operating characteristics that make them generally incompatible with mixed-use or neighborhood-oriented environments.

Approximate distance to nearest residence: 20’

Outdoor pens / kennels / recreation area: None.



Gladstone Animal Shelter

3960 NE 76th St.
Gladstone, MO. 64119
816-436-1810

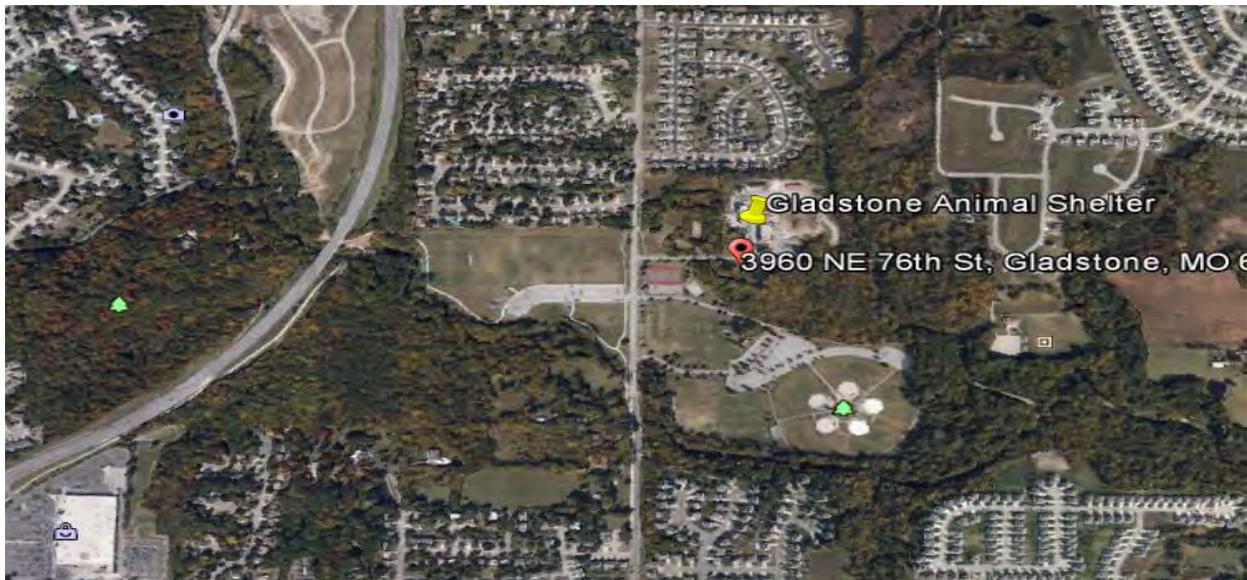
General Location: Located East of Highway #1 on 76th St. North of Happy Rock Park

Zoning: R1 Single Family district. No special use permit.

Shelter is located on city owned property - Public Works Dept. Allowed only due to being a municipal facility.

Approximate distance to nearest residence: 460'

Outside Kennels/Outside Runs: Fenced yard. 30 minutes unsupervised between 8 am to 5 pm only.



Great Plains SPCA Adoption Center

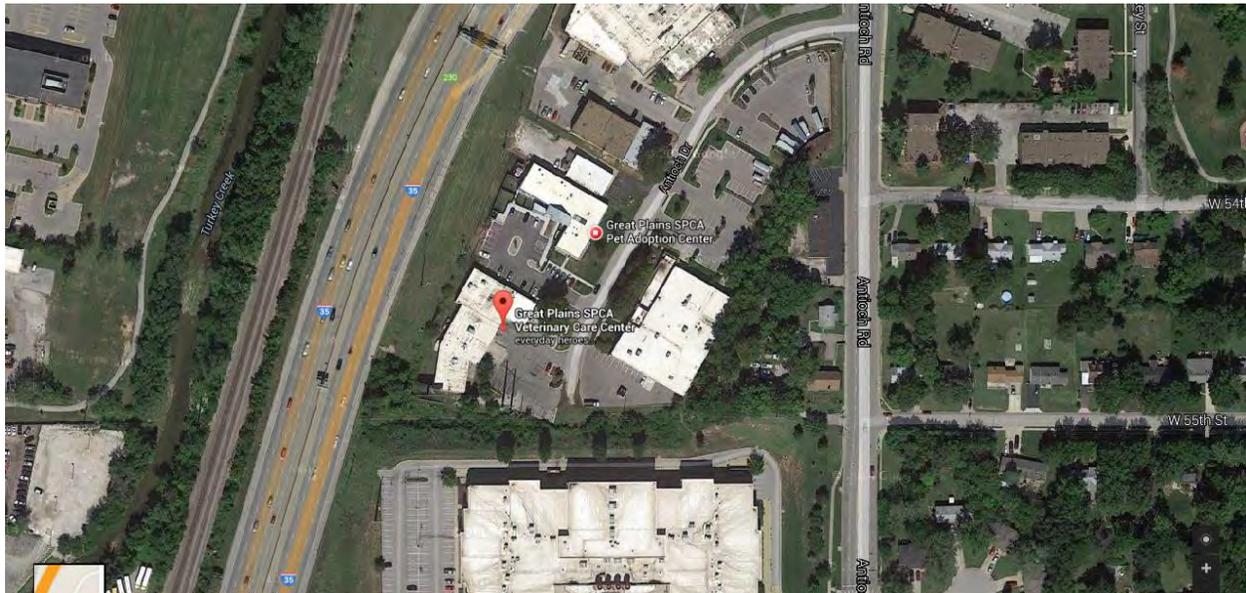
5428 Antioch Drive
Merriam, KS. 66202
913-742-7326

General Location: Located East of Highway 35 on Antioch Drive

Zoning: I-1-Light Industrial: The I-1, Light Industrial district is designed to permit a broad range of industrial activities within certain limitations. The uses permitted in this district are required to be in an enclosed structure and all premises are to be landscaped according to an approved landscape plan. All walks, drives and parking area shall be all-weather surfaced.

Approx distance to nearest residence: 540'

Outside Kennels/Outside Runs: Not confirmed, but visible in recent photos.



Great Plains SPCA Animal Haven

9800 West 67th St.
Merriam, KS. 66203
816-621-7722

General Location: Located West of I-35 on 67th St.

Zoning: I-1-Light Industrial: The I-1, Light Industrial district is designed to permit a broad range of industrial activities within certain limitations. The uses permitted in this district are required to be in an enclosed structure and all premises are to be landscaped according to an approved landscape plan. All walks, drives and parking area shall be all-weather surfaced.

Approximate distance to nearest residence: 210'

Outside Kennels/Outside Runs/recreation area: Not confirmed but area apparent from aerial photos (NE of facility under power lines). Hours and use unknown.



Pete and Mac's Pet Resorts

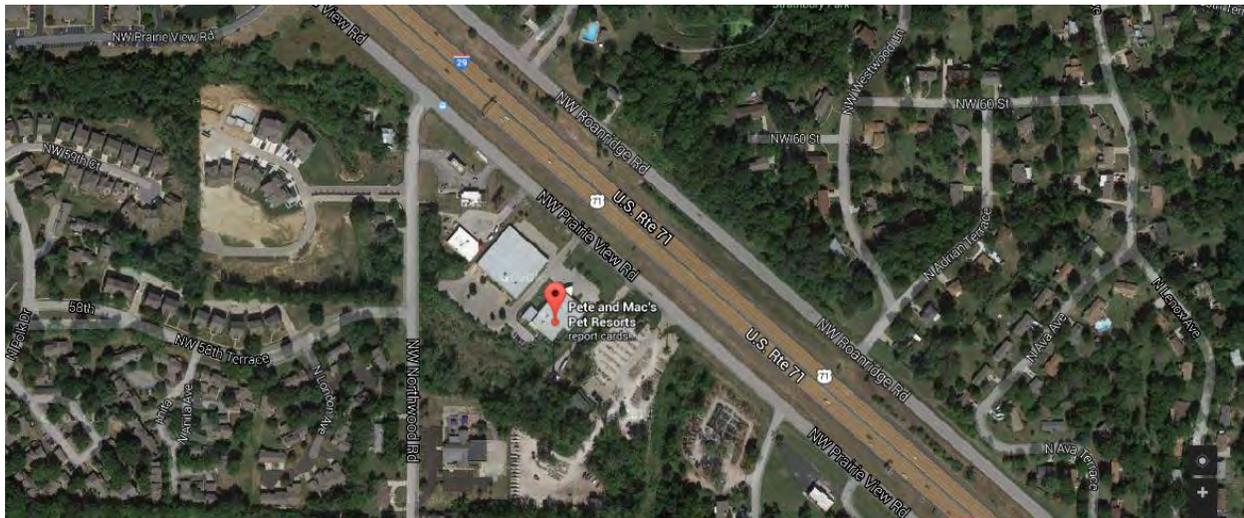
5860 NW Prairie View Rd.
Kansas City, MO 64151
816-587-3900

General Location: Located SW of Highway I-29 on NW Prairie View Rd.

Zoning: B3-2 Community Business District.
This zoning accommodates a broad range of retail and service uses, often in the physical form of shopping centers or larger buildings than found in the B1 and B2 districts.

Approx distance to nearest residence: 610'

Outside Kennels/Outside Runs/recreation area: Outside play yard with AstroTurf.
Animals allowed outside with supervision only. Outdoor area used for single dogs from 6 am to 8 am. Groups of dogs allowed 8 am to 5 pm. No evening hours.



Platte Woods Animal Hospital

5901 NW 72nd St.

Kansas City, MO 64151

General Location: Located W of Highway I-29 on 72nd St.

Zoning: B3-2 Community Business District
This zoning accommodates a broad range of retail and service uses, often in the physical form of shopping centers or larger buildings than found in the B1 and B2 districts.

Approximate distance to nearest residence:
360'

No Outside Kennels/Outside Runs/Recreation area.

