



3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.us

File #CU-19-001

Planning Commission Staff Report

Meeting Date: February 20, 2019
Applicant: Cherish Krueger-Smith/Furry Friends LLC
Property Address: 535 E. 4500 S. #D-250
Parcel ID: 22-06-426-007
Request: Conditional Use Permit for a pet grooming business in an RM zone

Zone: RM

Community Council: Millcreek Community Council

Prepared By: Blaine Gehring, AICP, Planner

SYNOPSIS AND SCOPE OF DECISION

Cherish Krueger-Smith is seeking Planning Commission approval for a conditional use permit to operate a pet grooming business at 535 E. 4500 S. #D-250. Her business is known as Furry Friends. Staff has determined that a pet grooming business falls under the category of Personal Care which is a conditional use in the R-M Zone per Section 19.44.020 of the Millcreek Code. As per Section 19.84.050 of the Millcreek Code, the Planning Commission has the authority to approve or approve with conditions, based on standards, all conditional use applications.

Existing Zoning	Existing Land Use	Surrounding Uses and Zones	Site Improvements	Size of Property
R-M	Professional offices and businesses	Professional offices, businesses, residential and school	Fully developed	2.2 acres (the proposed business would occupy a small office suite)

Building D at 535 E. 4500 S. is one of several buildings in the Professional Plaza on 4500 South. The proposed pet grooming business would occupy a small office suite in that building (D-250). The city attorney has determined that pet grooming falls under the Personal Care category which is a conditional use in the R-M Zone.

SITE & VICINITY DESCRIPTION

Figure 1: Aerial Photo



Figure 2: Zoning map

Professional Plaza is an established business complex located between 500 and 600 East on 4500 South. It is adjacent to the James E. Moss Elementary School on the north, other office uses to the west and single family residential to the west and east.

4500 South is a 7 lane road with existing curb, gutter, and sidewalk. There is no on street parking, but the property provides adequate off street parking. There are currently no fault line, grade, or other geologic considerations to account for. There are also no irrigation or other private water issues that we are aware of that need to be addressed at this time.

PROJECT INFORMATION

Cherish Krueger-Smith is seeking Conditional Use Permit approval for a pet grooming business in an RM zone at 535 E. 4500 S. #D-250. The proposed plan is compatible in the zone and compatible with the intent of the General Plan.

Proposed Uses. Pet grooming business

Density. Not applicable.

Site Layout. Part of the existing business complex.

Access. There a 3 curb cuts on the property, two off 4500 South and 1 off 500 East.

Dedication. Not applicable.

Parking. There are 450 parking stalls in the Professional Plaza complex. Management will make 3 of those stalls available to Furry Friends as part of the lease. Ample parking would be available beyond that.

Open Space. Not applicable.

Unit Characteristics. Not applicable.

Amenities. Not applicable.

Utilities and Waste Removal. A pet grooming business is subject to all rules and regulations under the Salt Lake County Animal Control ordinances which govern cleanliness, waste disposal, use of cleaning solutions, etc..

Development Agreement Considerations. Not applicable.

Exceptions. Not applicable.

COMMUNITY COUNCIL RESPONSE

At their meeting on Tuesday, February 5, 2019, the Millcreek Community Council recommended that: Conditional Use Permit for a pet grooming business in an RM zone at 535 E. 4500 S. #D-250 be approved. The vote was unanimous.

STANDARDS FOR APPROVAL

Per §19.84.060 of the Millcreek Code, All Conditional Use Permits run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use.

Staff identified the following reasonably anticipated detrimental effects on this project, and recommend the following modifications and conditions to mitigate them:

- 1. Detrimental effects of decreased street service levels and/or traffic patterns including the need*

for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.

Effect: **Staff does not find that there will be likely detrimental effects on account of parking or access, as the applicant's proposal exceeds the parking that is required, and no site changes are required as part of this application.**

Mitigation: **Not applicable.**

2. *Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.*

Effect: **The pet grooming business will be located in the established Professional Plaza business complex which has all existing utilities in place.**

Mitigation: **Not applicable**

3. *Detrimental effects on connectivity and safety for pedestrians and bicyclists.*

Effect: **Not applicable.**

Mitigation: **Not applicable.**

4. *Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.*

Effect: **In order to maintain a safe and sanitary environment for employees and patrons, the pet grooming business is under the Salt Lake County Animal Control ordinances which govern cleanliness, waste disposal, use of cleaning solutions, etc..**

Mitigation: **The applicant shall be required to continuously comply with all applicable requirements of the Salt Lake County Animal Control ordinances.**

5. *Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.*

Effect: Same as number 4 above.

Mitigation: Same as number 4 above.

6. *Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.*

Effect: Any signage would be subject to limitations in the business complex and Millcreek sign code.

Mitigation: Not applicable.

7. *Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.*

Effect: Not applicable.

Mitigation: Not applicable.

8. *Detrimental effects on the tax base and property values.*

Effect: Not applicable.

Mitigation: Not applicable.

9. *Detrimental effects on the current level of economy in governmental expenditures.*

Effect: Not applicable.

Mitigation: Not applicable.

10. *Detrimental effects on emergency fire service and emergency vehicle access.*

Effect: Since no new construction is contemplated in this application, a review by the Fire Marshal was not deemed necessary. In order to obtain and maintain a business license, the applicant will need to meet all fire codes related to the safe occupancy of the proposed pet grooming business.

Mitigation: The applicant shall be required to continuously comply with all applicable fire codes.

11. *Detrimental effects on usable/functional/accessible open space.*

Effect: Not applicable.

Mitigation: Not applicable.

12. *Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.*

Effect: Not applicable.

Mitigation: Not applicable.

13. Detrimental effects on appearance from graffiti. Applicants shall apply an anti-graffiti material or coating, approved by the City, to building, fence, and other surfaces from ground level to a height of nine feet. The Planning Commission may approve dense planting or appropriate design measures in place of anti-graffiti materials. This requirement may be imposed retroactively where graffiti issues are present.

Effect: Not applicable.

Mitigation: Not applicable.

PLANNING STAFF ANALYSIS AND FINDINGS

Planning Staff finds the proposed business is in compliance with all requirements of the R-M Zone and all Millcreek City development standards.

PLANNING STAFF RECOMMENDATION AND MODEL MOTION

Planning Staff recommends approval of the conditional use permit. A model motion is follows:

Motion to Approve a Conditional Use Permit for a pet grooming business located in an RM zone located at 535 E. 4500 S. #D-250 with the following conditions:

1. The applicant shall be required to continuously comply with all applicable fire codes.
2. The applicant shall be required to continuously comply with all applicable requirements of the Salt Lake County Animal Control ordinances.
3. The applicant shall obtain and continually maintain a Millcreek Business License.
4. Signs and accessory structures will require separate building permits and staff review for zoning/land use compliance.
5. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.
6. All items of the staff report.

SUPPORTING DOCUMENTS

1. Application
2. Affidavit
3. Applicant Letter



Millcreek Community Development

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Millcreek, Utah 84106

Phone: (801) 214-2750

STANDARDS FOR APPROVAL FOR CONDITIONAL USE APPLICATIONS

Section 19.84.060 of the Millcreek Code provides us with standards of approval for conditional use applications. In making your recommendation to the Planning Commission, please review the following standards to develop the findings you wish to make as part of your recommendation. Conditional uses shall meet the standards that we identify to mitigate (but not eliminate) the reasonably anticipated detrimental effects identified below:

19.84.060 Standards For Approval

All Conditional Use Permits run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use. All conditional uses shall meet the following standards:

- A.** The proposed conditional use shall comply with City ordinances, Federal, State Law, as applicable to the use and to the site where the conditional use will be located, and;
- B.** Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, including:
 - 1.** Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
 - 2.** Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
 - 3.** Detrimental effects on connectivity and safety for pedestrians and bicyclists.
 - 4.** Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.
 - 5.** Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.



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