



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

March 21, 2019

To: Planning Commission
From: Community Development Department
Subject: Urban Paw
9251 S. 700 E.
[Community #7]

CUP-02-19-5618
Zone: CC

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
CUP-06-15-4403	M-Graphics and Signs light industrial with a residential component in a CC Zone. Approved by PC.
CUP-06-15-4403	02/24/17 Revocation of M-Graphic Signs' CUP. Approved by PC.

DESCRIPTION OF REQUEST AND BACKGROUND

The applicant, Rhonda Bergeson for Urban Paw, is requesting that the Planning Commission consider a request for a conditional use permit (CUP) to allow for a commercial kennel business to operate within 250 feet of a residential property, with extended hours for kenneling services on the property located at 9251 South 700 East (*See Exhibit #1 – Application Materials*).

Urban Paw is an animal wellness and daycare business that provides the following services to pet owners: overnight retreat and boarding of animals, valet pet care services for in-home pet care, organic pet food, pet apparel and supplies, pet supplements, in-house coffee shop and juice bar, pet massage/acupuncture/physical therapy, animal training, grooming, and pet adoptions. The proposed business will operate with 10 full-time employees, with regular business hours of 6:00 AM to 7:00 PM. In addition, the business does provide 24 hour kenneling service, 7 days a week, but no costumer traffic will occur after 7:00 PM.

The subject property is bordered to the south, west and northwest by commercial properties zoned Community Commercial (CC). Properties to the north and east are residential properties

zoned Mixed-Use (MU). The subject property is 1.93 acres with a 23,800 square foot commercial strip-center. The strip center contains four commercial tenant spaces. The proposed business will occupy the northern most tenant space. The distance from the rear of the commercial building to the nearest residential home is 65 feet. A 7-foot concrete wall provides additional separation from the commercial property and the townhomes to the east. Properties to the north are 65 feet from the commercial building to the nearest residential townhome across Rose Cottage Lane (*See Exhibit #2 – Site Separation*).

ANALYSIS

Per **Section 15A-08-02** of the Sandy City Land Development Code, commercial animal kennel located within 250 feet of a residential district requires a Conditional Use approval from the Planning Commission. The commercial building is 65-feet from the nearest townhomes to the north and east.

In order to eliminate animal waste and smells on the property the applicant is proposing to install K9 Grass inside the building which will be treated with an anti-bacterial protection to breakdown urine and neutralize it. Solid waste will be bagged and disposed of in the garbage. The applicant is currently looking in to a waste removal system, similar to a toilet, which disposes of waste in to the sewer system.

All kenneling will be inside the building providing ample noise suppression to the outside. In addition, 10 full-time employees will rotate care of the animals, for the 24-hour kenneling service ensuring staff will be onsite at all times.

COMPLIANCE WITH SECTION 15A-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 15A-33-03 “A” to “O”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “A” through “O”, except the following conditions, which merit discussion or additional consideration by the Planning Commission:

B. Proposed site ingress and egress existing and proposed roads and streets.
The ingress and egress to and from the site is existing and will not change. Entrance to and from the commercial building will utilize the front doors on the west side of the structure.

E. Site circulation patterns for vehicular, pedestrian and other traffic.
Vehicular circulation will utilize Rose Cottage Lane as well as the existing ingress/egress point of access to the west on to 700 East.

I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining owners from noise, visual and other impacts.

A 7-foot concrete wall separates the townhomes to the east. Rose Cottage Lane, a 30-foot right-of-way separation to the townhomes to the north.

O. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

NOTICE

A neighborhood meeting was held on Wednesday, March 6 at 7:00 PM by the Community Development Department. No neighbors attended the meeting. Notices were mailed to the property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting. At the time of writing the staff report, staff has not received any comment on this application.

CONCERNS

Staff is concerned with animal waste disposal, and excessive noises for adjacent tenant space and nearby residents. The applicant has proposed a waste disposal system that staff feels will mitigate any pet waste concerns.

Similar uses in the past have created an excess of noise that could be a burden to adjacent properties and tenant spaces. Staff has discussed noise mitigation concerns with the Building Department. Staff feels that the cinderblock walls, concrete fence, and 65-foot separation, should provide ample sound attenuation to the neighbors to the east. The biggest sound disturbance will be to the business occupying the tenant space to the south. Any noise problems could be mitigated through the installation of additional insulation along the common wall between the two businesses. Staff requests the applicant work with the Building Department to provide any noise mitigation for the tenant to the south.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit to allow for Urban Paw to operate a commercial animal kennel within 250 feet of a residential property at 9251 South 700 East based on the findings listed below and the subject to the following conditions:

Finding

1. Based on the proposed use, staff finds that there is sufficient separation from the commercial building and the nearest residential properties of 65 feet, with a 7-foot cinderblock wall. Further, the applicant is not proposing to use the rear door of the building.

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning

Commission to mitigate a reasonably anticipated detrimental effects of the proposed use.

3. That the applicant obtain a business license from the Community Development Department.
4. That the use be reviewed upon legitimate complaint.
5. That animal waste be disposed in the garbage or sewer system, and not be disposed of in the storm water system.
6. That the applicant work with staff to provide noise mitigation for the tenant to the south and nearby residents.

Planner: Wade Sanner Reviewed by: BM

Wade Sanner, Planner

File Name: SAUSERS\PLN\STAFFRPT\2019\CUP-02-19-5618 Urban Paw

Exhibit #1 – Application Materials

URBAN PAW

803 Susquehanna Drive, Murray, UT 84123

801-577-9252

rhonda.bergeson@yahoo.com

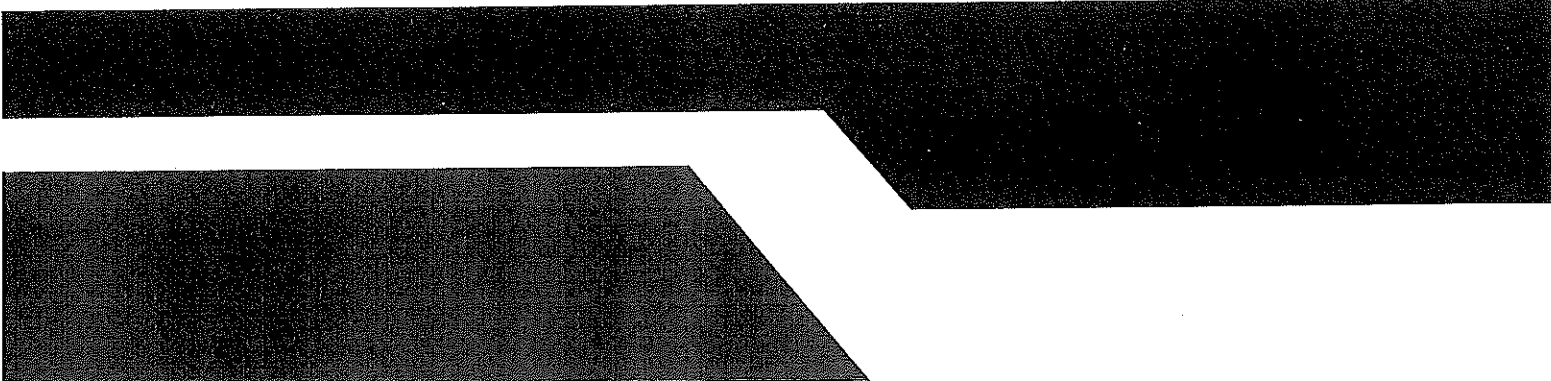
February 21, 2019

Dear Planning & Zoning Committee,

I am writing in regards to a Conditional Use Permit in the City of Sandy. The address is 9251 South 700 East. It is currently zone for Conditional Permit as it pertains to animal daycare. We are writing to describe our business, its policies and procedures, and information pertaining to our request for permitting in the building we have selected.

The business is a multi-use space that we will be using for an animal daycare and animal wellness center. The following businesses will occupy the space to provide goods and services for pet owners:

- Pet day care
- Overnight retreat/boarding of dogs, cats, small animals, reptiles.
- Valet pet care services to our in-house pet care and wellness center.
- Organic Pet Food and Pre-baked goods.
- Pet apparel & supplies.
- Pet supplements.
- In-house coffee shop and juice bar.
- Massage Therapy/Acupuncture/Physical Therapy.
- Animal Training.
- Grooming.
- Pet Adoptions.



Our Policies and Procedures directly correlate with our desire to meet the needs of the community. Noise and Waste Removal are two key concerns in our business.

Noise will not be an issue to the surrounding area or businesses due to the fact that the building is built out of cinder block. We will also have 10 full time staff members at the facility who rotate to care for the animals 24/7, with the kennel being the only 24 hour service. Regular business hours will be 6 AM - 7 PM.

"K9 Grass" will be used in the daycare area that has an anti-microbial protection which is built in to allow the breakdown of urine to neutralize it. A specialized machine goes over the grass daily to clean up the liquid waste and apply a new anti-microbial enzyme treatment. Solid waste will be picked up and bagged for disposal. We are also looking in to an SPCA approved waste removal system which is similar to a toilet that disposes of waste directly in to the sewer system.

Warm regards,



Rhonda Bergeson

Owner

rhonda.bergeson@yahoo.com

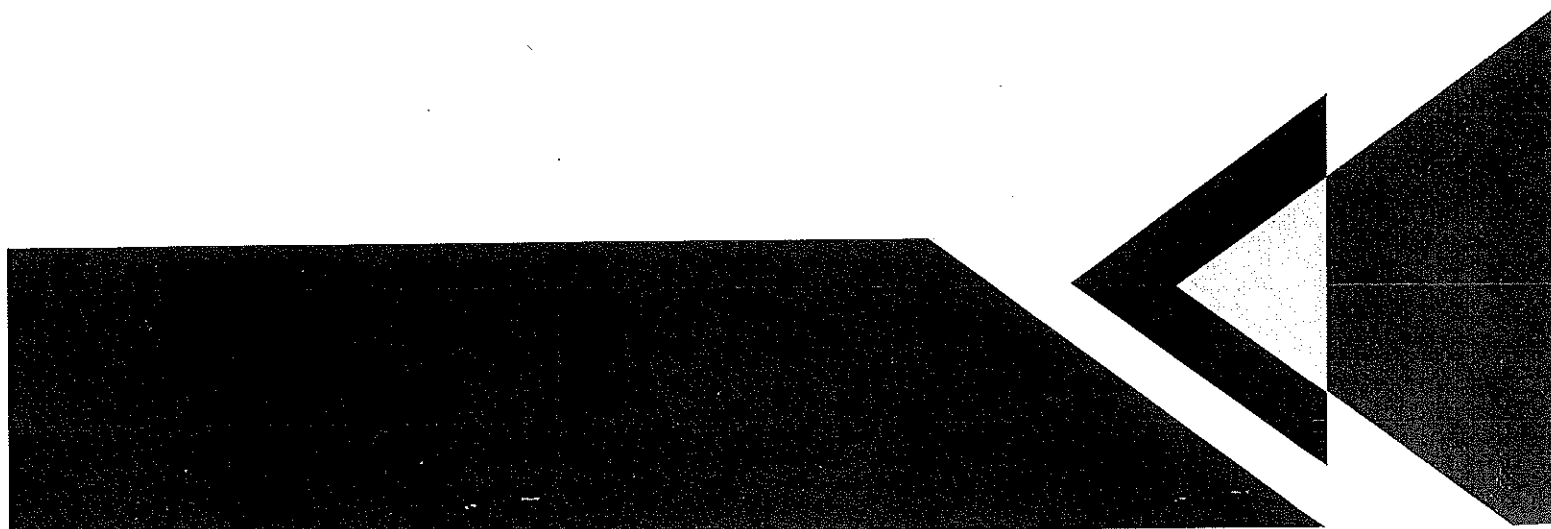


Exhibit #2 – Site Separation



REAR

Hollida Ct

Orange Ct

Dourne Dr

Proposed Tenant Space

7' Concrete Wall

65'

65'

0 15 30 60 90 120 Feet



9174

9180

9199

9196

9204

9210

9216

731

9192

9188

9206

9212

9218

751

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