

**Minutes of the
Planning & Zoning Commission Work Session
City of Parkville, Missouri
Tuesday July 12, 2016 at 5:30 p.m.
City Hall Boardroom**

1. CALL TO ORDER

Community Development Director Stephen Lachky called the informal work session of the Planning and Zoning Commission at 5:34 p.m.

- Lachky introduced Brady Brewster, Community Development Intern to the Commission.

2. ROLL CALL

Commissioners Present

Barbara Wassmer
Dean Katerndahl
Doug Krtek
John Delich
Shane Smeed
Michael Wright

Staff Present

Stephen Lachky / Community Development Director
Brady Brewster / Community Development Intern

3. WORK SESSION

A. Friends of Parkville Animal Shelter

Community Development Director Stephen Lachky introduced the Friends of Parkville Animal Shelter (FOPAS) guests to the Commission and provided a brief summary of the organization's intent and need for holding a work session with the Commission.

Lachky welcomed Kathy Baker, a volunteer with the organization and invited her to provide a brief history of the organization and its future plans.

Baker stated that the shelter has been at their current site at 1356 Hwy. 9 for 10 years in a retrofitted home and building that was intended to only be temporary. They organization would like to plan and design for a permanent location and remain at the current location, however current City zoning does not allow an animal shelter land use.

Overview

Community Development Intern Brady Brewster then addressed the commission for a staff presentation regarding FOPAS' history, current site, planning & zoning challenges, and alternatives for solution. Brewster presented that the Friends of Parkville Animal Shelter currently operates an animal shelter for cats and dogs at the subject site of 1356 Hwy. 9. The site was originally intended to be temporary through

an agreement with the Board of Alderman as it was anticipated that the subject site would be redeveloped as a part of the Parkville Connections concept plan.

As those redevelopment plans never transpired, the facility remained in operation and has grown to service more animals in Parkville and the surrounding areas. The City has worked with FOPAS for many years to find alternative sites for a permanent facility the organization desires, however, no other location was available within the city limits or Parkville or nearby surrounding areas. In addition to the working relationship the organization has maintained with City Hall, the City has maintained a contract with FOPAS to accept stray canines recovered within city limits by the Parkville Police Department.

Access

Brewster then provided a preliminary analysis of the current site. The subject site at 1356 Hwy 9 currently sits at a lower elevation than the highway and a dense vegetative buffer exists between the facility and the roadway. Brewster provided photographs of the north and south approaches and indicated the access point to the facility off Hwy 9. In both directions, topography and dense vegetation provide a visual buffer of the facility from the roadway.

Zoning

Brewster described how the current site was zoned "R-4" Multiple-Family Residential District which provides for medium-density, multiple-family residences such as townhomes, garden apartments, bed-and-breakfasts, and apartment hotels. Brewster explained that although FOPAS is not a commercial kennel per se, Commercial Kennels are the most comparable use defined by the Parkville Municipal code and as such, City staff would interpret a new facility as such. Although commercial kennels are a defined use in the Municipal code, such uses are only permitted in the "I-3" Heavy Industrial District which is intended for light manufacturing, fabricating, warehousing, and wholesale distribution uses (Section 455). Given the existing character of development, the Master Plan, and Future Land Use Map, Brewster explained that the subject site conditions would not be conducive to a rezoning of the site to an I-3 district thus allowing the facility as a permitted use. The Commission was directed that other alternatives should be explored.

The City of Parkville Zoning Map was then presented to show the Commission the availability of alternative "I-3" zoning districts in the city limits. The relationship between the City and FOPAS was reiterated regarding their attempts to relocate the organization to a permitted property. Upon identifying the existing "I-3" zoning districts in the city limits, it was explained that no viable option exists as all permitted districts are utilized or unsuitable for the facility's operational needs or financial means.

Permanent Structure

Due to a lack of alternative sites in the permitted zoning district for Commercial Kennels, Brewster described that FOPAS is now seeking to remain at their existing site at 1356 Hwy. 9 or relocated to a directly abutting property just west and behind the Parkville Cemetery. At this location, FOPAS is seeking to build a permanent,

single-story facility of roughly 8,000 sq. ft. FOPAS has indicated to staff that animals will not be left outside overnight. Brewster directed the Commission that a possible condition of approval for any preliminary site plan that may be submitted could potentially include restrictions on outdoor hours and noted that this meeting was only to discuss the availability of a code mechanism to allow the shelter at the site. Further, he explained that a new building could help to mitigate concerns over noise, smell, and the appearance of the kennel facility through a context sensitive site planning process that accommodates adjacent properties around the site.

Land Use

The Parkville Master Plan land use projections for the area were presented and indicated the subject site as “Mixed-Use Residential Neighborhood” of moderate-density residential character. Brewster added that non-residential uses *may* be compatible within the Mixed-Use Residential Neighborhood projection as long as they are integrated and connected to the surrounding area. He added that although an animal shelter is not generally consistent with this type of projection, a permanent facility could achieve many of the same objectives of the forecast with proper design, site planning, and implementation. Brewster provided additional context to abutting properties that would be most directly impacted by a permanent animal shelter at the site.

Discussion ensued about the proposed location directly abutting 1356 Hwy. 9 just behind the Parkville Cemetery. Kathy Baker discussed that the property is owned by a member of the organization who would donate or sell that property for the facility at a reduced cost. She added that this would be the ideal site for an animal shelter as the cemetery could act as a transitional use between the Highway and the facility and would further mitigate any noise, sight, or smell concerns.

North of the proposed site, Brewster depicted a diagram showing the commercial business character of Highway 9. For comparison purposes, he added that the Parkville Athletic Complex near the proposed facility is approximately 30,000 sq. ft. and that permanent FOPAS facility would be 3 times smaller. West of the site, he noted that the undeveloped area was originally intended to be improved as part of the Parkville Connections plan and that east of the facility across Highway 9 are the nearest residential uses. Commissioner Delich questioned how far the homes in the 1st plat of Riss Lake were from the proposed facility. Brewster responded that the nearest home in the 1st plat of the Riss Lake subdivision was just under a half mile away.

Parkville Connections

Many Commissioners had questions regarding the Parkville Connections plan that was preliminarily approved on property around the site from 2007-2008. Brewster explained that Parkville Connections was former development concept plan that incorporated property from five owners and proposed single-family residences at steeper portions of the site, and moderate density residential and mixed use developments closer to Highway 9. Despite the preliminary approval, progress on the project stalled as of October 2009.

Brewster explained that although future development may occur on the surrounding property, FOPAS intends to construct a permanent facility that would not interfere with such efforts or possible public improvements. Kathy Baker noted that when Parkville Connections was first being discussed, an extension of Lakeview Drive was proposed running west to connect with Bell Road. As a result, any future facility will be removed from any possible road or right-of-way access, she explained. Brewster then presented a concept diagram provided by the organization that depicted what the building would look like at the site. Right-of-way access and the expansion of Lakeview Road were indicated for context.

Alternatives

Upon concluding the preliminary analysis of the site, Brewster reiterated that a rezoning of the site to allow a Commercial Kennel as a permitted use was not advised. He explained that currently there is no mechanism in place in the Municipal code that would allow the facility as a conditional use via a Conditional Use Permit.

He explained that through a proper site planning and design process, the noise, visual, and smell concerns over a permanent shelter could be minimized. Seeing that animal shelters are not defined as an approved Conditional Use by the Board of Alderman, Brewster discussed that a text amendment to City code could accommodate such an action.

Additional options included allowing the continued temporary use of the site through an agreement with the City, a rezoning of the site to I-3 heavy industrial (not recommended), or could involve the relocation of the facility to an additional property that could perhaps be outside of the city limits. Community Development Director Stephen Lachky added that FOPAS provides important services to the City of Parkville and executes an agreement between the City and the organization to accommodate stray animals. He added that the facility has grown over the past 10 years and that this work session was intended to spur discussion needed to finalize a permanent solution for the facility. He added that although staff is classifying the organization as a "Commercial Kennel", the organization is a non-profit animal shelter, which is not defined.

Discussion

Kathy Baker provided more detailed information about the facilities operations and noted that the facility would be a strictly non-breeding kennel. She stated the organization has actively looked at other sites, even accessing every County record to obtain a piece of suitable, non-developed property. She stated that there are currently about 21 dogs on site with more in foster homes and roughly 50 cats at the site. Every morning (365 days a year) volunteers walk, feed, and clean the animals and the facility. She added that volunteers are loyal to the organization and come in twice a day to maintain and walk the animals. A path has been constructed behind the facility to walk to animals in a discreet location, however in the winter she stated that animas are walked along Hwy. 9 for light. She added that it is the intent of the organization to provide a similar path at a new facility.

Commissioner Delich asked if FOPAS would have facilities necessary to board someone's pet. Kathy Baker responded that they would not provide these as they

are non-profit shelter rather than a commercial kennel. Kathy also added that the policy and City animal control contract has access to outdoor pens when no one is staffing the facility.

Chairman Katterndahl asked if there had been any complaints from residents regarding the existing facility or their plans to expand. Stephen Lachky responded that there have been none from adjacent residents, but some community members in the Riss Lake subdivision have complained. Kathy responded that such complaints may be misguided and that the noise dispersed from the site is minimal. Regarding the concern that dogs were often walked across the Riss Lake Dam, she responded that this practice had ended.

Chairman Katterndahl then questioned a possible rezoning of the site to a commercial use. Stephen Lachky responded that this could be an option, however a text amendment would be required making a Commercial Kennel an approved conditional use in the respective zoning district.

Commissioner Delich asked about the site location relative to the extension of Lakeview Drive. He wondered if the topography was feasible for development along the frontage of an extended Lakeview Drive. Kathy Baker responded that due to the steep elevation, she believed it was undevelopable.

Commissioner Krtek asked how the organization was financed and stated that an 8,000 square foot building would be a large capital commitment. Kathy responded that the organization is self-supported by donations and that the timeframe for a new building would come through a capital campaign. Krtek asked how far along they were and she said that they currently have some funding but would like a decision from the City regarding their permanence before continuing any campaign or fundraising.

Commissioner Krtek then asked about the economic viability of the property west of the subject site for development. Staff provided aerial photographs and discussed the topography of the location. The organization and many Commissioners believed that the site was of marginal use topographically and would likely remain unimproved for quite some time.

Commissioner Delich wrapped up the discussion by stating the importance of a permanent facility at the location being non-breeding.

ADJOURNMENT

Seeing no other comments, questions, or concerns, Chairman Katterndahl thanked staff and the applicants for their cooperation and adjourned the work session at 7:39 p.m.

Submitted by:

Stephen Lachky, AICP

8-10-16
Date

Community Development Director

Brady Brewster
Community Development Intern

8-10-16
Date