



**AGENDA**  
**BASEHOR PLANNING COMMISSION**  
October 11, 2016 7:00 p.m.  
Basehor City Hall

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1. **Call to Order**
2. **Pledge of Allegiance and Roll Call**
3. **Approval of Minutes** of the preceding meeting.
  - a. **Minutes of the September 13, 2016 Planning Commission Meeting**
4. **Unfinished Business**
  - a. **None**

**New Business**

5. **Public Hearing: Amend the Zoning Regulations of the City of Basehor, Article 6;**  
**Definitions-** Request for approval to amend the zoning regulations to allow for the addition of the new term- **Architecturally Attached Structure**, as it refers to accessory structures.
6. **Public Hearing, Conditional Use Permit-** Allow for a conditional use permit, which would allow for *Fat Cats Dog Boarding* to operate a kennel and boarding facility at 14428 Parallel Road with staff recommended stipulations.
7. **Open Agenda**
  - a. **Storage facility locations in reference to zoning districts-** Staff has been contacted by potential and existing owners about possible locations for storage facilities, both outdoor and indoor. Possible locations could be I-1 Zoning Districts, PR Zoning Districts, MU-2 & 3 or CP-2. Staff is looking for input from Commissioners as this may be a potential use to move forward prior to amendments to our use table being completed.
8. **Reports from Special Committees**
  - a. **None**
9. **Planning Directors Report**
  - a. **None**
10. **Adjournment**

**MINUTES**  
**BASEHOR PLANNING COMMISSION**  
**September 13, 2016**  
**BASEHOR CITY HALL**  
**PLANNING COMMISSION MEETING**  
**7:00 P.M.**

**1. *Call to Order***

Chair Jon Gallion called the meeting to order at 7:00 p.m.

***Pledge of Allegiance***

**2. *Roll Call***

Members Present: Chair Jon Gallion, Commissioners Jennifer Bizzell, Cecil Swenson, Ed Bush, Terry Gall, and Dennis Haag

Staff Present: Mark Lee, Planning and Zoning Director; Connie Leggett, Planning Commission Secretary; Shannon Marcano, City Attorney; Lloyd Martley, City Administrator / Chief of Police

Absent Members: None

**3. *Approval of Minutes***

Chair Gallion called for a motion on the August 9<sup>th</sup>, 2016 minutes. Motion was made by Commissioner Bush to approve the minutes with Commissioner Bizzell seconding. Chair Gallion called for a vote, Motion passed 5-0.

**4. *Unfinished Business - None***

**5. *Election of Officers of the Planning Commission:*** Per the Planning Commission By-Laws, we must elect a Chair to preside over the Planning Commission meetings; these positions shall take effect the following month.

Commissioner Ed Bush nominated Chair Jon Gallion to continue to be Chair. Commissioner Terry Gall seconded the motion. Motion passed 4-0 with Jon Gallion abstaining from the vote.

Commissioner Dennis Haag nominated Commissioner Ed Bush to be Vice Chair. Commissioner Cecil Swenson seconded the motion. Motion passed 4-0 with Ed Bush abstaining from the vote.

**6. *Final Plat of Boulders at Falcon Lakes, First Plat*** – Consider a Final Plat for the 1<sup>st</sup> phase of the Boulders at Falcon Lakes.

Mark Breuer, with Schlagel & Associates – Speaking on behalf of himself and Ed Schlagel, explained the property location, the requirements for this project, storm water management, and the next phase and the steps needed to proceed. They are in agreement with all the staff requirements except for recommendation 26 pertaining to traffic impact study, they feel that it is sufficient enough and recommendation 13, the stipulation to remove lot 51.

Chair Gallion called for a motion on the request. Commissioner Gall made a motion to approve the final plat of the builders at Falcon Lakes 1<sup>st</sup> plat in accordance of staff recommendation with the stipulations 1 – 31, with the exception of stipulation 26, and with exception of stipulation 13, also approving a rule exception to section 4-104 Subsection 8 of the Subdivision Regulations which does not allow flag lots, to allow lot 51 to be platted as a buildable lot; Commissioner Haag seconded. Chair Gallion called for a vote and the motion passed 5-1.

7. ***Review of Appendix A, Permitted and Conditionally Permitted Uses-*** At this time staff is recommending that we begin review of the newly completed use table. We shall review pages 1-15 tonight if time allows and discuss conditions that shall be associated with specific uses.

Discussion of when would be a good time to schedule an off meeting night to continue with the review of the table. It was requested that an email be sent out concerning when and a time limit was requested as well. It was agreed upon that the Planning Commission will work on this and bring any problem issues to the regular meeting to be discussed as Shannon Marcano stated that she would be at the regular meetings and she could help.

8. ***Open Agenda - None***

9. ***Reports from Special Committees - None***

#### **10. Planning Directors Report**

- a. **New Commissioner** – A new Planning Commissioner is to be appointed the September 21<sup>st</sup> Council meeting to replace Fred Farris. His name is Benjamin Sims.
- b. **Planning Conference** – Explained what it is and to get a count of who would be interested in attending the Friday session.

#### **11. Adjournment**

Chair Gallion called for a motion to adjourn, Commissioner Haag made the motion and Commissioner Bush seconded. Chair Gallion called for a vote. Motion passed 6-0. There being no further discussion, the meeting was adjourned at 8:21 p.m. by Chair Gallion.

Submitted for approval without additions or corrections this 11<sup>th</sup> day of October, 2016.

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Jon Gallion, Chair

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Connie Leggett, Planning Commission Secretary



# The City of Basehor

## **PUBLIC HEARING NOTICE CITY OF BASEHOR PLANNING COMMISSION**

Notice is hereby given that the Planning Commission of the City of Basehor, Kansas will hold the following public hearing on October 11<sup>th</sup>, 2016 at 7:00 PM, in the meeting room of City Hall, located at 2620 N. 155<sup>th</sup> Street, Basehor, Kansas for the following items.

- Zoning Regulations Amendment- Amend Article 6 (Definitions), of the Zoning Regulations, of the City of Basehor to add new definitions not previously used.
- Conditional Use Permit- Allowing for a Kennel and Boarding Facility to be located at 14428 Parallel Road, currently Zoned I-1 (Light Industrial).

All persons who desire to comment for or against said applications are invited to appear at the time and place mentioned above. Copies of the applications and full legal descriptions are available for review during normal business hours at Basehor City Hall. Questions about the applications may be directed to Mark Lee, Planning & Zoning Director at 913-724-1370.

**PLANNING COMMISSION  
CITY OF BASEHOR, KANSAS**

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 5

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**Topic:** Zoning Regulations Amendment-Addition of the definition of ‘Architecturally Attached Structure’, to Article 6 (Definitions)

**Action Requested:** Amend the Zoning Regulations of the City of Basehor to include the definition of the word attached structure as it pertains to accessory structures.

**Narrative:** The zoning regulations have specific limits on the size of accessory structures, one way in which the size restriction can be deviated from is to attach the structure to the main dwelling. In doing this it no longer becomes an accessory structure in the sense and becomes a portion of the main structure thus alleviating the homeowner from the size limits and in turn limits them to the setback requirements of the zoning district in which they are located.

**Presented by:** Mark Lee-Planning & Zoning Director

**Staff Recommendation:** Approve amendment to the Zoning Regulations to include the definition and requirements, of the words “Architecturally Attached Structure”.

**Committee Recommendation:** N/A

**Attachments:** Definition of Architecturally Attached Structure

**Projector needed for this item?**

No

**Architecturally Attached Structures:** Architecturally attached structures shall be allowed only when the accessory structure is connected to the primary structure with a minimum of a ten (10') foot wide structure, such as a breezeway, pergola, or other usable shade type structure constructed of similar materials to which it will be attached. The accessory structure and primary structure shall not be more than fifteen (15') feet apart, measured from the exterior wall of the structure to the exterior wall of the primary structure. Fences, decks, awnings or other types of non-compatible or non-shade type structure shall not be used to provide the necessary connection referenced above.

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Architecturally Attached Structures: Architecturally attached structures may be attached to and considered a part of the principal building on the lot when they are connected to the principal building with a minimum ten (10) foot wide structure, such as a breezeway, pergola, or other usable shade type structure constructed of similar materials to which they will be attached. The accessory structure and the principal building shall not be more than fifteen (15) feet apart, measured from the exterior wall of the attached structure to the exterior wall of the principal building. Fences, decks, awnings or other types of non-compatible or non-shade type structures shall not be used to provide the necessary connection referenced above.

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 6

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**Topic:** Conditional Use Permit for Fat Cat's Dog Boarding

**Action Requested:** Approve a Conditional Use Permit allowing for Boarding and Kennel operations to exist at 14428 Parallel Road, with the stipulations listed in the Zoning Regulations and provided in staff's report.

**Narrative:** With the recent approval and addition of new conditional uses allowed in I-1, Light Industrial zoning districts, Fat Cat's Dog Boarding has come forward with a request for a Conditional Use Permit as allowed for in the Zoning Regulations of the City of Basehor.

**Presented by:** Mark Lee-Planning & Zoning Director

**Staff Recommendation:**

Approval of the Conditional Use Permit as permitted in the Zoning Regulations of the City of Basehor with the stipulations stated in staff's report.

**Committee Recommendation:** N/A

**Attachments:**

Application and proof of payment (3 pages front and back)  
Staff Report (5 pages front and back)

**Projector needed for this item?**

No

CITY OF BASEHOR

Planning & Zoning Department  
 2620 N. 155<sup>th</sup> Street, PO Box 406, Basehor, KS 66007  
 Phone: 913-724-1370 Fax: 913-724-3388  
 www.basehor.org



Project Name & Description <b>Fat Cat's Dog Boarding</b>		Total Site Acreage <b>3.36</b>	Present Zoning <b>Light Industrial</b>
Legal Description (May be attached as separate sheet)			Proposed Zoning
Project Address / General Location <b>14428 Parallel Rd Basehor, KS 66007</b>			Presubmittal Date <b>9-15-16</b>
Parcel ID Number (CAMA Number) <b>052-157-36-0-00-00-012.08-0</b>			Floor Area Classification
Property Owner Name <b>FDR Investors LLC</b>	Phone <b>816-797-6507</b>	Fax	
Property Owner Address <b>11700 W. L. Stealy</b>	City <b>Basehor</b>	State <b>KS</b>	Zip <b>66007</b>
Applicant's Name (if different from above) <b>Steve and Stephanie Stone</b>	Phone <b>9136831702/9136834233</b>	Fax <b>9137243646</b>	
Applicant's Address <b>10930 Hubbard Rd</b>	City <b>Kansas City</b>	State <b>KS</b>	Zip <b>66109</b>
Applicant's mobile phone <b>9136831702 / 9136834233</b>	Property Owner and/or Applicant's E-mail address <b>mstierly@yahoo.com / sstone116@gmail.com</b>		

APPLICATION TYPE

<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input type="checkbox"/> Final Development Plan (Submit Sheet A)
<input checked="" type="checkbox"/> Conditional Use Permit (Submit Sheet A)	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Variance (Submit Sheet B)	<input type="checkbox"/> Final Plat / Replat

PROJECT INFORMATION

Existing Use <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____
Proposed Use <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____

COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)

Total Site Area <b>3+ acres</b>	Existing Floor Area <b>N/A</b>	Existing Building Footprint <b>N/A</b>	Open Space Area
No. of Buildings <b>3 storage units</b>	Proposed Floor Area	Proposed Building Footprint <b>4500 sq. ft</b>	Pavement Coverage

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY

Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size
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**Property Owner/Agent Consent** - I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

*Stephanie Stone*  
 Signature  
 Date  
**9-15-16**

Office Use Only

Filing Fee \$ 150.-     Received by CEL/AB/D/S/T    # of Plans \_\_\_\_\_  
 Attached Legal Description     Property Ownership List

*Stephanie Stone 9-15-16*

# CITY OF BASEHOR

Planning & Zoning Department  
2620 N. 155<sup>th</sup> Street, PO Box 406, Basehor, KS 66007  
Phone: 913-724-1370 Fax: 913-724-3388  
www.basehor.org



Please respond to the following questions to the best of your knowledge (Attach additional sheets if needed)

1. Reason for This Request? This request is to relocate Fat Cat's Dog Boarding to a more suitable location.

2. What is the Suitability of Subject Property for the Uses to Which it Has Been Restricted? The subject property is suitable because it is not located in a residential area. Adjacent to this property, is a similar business that also works with animals.

3. To What Extent Will Removal of Restrictions Detrimentally Affect Nearby Property? There will be no detrimental affects on near by properties, unlike where Fat Cat's Dog Boarding is currently located.

4. What is the Relative Gain to the Public Health, Safety, and Welfare by the Destruction of the Value of the Petitioner's Property as Compared to the Hardship Imposed upon the Individual Landowners? There will be no destruction of the value of the petitioner's property or hardships imposed on individual land owners. We will be improving the property and continue to serve the community with a useful service.

5. How Does Your Request Conform with the Comprehensive Plan? Currently the property is zoned as Light Industrial, in the Comprehensive Plan adopted by the city, the property is zoned as Light Industrial. Therefore, my request is in conformance with the Comprehensive Plan.

If the application is for a Development Plan (Planned Residential, Planned Industrial or Mixed Use) please provide the following additional information.

Please provide a statement regarding why the development plan would be in the public interest.

Please provide a statement with regard as to why the PUD would be consistent with the statement of Objectives for Planned Unit Development as found in Section 20-1002.

**City of Basehor**

2620 N 155th St  
Basehor, KS 66007  
(913) 724-1370  
(913) 724-3388

Invoice For PlanRevi PCU-001-16

Print Date: 09/16/2016

Steve & Stephanie Stone  
10930 Hubbard Road  
Kansas City KS 66109



**\$ 150.00**

Invoice No	Invoice Date	PlanReview Numbe	Address	Amount Due
00000739	09/16/16	PCU-001-16	14428 PARALLEL RD	\$ 150.00
Fee Details:				Balance
Quantity	Description	Amount	Cost	Balance
1.000	Conditional Use	\$150.00		\$ 150.00
<b>Total Amount Due</b>				<b>\$ 150.00</b>

City of Basehor

Received From: FAT CAT'S DOG BOARDING  
Date: 09/16/2016 Time: 1:49:56 PM  
Receipt: 64091  
Cashier: cleggett

ITEM REFERENCE	AMOUNT
BDINV Building Dept. Invoice 00000739	\$150.00
TOTAL	\$150.00
Check 1015	\$150.00
Total Tendered:	\$150.00
Change:	\$0.00

**REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW FOR A KENNEL AND BOARDING FACILITY TO BE LOCATED AT 14428 PARALLEL ROAD, CURRENTLY ZONED I-1-LIGHT INDUSTRIAL.**

**MEETING DATE:**                   **October 11, 2016**  
**REPORT WRITTEN:**               **September 16, 2016**

**APPLICANT:**

- Stephanie and Steve Stone (Business Owner); Fat Cat’s Dog Boarding, 15395 Briar Road, Basehor KS 66007
- FDR Investors, LLC (Property Owner)

**SITE CHARACTERISTICS:**

- The site is approximately 3.3 acres in size located north of Parallel Road between 142<sup>nd</sup> and 147<sup>th</sup> Streets. The property is currently occupied by three (3) outdoor storage facilities owned and operated by FDR Investors.

**COMPREHENSIVE PLAN/FUTURE LAND USE MAP:**

- The Future Land Use Map designates this property as I-1 Light Industrial District.

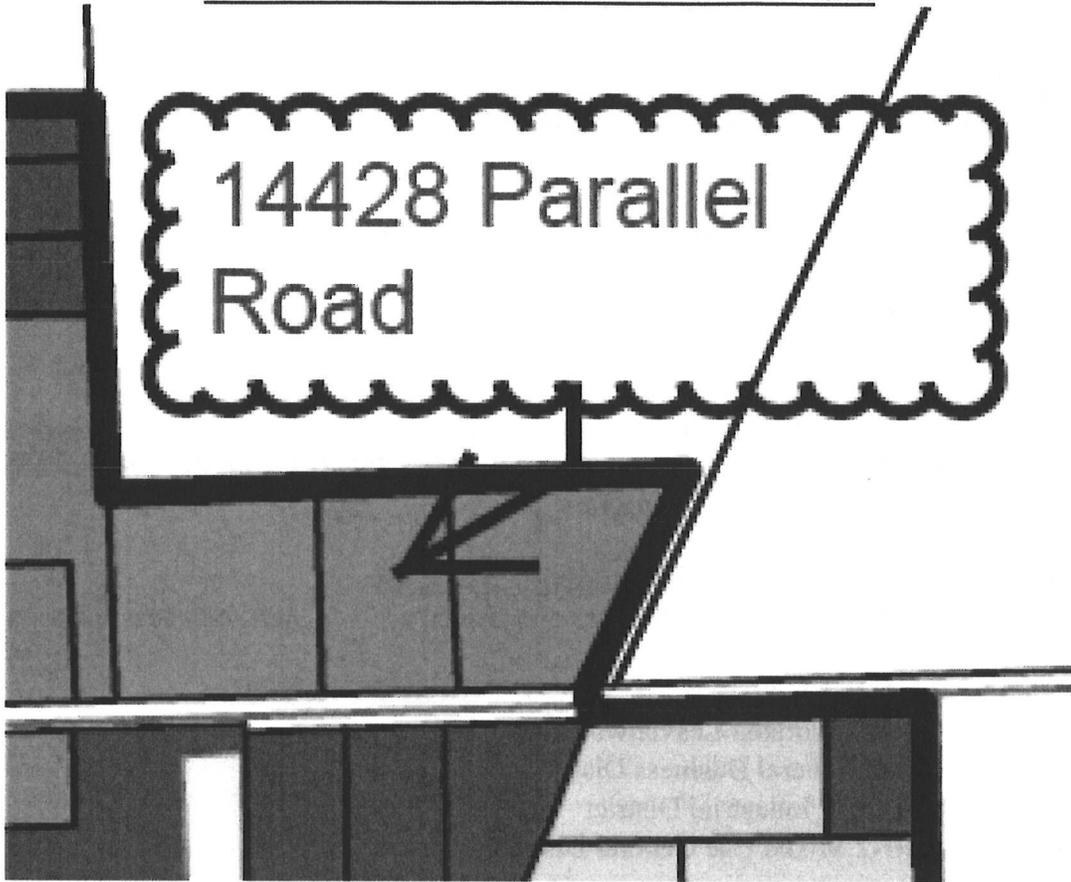
**SURROUNDING ZONING/CHARACTER OF NEIGHBORHOOD:**

- North    Unincorporated Leavenworth County
- South    CP-2 General Business District
- East     I-1 Light Industrial District
- West     MU-2 Mixed Use General District

The subject property is currently being occupied by three (3) outdoor storage facility located on the far northern boundary. The property was the site of the Stierly Flooring Company until fire destroyed the building in December of 2015. The surrounding properties are currently being utilized in the following manners:

- the property located directly to the north is located in Unincorporated Leavenworth County and is undeveloped agricultural land.
- to the south is zoned CP-2 General Business and is currently undeveloped
- property to the east is occupied by the Wolf Creek Veterinarian Clinic(I-1 Zoning)
- to the west is Mixed-Use(MU-2) development consisting of several small businesses

**THE CURRENT ZONING CONFIGURATION:**



**TRAFFIC IMPACT:** The subject property is currently accessed from Parallel Road. Parallel Road is designated as a arterial street in the Comprehensive Plan but not improved to current arterial standards. The allowance of the conditional use will have a minor impact on the existing street network.

**DRAINAGE IMPACT:** The proposed conditional use permit will not have any added impact to the drainage system.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** Per the Comprehensive Plan, the location and design of the subject property is to remain as I-1, Light Industrial. The existing land use is substantially in conformance with the Comprehensive Plan.

The Comprehensive Plan's future land use map identifies the subject property as I-1 Light Industrial Zoning District.

The Comprehensive Plan states:

*The Industrial designation is intended to provide locations for manufacturing, warehousing and distribution, indoor, and screened outdoor storage, and a wide range of other industrial services and operations.*

*Because of their potential environmental impacts, industrial uses should generally be located away from population centers or must be adequately buffered. Traffic generated by industrial uses should not pass through residential areas. Sites should have access to one or more major arterials or highways capable of handling heavy truck traffic. Railroad access is also beneficial to certain types of industrial uses. Light industrial uses can typically be located in areas that also contain some highway-oriented commercial uses, and might benefit from close proximity and better access to their local customer base.*

*Storage, loading, and work operations should be screened from view along all industrial area boundaries (when adjacent to non-industrial uses) and along all public streets. Such screening shall incorporate features such as trees, plantings and berms.*

#### **CONDITIONAL USE REQUIREMENTS:**

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions elsewhere in these regulations. **The proposed use is a kennel and boarding facility for household pets. It complies with the Comprehensive Plan and Future Land Use Map.**
2. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public. **The proposed use will provide a necessary service for residents within the City and surrounding area.**
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located. **Being surrounded by a variety of non-residential uses currently, one of which utilizes boarding facilities of house pets and large animals the proposed conditional use should result in no additional hardship to surrounding properties.**
4. The location and size of the conditional use, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will not dominate the immediate neighborhood, consideration shall be given to:
  - a. The location, nature and height of buildings, structures, walls and fences on the site. **The construction of the new facility must adhere to all Architectural Design Guidelines stated in the Zoning Regulations of the City of Basehor regarding exterior appearance.**
  - b. The nature and extent of landscaping and screening on the site. **All required screening shall be in conformance with the Zoning Regulations of the City of Basehor**
  - c. The number of employees and traffic generated by the proposed use. **The current traffic will be increased with the approval of the Conditional Use Permit, this impact should be minimal due to the nature of the business, the business is of a pick-up, drop-off type of facility and not continually occupied by multiple patrons.**
  - d. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect. **There is an existing gravel parking lot serving this site, but staff**

**is recommending that with the construction of the new facility the existing gravel parking area be brought up to current standards, including bituminous surfaces (asphalt and/or concrete or other approved surface).**

- e. Adequate utility, drainage, and other such necessary facilities have been or will be provided. **Adequate utilities are provided, although with the construction of a new building, the storm water facilities may need to be addressed.**
- f. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestions in public streets and alleys. **There is an existing gravel driveway and parking lot serving this site, it is staffs' recommendation that these be brought up to current standards.**

**KENNEL AND BOARDING FACILITY SPECIFIC CONDITIONAL USE REQUIREMENTS PER THE ZONING REGULATIONS:**

- 1. The minimum lot size shall not be less than one (1) acre
- 2. No kennel buildings or runs shall be located nearer than seventy-five (75) feet to any property line
- 3. All kennel runs or open areas shall be screened around such areas or at the property lines to prevent the distraction or the excitement of the dogs. Such screening shall be either a solid or semi-solid fence or wall at least six (6) feet, but not more than eight (8) feet tall, and having a density of not less than eighty percent (80%) per square foot.

**STAFF RECOMMENDATION:**

**Staff recommends approval of a Conditional Use Permit to allow for Kennel and Boarding Facilities with the following stipulations:**

With no primary structure currently located upon the property, a new facility is being proposed and with the property not being platted, staff felt as though this should be treated as a completely new building site and all necessary requirements imposed.

- 1. **Platting Requirements**-A short-form plat process shall be utilized by the developer/owner and approved by the City prior to a building permit being issued. The final plat shall be recorded with the Leavenworth County Register of Deeds upon approval.
- 2. **Park Impact Fee**-per city ordinance applicants for new buildings shall be required to pay a park impact fee (Parkland Fee) on all buildings at time of building permit issuance. This fee shall be \$200.00 per individual building.
- 3. The applicant shall be required to dedicate an additional twenty feet (20') of right of way along Parallel Road for the entirety of the property line for the future widening of said street, on above mentioned plat.
- 4. Transportation Improvements Impact Fee- per Ordinance 387, a total of \$13,163.31 in excise tax shall be paid in full at the time of building permit issuance or prior to issuance.
- 5. The minimum lot size shall not be less than one (1) acre

6. No kennel buildings or runs shall be located nearer than seventy-five (75) feet to any property line
7. All kennel runs or open areas shall be screened around such areas or at the property lines to prevent the distraction or the excitement of the dogs. Such screening shall be either a solid or semi-solid fence or wall at least six (6) feet, but not more than eight (8) feet tall, and having a density of not less than eighty percent (80%) per square foot.
8. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.