

AGENDA
CITY OF RAYTOWN
PLANNING AND ZONING COMMISSION MEETING

February 25, 2016
Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

REGULAR MEETING

7:00 pm

1. Welcome by Chairperson- Mr. Tommy Bettis, Vice Chairman, served as Chairperson for the meeting in Chairman Kevin Wilson's absence.

2. Call meeting to order and Roll Call.

Wilson: Absent

Jimenez: Absent

Stock: Present

Bettis: Present

Robinson: Present

Lightfoot: Present

Hartwell: Absent

Dwight: Present

Meyers: Present

Also Present: John Benson, Director of Development and Public Affairs, Joe Willerth, City Attorney, Ray Haydaripoor, Neighborhood Services Supervisor, June Van Loo, Permit Technician, and Scott Peterson, Permit Technician.

3. Approval of minutes – January 7, 2016 meeting

A. Revisions-

B. Motion- Ms. Stock motioned to approve the minutes for the January 7, 2016 meeting.

C. Second- Mr. Lightfoot seconded Ms. Stock's motion to approve.

D. Additional Board Discussion- None

E. Vote- Motion passed unanimously 6-0.

4. Old Business – None

5. New Business

A. Application: Application for conditional use permit for an animal kennel facility as part of an animal adoption operation at 10312 E. 63rd Street in Raytown, MO.

Case No.: PZ-2016-003

Applicant: Monopoly Acquisitions, LLC on behalf of Raytown Animal Hospital and Midwest Animal ResQ

1. Introduction of Application by Chair: Mr. Bettis introduced application PZ-2016-003 to the board.

2. Open Public Hearing: Mr. Bettis opened the public hearing.

3. Explain Procedure for a Public Hearing and swear-in speakers: Mr. Joe Willerth, City Attorney, swore in those wishing to speak on behalf of the application.

4. Enter Relevant City Exhibits into the Record:

Mr. Bettis introduced the following exhibits into the record:

- a. Conditional Use Permit Application submitted by applicant
- b. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
- c. Public Hearing Notices sent to property owners within 185-feet of subject property
- d. City of Raytown Zoning Ordinance, as amended
- e. City of Raytown Comprehensive Plan

Mr. John Benson introduced the following additional exhibits into the public record:

- f. Letter from Raytown Water Company, signed by President Neal Clevenger, giving support in favor of the application.
- g. Email to John Benson from Scott Peterson detailing a voicemail Mr. Peterson received from Constance Jones, resident of Raytown, giving opposition to the application over concerns of noise and odor.
- h. PowerPoint presentation given by Applicant during the Public Hearing.
- i. Petition from Raytown Landing Homeowners Association in opposition of the application.

5. Explanation of any exparte' communication from Commission members regarding the application: None.

6. Introduction of Application by Staff: Mr. Benson noted that a change of ownership had occurred on the building as of the date of the public hearing on February 25, 2016; Monopoly Acquisitions had officially acquired ownership of the applicant property from Raytown Animal Hospital. Mr. Benson clarified that the animal adoption use of the property did not require a Conditional Use Permit, but it was solely the kennels that triggered the necessity of a Conditional Use Permit.

7. Presentation of Application by Applicant: Erin Morris, 533 NW 1501 Rd., Holden, MO, 64040, gave a presentation to the board. Ms. Morris explained the objectives and operations of Midwest Animal ResQ.

Stacey Payne, 1205 E Gore Rd., Raymore, MO addressed the concerns voiced by members of the public concerning noise and odor on the property. Ms. Payne stated that all droppings will be picked up and the dogs will not be kept outside at night.

Mr. Benson clarified at request from the board that the animals impounded by the City would only be released to Midwest Animal ResQ only after the ten day impoundment period, and only if an owner is not found or the animal is unclaimed.

Ms. Stock asked how many animals the facility would hold at a time. Ms. Morris responded somewhere between 12-20 dogs.

8. Request for Public Comment:

Ralph Hodapp, 6223 Ash Ct, President of the Raytown Landing Homeowners Association, spoke on behalf of a petition of 33 signatures in opposition to the application. Mr. Hodapp stated that the previous animal shelter at the applicant location had issues with noise, waste odor, and stray animals running through neighboring yards in an attempt to get to the dogs in the shelter. As such, the signees of the petition were opposed to the application without those issues being resolved.

Brenda Hager, 5343 Blue Ridge Blvd, spoke in support of the application. Ms. Hager stated that she has experience working with animal shelters, and that Ms. Morris is well respected in the animal adoption community. She also stated it was her belief that since the adoption

center will be run by full-time employees instead of volunteers the concerns brought forth by Mr. Hodapp and others will be addressed.

9. Additional Comment from Applicant, Additional Comment from Applicant, if necessary:

Ms. Morris clarified that the shelter will have strict hours during the day, and animals will not be out at night. Furthermore, all animals will be supervised when they are out during the day, and all waste will be picked up immediately to reduce the odor as well as to protect the animals from communicable disease.

Mr. Haydaripoor stated that impounded animals held for 10 days, any diseases identified by Dr. Rose will be treated at cost to the city if the animal is unclaimed, or to the animal's owner, if claimed. He further stated that 10 day quarantines are only for animals involved in bite cases, and no animals will be sent for adoption that are known to have a bite history.

10. Additional Staff Comments and Recommendation:

Mr. Benson recommended approval of the application subject to the following conditions:

- a. Compliance with all applicable local, State of Missouri, and federal laws, including the Missouri Department of Agriculture.
- b. Keeping of animals shall be allowed as long as they are in conjunction with the operation of an animal adoption center.
- c. All animal kennels shall be located inside the building.
- d. All animals, when outside the building, shall be under the supervision of a person who shall remain outside with the animals.

11. Board Discussion: None

12. Close Public Hearing: Mr. Bettis closed the public hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application:

- a. Motion- A motion was made by Mr. Robinson to move the vote to approve or deny the application to Monday, February 29, 2016 at 7:00 pm.
- b. Second- Ms. Stock seconded the motion.
- c. Additional Board Discussion- None
- d. Vote- The motion passed unanimously 6-0.

6. Other Business: None

7. Planning Projects Report: None

8. Set Future Meeting Date – Monday, February 29, 2016 at 7:00 p.m.

9. Adjourn