



Wichita-Sedgwick County Metropolitan Area Planning Department

September 2, 2011

High Halo Kennels Inc.
Attn: Rhonda Stanhope
15901 W Highway 54
Goddard, KS, 67052-9328

RE: ZON2011-00016 and CON2011-00023 - County zone change from SF-20 Single-Family Residential to RR Rural Residential and a County Conditional Use for a indoor boarding kennels for dogs and cats with outdoor runs, an accessory apartment for the manager of the kennel, limited animal care and a larger sign, generally located on the south side of Kellogg Street/US 54, midway between 151st and 167th Streets West.

Dear Ladies and Gentlemen:

At its regular meeting on August 24, 2011, the Sedgwick County Board of County Commissioners (BoCC) considered the above captioned request. The decision of the BoCC was to APPROVE the request subject to the following conditions listed below.

- (1) A Conditional Use for a Boarding Kennel for dogs and cats shall comply with Section III.D.6.k of the Wichita-Sedgwick County Unified Zoning Code and all applicable federal, state, and local requirements.
- (2) The number of adult dogs and cats authorized to be boarded shall not exceed 200 dogs and 40 cats at any one time.
- (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, and a "suitable method" of eliminating excess water from animal housing facilities shall be provided as determined by the Environmental Services. Interior surface materials shall be constructed of non-porous materials that are impervious to moisture.

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Page | 2

- (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.
- (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 daylight hours to insure continued compliance with the above requirements.
- (10) A Conditional Use for Animal Care, limited shall be permitted on the site and comply with all applicable federal, state, and local requirements.
- (11) A Conditional Use for an accessory apartment shall comply with Section III.D.6.a of the Wichita-Sedgwick County Unified Zoning Code and all applicable local permits and requirements.
- (12) Permit a 96-square foot, double-faced, 25-foot tall pole sign on U.S. 54 frontage, as approved (including lighting) by County Permits and Code.
- (13) The property shall be developed and maintained in accordance with a revised site plan approved by the Planning Director, showing lighting, additional screening, all buildings, parking, and other applicable features of the site, all in conformance with the UZC. No permits are to be issued until the revised site plan is approved.
- (14) The future kennel buildings, dog runs and veterinary clinic will use similar materials and design as the current kennel complex; residential styled, pitched gable roofs with the roof overhang extending partially over the attached, individual, chain-link, concrete floor, outdoor runs.

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Page | 3

- (15) 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.

We are also sending copies of the approved site plans and the proposed sign.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Bill Longnecker
Senior Planner
Current Plans Division

Copies to: BCOC III, Karl Peterjohn, Mail Stop County, Room 320
Bob Parnacott, Mail Stop County Room 359
Glen Wiltse County Code Enforcement, 1144 S Seneca, Wichita, KS 67213
Jim Weber County Public Works, 1144 S Seneca, Wichita, KS 67213
Goddard City Hall, c/o Jim Singletary, PO Box 667, Goddard, KS, 67052
Attica Township Trustee, PO Box 213, Goddard, KS, 67052



MAPC July 21, 2011
Goddard Planning July 14, 2011

ZON2011-00016 - CON2011-00023

High Halo Kennels (owner/applicant), c/o Mildred L.
Dodd Rhonda Stanhope (agent)

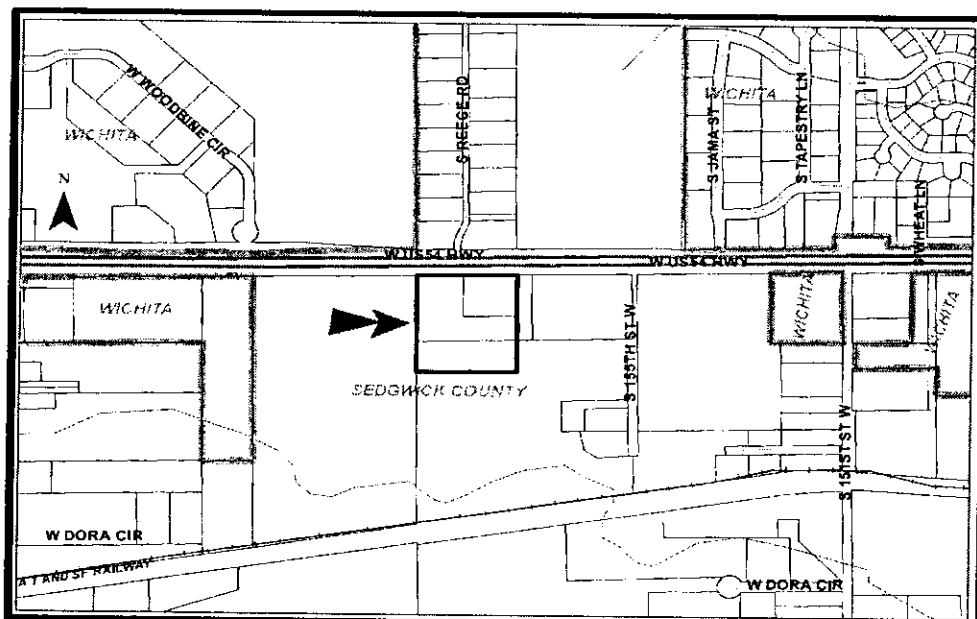
County Conditional Use to permit boarding kennels for dogs and cats, to permit an accessory apartment, to permit general animal care with an associated County zone change to RR Rural Residential ("RR"), and increase signage

SF-20 Single-Family Residential ("SF-20")

8.77-acres

Generally located on the south side of Kellogg Street/US 54, midway between 151st and 167th Streets West (BoCC #3)

Expand boarding kennel for dogs and cats, future veterinary clinic, a manger's residence, and a 8' (x) 12' (x) 25' tall sign



BACKGROUND: The application area is zoned SF-20 Single-family Residential ("SF-20"), is located on the south side of West U.S. 54 Highway one-half mile west of 151st Street West and is developed with an existing home and the High Halo Kennel. The applicants are requesting County Conditional Use approval to expand the existing boarding kennel business by adding: 1) indoor kennels and outdoor runs; 2) an "animal care, limited" facility; 3) an accessory apartment to be used for a manager's residence and 4) a larger sign. "Animal care, limited" requires RR Rural Residential ("RR") zoning, hence the associated zone change request from SF-20 to the RR district. The County permits 8-square feet of signage by-right; however, with conjunction with a Conditional Use application, a larger sign may be approved. Because of the sign's location along U.S. 54 highway, the applicant will need to check with K-DOT to ensure the State has no restrictions on the proposed sign.

The proposed Conditional Use would increase the site to 8.77-acres, double the number of dog boarding kennels with attached runs (from 100 to 200) and double the number of cat kennels (from 20 to 40). The kennel will be/is open Monday – Friday, 8:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to 12:00 p.m. It will be/is closed on Sundays and holidays.

Proposed development would mirror materials and architectural types used in the current development; a residential styled kennel building with a 3/12 pitched gable roofs with roof overhangs extending partially over the attached, individual, chain-link, concrete floor outdoor runs. Currently there are two of these kennel buildings (50 dogs per kennel building), both attached to a reception – office building, which in turn is attached to a single-family residence and attached garage. Looking at the current development from U.S. 54, it resembles one large single-family residence, with a gravel parking area. The kennels are screened from U.S. 54 (north side) by the attached residence-office and solid PVC fencing. The site plan shows the additional kennel buildings attached to the proposed animal care clinic, all of which will be attached to the current complex, thus extending solid screening, primarily by buildings, along the south side of U.S. 54 side.

The current kennels and the proposed expansion partially meet the current Unified Zoning Code (UZO, Art.III, Sec.III-D, 6-k) kennel requirements of:

- (a) A minimum of a 5-acre site for a boarding kennel; the applicant has provided an 8.77-acre site.
- (b) Outdoor kennels/runs must be located at least 200 feet from any dwelling unit, other than the owners, and 50 feet from contiguous property lines; the existing kennel and proposed expansion meets these standards.
- (c) Kennels must be located 600 feet or more from contiguous property lines or provide screening. The existing and proposed kennels are less than 600 feet on the north, west and south sides, thus requiring screening. Solid screening is provided along the north/U.S. 54 side by the already noted attached residence-office and solid PVC fencing. A mature hedge row provides seasonal screening on the west side and mature trees provide partial screening on the east side.

The existing kennel is located approximately 140 feet from the western property line and approximately 380 feet from the eastern property line. The new kennels proposed to be attached to the proposed vet clinic will be within 280 feet of the eastern property line, but no

closer to the west property line than the existing kennels. The existing kennel is located approximately 340 feet from the nearest property line north of U.S. 54. The new kennels proposed to be attached to the proposed vet clinic will be within approximately 300 feet of the northern property line, but no closer to the south property line than existing kennels. The existing and proposed kennel is located over 1,100 from the southern property line.

A mixture of SF-20 and SF-5 Single-Family Residential ("SF-5") zoned manufactured home parks, single-family residences, and the new Goddard public school site are abutting or adjacent to the subject site. A portion of one manufactured home park has an area of MH Manufactured Home ("MH") zoning. SF-20 and RR zoned agricultural (and undeveloped land) land also abuts or is adjacent to the site. Undeveloped LC Limited Commercial ("LC", CUP DP-241) land is located northwest of the site, across U.S. 54.

CASE HISTORY: There is no record of any Use Exception or Conditional Use for a dog kennel at this location. County Code Enforcement considers the current dog kennel business to be a legal non-conforming use since it was in existence prior to county-wide zoning in 1985.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20, SF-5, LC	Agricultural fields, single-family residences, Goddard schools, undeveloped lands
EAST:	SF-20	Agricultural fields, manufactured home parks, single-family residence
SOUTH:	SF-20, RR	Agricultural fields
WEST:	SF-20, MH, SF-5	Manufactured home parks, undeveloped land,

PUBLIC SERVICES: U.S. 54 is a four-lane paved highway with a grass median. The 2030 Transportation Map shows no change to the status of this road. There is electricity for the site. The City of Goddard supplies public water to the site. Sewer could be extended to the site.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the area and apportion of the site as being in the "urban development mix" category and within the outer edge of the 2030 Wichita growth area. That portion of the site currently developed as the kennel complex is shown as being in the "Regional Commercial" category. The urban development mix category encompasses land that will likely be developed within the next 30 years with uses predominately found in the "urban residential use" category of the Guide. There is also the strong likelihood that concentrations and pockets of uses found in the "major institutional" and "local commercial" categories, as well as "regional commercial" and "employment centers," could develop in this area, depending on proximity to arterial roads. Needless to say these categories ponder the possibility of a wide range of uses, including all housing types, public and civic uses, the smallest to largest retail and manufacturing-warehousing-shipping developments. The UZC lists a kennel used for boarding/breeding/training as a "commercial use," which fits into the urban development mix category

A kennel for boarding can be considered for a County Conditional Use in the requested RR zoning district, per the standards of the UZC, Art.III, Sec.III-D, 6-k. The site appears to partially conform to those standards. A general animal care/veterinary clinic, an accessory

apartment and a larger business sign can also be considered for a County Conditional Use in the requested RR zoning district.

As noted, the Unified Zoning Code ("UZC") lists a kennel used for boarding/ breeding/training as a "commercial" use. The Commercial Locational Guidelines of the Comprehensive Plan recommends that commercial sites should be located adjacent to arterials and not have commercially-generated traffic should not feed directly onto local residential streets. The site has direct access to Kellogg Street/U.S. 54 a four-lane paved highway, with a grass median, and will not generate commercial traffic that will feed directly into residential streets. The Locational Guidelines also state that the site should have design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. Looking at the current and proposed development from U.S. 54, it does and will resemble one large, rambling single-family residence. Additional screening on the west and east sides of the site, where they are partially out of compliance with UZC, Art.III, Sec.III-D, 6-k.

RECOMMENDATION: Based on the information available prior to the public hearing, staff recommends the zone change to RR Rural Residential ("RR") a County Conditional Use for a boarding kennel for dogs and cats, animal care, general and an accessory apartment be APPROVED on the approximately 8.77-acre site, subject to the following conditions:

- (1) A Conditional Use for a boarding kennel for dogs and cats shall comply with Section III.D.6.k of the Wichita-Sedgwick County Unified Zoning Code and all applicable federal, state, and local requirements.
- (2) The number of adult dogs and cats authorized to be boarded shall not exceed 200 dogs and 40 cats at any one time.
- (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, and a "suitable method" of eliminating excess water from animal housing facilities shall be provided as determined by the 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.
- (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 daylight hours to insure continued compliance with the above requirements.
- (10) A Conditional Use for Animal Care, general shall be permitted on the site and comply with all applicable federal, state, and local requirements.
- (11) A Conditional Use for an accessory apartment shall comply with Section III.D.6.a of the Wichita-Sedgwick County Unified Zoning Code and all applicable local permits and requirements.
- (12) Permit a 96-square foot, double-faced, 25-foot tall pole sign on U.S. 54 frontage, as approved (including lighting) by County Permits and Code.
- (13) The property shall be developed and maintained in accordance with a revised site plan approved by the Planning Director, showing lighting, additional screening, all buildings, parking, and other applicable features of the site, all in conformance with the UZC. No permits are to be issued until the revised site plan is approved.
- (14) The future kennels buildings, dog runs and veterinary clinic will use similar materials and design as the current kennel complex; residential styled, pitched gable roofs with the roof overhang extending partially over the attached, individual, chain-link, concrete floor, outdoor runs.
- (15) 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.

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the surrounding area: A mixture of SF-20 and SF-5 Single-Family Residential ("SF-5") zoned manufactured home parks, single-family residences, and the new Goddard public school site are abutting or adjacent to the subject site. A portion of one manufactured home park has an area of MH Manufactured Home ("MH") zoning. SF-20 and RR zoned agricultural (and undeveloped land) land also abuts or is adjacent to the site. Undeveloped LC Limited Commercial ("LC", CUP DP-241) land is located northwest of the site, across U.S. 54.
- 2. The suitability of the subject property for the uses to which it has been restricted: The site could continue to be used as boarding kennel for dogs and cats. The proposed expansion of the site to allow additional kennels, a veterinary clinic and an accessory apartment for an on-site manager's residence would seem to be a reasonable

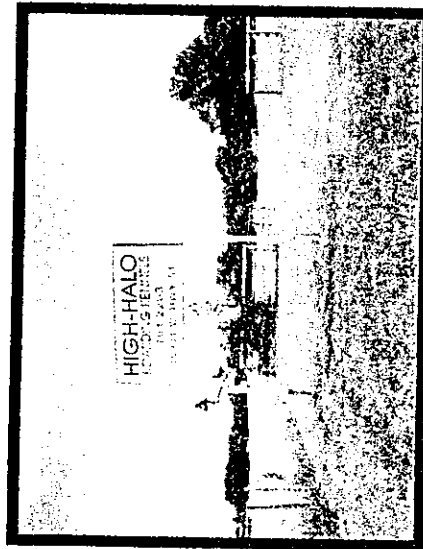
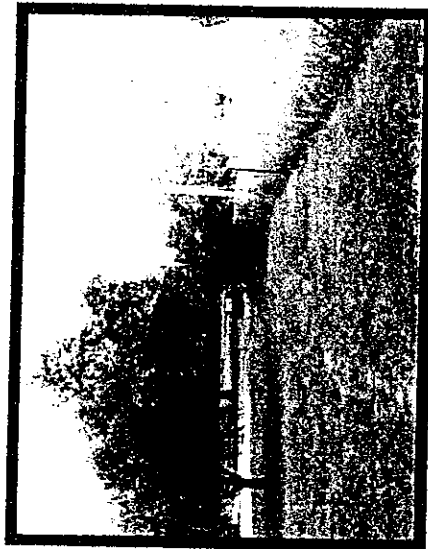
extension of the site's existing use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Potential noise and odors generated by the dogs using the kennel are the potential negative impact. The size of the site, its existing mature trees and the listed conditions should work to minimize negative effects.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the area and apportion of the site as being in the "urban development mix" category and within the outer edge of the 2030 Wichita growth area. That portion of the site currently developed as the kennel complex is shown as being in the "Regional Commercial" category. The urban development mix category encompasses land that will likely be developed within the next 30 years with uses predominately found in the "urban residential use" category of the Guide. There is also the strong likelihood that concentrations and pockets of uses found in the "major institutional" and "local commercial" categories, as well as "regional commercial" and "employment centers," could develop in this area, depending on proximity to arterial roads. Needless to say these categories ponder the possibility of a wide range of uses, including all housing types, public and civic uses, the smallest to largest retail and manufacturing-warehousing-shipping developments. The UZC lists a kennel used for boarding/breeding/training as a "commercial use," which fits into the urban development mix category

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5. Impact of the proposed development on community facilities: Approval should not impact community facilities to any significant degree.



Company:

Ron's Sign Co.
1329 S Handley
Wichita, KS 67213
Phone: 1.800.326.8914
Fax: 1.316.267.0811

Description:

By signing this you agree that all sizes, graphics and specifications are correct and satisfactory.
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Specs/Price:

Approved by:

Date:



