



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 6, 2022

Re: 400 N. Stadium Boulevard – Conditional Use Permit (Case #142-2022)

Executive Summary

Approval of this request would result in the granting of a conditional use permit for the operation of a 'Veterinary Hospital' at 400 N. Stadium Boulevard, which is zoned M-N (Mixed-Use Neighborhood). The proposed veterinary hospital would be located within a proposed PetCo retail store that will reoccupy retail space formerly occupied by Natural Grocers.

Discussion

SBLM Architects (applicant) is seeking a conditional use permit (CUP), on behalf of TKG 7th Street, LLC (owners), to allow a 'Veterinary Hospital' as a conditional use on the 1.48-acre subject property. The conditional use would be located within an existing building, currently undergoing remodeling for the relocation of the PetCo pet store. PetCo intends to operate the veterinary hospital, as well as grooming services, in conjunction with their typical retail pet store.

In evaluating the proposed conditional use, Staff first considered the use-specific standards of Section 29-3.3(q), which apply to veterinary hospitals as a primary use. Given that the veterinary hospital is not intended to be the primary use on the subject property, these standards technically would not apply; however, the use-specific standards provide a logical baseline for evaluating the measures employed to mitigate the potential negative impacts of the conditional use.

The use-specific standards for the requested use requires that outdoor runs, pens, enclosures must be fully enclosed and circled with a secondary perimeter fence, and maintain a 200-foot setback from residential zoning districts. Similarly, the primary structure or any perimeter fence or wall enclosing an outdoor facility should maintain a 100-foot setback. All functions of the veterinary hospital are planned to take place within the interior of the building, on the north side. This arrangement satisfies all provisions of the use-specific standards for the use with respect to the adjoining residential apartment development.

Staff further evaluated the requested conditional use with respects to the established evaluation criteria for CUPs identified in Section 29-6.4(m)(2) of the UDC. Staff found that the CUP complies with the underlying zoning regulations, is consistent with the Comprehensive Plan, and conforms to the character of the adjacent area. Adequate access is provided to the site to prevent traffic hazards and congestion and sufficient infrastructure exists to serve the use. Based on these factors, the proposed use is not anticipated to create significant adverse impacts to the neighboring properties. The full detailed analysis of the evaluation criteria are discussed in attached Planning and Zoning Commission staff report.



The Planning and Zoning Commission considered this request at their May 5, 2022 meeting. Staff presented its report and there was not public input provided. The Commission inquired if the renters who occupy the Tiger Apartments, to the south, were notified of the public hearing. Staff clarified that only the property owner and those within 200-feet of the property, not individual tenants, were notified pursuant to the UDCs notification protocols. It should also be noted that the property was posted with a public hearing banner 15-days prior to the public hearing pursuant to the UDCs requirements.

Following limited additional discussion, the Commission made a motion to approve the CUP which passed unanimously (7-0).

The Planning Commission staff report, locator maps, proposed building plans, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Economic Development, Tertiary Impact: Not Applicable

Legislative History

Date	Action
NA	NA

Suggested Council Action

Approval of the conditional use permit for a 'veterinary hospital' as recommended by the Planning and Zoning Commission.