

PUBLIC HEARING:

Special Land Use PSP 26-05 - 30159 Brush St. - Major Home Occupation (Dog Boarding)

City Planner Matt Lonnerstater introduced the request for Special Land Use approval submitted by Hali Fortuna to operate a major home occupation dog boarding business at 30159 Brush Street, zoned R-3 Single-Family Residential.

Per the applicant, Ms. Fortuna would be the sole employee, boarding dogs within the home and the fenced-in backyard. The applicant specified one client at a time with pick-up/drop-off in the driveway. Because the business involves routine client visits and outdoor activity in the backyard, staff classified the request as a Major Home Occupation under the Zoning Ordinance, which requires Special Land Use approval.

Planner Lonnerstater reviewed the applicable standards as detailed in the packet.

Additionally, Planner Lonnerstater highlighted that the general Special Land Use standards require protecting public health, safety, and welfare, and compatibility with the neighborhood character and noted that Article 5 of the Code of Ordinances limits pets to a maximum of three dogs or cats per residence.

Chair Champagne opened the floor for public comment at 5:36 p.m.

Letters Read into the Record have been attached to the minutes. City Clerk Daley read written correspondences received in opposition to the request from:

Mr. Stephen Essenmacher

Mr. Eric Braun

Collette LeClair (email)

The following public speakers spoke in opposition to the special use:

Ernest – resident on Brush Street

Mr. and Mrs. McGillivray – residents on Brush Street

Seeing no further speakers, Chair Champagne closed the public comment portion at 5:44 p.m.

Chair Champagne invited the applicant, Hali Fortuna, to the podium to address the Planning Commission. She briefly noted that she would host one client at a time.

During discussion, Planning Commissioner Marsh asked for clarification pertaining to "one client." Per Ms. Fortuna, one client refers to one additional dog, as the applicant currently has two dogs of her own.

Attorney Burns clarifies that if animals are being housed for a fee, it would qualify as a commercial business. The city regulates and licenses such operations under local business licensing as a "kennel" to ensure oversight, but places strict conditions through the Special Land Use.

Planner Lonnerstater clarified that any single-family resident may keep up to three personal dogs, and noise complaints are handled by the Police Department under the general noise ordinance.

Commissioner Olson expressed strong concerns regarding neighborhood impacts and that granting a Special Land Use would make it extremely difficult for adjacent neighbors to seek relief from future disturbances.

Mayor Haines expressed that owning three personal pets is not equivalent to a commercial boarding business of unfamiliar dogs due to the vaccination, health, and disease control risks.

Commissioner Fox stated that he supports the entrepreneurial nature of this request.

PC 26-28. Special Land Use PSP 26-05 - 30159 Brush St. - Major Home Occupation (Dog Boarding)

MOTION MADE BY COMMISSIONER MARSH, SECONDED BY COMMISSIONER OLSON THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY RECOMMENDS THAT CITY COUNCIL DENY SPECIAL LAND USE REQUEST NUMBER PSP 26-05 FOR A MAJOR HOME OCCUPATION IN THE FORM OF A DOG BOARDING BUSINESS AT 30159 BRUSH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a dog boarding Major Home Occupation at 30159 Brush Street.
2. The Planning Commission held a public hearing for PSP 26-05 at their August 25th, 2026 special meeting.
3. The proposed dog boarding Major Home Occupation use is not consistent with the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
 - a. The use is not designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
 - b. The Special Land Use will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, the neighborhood, or the general welfare of the neighbors and noise in the general area.
 - c. The use is incompatible with the surrounding neighborhood.
4. The use is not consistent with the intent and purpose of the R-3 zoning district in which it is proposed.

Voting Yea: Mayor Haines, Commissioner Fleming, Commissioner Marsh, Commissioner Oglesby, Commissioner Olson

Voting Nay: Chair Champagne, Commissioner Fox

Motion carries 5-2.

Special Land Use PSP 26-06 - 26126 Groveland St. - Major Home Occupation (Licensed Massage Therapy)

Conflict of Interest Recusal: Commissioner Cliff Oglesby declared a conflict of interest because he resides directly adjacent to the subject property. Commissioner Oglesby recused himself and left the room at 6:00 p.m.

City Planner Lonnerstater introduced the request for Special Land Use approval submitted by Tonya Cole (represented by Martino Tomas) to operate a major home occupation for a licensed massage therapy business within a detached accessory shed in the rear yard of 26126 Groveland Street. The property features a single-family home with a detached garage and is zoned R-3 Single-Family Residential.

Per the applicant's application, the massage therapy services would be conducted on a one-on-one, appointment-only basis inside the detached shed. Proposed hours of operation were 8:00 a.m. to 9:00 p.m., with 4 to 8 clients per day, parking on the driveway, and one employee (the applicant). Because the business involves routine client visits and operates out of an accessory structure, staff classified it as a Major Home Occupation.