



VCA ANIMAL URGENT CARE NON-USE VARIANCE

Planning Commission June 12, 2024

Staff Report by Case Planner: Logan Hubble



Quick Facts

Applicant

WD Partners

Property Owner

SREP Springs Ranch LLC

Developer

Veterinary Clinics of America

Address / Location

3703 Bloomington St

TSN(s)

5330301015

Zoning and Overlays

Mixed-Use Medium Scale with Airport Overlay

Site Area

4.66 acres

Proposed Land Use

Small Animal Clinic

Applicable Code

UDC

Project Summary

This project includes a request for a non-use variance to allow a setback of 44' for a small animal clinic where 55' is required.

File Number	Application Type	Decision Type
NVAR-24-0003	Non-Use Variance	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Powers Addition #4	April 24, 1979
Subdivision	Harris Family Enterprises	August 5, 2004
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

Site History

The property was platted in 2004, while the buildings on site were constructed between 2005 and 2007. The multi-tenant shopping center currently houses two restaurants.

Applicable Code

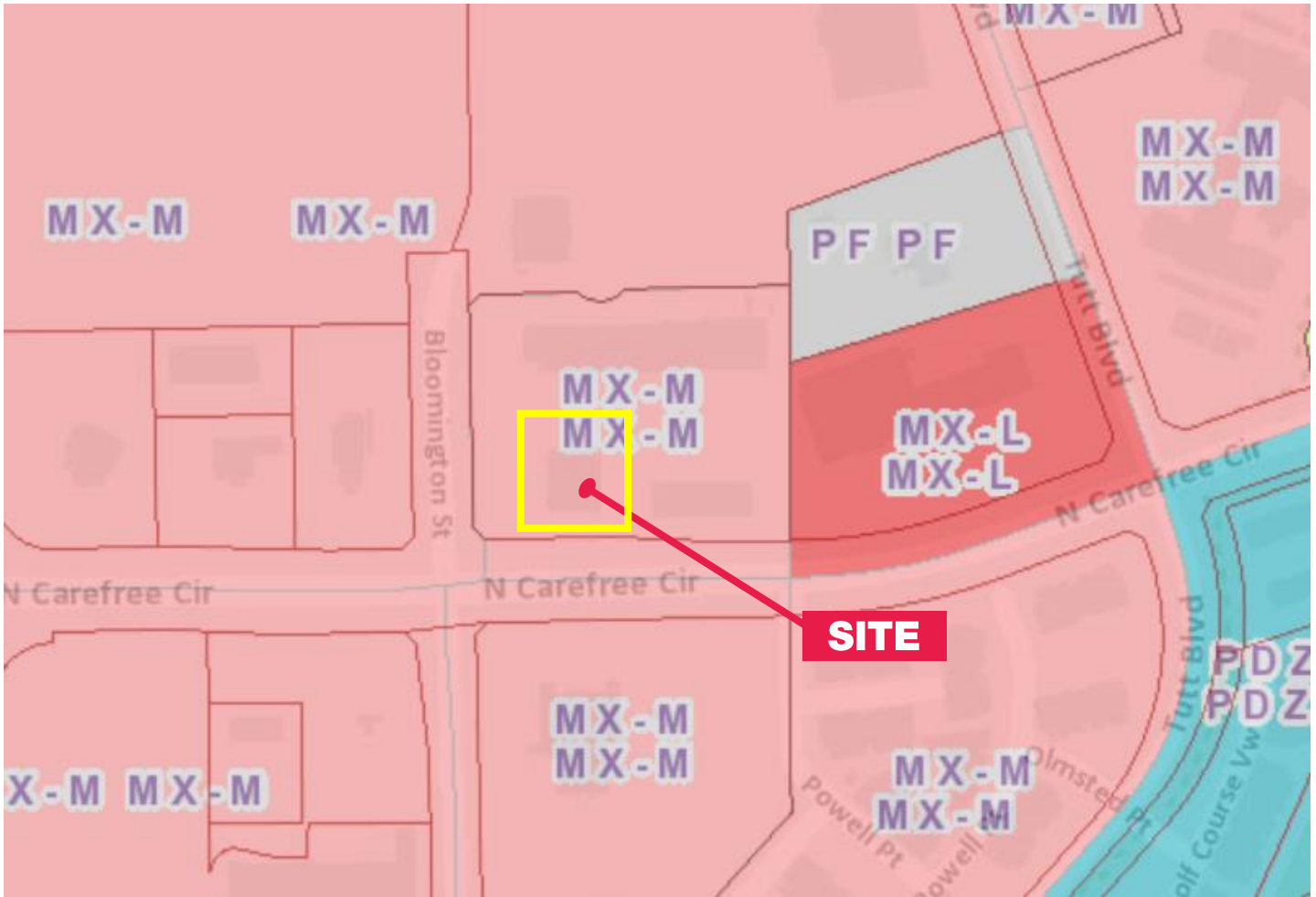
The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is required to comply with the standards set forth in the Unified Development Code. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M: Mixed-Use Medium Scale	Shopping Center	N/A
West	MX-M: Mixed-Use Medium Scale	Fast Food Restaurant	N/A
South	MX-M: Mixed-Use Medium Scale	Church	N/A
East	MX-L: Mixed-Use Large Scale and PF: Public Facilities	Liquor Store and Fire Station	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Internal Review/Planning Commission Public Hearing
Postcard Mailing Radius	1,000'
Number of Postcards Mailed	24 Postcards
Number of Comments Received	None

Public Engagement

No neighborhood meeting was held for this item.

No public comments were received.

Timeline of Review

Initial Submittal Date	April 2, 2024
Number of Review Cycles	2
Item(s) Ready for Agenda	May 20, 2024

Agency Review

All standard review agencies were contacted for review of this item, the following details any highlighted items from the review.

Traffic Engineering

Traffic Engineering had no comments on this item.

Non-Use Variance

Summary of Application

The applicant is requesting approval of a non-use variance to section 7.3.303.A of the Unified Development Code (UDC) to allow a 44' setback from property line for a small animal clinic where 55' is required (see Attachment 2: Site Plan). A small animal clinic cannot be placed in this location without a variance to this setback.

If approved, VCA Animal Urgent Care will provide an urgent care service that fits in a niche between primary care and emergency veterinary services. They will not provide any boarding or overnight care for animals. Under Chapter 7, animal clinics were not required to comply with the standard for a 55-foot setback from any property line; this standard only applied to kennels. Within the UDC, all animal care facilities and small animal clinics were grouped together and must meet this requirement, even those that do not board animals.

The property line from which the building sits 44' away is not adjacent to any commercial or residential properties, but rather North Carefree Circle. The nearest residential use is over 400 feet away from the building. With this location of the proposed animal care clinic staff does not find any concern with the variance and believes it meets the intent for those more high intensity uses being further separation distances from property line.

Application Review Criteria – NON-USE VARIANCE

UDC Code Section 7.5.526.E

1. *The application complies with any standards for the use in Part 7.3.3 (Use-Specific Standards);*
2. *The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district;*
3. *That the extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone in the absence of relief;*
4. *That the granting of the Non-Use Variance will not have an adverse impact upon surrounding properties.*

Please see the applicant's Project Statement for their justification of the above criteria for this requested variance.

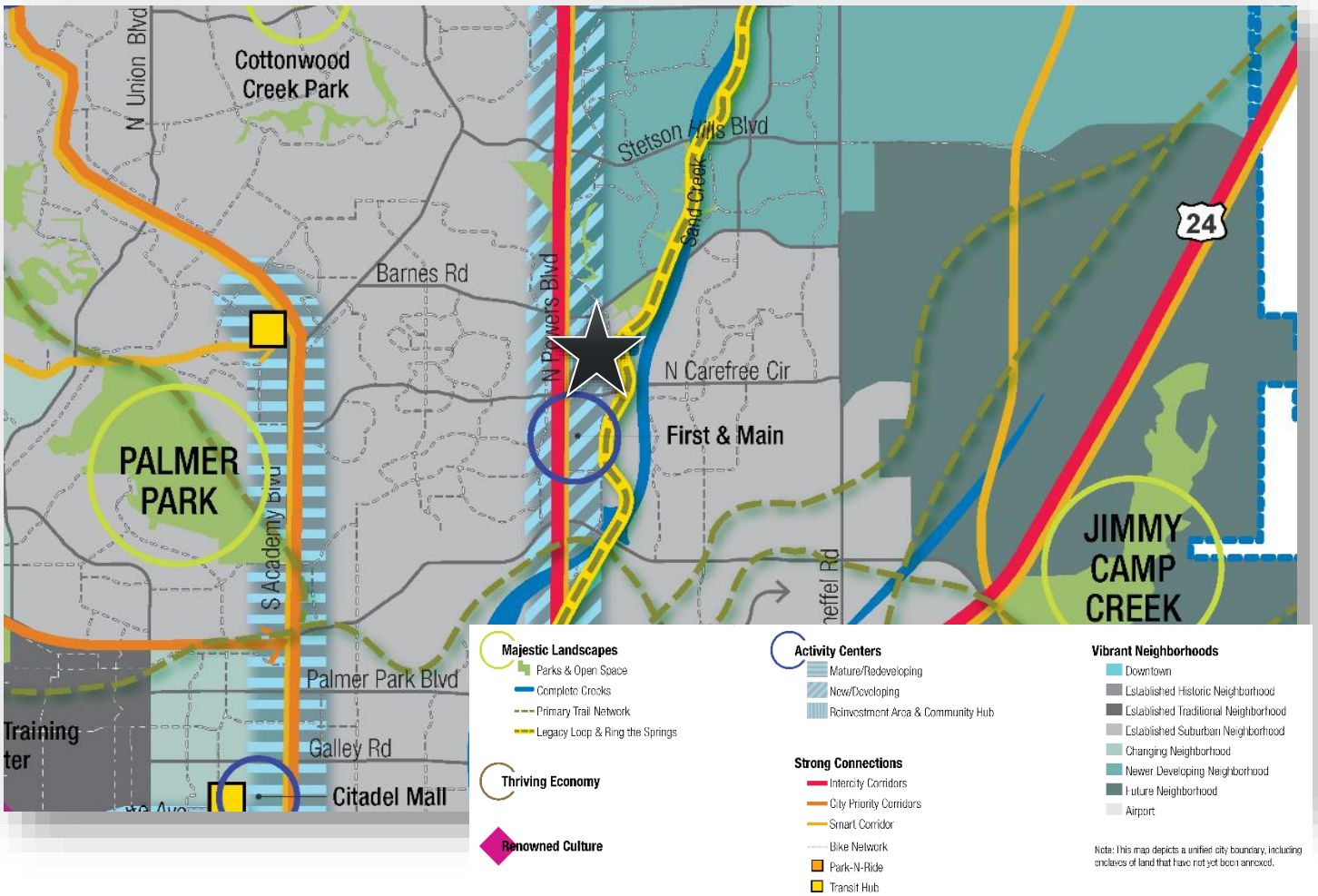
Staff finds that the proposed non-use variance will not have negative impacts if granted.

Compliance with Relevant Guiding Plans and Overlays

This use follows the guidelines of the Airport Overlay (AP-O). The applicant is not proposing to increase the size or height of the subject building, nor will they house electrical equipment that causes signal interference.

Compliance with PlanCOS

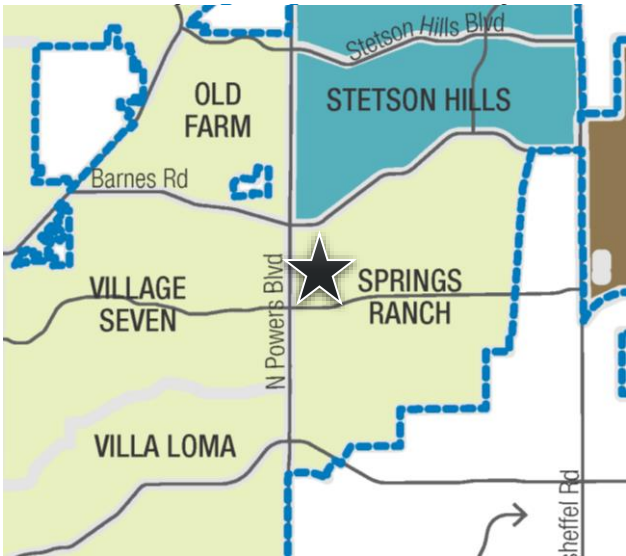
PlanCOS Vision



Staff evaluated the proposed application for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is within a New/Developing Corridor.

New/Developing Corridors are those that have recently developed, are currently developing, or may soon be developed. They are automobile-dominated, with fewer access points and more separation between buildings and the roadway.

Staff finds the proposed non-use variance to be substantially in compliance with the goals, policies, and strategies within PlanCOS.

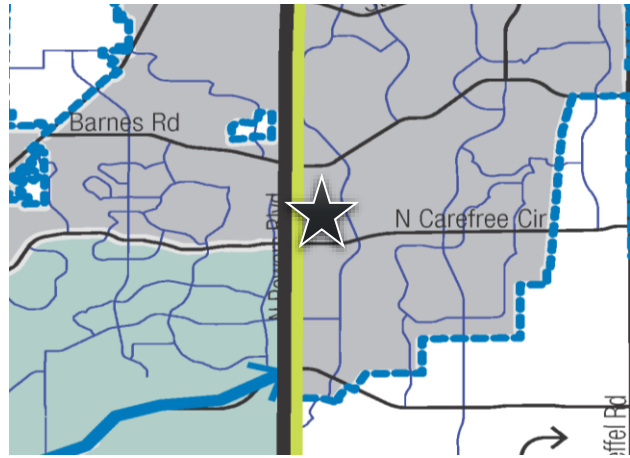


Vibrant Neighborhoods

The subject property is located in an Established Suburban Neighborhood typology. PlanCOS suggests supporting continued investment in these areas, while Policy VN-3.C says that the City should promote neighborhood level services.

Predominant Typology

- Downtown
- Newer Developing Neighborhood
- Changing Neighborhood
- Established Traditional Neighborhood
- Established Suburban Neighborhood
- Airport
- Established Historic Neighborhood
- Future Neighborhood



Strong Connections

This project has excellent connectivity, thanks to its location near Powers Boulevard, which is both a Smart Corridor and an Intercity Corridor. This connectivity would allow pet owners from across the city to utilize VCA Animal Urgent Care’s services.

Predominant Typology

- Urban Core Streets
- Established Suburban Streets
- Developing Suburban Streets
- Future Streets
- Smart Corridors
- Multimodal Corridors
- Bike Master Plan Network
- Major Destination Areas
- Transportation Hubs
- Park-N-Rides

Statement of Compliance

NVAR-24-0003

After evaluation of the non-use variance proposed for 3703 Bloomington Street, staff finds that the application will not have negative impacts if granted.