



# PLANNING & ZONING COMMISSION STAFF REPORT

Meeting Date: 5/15/2025

Agenda Item(s): 4R

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**TO:** Planning and Zoning Commission  
**THROUGH:** Chris M. Jacques, AICP, Planning Director  
**FROM:** Elias Valencia, Senior Planner  
**SUBJECT:** Arizona Animal Dentistry: Conditional Use Permit (CU25-03)  
9494 W. Northern Avenue, Suite #112

## ***PROPOSAL***

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The applicant has submitted a request to obtain a Conditional Use Permit (CUP) to operate a Veterinary Dental Clinic.

## ***APPLICATION INFORMATION***

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**Case Numbers** Conditional Use Permit (CU25-03)  
**Applicant** Bethany Staackmann  
**Request** Approval of a Conditional Use Permit (CUP) to operate a Veterinary Dental Clinic.

## ***BACKGROUND AND CONTEXT***

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The requested Veterinary Dental Clinic is proposing to locate within an existing commercial building with a zoning designation of Intermediate Commercial (C-2). The site is located roughly 150 feet east of the northeast corner of Loop 101 and Northern Avenue.

### **CONTEXT:**

The subject site abuts and has shared access to the Peoria Crossings shopping center to the North and East. South of the site is Northern Avenue, followed by Desert Diamond casino, and vacant lots within the City of Glendale. Loop 101 borders the site along the West (**Exhibit 2**).

## ***APPLICANT'S PROPOSAL***

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The applicant is requesting to operate a Veterinary Dental Clinic within an existing commercial building suite. Site access is from the abutting shopping center (Peoria Crossings). No site improvements or exterior modifications are proposed. All operations will occur entirely within the enclosed building. The Veterinary Dental Clinic will operate from 7:00 a.m. to 5:00 p.m. four days a week as described within the Project Narrative (**Exhibit 4**).

### **DEVELOPMENT INFORMATION:**

Existing Use: Existing Commercial Building  
Proposed Use: Veterinary Dental Clinic  
Development Site: 2.85 acres  
Building Size: Approximately 1,900 square feet

<u>Hours of Operation:</u>	Monday, Tuesday	7:00 a.m. to 5:00 p.m.
	Wednesday	Closed
	Thursday, Friday	7:00 a.m. to 5:00 p.m.
	Saturday, Sunday	Closed

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## **STAFF ANALYSIS**

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### **ZONING HISTORY AND PROPERTY DEVELOPMENT:**

The property was annexed into the City through *Ordinance 84-60*, on June 12<sup>th</sup>, 1984. Subsequently, in 1984 the subject site was designated Intermediate Commercial (C-2) through Ordinance #84-71. The subject building was constructed around 2007 according to aerial imagery.

### **APPLICABILITY:**

The proposed use is analogous to a Veterinary Clinic which is conditionally permitted within the C-2 Zoning District with a Conditional Use Permit (CUP). The City of Peoria Zoning Ordinance also prescribes Special Limitations outlined in Section 21-505.J.3, which are discussed more specifically in the Limitations on Uses section of this staff report.

### **CONDITIONAL USE PERMIT:**

The purpose of a Conditional Use Permit is to ensure that the physical and operating characteristics inherent with the land use have been sufficiently resolved or mitigated, optimizing compatibility with the surrounding area, and that the use is not injurious to the health, safety, and general welfare of the community.

Staff's review for compliance with the Zoning Ordinance and overall examination of the project characteristics are outlined below:

#### *Review Criteria:*

Section 21-155 of the Peoria Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. The Zoning Administrator or designee shall review applications and make a recommendation for approval or denial to the Planning and Zoning Commission based on the criteria identified in this Section:

1. The proposed use is consistent with the General Plan and all applicable provisions of this Zoning Ordinance, and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and meets any applicable use-specific standards within this Zoning Ordinance;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;

6. Adequate assurances of continuing maintenance have been provided; and
7. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

**LIMITATIONS ON USES:**

Section 21-505.J.3 of the Peoria Zoning Ordinance sets the following limitations on Veterinary Offices and Clinics (excluding animal boarding). Staff responses to those limitations as they apply to the subject site are identified in italics.

1. Clinic activities shall be restricted to the medical care and treatment of small animals during regular office hours. The confinement of such animals on the premises shall be limited to essential and occasional overnight care.

*The applicant's narrative (Exhibit 4) identifies that miscellaneous dental work to pets for same day-exams and treatments will occur on the site during typical business hours, four days a week and that no overnight boarding will be provided.*

2. The boarding and breeding of animals shall be prohibited.

*No boarding or breeding of animals will occur on site as identified in the Project Narrative (Exhibit 4).*

3. Clinic activities shall be completely contained within enclosed buildings; the building or suite containing the clinic shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.

*All activities will be performed entirely within the building as identified in the Project Narrative (Exhibit 4) and a minimum sound transmissions control value of 50 is indicated on the Conceptual Floor Plan (Exhibit 3).*

4. All refuse shall be stored within a completely enclosed building.

*The applicant will store all refuse within the enclosed building and dispose of it in a manner that meets all health code requirements.*

5. Outdoor runs or exercise pens shall be prohibited.

*No outdoor runs or exercise pens are proposed in the Project Narrative (Exhibit 4).*

**CONTINUING JURISDICTION**

The purpose of the Conditional Use Permit requirement for Veterinary Offices and Clinics (excluding animal boarding) and similar uses is to ensure compatibility with the surrounding area. The proposed animal dentistry service establishment will be developed in accordance with the special limitations of Section 21-505.J.3 of the Peoria Zoning Ordinance.

If any issues arise regarding the operation of the business, Section 21-155.K.1.a of the Zoning Ordinance provides the Zoning Administrator with continuing jurisdiction over all Conditional Use Permits. This means that the Zoning Administrator may recommend to the Planning and Zoning Commission that a permit may be revoked, modified, or suspended should any of the following occur:

1. The permit was obtained by fraud or misrepresentation;
2. The use authorized by the permit has been exercised in violation of the conditions of its approval;
3. A change in circumstances consisting of any of the following has occurred:
  - a. Impacts from the approved conditional use to neighboring properties.
  - b. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
4. The use authorized by the permit has been exercised in a manner that is detrimental to the public health, safety, or welfare of the community or in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City.

### ***COMMUNITY INVOLVEMENT***

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*Public Noticing:*

The application was properly noticed pursuant to Table 21-146 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

*Support / Opposition:*

At the time of this writing, Staff had not received written opposition or support.

### ***KEY FINDINGS***

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1. The proposal meets the Conditional Use Permit standards and applicable special limitations within the Peoria Zoning Ordinance.
2. When operated in accordance with the recommended conditions of approval, the use is not expected to have an impact on adjacent properties.
3. On behalf of the owner, the applicant has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

### ***RECOMMENDATION***

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Staff recommend that the Planning and Zoning Commission take the following action:

**Approve the applicant's request for a Conditional Use Permit under Case CU25-03, subject to the attached Exhibit 1 Conditions of Approval.**

### ***STAFF CONTACT***

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