

SOUTH JORDAN CITY

PLANNING COMMISSION STAFF REPORT

Meeting Date: 02/14/2023

Issue: **CONDITIONAL USE PERMIT FOR AN ANIMAL SERVICES USE IN
THE COMMERCIAL-CORRIDOR (C-C) ZONE**

File No.: PLCUP202300002
Property Address: 1091 W. South Jordan Pkwy #250
Applicant: Jeremy Fenlon (Business Owner)
Property Owner: South Jordan Parkway Plaza, LLC.
Submitted By: Andrew McDonald, Planner I

Staff Recommendation (Motion Ready):

Approve the Conditional Use Permit (File No. **PLCUP202300002**) with no conditions, based on the Findings and Conclusions listed in this report.

CONDITIONAL USE REVIEW STANDARDS:

A conditional use shall not be established or commenced without a conditional use permit approved by the Planning Commission or City Council in conformance with the requirements of City Code §17.18.050; and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified, the permit shall be indefinite and shall run with the land.

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards. The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

City Code §17.18.050 also provides standards for compliance and revocation:

1. A conditional use may be commenced and operated only upon:
 - a. Compliance with all conditions of an applicable conditional use permit;
 - b. Observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and
 - c. Compliance with all applicable local, State, and Federal laws.
2. A conditional use permit may be revoked by the City Council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection I1 of this section.

BACKGROUND:

The applicant is requesting that the Planning Commission review and approve a Conditional Use Permit for an animal services use in the C-C zone, at 1091 W. South Jordan Pkwy #250. The proposal is to renovate an existing tenant space (roughly 1,200 ft²) to open a dog and cat grooming service, known as Kibbles & Cuts. The subject property is currently zoned C-C, and is in the South Jordan Parkway Plaza B Commercial subdivision. City Code §17.18.020 B. classifies Kibbles & Cuts as an animal service use that requires a CUP in the C-C Zone.

FINDINGS, CONCLUSION, & RECOMMENDATION:

Findings:

- This building has been primarily used for office, retail, and medical clinic uses since its completion. These uses are permitted in the C-C Zone.
- Kibbles & Cuts is the first animal services use to be proposed. There is no record of any prior CUP applications, or approvals, for an animal services use at this address.
- Kibbles & Cuts meets the definition of an animal services use as defined in City Code §17.18.060, “An establishment engaged in the grooming, care, breeding, boarding, raising, veterinary medicine, dentistry, or surgery services of animals, except for uses defined by ‘animal husbandry’.”
- The grooming and care service is the primary use that requires a CUP. The selling of collars, treats, and kibble is a secondary use permitted in the C-C Zone.
- City Code §17.04.290 restricts the loading, unloading, deliveries, and handling of non-residential use materials between the hours of 7:00 A.M. and 10:00 P.M.
- There are twelve holding kennels. Animals are kept leashed the entire time on-site when outside a holding kennel. There will be no overnight or outside keeping of animals.
- At maximum, there is the capacity to have up to 12 cats and/or dogs on-site at any one point during business hours. Animals being serviced stay on-site up to five hours at a time, depending on the service being provided. On average there would be about four to eight cats and/or dogs on-site throughout the entire business day.
- One to five people are anticipated to be on-site at any given time during business hours.
- An operations plan is included in the supporting materials.
- There will be no exterior modifications to the building or site plan.
- Required parking needs for an animal service use are sufficient.
- The rear (west) wall of Kibbles & Cuts is setback 15-feet from a vacant parcel that is also currently zoned C-C.
- The nearest residential (R-1.8) zoning boundary is roughly 50-feet from the SW corner of Kibbles & Cuts’s tenant space. The building is primarily adjacent to the vacant parcel to the west. The parking spaces south of Planned Parenthood are adjacent to a parcel that is currently zoned R-1.8, and has an existing duplex. The nearest single-family home is roughly 105-feet from Kibbles & Cuts’s tenant space. The vacant parcel serves as a buffer between them.

Conclusion:

Based on the application materials and the findings listed in this report, staff concludes that the proposed application is consistent with City Code pertaining to the C-C Zone.

Recommendation:

Staff recommends that the Planning Commission take comments at the public hearing, and **Approve** the Conditional Use Permit Application (File No. PLCUP202300002) without conditions.

ALTERNATIVES TO RECOMMENDATION:

- Approve the Conditional Use Permit with reasonable conditions imposed
- Deny the Conditional Use Permit if detrimental effects are identified, and cannot be reasonably mitigated via imposition of reasonable conditions
- Require additional examination, and motion to table for a future meeting

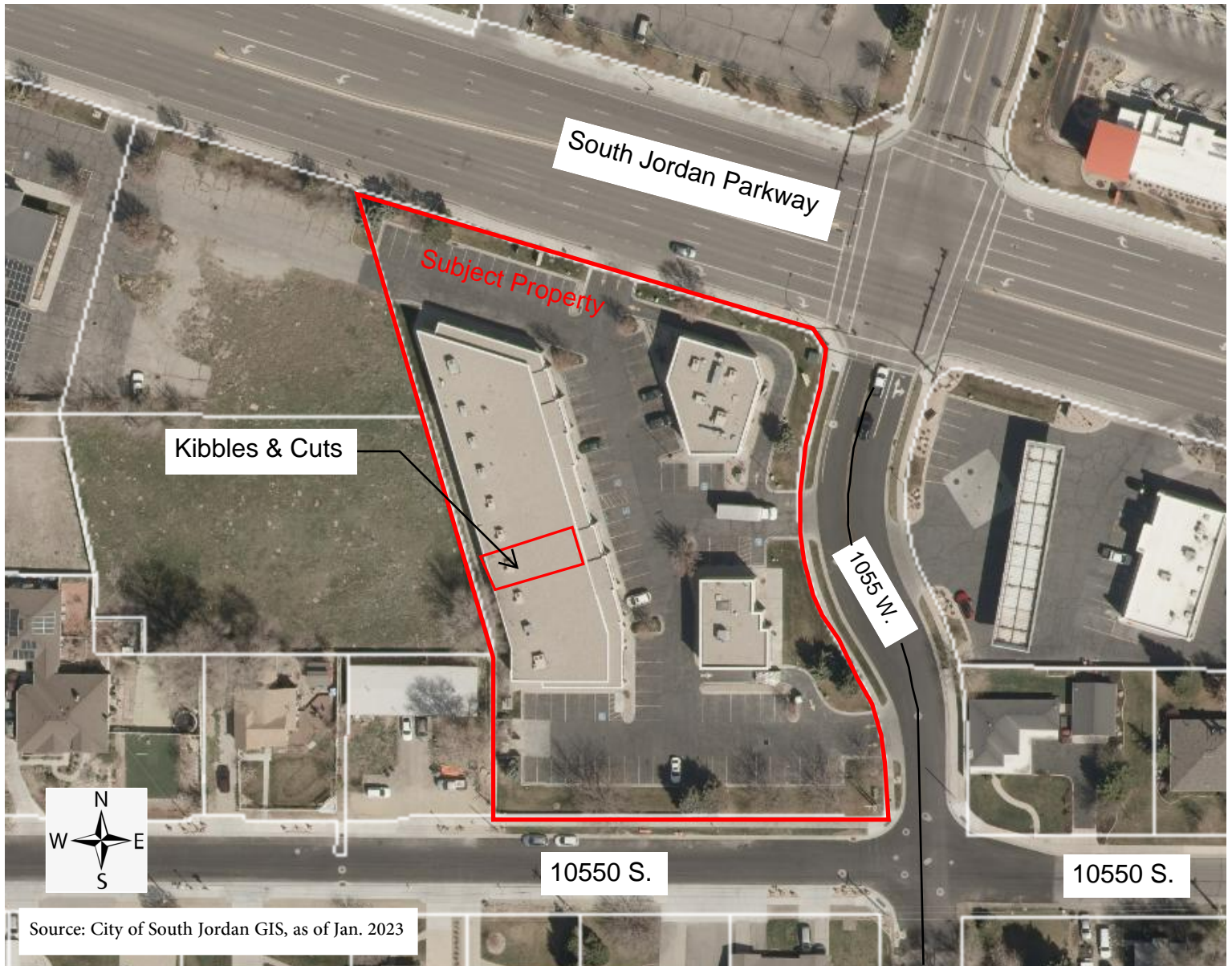
SUPPORT MATERIALS:

- Location Map
- Current Zoning Map
- Site Plan
- Floor Plan
- Operations Plan

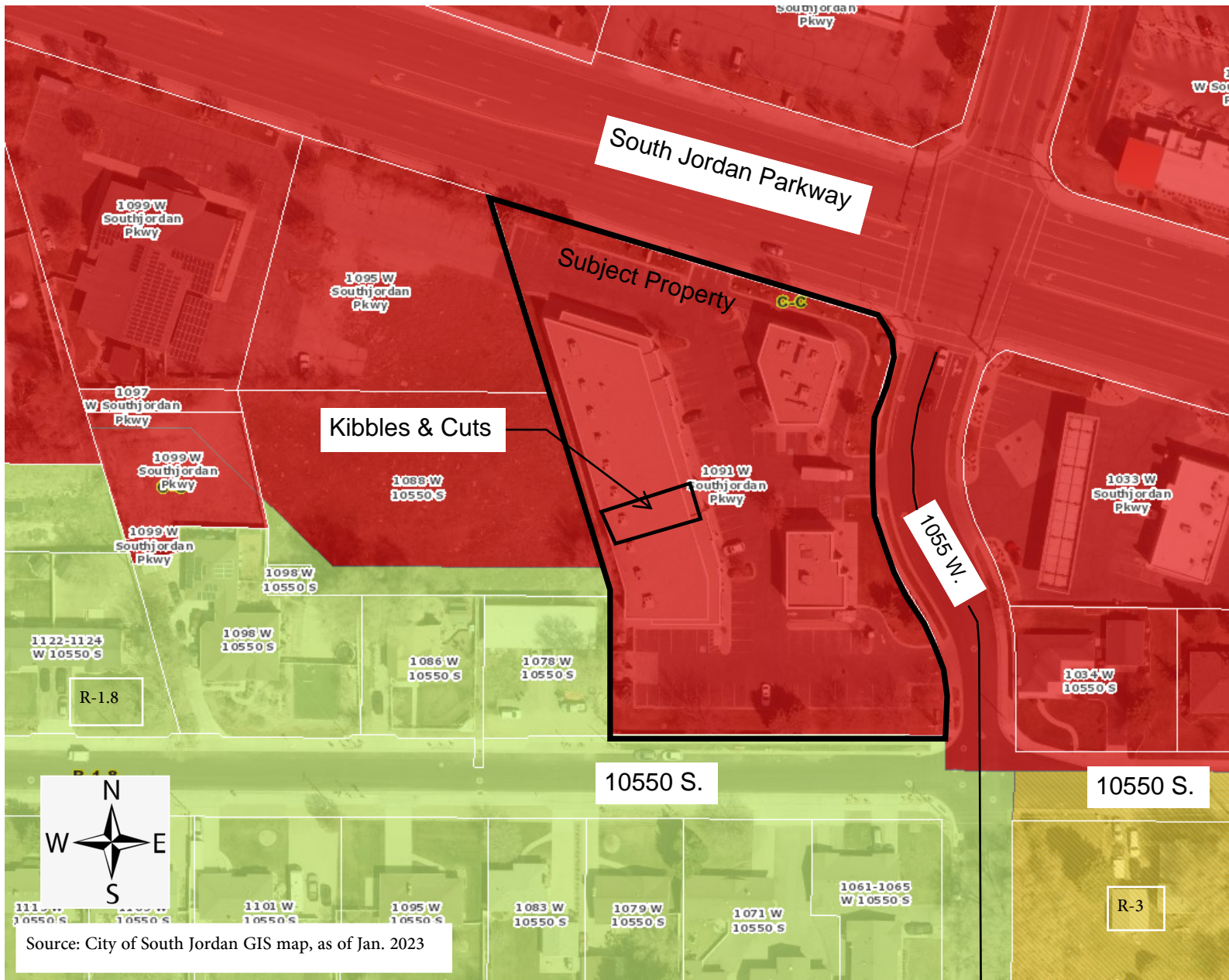


ANDREW MCDONALD, PLANNER I
PLANNING DEPARTMENT

Location Map



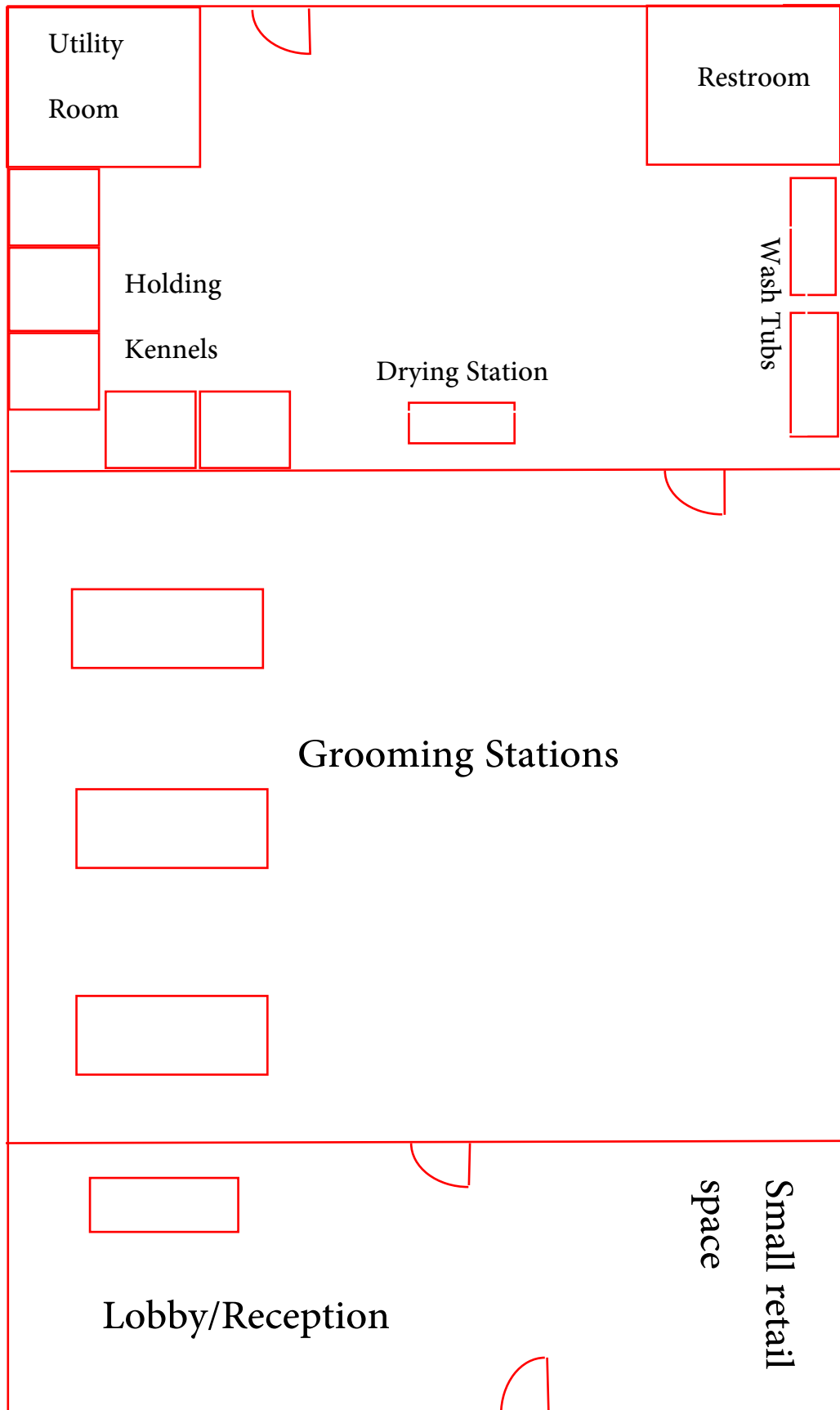
Current Zoning Map



Site Plan



Proposed Floor Plan



OPERATIONS PLAN
1091 W. South Jordan Pkwy, Suite 250
JHM Premier Corporation DBA Kibbles & Cuts

Date of Commencement of operations: 1/1/2023

Hours: The business is operational Monday through Saturday with hours from 8am to 5pm. We are closed on Sundays

Description of Operation: We are a full service dog and cat grooming and bathing facility. Our staff includes highly trained who each receive independent training at various in and out of state training facilities to perfect their skills and craft. Our services include Full service grooming (which is bathing, drying, full groom haircut to customers desired length and style, nail filing, tooth brushing, moisturizing treatment. We also offer a standard bath and brush for breeds where haircutting or trimming is not applicable. We do not board animals and our average turn around for a full service treatment is usually between 2 and 4 hours. We require proof of applicable vaccinations for every animal on our premise and have independent kenneling systems (with kennel dryers) for each individual animal. We also also express and no kennel services for customers that require it. We sell a small selection of retail supplies (collars, leashes, toys and treats) as well as a select offering of dog foods. We carry all applicable insurances for both our staff, customers and the animals in our custody and care.

Currently there are 2 full time groomers on site. Our services are drop off so aside from customers bringing their animal in or picking them up there are no additional customers on site during normal business hours. Maximum number of people on site at any given moment is approximately 5.

We do not produce any hazardous materials on site. The products we use regularly are detailed below:

Windex
Bleach (cleaning)
Chlorahexadine (antiseptic and used to treat gingivitis in dogs)
Espree (mild dog shampoo, fragrance free)

Our space is designed so each animal in our facility has a personal, safe and independent space. We do not mix animals together and have segregated rooms to prevent animals from escaping the facility. All animals are leashed except while kenneled to ensure their safety.

We take great pride in our work as groomers and are excited to service the residents and animals of South Jordan!

Additional Operation Details

What is the maximum capacity of Cats & Dogs that can be on-site at the same time? How many holding kennels are there in total? And does your proposed operation involve keeping loose or tied in the back part of the building if there are not enough kennels?

Maximum capacity of animals on site at any given time is a direct function of our holding kennel capacity. Right now that is 12 holding kennels and therefore 12 animals on site would be maximum capacity. I can tell you practically speaking having 12 animals on site at the same time may never happen in our operation but the kennel space could technically accommodate that I suppose. A proficient groomer can groom and or bathe 4 to 6 animals per day and those appointments last on average 1-5 hours (part of this is simply allowing the animal to dry after being washed) depending on breed and services performed. Animals are picked up on demand as they are finished. We don't board animals. We never would have animals overnight and we would absolutely never tie up or allow an animal loose anywhere on the premise at any time ever. We have slip leashes for moving from room to room, sectioned off spaces apart from the front exit for grooming and bathing so if an animal did get loose it would be contained in one room without an exit to the outdoors. We use professional tables that require the animal be tied up during grooming and animals are never left unattended on the grooming table. We would never put more than one animal in the same kennel unless they are from the same household and the customer request such.

On average, how many appointments would you say would occur each business day? Expected total number of appointments per day at this point is somewhere between 10 and 15. This would include appointments such as simple nail trimming or teeth brushing which only take about 10 mins and owners don't leave the premise. We also offer just bathing services which would not necessarily be done by the on site groomer but instead a bather employee which is also a quick appointment and owners wait on site. Of course this is just a guess based on historical info from other locations, our busiest store located in Sandy (which is much larger and has more staff) can do up to 30 appointments per day (again many of these are 10 mins long for other misc services). I'm not sure that would ever be possible here.

Would your two full-time groomers each have roughly 4-6 appointments per day?

-Yes, as previously noted most groomers do an average of five dogs a day, time of service is entirely dependent on size and breed of animal and what is being done. It can very often be one or two per day.

Also, in the very rare and unlikely scenario when the scheduled return time of the owner is late near closing or something happens with the owner that puts them out of touch with you; how would something like this be handled? Would you stay open later? Is there a consequence to the owner for this happening like an additional fee charged to the bill? Do you require that someone provide multiple contact numbers as a failsafe?

We keep multiple phone numbers and emails on file if more than one owner handles pickup for the animal. In the rare case of late pick up, employees stay 1 hour after closing. We stop all grooming services 1 hour before close specifically to get things cleaned, sanitized and allow for pick up. If after one hour following close we still have not reached a client for pick up we make a judgment call to have my manager wait with the animal longer or take some other action. In extreme circumstances we would turn the animal over to animal control for safe keeping. There is a \$50 housing fee for dogs not picked up by our closing time. It is important to note this is extremely rare. This has been the case only 2 times in nearly 5 years of operation and thousands of animals serviced. One instance the owner died and the other the owner was hospitalized unexpectedly. Both times staff were able to get a hold of the owner or a relative and were willing to take the animal with the permission of the owners off site until a pick up could be arranged. We've never had to take an animal to shelter or animal control. You can appreciate that these animals are usually treated by owners with the same attention as human children so abandoning a dog you are paying to groom is very very unlikely. We have a grooming agreement that specifies these policies, including proof of immunizations as I already mentioned.