



# City of Olathe

## Legislation Details (With Text)

<b>File #:</b>	G20-1744		
<b>Type:</b>	New Business-Planning	<b>Status:</b>	Passed
<b>File created:</b>	6/23/2020	<b>In control:</b>	City Council
<b>On agenda:</b>	7/7/2020	<b>Final action:</b>	7/7/2020
<b>Title:</b>	Consideration of Resolution 20-1047, SU20-0001, requesting approval of a special use permit for Animal Care - Indoor or Outdoor Kennel on 9.7± acres; located at 16129 Lone Elm Road. Planning Commission recommends approval 9 to 0.		
<b>Sponsors:</b>	Aimee Nassif, Jessica Schuller		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Resolution No. 20-1047		

Date	Ver.	Action By	Action	Result
7/7/2020	1	City Council	approved	Pass

**DEPARTMENT:** Public Works, Planning Division

**STAFF CONTACT:** Jessica Schuller, Senior Planner

**SUBJECT:** SU20-0001: Special Use Permit and Preliminary Site Development Plan for *Animal Care - Indoor or Outdoor Kennel*; Applicant: Brandon Sutherland, Emerald Properties, LLC

### ITEM DESCRIPTION:

Consideration of Resolution 20-1047, SU20-0001, requesting approval of a special use permit for *Animal Care - Indoor or Outdoor Kennel* on 9.7± acres; located at 16129 Lone Elm Road. Planning Commission recommends approval 9 to 0.

### SUMMARY:

The applicant is requesting a special use permit for K-9 Acres, a dog training and boarding facility with an associated veterinary clinic. The Unified Development Ordinance (UDO) requires a special use permit for this use category which is classified as *Animal Care - Indoor or Outdoor Kennel*, in the M-2 (General Industrial) District.

The proposed facility includes multiple outdoor play areas, an indoor training and kennel facility, and an associated veterinary clinic. The project will be phased, with the remodel of an existing building taking place in Phase 1, and the construction of a new 14,000 square foot building and fenced areas east of the new building taking place in Phase 2. A related application is on this agenda for a rezoning and revised preliminary site development plan (RZ20-0004). Zoning to the M-2 District is required for consideration of this special use permit. If case RZ20-0004 is not approved, this special use permit request cannot be considered for approval.

The proposed kennel facility complies with architectural standards and Staff will continue to work with the applicant to provide additional architectural interest on the north and south facades at the time of Final Site Development Plan review. The details of the type of fencing on site and the proposed screening of the fence areas will be finalized at the time of final development plan as the developer

continues to collaborate with staff. The fences will be landscaped intermittently to break long expanses of fencing, as required by the UDO.

On June 8, 2020, the Planning Commission held a public hearing for the proposed request. No neighboring property owners spoke at the public hearing or corresponded with staff. The Planning Commission voted 9-0 to recommend approval of SU20-0001 for a ten (10) year time limit with the stipulations outlined in the Planning Commission minutes.

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**FINANCIAL IMPACT:**

None

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**ACTION NEEDED:**

1. Adopt Resolution 20-1047 to approve a Special Use Permit *Animal Care - Indoor or Outdoor Kennel* as stipulated by the Planning Commission.
2. Deny Resolution 20-1047 (5 positive votes required) for a Special Use Permit for *Animal Care - Indoor or Outdoor Kennel*.
3. Return the Special Use Permit application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

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**ATTACHMENT(S):**

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Resolution No. 20-1047