

Planning and Zoning Commission

June 10, 2014

At 7:00 p.m. Chairman Eaton called the meeting to order under provisions of Chapter 400 of City Code and Chapter 89 Revised Statutes of Missouri.

Roll Call

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| John Cooper | Absent |
| Dale Cottrell | Absent |
| Jim Eaton | Present |
| Gary Kramer | Present |
| Alan Mastin | Present |
| David Jones | Present |
| Tony Wessler | Present |

Also present was J. T. Hardy, Robert Schaffer, Dan King and Toni Earl representing City staff.

Approval of Minutes

Commissioner Mastin made the motion seconded by Commissioner Jones to approve the minutes from May 13, 2014. Motion carried.

Public Hearing

Public hearing opened at 7:01 p.m. for public input regarding conditional use permits being allowed in C-3 zoning for kennels.

Administrator Hardy noted that the definition of kennels is defined in City Code, Section 205.260 as: Any person who shall own and keep or harbor upon his/her premises more than three (3) dogs other than under the age of six (6) months shall be deemed the owner of a dog kennel. Such owner shall file application as provided in Chapter 605 of this Code and comply with the provisions of Chapter 273, RSMo. Section 205.270 states if any dog kennel is licensed to operate within two hundred (200) feet of a building used or occupied as a residence, except for the keeper of the kennels, the kennel dogs shall be continuously confined within the kennel building and not allowed to run at large or be in the outdoor enclosures of the kennel. Under the Unified Land Regulations of City Code, 400.075, a kennel is defined as a commercial operation that provides food and shelter and care of animals for purposes not primarily related to medical care or engages in the breeding of animals for sale. Currently, kennels are only allowed in C-4 zoning with a conditional use permit.

Jodi Elliott, owner of Bark Avenue, on Springfield Road addressed the Commission to clarify that there is no breeding of animals at her facility and that animals that are in the outside the kennel are always accompanied by an employee. The average kennel

time is 2-3 days with no more than 10 animals in the kennel at a time. Also, barking is not a problem within her facility. Ms. Elliott answered questions from the Commission.

With no further public input, the hearing was closed at 7:13 p.m.

Old Business-None

Subdivision Review-None

New Business

Discussion of allowing a conditional use permit in C-3 zoning for kennels.

After lengthy discussion, Commissioner Mastin made a motion, seconded by Commissioner Kramer to forward a recommendation to the Board of Aldermen to amend City Code to allow for a conditional use permit in C-3 zoning. Motion carried with Commissioner Wessler voting nay. Commissioner Wessler advised that his concern revolves around the requirements of Section 205.270 as stated previously in full in regard to the 200 feet requirement.

Communications and Visitors' Comments

Commission's Forum-None

Adjournment

With no further questions or comments, Commissioner Cooper made the motion, seconded by Commissioner Jones to adjourn. The motion carried unanimously. At 7:40 p.m. the meeting was adjourned.