



Wichita-Sedgwick County Metropolitan Area Planning Department

June 22, 2021

Lucas R. & Chelsea J. Powell
10080 South Webb Road
Mulvane, KS 67110

Ref: CON2021-00017: County Conditional Use for a Boarding/Breeding/Training Kennel on RR Rural Residential zoned property generally located approximately mid-mile between East 95th Street South and East 103rd Street South on the east side of South Webb Road (10080 South Webb Road)

Lucas & Chelsea,

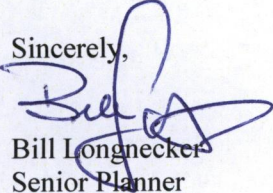
CON2021-00017 was approved at the MAPC Wichita – Sedgwick Metropolitan Area Planning Commission meeting on Thursday June 17, 2021 with the following conditions:

1. A boarding, training, breeding and a dog day care kennel for daily maximum of 40 dogs. The 40 outdoor kennels will be attached to each of the 40 indoor kennels. The site plan will show an approximately 5,600-square foot outdoor play and training area attached to the west and south sides of the kennel building. Obedience training can be provided for either individual dogs or for group training. The number of dogs receiving obedience training does not count towards the 40 dog daily maximum. The facility will be open Monday – Sunday, 7 am – 7 pm.
2. The Conditional Use for a Boarding/Breeding/Training Kennel shall comply with all applicable federal, state, and local requirements including the UZC's Supplementary Use Regulation standards; Art.III, Sec.III-D, 6.k.
3. The kennel operator shall have on file proof of rabies vaccinations by a licensed veterinarian.
4. Cleaning of the boarding kennel facility shall be performed as often as necessary to maintain sanitary conditions. A suitable method of eliminating excess water from animal housing facilities shall be provided as approved by Environmental Services. Interior surface materials shall be constructed of non-porous materials that are impervious to moisture.
5. Sufficient quantities of food and water shall be provided to keep the dogs in good physical condition. The animals shall be fed at least once daily and provided clean water at all times. Food and water containers shall be located to minimize contamination and shall be cleaned as often as necessary to maintain sanitary conditions.
6. All waste materials shall be disposed of in such a manner as to minimize odors and disease hazards. The boarding kennel shall be maintained in a sanitary manner as required by applicable codes. All solid waste generated by the boarding, breeding and training kennel must be removed from the site and shall not be discharged into the residential sewage lagoon on-site or any other on-site disposal system. Contact MABCD to discuss their solid waste disposal plans.
7. The animals confined in the boarding kennel shall be maintained in good physical condition, free of infectious diseases and parasites.

8. The applicant shall obtain all applicable permits including, but not limited to building, health and zoning.
9. The boarding facility shall be open to the unannounced inspection by Code Enforcement personnel during reasonable hours to insure continued compliance with the above requirements.
10. The property shall be developed and maintained in accordance with the site plan approved by the Planning Director, showing screening, all buildings, parking, and other applicable features of the site.
11. If the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

There is a two week protest period that began at the end of the June 17, 2021 MAPC meeting. If there are no protest registered against CON2021-00017 with the County Clerk the action by the MAPC is final. If there are protests to CON2021-00017 it will forwarded to the BoCC Sedgwick County Board of County Commissioners for final action. Should you have any questions, please feel free to call me at 268-4421.

Sincerely,



Bill Longnecker
Senior Planner

CONDITIONAL USE RESOLUTION NO. CON2021-00017

WHEREAS, Lucas R. & Chelsea J. Powell, Owners, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow a Boarding/Breeding/Training Kennel on an approximately 20-acre property zoned "RR" Rural Residential generally located approximately mid-mile between East 95th Street South and East 103rd Street South on the east side of South Webb Road (10080 South Webb Road) and described as:

That part of the Southwest Quarter of Section 21, Township 29 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as beginning at the Northwest corner thereof; thence South 0°00'00" West along the West line of said Southwest Quarter, 670.87 feet; thence North 89°37'00" East, 1305.03 feet; thence North 0°00'00" East parallel with said West line, 664.85 feet to the North line of said Southwest Quarter, thence South 89°52'52" West, along said North line, 1305.00 feet to the point of beginning.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of June 17, 2021, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for a Boarding/Breeding/Training Kennel on approximately 20-acres zoned "RR" Rural Residential and described as:

That part of the Southwest Quarter of Section 21, Township 29 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as beginning at the Northwest corner thereof; thence South 0°00'00" West along the West line of said Southwest Quarter, 670.87 feet; thence North 89°37'00" East, 1305.03 feet; thence North 0°00'00" East parallel with said West line, 664.85 feet to the North line of said Southwest Quarter, thence South 89°52'52" West, along said North line, 1305.00 feet to the point of beginning

Approved subject to the following conditions:

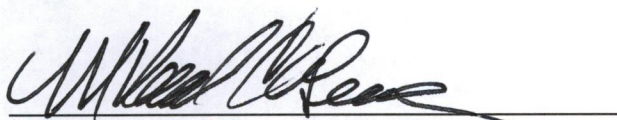
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4. Cleaning of the boarding kennel facility shall be performed as often as necessary to maintain sanitary conditions. A suitable method of eliminating excess water from animal housing facilities shall be provided as approved by Environmental Services. Interior surface materials shall be constructed of non-porous materials that are impervious to moisture.
5. Sufficient quantities of food and water shall be provided to keep the dogs in good physical condition. The animals shall be fed at least once daily and provided clean water at all times. Food and water containers shall be located to minimize contamination and shall be cleaned as often as necessary to maintain sanitary conditions.
6. All waste materials shall be disposed of in such a manner as to minimize odors and disease hazards. The boarding kennel shall be maintained in a sanitary manner as required by applicable codes. All solid waste generated by the boarding, breeding and training kennel must be removed from the site and shall not be discharged into the residential sewage lagoon on-site or any other on-site disposal system. Contact the Metropolitan Area Building and Construction Department to discuss their solid waste disposal plans.
7. The animals confined in the boarding kennel shall be maintained in good physical condition, free of infectious diseases and parasites.
8. The applicant shall obtain all applicable permits including, but not limited to building, health and zoning.
9. The boarding facility shall be open to the unannounced inspection by Code Enforcement personnel during reasonable hours to insure continued compliance with the above requirements.
10. The property shall be developed and maintained in accordance with the site plan approved by the Planning Director, showing screening, all buildings, parking, and other applicable features of the site.
11. If the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 1st Day of July 2021.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



Michael C. Greene, Chair MAPC



Scott Wadle, Secretary

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Mary Joyce, being first duly sworn, deposes and says: That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

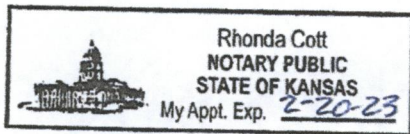
Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 28th day of April 2021, with subsequent publications being made on the following dates:

N/A

Legal Manager

Subscribed and sworn to before me this 28th day of April, 2021.

Notary Public

Official Hearing Notice – MAPC – May 20, 2021

Printer's Fee: \$46.20

Additional copies: \$ _____

Legal Publication
OCA 150004
Published in The Derby Informer on April 28, 2021

**MAPC May 20, 2021
OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on Thursday, May 20, 2021 no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Wichita City Hall Building – 1st Floor Council Chambers – 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

CON2021-00017 County Conditional Use on RR Rural Residential Zoning to permit a dog boarding, training and breeding business located one-half mile south of 95th St. S. on the east side of South Webb Road (10080 S. Webb Road)

ZON2021-00017 County zoning request to rezone a portion of a lot (5.9 acres) from SF20 to GC (General Commercial) located 1,100 feet north of W. 37th St. N on the east side of Hoover Rd. to allow construction of storage units.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample

time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3 rd Street – Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely
Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/651544141>
You can also dial in using your phone.
United States: +1 (571) 317-3112
Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/651544141>

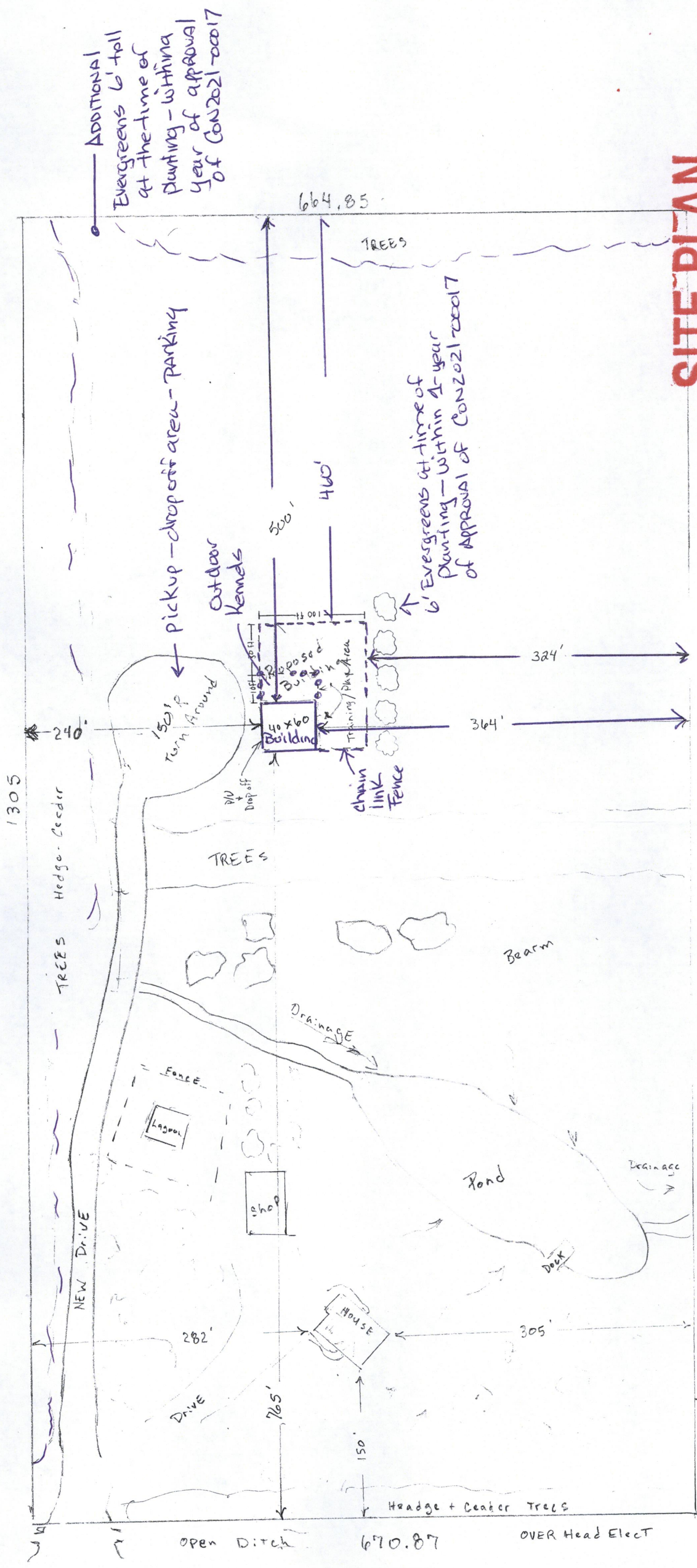
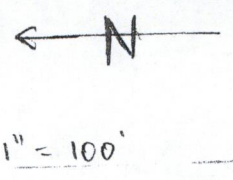
Attend In-Person
You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on April 26, 2021
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission

CON 2021-00017

Hours & Days of KENNEL Monday - Sunday 7am - 7pm

10080 South WEBB Road



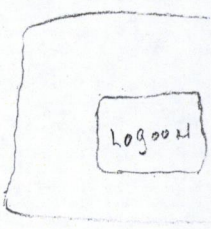
ADDITIONAL Evergreens 6' tall at the time of planting - within a year of approval of CON 2021-00017

6' Evergreens at time of planting - within 1-year of approval of CON 2021-00017

SITE PLAN

APPROVED BY Bill Longnecker

July 1, 2021



Lagoon