Roll Call and Announcement of Hearing Procedure: Judy Moler, Chair, called the meeting to order at 5:59 p.m., reviewed the hearing procedure and asked for roll call to be taken.

Members Present: Judy Moler, Jerry Desch, Matthew McCurry, Jake Fisher, Chad Depperschmidt and Brian Aubert. With six members present, a quorum was established and the meeting was called to order.

Staff Present: Anna Ortega, Interim Planning Director; Joelee Charles, Administrative Assistant; Joni Thadani, Assistant County Counselor.

Approval of November 13, 2018, Public Hearing Minutes: Mr. Aubert moved to approve the November 13, 2018, Public Hearing minutes, seconded by Mr. Desch. With a unanimous voice vote, the minutes were approved.

Communications: Ms. Ortega said Hills received one call from a concerned citizen. The Planning Department received one call from one of the neighbors who was provided an email address to submit their concerns but nothing was received. This neighbor also attended the neighborhood meeting.

Ex Parte Communication by Members of the Commission: None were indicated.

Declaration of Conflict of Interest by Members of the Commission or Staff: Mr. McCurry stated Hills was a customer of his employer, American Electric Company and its subsidiary, Consolidated Electrical Distributors. Mr. Aubert stated his wife was an employee of Hills several years ago.

Election of Officers:

• Election of Chair: Ms. Moler called for nominations for chair. Mr. Desch moved to nominate Mr. Aubert as Chairman; seconded by Mr. Fisher. After a voice vote, the Mr. Aubert was elected as Chair.

• Election of Vice-Chair: Mr. Aubert then called for nominations for vice-chairman. Ms. Moler moved to nominated Mr. Depperschmidt as Vice-Chairman; seconded by Mr. Fisher. After a voice vote, Mr. Depperschmidt was elected as Vice-Chairman.

Zoning and Subdivision Items:

1. Z89/16I by Hills Pet Nutrition, Inc. seeking to amend the Theracon Subdivision Master PUD Plan to facilitate the construction of a 23,000 sq. ft. research building located at 1035 NE 43rd Street in Soldier Township.

Ms. Ortega stated the amendment would allow the applicant to build a small and toy breed dog colony research building on 3.4 acres. The maximum permitted building footprint would increase to allow up to an additional 23,000 sq. ft. of building improvement. The facility’s scope or function would not be changed. Originating in the 1950s, this facility is well recognized and established within the neighborhood. Its history predates much of the housing that surrounds the campus. The staff report includes the history of changes Hills has applied for since 2012. In 2014, a minor amendment (Z89/16H) was approved. Currently, 2,000 sq. ft. of building footprint remains to be developed.

Approximately, four to six animal care technicians will be hired to provide support with the new addition.

It was noted that the trees previously planted did not survive; however, they were replanted and a drip irrigation system was installed. All existing single head lights will be replaced with double head lights as part of this project. The proposed amendment would add 21 additional parking spaces and bring the total of parking spaces to 266.
Hills held a meeting on Wednesday, April 3, 2019, to share details of this proposal and respond to the concerns and questions of the surrounding property owners. Hills staff, Gary Semjenow, Facility Director of the Pet Nutrition Center and Lance Ankerholz and Angela Sharp, Engineer, with Bartlett and West are present to answer any questions.

In conclusion, the Planning Department finds the proposed dog colony consistent with the current facility’s setting. Staff recommends approval subject to the following conditions: 1. Recording of and compliance with the Master PUD Plan of Theracon Subdivision No. 2, Amendment 10; and 2. The final location and drainage detention facility details are to be provided with the building permit application approval.

With no questions for Ms. Ortega, Mr. Aubert asked for public comment from those speaking in favor.

Gary Semjenow, 3300 SW Alameda Drive, Topeka, KS 66614.
- Facility Director-Hills Pet Nutrition Center. Employed at Hills for 26 years. A great place to work.
- Hills wants to continue to be competitive in their very competitive market place.
- The small dog population is a growing part of the whole pet industry. More dog owners across the world are living in cities resulting in less space for their dogs.
- Research is needed on how these dogs deal with their foods and how they can create specific foods to make them thrive.
- New building will be designed for up to 80 small breed animals that are 20 pounds or less.
- Four to six new employees would take care of dogs seven days a week from 7:00 to 3:30.
- Additional traffic is not anticipated with the addition of the new employees.
- The new building would include a new entrance for visitors.
- Approximately twice a month, full bus loads of people come in from around the world by invitation to tour the facility and attend lectures. The current facility is not well laid out of that purpose.
- Bus parking is planned in front of the building including the visitor entrance. The second floor will be used for education/touring. The bottom floor will be used for animal care, housing and an outdoor area.
- Construction is set to begin in August or September 2019 with completion in December 2020.

Mr. Desch asked for more information about the dogs. Mr. Semjenow stated they were working with breeders/brokers to get as many different types of breeds. Groups of eight, mixed breed dogs will live in ten separate pods. They can go where they want inside, or outside on a turf porch or a grassy area. They seem to prefer to be inside so it will be more home like than the usual lab or clinical setting. There will be no set time for exercise. They will go out at 7:00-7:30 a.m. and brought in at 3:00 p.m. They anticipate them being tired by 3:00 p.m. due to the interaction within their group. Puppies will be brought in and socialized for people. Hills will conduct preference testing which consists of the dogs choosing from two different bowls—a Hills product and a competitive product or both might be Hills products being tested against each other. They want the dogs to tell them which one they like. Product testing may also be conducted for anti inflammation, weight reduction/management or dry/brittle hair. They will also be reviewing things like the aesthetics of the products such as the size and shape.

Mr. Aubert asked about noise control. Mr. Semjenow stated the dogs would be brought in as puppies. Studies indicate that if they are desensitized at a very young age (up to five months) to things that cause them to bark or be afraid, it is very successful. Over the next 1½ years, dogs will be brought in, housed and trained in other parts of the facility. A solid fence will be placed between each pod to reduce the visual stimulation. They anticipate the dogs will be excited initially when they are first brought out in the morning. Beyond that, they expect it to be a low bark area. The dogs will be trained to have good dog behavior and to not bark for attention.
Angela Sharp, Bartlett & West Engineers, 1299 SW Executive Drive, Topeka, KS 66615.

- The campus is more of a park-like setting with landscape of earthen berm around the northern and eastern part of the facility to screen the buildings from the adjacent residential areas.
- At the meeting, property owners asked if they would be able to see the new building from their homes. Possibly, they might see the new building’s top clear story that will have windows on all sides and be at an elevation of about five feet higher than the existing feline building. Not any different than what is seen today when driving by.
- A lighting plan was added to the PUD with the last building addition and four existing LED lights were adjusted to be more reflective into the campus. Currently, they plan to change the four single head fixtures to double heads to improve lighting for the parking areas and the bus parking.
- The addition of new employees is not anticipated to have any effect on the traffic. Passenger cars will continue entering through the guard shack at the north end off 43rd Street and the truck and construction traffic will come in from the south end along 39th Street.
- At the meeting, property owners asked how the wastewater would be handled. There are on-site lagoon systems. A study recently completed for Hills looked at the pipe capacities and treatment capacities through the facility to ensure the new building would be well served from a wastewater perspective.
- In regard to storm drainage, a dry detention basin will be sized to accommodate all the additional storm water that would be created from the building and slight amount of pavement. It would be detained before it reached the pipe that takes the water under the berm and over to the culvert on Meriden Road. Storm water shouldn’t be an issue for anyone downstream of the facility.

Mr. Aubert asked if the retention/detention ponds would take all the drainage from the parking lot or just the new area. Ms. Sharp said it would be the new area. The drainage from the existing parking lot will end up in the same place but it will not reach the detention pond.

With no members of the public to speak in favor or opposition, Mr. Aubert asked if the Commissioners had any additional comments.

Mr. Desch asked various questions about the waste. Mr. Semjenow stated the solid waste would be handled through their water filtration system. The new dogs would produce less waste.

Mr. Aubert closed the public hearing. With no discussion among the Commissioners, Mr. Aubert asked for a motion.

Mr. Desch moved to recommend Approval of the major amendment with the two conditions, seconded by Ms. Moler. With a vote of 6-0-0, the major amendment was Approved.

Public Comment on Non-Agenda Planning and Zoning Items: None were indicated.

Discussion of Planning Related Issues: None were indicated.

Adjournment:

Mr. Fisher moved to adjourn, seconded by Mr. Desch, a unanimous voice vote declared the public hearing be adjourned, which was at 6:27 p.m.