

City of Leawood
Planning Commission Work Session
Complete Streets & LDO Amendments (Siding/Roofing Materials & Kennels)
Tuesday, April 12, 2011

Attendees: Kelly Jackson, Commissioner; Len Williams, Commissioner; Bill Ramsey, Commissioner; Marc Elkins, Commissioner; Richard Coleman, Planning Director; Mark Klein, Assistant Director; Franki Shearer, City Attorney; Alicia Jennings, Green Committee member; Brian Anderson, Parks and Recreation, David Ley, Public Works, Debbie Brenner, Planning Assistant.
Absent: Pateidl, Rohlf, Roberson, Heiman

Agenda:

1. Complete Streets
2. LDO Amendment – Siding/Roofing Materials
3. LDO Amendment - Kennels

COMPLETE STREETS

Brian Anderson, Parks and Recreation, made the following comments:

Mr. Anderson: Thank you for letting me speak with you about this. Alicia Jennings is the Vice-Chair of the Bicycle-Friendly Committee, as well as being on the Sustainability Board. She will be available to help answer questions. I won't go over much since you've read it. I'd like for you to give us some comments before we bring it to your April 26th Planning Commission meeting for, hopefully, a recommendation to the Council of your support of a Complete Streets policy. In November, we brought a draft of a Complete Street policy that had come from the Bicycle Committee and the Bike Advisory Board. The Planning Department gave a presentation on some of the Complete Street concepts and some of the designs with bike lanes and better crossings. After your feedback, we all went through that draft and tweaked it so it would apply better to Leawood and would detail how we would develop the plan. The new resolution draft tonight will affirm that we, as a city, want to add this type of plan to our Comprehensive Plan and the LDO. It would also define how we will implement the plan. Staff will make modifications to our existing documents, coming up with the overall street map. At every point along the way, it will come back to the various citizen boards and Council for approval. This resolution will not make it a done deal. If you have any questions, I'd be happy to answer them.

Comm. Ramsey: What does this program do for us that we can't already do?

Mr. Anderson: The Bike Committee gets feedback from people that ride bikes. They have expressed concerns about different areas of town and their safety. We also get feedback from motorists about cyclist congestion. If we can start developing complete streets, we will start giving cyclists a place to be to avoid the conflict. I feel it would encourage people to ride a bike more for errands. I could see better bicycle parking facilities, perhaps. Maybe it would be safer for cyclists, also. One of our goals is to become a bicycle friendly city, and the primary feedback regarding this is a request for a Complete Streets policy.

Comm. Jackson: Who designates these things?

Mr. Anderson: The League of American Bicyclists.

Comm. Jackson: Is there anything in the LDO right now that prevents us from doing these things?

Mr. Klein: We do have policies in the Comprehensive Plan now that have Complete Streets concepts. This will take it to another level. When we go to developers or to the CIP, rather than just being an afterthought or suggestion, this will be a policy and a plan to enforce. Through City Council, this will show that this is what the city wants; therefore, this is what we will require. We see development applications come in all the time for new buildings. Those are opportunities to add street trees, pedestrian paths and connections. In Town Center Plaza, pedestrian paths that connect to the center are a tabletop, which lifts the pedestrian up higher and also doubles as a speed bump.

Mr. Coleman: Right now, I don't think we have anything in the LDO that designates how many bicycle parking spaces are required per one thousand square feet of development. Currently, we just request the bike racks. We would like it to be a requirement.

Comm. Elkins: The most recent bike issue in my mind was the plan for the Reece & Nichols building. We went around and around about whether or not they needed to connect with the path. If we had this policy in place with that plan, would it have made a difference? Would you have dealt with the architect differently?

Mr. Coleman: It would have made our job a little easier because it would already be there as part of the city's development code.

Comm. Williams: I seem to recall one of the issues was the potential bike and pedestrian traffic going through a parking lot and the conflict between the three elements. We see that in other developments which have put up signs that say, "No bike traffic."

Mr. Coleman: Yes, but there has always been opposition when building the trails. Most developers only want to do what is required and nothing extra.

Comm. Elkins: Is this broad enough to get to them?

Mr. Coleman: This wouldn't be a specific ordinance, but rather a big-picture summary. The specifics that would reach the developers would be developed by the committees and everyone working together. Like Brian said, the ultimate document will be tailored by the Planning Commission, City Council and the committees. It will be different than other cities.

Mr. Klein: The policy states that the plan elements will be in specific documents the city uses to govern itself, such as the Comprehensive Plan, the LDO, the Public Works Standards and the CIP. This overall policy is meant to be very flexible at this point, with words such as "guide" and "done incrementally over time."

Ms. Shearer: This is not the end; this is the beginning. This is saying that we, as a city, through all departments involved, agree that this is a good idea and will work to implement it.

Comm. Elkins: It is a policy statement.

Mr. Klein: Yes, that is exactly what it is. We are coming to you first to ensure our preliminary work is on track with what you and City Council would like to see. As Brian was saying, it will come back

through various committees and boards before it goes into the various documents, at which time you will see it.

Comm. Elkins: Who do you anticipate driving the process? I am a huge supporter, and what you just described sounds like a wonderful addition, but somebody needs to lead the charge and make the overall plan for scheduling and other decision-making.

Mr. Anderson: I really see this as a great way for various departments to work together. From a leadership standpoint, it is the Bike Committee and the Parks Department. I am not an expert on transportation and planning, so I rely on Dave to say where a bike lane could go. I see my role as helping bridge communication as we move forward, but we all work together very well.

Comm. Elkins: I didn't mean to imply differently. We have two elements: putting the structure into place and ensuring we consider complete streets when a developer comes through with a plan. That is only a part, and that will be difficult to do if there is not a plan to make a plan with a schedule in place. Often times, projects like these start with a lot of impetus and then just drift.

Mr. Coleman: Brian, the Sustainability Committee and the Bicycle Committee have been the initial drivers of this. They're the ones who brought it forward, so we're helping them put some meat on the bones, so to speak.

Comm. Williams: I think the resolution is good, also. It is addressing the issue of cycling, but a large part of the population will be walking. Enhancing the experience is an important attribute to the plan, but as Marc is saying, how do we get there? How soon can we get there? How do we implement it? Many of our streets are built with major improvements already. Are we 20 years out before we go back into some of these streets and do whatever is needed? It's one thing to put in a bike lane if there is extra width, but it comes down to determining the enhancement, how to get there and how to encourage people to walk two miles from their home down to Town Center, for example.

Ms. Jennings: I've been involved with safe routes to school, and we've been plotting around the schools to pick up kids in pods. In North Leawood, there are no sidewalks, so we are working on signage and determining safe routes with the police department. There are also areas where the retired cannot get to the shopping center across the street or half a block away, which forces them to take a bus. Those are crucial points we need to address.

Comm. Williams: We had Villaggio several years ago, and staff wanted a connection to the neighborhood, which fought it tooth and nail. They didn't want that. They saw it leading to crime.

Comm. Elkins: Gezer Park was the same situation.

Comm. Williams: Yes, all the people that would come from across the state line.

Ms. Jennings: We would like walking paths with connections. It's a beautiful city, but you have to be in a car.

Comm. Williams: It was designed for a car, and now accommodating pedestrians will be a difficult task as a whole.

Ms. Jennings: We had a bike/walk to school day in October, and over 400 kids participated in two schools. We thought that was remarkable. They will do it if it's safe.

Mr. Ley: When we do arterials, which we address every ten years, we will look at restriping for a bike lane or adding sidewalks when we replace the curbs.

Comm. Williams: An important component of the planning is the education of the public to get out and walk and to have respect for the cyclists.

Comm. Elkins: We could add a requirement that somebody report back to the Planning Commission and City Council annually or bi-annually because with many of these things, we find progress is made with a deadline, such as reporting to a group in public.

Mr. Coleman: If this is approved, the Complete Streets Plan will be developed, and it will have deadlines.

Mr. Anderson: We also will have an evaluation process with this. Cities have to reapply every six months for this recognition.

Ms. Jennings: And we are currently nowhere near that.

Mr. Anderson: Part of the evaluation you mention is something they are interested in knowing in this recognition program. We have to evaluate these areas where people cannot walk across the street and plan to fix the spaces.

Comm. Jackson: I have read about Complete Streets, and I have seen a lot about how the curbs handle the waste run-off. On Tomahawk Creek, there are no curbs, so it can run down. You can do a little of that along some other areas by taking out curbs and putting in a rain garden or something to take care of the worst of it.

Mr. Ley: We have that on Lee Boulevard. People who live there actually want it taken away and curbs put on. You need a lot more right-of-way to do that, as you see on Tomahawk Creek Parkway. We have the right-of-way on 143rd and Mission. Doing this on other streets would get us a lot closer to people's properties.

Comm. Jackson: That is something that goes along with the education that could hopefully be looked at in the policy, as well as permeable sidewalks or bikeways.

Mr. Ley: The EPA requires us to re-treat our storm water when we do arterial improvements. We are looking at rain gardens on 143rd street in 2015.

Comm. Jackson: When you look at replacing a street, it would be nice to see everything. What is the thought on the white roofs and white roads?

Mr. Ley: The arterials we are building now are concrete. Collectors and residential are asphalt.

Comm. Jackson: To make it more complete, I would like to see all of that. Right now, we are concentrating on making it complete for a user, but there are other sustainable elements we could address at the same time.

Mr. Coleman: That would be part of the development of the city's Complete Streets Plan.

Comm. Jackson: I'm not saying the roof should go into the street policy.

Ms. Shearer: What is a white roof?

Comm. Ramsey: They are highly reflective. When you do a commercial green building, a minimum requirement is a California roof, which has a certain amount of reflectivity to it.

Ms. Shearer: I had never heard that term used and didn't know if it was as step up from being green.

Mr. Klein: The policy does state that this will be done incrementally over time. Some areas will be able to do this quickly. Much development still needs to occur on 135th Street. Much of the development coming in has been turned over to banks, so that is an area in which we can probably see this going into effect rather quickly. The Public Works Department still has to improve 151st and 143rd. In some areas, we have constructed a street, but it may be ten years down the road before we do maintenance on it and address this. The policy also states that the requirements will be considered within the context of the environment the street is in. In certain cases, it might be possible to do a separated path for a bike lane; in other cases, that might not make any sense at all because of lack of right-of-way. The plan is meant to be flexible in that regard.

You mentioned storm drainage. The Public Works Department is part of the APWA standards and requires BMT (Best Management Practices). By the time you see the buildings, Dave has already required them to meet those standards. It looks not only at the quantity of water coming off the side, but also the quality of water. For instance, they do rain gardens and pervious pavement. I'm sure there are a host of other improvements that can be awarded points. Currently, Dave has a policy to require these elements, which eliminates arguments with the developer.

Comm. Elkins: That is why I still maintain that we need a reporting process or a metric because now is the ideal time, with where we are in this economy. Someday, the economy will bounce back, and you will be so busy dealing with the day-to-day applications that we have no opportunity to plan. We've got to strike while we have time. I want to hold the entire city's feet to the fire so when Chuck Peters comes in with his next project, we have a provision in the LDO and in the Comprehensive Plan to support us.

Mr. Ley: We have a map; we just update it every year with a memo describing what was done that year. We know what streets we're going to be doing within the next five years, so we can project out on the map.

Comm. Elkins: I'm just referring to the milestones, such as changes to the LDO, Comprehensive Plan and structural elements that will support the plan.

Mr. Klein: I think Marc is saying he wants something with an annual review or report. I'm not sure if it's the Bicycle Committee that would present that. Whoever does would have to pull from many different departments to report on all elements.

Comm. Elkins: I am still struggling with who would handle that and be able to give it what is required to get all pieces of it done.

Mr. Klein: Those committees were set up to address that issue. With the Planning Department, we do a lot of Sign Plans and Tenant Finishes. As soon as development picks up, we will have all these other items coming on. Since the Bike Committee is focused on this task currently, I believe they would be in a better position to keep this going.

Comm. Williams: With an LDO amendment, are we going to have specific requirements as to what is to be done, including space for cyclists, space for pedestrians and street lights? We already have street light provisions, but will we look at revamping it for more visibility? I would hope we could avoid requirements that are totally up to interpretation and cause so much debate. There is some wording in here that talks about the pedestrian relationship to the street and street noise. How do we address that?

Mr. Klein: Part of that will be with the LDO amendments. You will have input at that point. Let's face it: no one person is an expert and can consider all the different aspects. That is the value of the Planning Commission and the broad level of experience you bring to the table. With the LDO amendments, you have the opportunity to let us know what needs to be tightened. We like specifics, also. There are policies we would love to have, but sometimes, they just don't make sense in particular developments. Some have to be a bit more flexible for that reason. I wish everything could be black and white 100% of the time, but it just isn't. We like to see it as much as possible so we can take care of those situations before they ever become a topic with you.

Comm. Williams: We could have requirements in the LDO for a developer to add components, and it could be a great example of Complete Streets, but if you can't get the pedestrians and cyclists there, we have defeated the purpose. From a planning perspective, we need to begin to look at what we, as a city, can effectively accomplish to feed these areas.

Mr. Anderson: I hope this accomplishes that specificity we're talking about. Our current Comprehensive Plan called for a ten-foot sidewalk with the widening of Roe, and it got taken out.

Mr. Ley: The Council members on the Public Works Committee who lived in that area decided to approve it without that.

Comm. Williams: That is unfortunate. That is where I lived, and sixteen years ago, it was a two-lane road that was tough to maneuver. One of the reasons it probably didn't get pushed out farther was lack of room without putting high retaining walls at somebody's front door or taking property on the other side. It's a great improvement.

Mr. Anderson: Another tough spot is 133rd Street because we have a ten-foot-wide trail that goes almost to State Line and then stops. People are frustrated that they can't ride their bike any farther

on the path. I can see the point of people that live in that area, but at the same point, there are other people in the town, and we are cutting back on their transportation abilities. Maybe better planning will take care of it; maybe the plan on Roe wasn't the way to go.

Comm. Williams: If we had something in the LDO to give more strength to get those improvements, we have intent.

Mr. Coleman: What do you think about adding a sentence that says, ". . . and will report back to the Governing Body on an annual basis"?

Ms. Jennings: Deb Filla is the head of our Sustainability Committee; we could approach her with it.

Mr. Anderson: I see no problem with compiling what was accomplished in a given time period and reporting back.

Ms. Jennings: Would it be helpful to have a description of some problem areas which could be solved simply?

Mr. Klein: When the plan is being put together, that would be helpful.

Comm. Elkins: I assume that would be captured in the Complete Streets Plan.

Mr. Coleman: Should we move it forward and make that change?

Comm. Elkins: I would love to see the report come back to both the Planning Commission and Governing Body. This is planning.

Comm. Williams: The Council will need to take into consideration cost to the city.

Mr. Klein: It states that it will be done proportionally. Again, we were trying to be flexible.

Mr. Coleman: It will be based on whatever funds are available from the city.

Comm. Williams: If we have enough funding to do the streets but don't have enough funding to implement the Complete Street portion it, it does not get done.

Mr. Coleman: It might, or it might not.

Mr. Klein: It could include a portion of it.

Mr. Anderson: Another scenario would be if funds are forecast as they are, the Council could set some street projects back a year. Sometimes, the five-year plan gets adjusted. If a Complete Street would be in that area, it could be backed up rather than eliminated.

Comm. Williams: When a budget for street improvements is put into the CIP, would you break out what is the Complete Street, or are we looking at it being a Complete Street with a specific cost, without itemizing the individual elements?

Mr. Ley: When we do the cost estimate, we would try to determine what needs to be done on the street and have a breakdown of different options. We haven't gone so far to have a committee that would make a decision on which elements would be addressed.

Comm. Williams: This is not so much an issue in Leawood today. Perhaps in the future, there is a taxpayer revolt, let's say, because the city was designed for car traffic and if we are looking at slowing down traffic, people may not want their tax dollars used for that.

Comm. Elkins: That is my concern, also, which is why I would like to see it built into our governmental regulatory infrastructure now.

Ms. Jennings: Education is important, too.

Comm. Jackson: Obviously, the Planning Commission doesn't look at streets. If it's not mandatory, will City Council ensure some of these things are done? Who will look at the street and decide that it abided by the Complete Streets?

Mr. Klein: It partly comes down to our Comprehensive Plan with pedestrian trails. It will go down as Public Works standards and what they review. Also, the Public Works committee would be involved. With the Public Streets, you would see the overall placement, but you wouldn't see the individual decisions since much of that would be through other committees that feed into Public Works.

Mr. Ley: It will take more than the Public Works Committee. Someone will have to make the decision of whether we do bike trails or a bike/hike trail. Currently, we have a statement but no measurable performance to determine what needs to be done.

Comm. Williams: You're talking a major difference between bike trails and bike lanes. It gets to be a connectivity issue. Bike trails are great for recreation; bike lanes get you connectivity.

Mr. Klein: That should come when we put together the plan. We started looking at that with a map, and so much goes into it, including speed limit, right-of-way available, existing elements and destinations surrounding the area. It wasn't as simple as choosing two areas, drawing a line between them and building a path.

Comm. Ramsey: I think we're good.

LDO Amendment on Roofing Materials/Siding

Mr. Klein: We have an LDO amendment coming forward with regard to synthetic siding on a house. Currently, Leawood does not allow vinyl siding; however, products have changed over time, and synthetic slate has generated interest as shingled siding.

Comm. Elkins: Will the guy from the interior design place on State Line use this?

Mr. Coleman: That could be an example of a building that could get this.

Ms. Shearer: This is actually a house, isn't it?

Mr. Coleman: I believe so.

Comm. Williams: Has anyone suggested hardy board cedar shake?

Mr. Coleman: They asked us to look at this. I'm not comfortable. It's not vinyl; it's a polymer, but I thought the spirit and intent of the ordinance was not to have plastic siding of any kind.

Comm. Ramsey: My reaction is no.

Comm. Elkins: I'll second that.

Mr. Coleman: It will stand up to hail and light.

Comm. Williams: Look at its condition right now.

Mr. Coleman: I scratched it with my fingernail.

Comm. Ramsey: I understand improvements and change in the building material arena, but this is still not what I would consider a high-quality product from an aesthetic standpoint.

Mr. Coleman: I asked how easily it marred, and a blow torch melted it.

Comm. Jackson: How long has this been in use?

Mr. Coleman: DaVinci has been developing their roof slates; it is on the library.

Comm. Elkins: It is approved for roofs?

Mr. Coleman: Yes, and we wanted to see what you thought about using it as siding.

Comm. Jackson: I would wonder about plastic not being able to breathe with water. I think trapping the heat in would make it a lot harder to cool your house.

Mr. Coleman: It is probably recycled plastic.

Comm. Williams: There is a big move, because of the moisture, for having an air space between the siding and the sheathing on the house to allow for air circulation. That would be considered a positive thing. It is because plastics and other materials don't breathe. There is virtually no siding material out there which water cannot penetrate, so we have to accept the fact that water will get in there. It's great to have that spun material for a house wrap, but if the water doesn't shed off that, it will potentially start to rot the wood. With wood products being expensive, people have turned to synthetics, which rot very quickly. Keep them ventilated and keep them dry.

Mr. Coleman: It's not something I would put on my house. That's why we brought it here.

Comm. Williams: You say this is a polymer product.

Mr. Klein: It is polyethylene.

Comm. Williams: Is there any consideration of looking at the new polymer siding versus vinyl siding? I haven't looked at it yet, so I don't know if it's worth looking at or not.

Mr. Coleman: The polymers are more durable plastic than vinyl, which tends to get brittle and crack. This is much better, but I don't know how well it will perform in 20 years. I know vinyl will fall apart in 2-3 years. I've seen houses that get severely damaged in hail storms.

Comm. Williams: Materials we allow today include masonry, stucco, real wood, hardy board and batten board, which is about as bad as you can get. It will hold up to a hail storm, but you have to constantly replace it. I won't argue about aesthetics, but we have had people in North Leawood request to put up vinyl over insulation, which would probably be a bit more durable in hail. Potentially, perhaps the new polymer is a better option for people to use.

Mr. Coleman: It is better than vinyl, but it still is so similar to plastic.

Comm. Ramsey: We need to decide if we want to allow plastic.

Comm. Jackson: You're talking about housing and not commercial.

Mr. Coleman: Yes, somebody proposed this on a house that has cedar shingles on the side that are probably 50 years old. He wants to replace them with this.

Comm. Williams: That way, it reduces potential maintenance.

Mr. Coleman: It depends on the cedar.

Comm. Ramsey: Do we want to allow plastic houses in Leawood?

Mr. Coleman: It's a good question. From my standpoint, if this were just an accent on a gable or something simple like that, it might not be so noticeable; but if an entire house is covered with this, it would be very noticeable.

Comm. Ramsey: I had a good friend who lived in the tidewater area of Virginia. He had a brand new home five feet off sea level in an upscale neighborhood, and they were all plastic houses.

Comm. Elkins: How did it look?

Comm. Ramsey: Like a plastic house.

Comm. Williams: There is a subdivision off State Line, south of 135th Street, that was built with vinyl siding.

Mr. Klein: Yes, Leawood Falls was the only neighborhood that allowed vinyl.

Comm. Williams: Mel Henderson was on the commission at the time, and he asked me to look at it because of age. The issue was mildew on the north side that they didn't know how to remove. That didn't look bad. They had rotting wood trim that needed to be replaced, and if they wanted to replace the siding, they couldn't put vinyl back on.

Comm. Ramsey: My only concern is having some guy come in from North Leawood and basically redo one of those bungalows in plastic.

Mr. Coleman: It would happen, for sure.

Comm. Elkins: Other than vinyl, what do we permit for siding? Could you have steel?

Comm. Williams: No, it is not allowed. You have real wood, pressed board (which is very popular but doesn't hold up), hardy board that is cut to look like shingles, wood shingles, stucco, brick, stone or any combinations of the above.

Mr. Klein: The prohibited building materials are vinyl siding (including downspouts or columns), aluminum siding, CMU (concrete masonry units) - except for landscaping and residential - corrugated metal, glass or steel.

Comm. Ramsey: My objection is the materials we allow are either masonry or wood to give that appearance. This, as a substitute for masonry or wood, doesn't cut it.

Comm. Williams: I agree.

Mr. Klein: I don't know the history of the vinyl siding. In 1999 when I got here, vinyl siding was already outlawed. However, I am aware that Leawood Falls had it. I'm not sure if it was allowed when that subdivision was being built and then people decided they didn't like it.

Comm. Ramsey: I wouldn't be opposed to a new material as long as it would replicate and pass for wood or masonry.

Mr. Klein: That is where it gets difficult because the manufacturer or people who want to use it will swear up and down that it is as close as you can possibly get, and it becomes subjective.

Comm. Williams: They'll say the same thing about hardy board; it doesn't look like wood siding. From the sidewalk, you probably couldn't tell a difference.

Comm. Jackson: From the sidewalk, you could tell a difference on this.

LDO Amendment on Kennels

Mr. Klein: We had an application last year in the Market Square development for Dog Days. All kennels can go in SC-NCR, SD-CR and BP. We've heard a number of concerns about the potential for a large kennel with a dog run that wants to go into Park Place or a similar development

and the impact it might have. We would like to come up with several different categories of kennels, based on the number of animals housed and whether or not they have an outdoor run. We would like your input. With neighborhood retail, we feel it is probably not the best place for them since they are associated with neighborhoods. General retail could be acceptable for the smaller, less intense type. The larger kennels with outdoor runs and high quantities would be in the BP district.

Comm. Williams: Don't put it next to a first-class office building.

Mr. Coleman: We do have Dog Paws on Somerset. They board dogs overnight.

Comm. Elkins: I was absolutely astonished when you told me we could have that kennel next to the bank.

Mr. Klein: At this point, they have not gone forward.

Mr. Coleman: It was Sailors, and they are bankrupt, so I don't expect them to move forward.

Comm. Elkins: Originally, they were going to put it in the Industrial Park, which was the perfect place for it.

Comm. Ramsey: There is a difference between a veterinary clinic that boards and a boarding kennel that is a doggy day care with no veterinary aspect. The vet is going to be in what zone?

Mr. Klein: The veterinary clinic can go in any of those zones.

Comm. Jackson: Does that one board?

Mr. Klein: We have Dr. Ott at 103rd and State Line. He has a contract with the city. He boards the most animals at 25, but he is in the BP district. We thought it could be allowed in a BP district; although, that particular BP district is a conglomerate of a lot of different uses.

Comm. Ramsey: Then you have Fox Hill. What about the one at 135th and Roe?

Ms. Brenner: They do not board more than ten at one time. They do not have an outdoor area as such; they have a walk out the back.

Comm. Elkins: What about Jane's over here by Price Chopper?

Mr. Klein: They have eight dogs, and they do not board overnight. There is also concern about the kennels that do not have dog runs. They take the dogs out on leashes and allow them to relieve themselves wherever they might be. Maybe that gets addressed at the time they come in.

Comm. Elkins: How do you define a kennel?

Mr. Coleman: That is part of what we would be doing here. There might be veterinary kennels, commercial kennels or day-care kennels.

Mr. Klein: Right now, a kennel is defined as, "A boarding, breeding or training facility for three or more dogs that are more than six months of age, including dogs owned by the occupants of the property." Three or more could go up to 1,000, so we feel we need a tier system.

Comm. Williams: A tier system sounds like a good idea. Maybe we could try to define the difference between kennels in a veterinary clinic that are there overnight for medical treatment, versus the doggy day care or the overnight boarding.

Mr. Coleman: We are trying to differentiate between the 100-kennel commercial outfit next to the bank versus the veterinarian with a dozen cages for his clients.

Comm. Elkins: Or the day care.

Mr. Coleman: Or the day care with a dozen and a place to let them out.

Mr. Klein: Dr. Ott is a veterinarian with 25 spots and an outdoor run. It still doesn't seem like it would fit in the Market Square development with the outdoor run. Would you be looking to limit to veterinary plus limited to a certain number of dogs (fewer than ten), and they would be allowed within many more districts?

Comm. Ramsey: How about the difference being if there is an outdoor run?

Comm. Jackson: You want to encourage an outdoor run.

Mr. Coleman: If they have more than "X" dogs, they have to have an outdoor run.

Comm. Ramsey: My point is, if they have an outdoor run, they would be restricted to certain zones.

Mr. Klein: Such as BP.

Comm. Ramsey: Yes, as opposed to letting them go next to a bank.

Comm. Elkins: I agree with Bill. I see a lot of different variables, but I could see a dog day care without an outdoor run being appropriate in some of these areas like Market Place, but if there is an outdoor run, it belongs somewhere other than a retail or office zone.

Comm. Jackson: You still have the issue of a lot of dogs relieving themselves going on as they walk. You don't want them relieving right next to a restaurant.

Comm. Williams: A good example is PetSmart. A lot of dogs go through there. Just hit the grass areas outside, and it's difficult to navigate. People don't clean up after their dog.

Comm. Jackson: It's a tough one because they are necessary.

Comm. Williams: Pet owners need the convenience of a place to board a dog for the day, especially if the dog is sick.

Comm. Jackson: I don't know what the cut-off number would be.

Mr. Klein: That's why we called around to see what was out there. Jane's Canine has not had many complaints, and they have eight; so maybe it's fewer than ten. That seems like a nice round number. I realize that is arbitrary, but we are trying to find what would not have too much of an impact.

Comm. Jackson: I remember when the other kennel was trying to get into the industrial district, they did talk about filtration out front. Maybe we require more of that.

Mr. Klein: We were thinking about addressing it in the Table of Uses and limiting districts there. We also are considering amending Article 9 with definitions that would refer to that table and correspond to it. It sounds like you may also want to consider regulations that actually deal with a kennel and specifically address waste. Perhaps the kind of kennel in retail areas would need to be totally enclosed, similar to a power wash, and would need to have a means of disposing of waste inside. As Len said, walking from the car to the building will create waste, but then we could have a requirement for them to maintain that as well.

Comm. Williams: We have talked about doggy day care and boarding. The other classification here is groomers.

Comm. Elkins: In terms of land use, it's a doggy day care.

Mr. Coleman: I guess we work on these and try to come up with something.

MEETING ADJOURNED