



PLANNING COMMISSION STAFF REPORT

SUBJECT: 7800 South Veterinary Clinic; 5293 West 7800 South; Preliminary Site Plan and Conditional Use Permit for Veterinary Services; P-C Zone; 814 Services, LLC/Daniel Harris (applicant) [Mark Forsythe/Todd Johnson/Angelica Haro/Paul Brockbank #34197; parcel 20-36-134-005]

SUMMARY: The applicant requests Preliminary Site Plan and Administrative Conditional Use Permit approval to construct and operate a veterinary clinic on the vacant property at Swift Water Way and 7800 South.

STAFF RECOMMENDATION: Based on the findings analyzed and explained in this staff report, staff recommends that the Planning Commission grant approval for the Preliminary Site Plan and the Conditional Use Permit for the 7800 South Veterinary Clinic located at 5293 West 7800 South in the P-C zone with the Conditions and Requirements of Approval listed on page 2 of this staff report.

MOTIONS RECOMMENDED:

Preliminary Site Plan

"Based on the information and findings set forth in the staff report and upon the evidence and explanations received today, I move that the Planning Commission approve the Preliminary Site Plan for the 7800 South Veterinary Clinic located at 5293 West 7800 South in the P-C zone with the Requirements of Approval listed in the staff report."

Conditional Use Permit

"Based on the information and findings set forth in the staff report and upon the evidence and explanations received today, I move that the Planning Commission approve the Conditional Use Permit for Veterinary Services for the 7800 South Veterinary Clinic located at 5293 West 7800 South in the P-C zone with the Conditions of Approval listed in the staff report."

CONDITIONS AND REQUIREMENTS OF APPROVAL:

Preliminary Site Plan

Requirements of Approval

- 1. All redline comments from all City departments shall be addressed during the Final Site Plan review process.*
- 2. The Clay Hollow B – 5th Amended Subdivision currently under review shall be fully approved by the City and recorded at the Salt Lake County Recorder's Office prior to commencement of construction of the veterinary clinic.*
- 3. Per West Jordan City Code §13-7B-5, the approved preliminary site plan shall remain valid for*

one year following the date of the approval.

Conditional Use Permit

Conditions of Approval

- 1. On-site kenneling, including pet daycare and/or overnight boarding of pets, is prohibited under §13-5C-4 of the West Jordan City Code. Animals being kept overnight for post-operational recovery or other medically necessary circumstances are permitted as part of the approved veterinary services.*
- 2. On-site cremation is prohibited under §13-5C-4 of the West Jordan City Code.*
- 3. Biological waste shall be properly frozen, stored and disposed of in accordance with all applicable Utah Department of Environmental Quality regulations.*

I. BACKGROUND:

The proposed veterinary clinic will be on a 2.92-acre parcel on the southwest corner of Swift Water Way (5280 West) and 7800 South. This vacant property is Parcel C of the Clay Hollow B – 4th Amended Subdivision, which was approved and recorded last year. This property and the surrounding neighborhood are part of the Stonecreek Master Plan and is subject to the development guidelines of the plan.

The applicant is currently amending the existing subdivision plat to create a new subdivided lot for the proposed veterinary clinic. As an amended subdivision, this plat will be reviewed entirely at the staff level and must be approved and recorded prior to construction of the veterinary clinic.

II. GENERAL INFORMATION & ANALYSIS:

The subject property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Current Use
North	Low Density Residential	R-1-10D(ZC)	7800 South, Single-family residential
South	Neighborhood Commercial	P-C	Vacant land
East	Low Density Residential	P-C	Stone Creek Condominiums
West	Neighborhood Commercial	P-C	The Children's Courtyard (daycare/preschool)

The applicant is requesting preliminary approval to construct a veterinary clinic on what is currently a vacant parcel on the east side of the Clay Hollow commercial area. This development will occupy roughly 38% of the existing parcel area, which will be subdivided to match the site area. The development will consist of one single-story building with the parking lot situated behind and to the side of the building. Pedestrian sidewalks will border the building on the south and west sides. The remaining area is anticipated to be fully

landscaped, which will be reviewed in greater detail by staff during the Final Site Plan review.

III. FINDINGS OF FACT: **PRELIMINARY SITE PLAN**

In accordance with West Jordan City Code §13-7B-4, Preliminary Site Plans shall be approved only if:

Criteria 1: The proposed site plan is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located;

Staff Analysis: The site is located in an area designated by the General Plan's Future Land Use Map as Neighborhood Commercial and is located in a P-C zoning district. The purpose of the future land use designation is to accommodate a variety of low-intensity commercial uses that integrate into the surrounding neighborhood and serve a trade area population of 10,000 people. The P-C zone is much broader in purpose, encouraging a mix of residential and light commercial uses in a creative, attractive and desirable environment through the implementation of a master plan. The proposed project aligns with both of these purposes by creating a new commercial business that will serve a small to medium trade area population in a development that incorporates many of the design guidelines of the General Plan and the Stonecreek Master Plan.

In regards to commercial site plans in general, the General Plan has a few broadly applicable guiding principles that may loosely pertain to the proposed development:

LAND USE

Land use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods.

The site is bordered by an existing preschool/daycare business to the west and vacant land zoned for similar commercial development to the south. An existing arterial and local road will serve as a buffer between the proposed use and nearby residential areas. All activities of the proposed veterinary clinic will be contained inside the proposed building. As such, impacts on adjacent businesses and neighborhoods should be minimal to non-existent.

Land use designs must promote quality of life, safety, and good urban design

The proposed development has been designed to facilitate safe and efficient vehicle and pedestrian access, a well-designed building and ample landscaping. Unsightly equipment will be screened from public view, while dumpsters will be screened and located away from heavy customer foot traffic.

TRANSPORTATION

Improve the aesthetic quality of the City's streets.

As a new development, the proposed veterinary clinic will be required to install sidewalks, street lights and park strip landscaping along the south side of 7800 South and directly abutting the property along the west side of Swift Water Way. These areas are currently

vacant land and the aforementioned improvements will improve walkability and aesthetics for these roadways.

ECONOMIC DEVELOPMENT

Provide well-designed, attractive, and aesthetically pleasing professional office and business environments within the City.

The veterinary clinic will incorporate attractive building materials and styling to complement the commercial businesses in this area of the Stonecreek planned community. The site will incorporate many of the design guidelines from the Stonecreek Master Plan, such as continuing the pattern of placing the building adjacent to the street, locating the parking lot behind the building, screening the parking lot from 7800 South, rooftop equipment screening and utilizing stone and stucco as the dominant building materials.

Staff's Opinion: The proposed site plan is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located.

Criteria 2: The proposed site development plan's building heights, building locations, access points, topography, and parking areas will not negatively impact adjacent properties or the surrounding neighborhood;

Staff Analysis: The proposed development will consist of a 24-foot-tall single-story commercial building similar in height to all of the other single-story commercial buildings in the Clay Hollow commercial area. For comparison, the adjacent preschool is 2 feet taller than the proposed building and sits on a site that is 4 feet above the proposed site. The residential condominiums to the east are over 2 stories tall, also taller than the proposed vet clinic building.

The building will be situated near the northeast corner of the site for good street exposure, similar to the other commercial buildings in the Clay Hollow commercial area. It will be set back 15 feet from the 7800 South right-of-way line and 25 feet from the Swift Water Way right-of-way line, which complies with the minimum setback of 10 feet required by the adopted development plan.

The parking lot has been designed for circular traffic flow. The main access and southern drive aisle will serve as the primary traffic route and will be shared with future commercial development to the south. This shared access is noted on the subdivision plat currently undergoing staff review.

The majority of the site will have an average 4% slope with drainage toward the east end of the site. The west side of the property will incorporate a 2-foot-tall retaining wall to reduce the overall slope of the property while containing run-off from the steeper slope along the adjacent property to the west.

Staff's Opinion: The proposed site development plan's building heights, building locations, access points, topography, and parking areas will not negatively impact adjacent properties or the surrounding neighborhood.

Criteria 3: The proposed development promotes a functional relationship of structures to one another, both on the site and in the surrounding neighborhood;

Staff Analysis: The veterinary clinic will consist of a single rectangular building that is located as far away from the adjacent preschool as possible. Between these two buildings will be a 1/3 acre parking lot and a 24 feet wide strip of landscaping, which will serve as an adequate buffer. The adjacent land to the south is currently vacant and zoned/master planned for commercial development. The nearest residential development is the Stonecreek Condominiums located 120 feet away from the proposed building on the opposite side of Swift Water Way. Based on the interior layout of the clinic, the rooms nearest the east end of the building will consist of 4 exam rooms and an office/reception area. Judging by their distance from residential and the buffer of Swift Water Way, the use of these rooms should have little to no impact on the nearest residential areas.

The proposed building will be located near the public sidewalks along 7800 South and Swift Water Way for convenient pedestrian access. Pedestrian walkways are provided on the south and west sides of the building for access between the building entrances and parking spaces. Over a quarter of the total parking stalls will be adjacent to the building for easy access, while the remainder of the parking spaces have been arranged to be located within less than 150 feet of a pedestrian path leading to the building entrances.

The dumpster enclosure will be placed away from the building on the southwest corner of the parking lot and the adjacent drive aisles are arranged to be accessible for garbage truck loading/unloading. The dumpsters will be fully enclosed and screened by a split-face concrete block masonry wall with solid metal gates, as required by City ordinances.

Staff's Opinion: The proposed development promotes a functional relationship of structures to one another, both on the site and in the surrounding neighborhood.

Criteria 4: The height, location, materials, color, texture, area, setbacks and mass, as well as parts of any structure (buildings, walls, signs, lighting, etc.) and landscaping/open space, is appropriate to the development, the neighborhood, and the community;

Staff Analysis: The proposed vet clinic building will have an overall height of 24 feet, which includes parapet walls that extend 3 feet above the roof to fully screen the roof-mounted equipment from public view. The building meets the minimum setbacks stipulated by the Clay Hollow development plan and will be located outside of the nearby 10-foot-wide public utility easements currently planned for on the subdivision plat currently under staff review.

As a commercial development, at least 15% of the vet clinic site is required to be landscaped. The site currently shows 32% of the total area set aside for landscaping. The parking lot will be screened from public view along 7800 South with a row of shrubs that will be 3 feet tall at maturity, as required by City ordinances and the Clay Hollow development plan. The parking lot itself will be broken up by 2 long landscape islands, a large peninsula and corner planting areas intended for shade trees to meet the minimum parking lot tree requirements. These trees, as well as all of the landscaping plants, trees and irrigation systems for the entire site will be reviewed and analyzed in more detail by staff during Final Site Plan reviews.

The site will have adequate lighting, which will be concentrated primarily around the building and in the center of the main parking lot. The parking lot will have a total of 3 light

poles, which will need to contain light fixtures directed downward and will be 15 feet tall. The applicant has provided a photometric plan showing lighting levels across the entire site. Lighting levels will not exceed 1 foot-candle power at all property lines, except for a small section on the south end of the main parking lot. Although this section exceeds the maximum light levels, it is not cause for concern because the vacant property to the south is also planned for commercial development, the lighted drive aisle is a shared access and stronger lighting for areas in the back would aid in crime patrol/prevention. Based on these reasons, the proposed lighting levels meet the intent of the maximum light level requirements, which is to prevent strong lighting from impacting residential dwellings and businesses sensitive to lighting.

Staff's Opinion: The height, location, materials, color, texture, area, setbacks and mass, as well as parts of any structure (buildings, walls, signs, lighting, etc.) and landscaping/open space, is appropriate to the development, the neighborhood, and the community.

Criteria 5: Ingress, egress, internal and external pedestrian and traffic circulation, off street parking facilities, loading and service areas, and pedestrianways is designed to promote safety and convenience;

Staff Analysis: The site will be accessed via a single 2-way access on Swift Water Way. This access will be located roughly 150 feet from the street corner, meeting minimum separation standards and allowing for left and right turns onto Swift Water Way. The adjoining driveway will serve as the primary through traffic corridor for the site and has sufficient stacking length for a dozen vehicles in the unlikely event that traffic is backed up on Swift Water Way. This driveway also stubs to the currently vacant property to the north, which will serve as another ingress/egress option once the vacant property develops. No access will be permitted onto 7800 South due to its classification as an arterial road and the access/street separation standards required.

The main entrance of the building is located on the south side and is adjacent to a sidewalk directly accessible by 3 handicap parking and loading spaces. Handicap access is provided by ADA ramps. None of the pedestrian paths will cross drive aisles.

For veterinary clinics containing a gross floor area between 5,000 and 15,000 square feet, a minimum of 1 parking space for every 200 square feet of gross floor area is required. The proposed building will be 8,000 square feet in total floor area, including the undeveloped west half of the building, which will require a minimum of 40 parking spaces. The site has been designed to provide 51 parking spaces, which will meet the minimum parking requirements.

Staff's Opinion: Ingress, egress, internal/external pedestrian and traffic circulation, off street parking facilities, and pedestrian ways are designed to promote safety and convenience.

Criteria 6: The architectural character of the proposed structures is in harmony with and compatible to structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition.

Staff Analysis: The architectural style of the veterinary clinic building will be similar to that

of a commercial shopping center, which is similar to some commercial buildings in the area and complementary to some of the contemporary-style medical clinic buildings in the Clay Hollow commercial center. The primary siding material will be stucco, while a stone wainscot will encircle the building and gray brick will adorn broad pilasters and accent building corners. The stucco and stone wainscot are similar to those of the adjacent preschool building, while each façade will feature multiple stone pilasters that add extra texture and variety while breaking up large surface areas. Awnings will be provided for shade control and aesthetics over the windows and entrances.

The zoning ordinances require that exterior wall planes facing a road have full height 8-inch projections or recesses every 50 feet, while wall planes that do not face a road must have such features every 100 feet. Each façade will have double the amount of pilasters needed to meet this requirement, though most of them do not extend the full height of the building. Because each façade is going above and beyond the spacing requirement for the pilasters by providing more of them than what is needed, staff deems this to be a sufficient trade-off for the reduced pilaster height and meets the intent of the ordinance.

The Design Review Committee reviewed the proposed building elevations and preliminary site plan on November 26, 2024. The Committee expressed no concerns with the design of the building or site.

Staff's Opinion: The architectural character of the proposed structure is in harmony with and compatible to structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition.

Criteria 7: Public facilities and services intended to serve the subject development, including, but not limited to, roadways, parks and recreational facilities, schools, police and fire protection, stormwater drainage systems, water supplies, wastewater, power and refuse collection are adequate to serve the site.

Staff Analysis: All water and sewer utilities serving the proposed building will tie into the existing public lines running along Swift Water Way. Meters for each system will be provided and situated on site in a utility easement. All power and telecom lines along 7800 South have been buried underground, and any such laterals to the building will follow suit. The Public Utilities Department has reviewed these systems and have determined that they are adequate in size and design to service the proposed use.

Storm water will be handled through a network of storm drains and lines in the parking lot and connected to the downspouts of the building. These storm water lines will drain to a detention basin and underground storage tank before slowly draining to the main line along Swift Water Way. An oil-water separator will be provided to ensure chemicals from the parking lot are not washed into the City systems.

The building will not be equipped with fire sprinklers, but the Fire Marshall has found the parking lot design and location of the building to be sufficient for first-responder vehicle ingress and egress and compliance with all Fire Department requirements.

Staff's Opinion: Public facilities and services intended to serve the subject development, including, but not limited to, roadways, parks and recreational facilities, schools, police and fire protection, stormwater drainage systems, water supplies, wastewater, power and

refuse collection are adequate to serve the site.

CONDITIONAL USE PERMIT

13-7E-7: Standards for Determination:

Prior to approving any application for a conditional use permit, the planning commission or zoning administrator, as applicable, shall consider the following:

A. The reasonably anticipated detrimental effects, like all aspects of a conditional use application, must be established by substantial evidence.

B. If the city requires the need for additional conditions to address the reasonably anticipated detrimental effects, the city has the burden of proving both the existence of the reasonably anticipated detrimental effects and the need for conditions.

C. The following specific considerations articulate city purposes or goals related to guiding the planning commission or zoning administrator in identifying reasonably anticipated detrimental effects. The planning commission or zoning administrator shall determine if the proposed conditional use.

Determination 1: Has any detrimental effects on the general plan or on the purpose of the zoning district in which the proposed site is located that cannot be mitigated by reasonable conditions;

Substantial Evidence: The site has a future land use designation of Neighborhood Commercial and is located in a P-C zoning district. The purpose of the future land use designation is to accommodate a variety of low-intensity commercial uses that integrate into the surrounding neighborhood and serve a trade area population of 10,000 people. The P-C zone is broader in purpose, encouraging a mix of residential and light commercial uses in a creative, attractive and desirable environment. A veterinary clinic is considered to be a low impact commercial use, similar to a medical service. Such clinics are similarly located in commercial areas near residential neighborhoods throughout West Jordan, typically fronting arterial streets.

The Guiding Principles of the General Plan do not specifically address veterinary clinics or related uses, but they do encourage all land use decisions to minimize impacts on existing neighborhoods and protect existing land uses. Due to the lack of anticipated detrimental impacts on the residential uses across the street, the goals of the General Plan will be met.

Condition(s) Imposed: Staff has not found any detrimental effects on the General Plan or on the purpose of the zoning district in which the proposed site is located. No conditions are necessary.

Determination 2: Is inadequate in size or shape to accommodate the use;

Substantial Evidence: The site will be slightly over 1 acre in size, which should be adequate in size considering that the building will occupy 16% of the site, while the parking lot and landscaping will take up the remaining 84%. The building itself will comprise 8,000 square feet, with the 1st phase developing only half of the building's interior space. This initial phase will provide several clinic rooms, reception area, restrooms, and office space for 20 employees and their patients. The remaining interior space will be developed at a later date. The parking lot will contain enough parking spaces to accommodate the full use of the building.

With only half of the building interior being constructed, it should be noted that a Building Permit will be required prior to any future interior construction work on the remaining half of the building.

Condition(s) Imposed: The site is adequate in size and shape to accommodate the use. With only half of the building interior being initially constructed, it is necessary to emphasize that a Building Permit is required prior to any future construction work.

Determination 3: *Has one or more of the requirements for the zone district (including, but not limited to, setbacks, parking, on site circulation, screening, buffering, and landscaping) that are not being met;*

Substantial Evidence: The proposed Preliminary Site Plan has been reviewed by staff for compliance with all zoning requirements and has been found to meet all requirements for preliminary approval. Landscaping and irrigation requirements will be assessed for compliance during the Final Site Plan approval by staff.

It should be noted that pet daycare or overnight boarding services are defined as a “Kennel” under §13-2-3 of the City Code. Kennels are not a permitted use in the P-C zone under the P-C zone land use table in §13-5C-4 of the City Code and any such services at this location are thereby prohibited. The applicant has stated that some animals may be kept overnight on a case-by-case basis for post-operational recovery or other medically necessary circumstances. Provided that such instances are necessary for the health of the animal and are medically related, such an accommodation is reasonable for the veterinarians to perform their duties. Similarly, animal crematoriums are also defined in §13-2-3 of the City Code but the land use table in §13-5C-4 does not allow such uses.

Condition(s) Imposed: All of the requirements for the zone district are being met for purposes of Preliminary Site Plan approval. Subsequent requirements for the zone district not addressed in the Preliminary Site Plan review will be assessed by staff during the Final Site Plan review prior to final approvals. However, a Condition of Approval that prohibits pet daycare, overnight boarding services and animal crematoriums is necessary to ensure perpetual compliance with §13-5C-4 of the West Jordan City Code.

Determination 4: *Has inadequate access to public streets and highways or has any detrimental effects on traffic (which may be generated) that cannot be mitigated by reasonable conditions;*

Substantial Evidence: The proposed veterinary services will occur on a site having a single shared access on Swift Water Way. This access is sufficiently wide for 2-way traffic flow and could be widened with future commercial development to the south. The access has been shifted as far south as possible to increase stopping distance for vehicles turning onto Swift Water Way from 7800 South. Swift Water Way is a local road and the traffic generated by the proposed use is too small to require a median or right-in, right-out access. The Traffic Engineer has reviewed the proposed site layout and has determined that a Traffic Impact Study is not necessary or required.

Condition(s) Imposed: The proposed site has adequate access to public streets and highways and is unlikely to impose any detrimental effects on traffic. No conditions are

necessary.

Determination 5: Has any detrimental effects on public safety services that cannot be mitigated by reasonable conditions;

Substantial Evidence: The Fire Department has reviewed the proposed site layout and has not found any issues that would affect their accessibility to the site or building. The nearest fire hydrant is located near the northwest region of the site and no fire sprinklers are provided or required. The site will have good visibility from adjacent public streets, aiding police patrols in the unlikely event that they become necessary. Garbage bins are located near the rear of the property and the adjacent drive aisles have been designed to facilitate safe and efficient loading/unloading.

Condition(s) Imposed: The use will not create any detrimental effects on public safety services. No conditions are necessary.

Determination 6: Will unreasonably interfere with the lawful use of properties within the vicinity of the proposed conditional use that cannot be mitigated by reasonable conditions;

Substantial Evidence: All neighboring residences are located on the opposite side of Swift Water Way or 7800 South, which will serve as adequate buffers between the clinic and the residential neighborhoods. Any potential noise generated by the veterinary clinic will likely not exceed traffic noise levels of these roads. The adjacent daycare is topographically elevated above the proposed veterinary clinic and the outdoor play areas are fully surrounded and protected by a 6-foot tall vinyl fence. Animals being attended to at the clinic will be there temporarily, typically for an hour or two, and all clinic activities will be conducted indoors under staff supervision. Hours of operation will be 7 days a week from 7:00 AM to 7:00 PM, which are fairly typical business hours.

Condition(s) Imposed: The proposed conditional use will not unreasonably interfere with the lawful use of properties within the vicinity of said use. No conditions are necessary.

Determination 7: Will create an additional need for essential city services or utilities that cannot be met without unreasonable efforts or expenditures of city or public resources;

Substantial Evidence: The proposed use and associated site plan have been analyzed by the Public Utilities Department, who has determined that no upsizing of main water, sewer or storm lines is necessary for the proposed use. The use will not create additional demand for water beyond the assigned ERC's for the Neighborhood Commercial land use designation in which the use will operate. The proposed building will be tying into existing public main lines as explained previously in Criteria 7 of the Preliminary Site Plan Findings of Fact of this report.

Condition(s) Imposed: The use will not create additional need for essential city services or utilities. No conditions are necessary.

Determination 8: Will have any detrimental effects regarding public health, safety, and welfare.

Substantial Evidence: The anticipated impacts involve limited noise, odors and waste disposal, which are anticipated to be minimal. All noise and odors will be fully contained within the building. Biological waste, such as surgically removed items, fluids, etc., should be kept frozen and properly disposed of in accordance with all Utah Department of Environmental Quality requirements.

The proposed clinic will have a small morgue, which will be located near the center of the building's interior. The plans for the clinic show no signs of crematory services, which are prohibited under City ordinances. Disposal of deceased animals will occur in accordance with all Utah Department of Environmental Quality requirements.

Dog barking will likely be the loudest noise generated by the veterinary clinic, which can range from 80 to 110 decibels depending on the breed. According to OSHA, noises above 85 decibels can be dangerous if sustained in close range and sound continuously for 8 consecutive hours or more. Since dog barking will mostly occur inside the building and is not a continuous sound sustained for several hours straight, it won't pose any threat to nearby residences or businesses. For comparison, occasional road noise from Swift Water Way is estimated at 40-50 decibels, which is likely louder than dog barking muffled substantially by the building walls.

Condition(s) Imposed: In order to ensure compliance with public health standards, a Condition of Approval requiring all necessary permits and inspections from the Utah Department of Environmental Quality is proposed. A condition reiterating the City's prohibition of crematoriums is also proposed.

IV. CONCLUSION:

The proposed veterinary clinic meets all of the criteria for approval of the Preliminary Site Plan and the Conditional Use Permit, pending adherence to all Conditions and Requirements of Approval listed on page 2 of this report.

V. ATTACHMENTS:

- Exhibit A - Aerial Map
- Exhibit B - Zoning & Future Land Use Map
- Exhibit C - Preliminary Construction Plans
- Exhibit D - Design Review Committee Minutes
- Exhibit E - Letter of Intent