

**City of Rochester Hills  
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION  
June 5, 2007**

<b>Conditional Land Use Recommendation PetSmart Veterinary Clinic</b>	
<b>APPLICANT</b>	Rentrop & Morrison, P.C. 39533 Woodward Ave., Suite 210 Bloomfield Hills, MI 48304
<b>AGENT</b>	Gary R. Rentrop
<b>LOCATION</b>	South of Avon, West of Rochester Road
<b>PARCEL NO.</b>	15-22-226-019
<b>FILE NO.</b>	95-004.4
<b>ZONING</b>	B-3 (Shopping Center Business) District
<b>STAFF</b>	Ed Anzek, AICP, Director
<b>REQUESTS</b>	<b>Conditional Land Use Recommendation</b>

**SUMMARY**

The proposal is to occupy and administer the 1,945 square-foot veterinary clinic inside the existing PetSmart store at the Winchester retail center at Avon and Rochester Road. The clinic was designed and built as part of the original construction of the 26,000 square-foot store, but was never occupied. In addition to other services provided, a majority of the PetSmart stores throughout the U.S. have veterinary facilities, so this concept has been tested.

Veterinary hospitals and clinics may be permitted in the B-3 zoning district (Shopping Center Business) per Section 138-568 (6) of the Rochester Hills Zoning Ordinance, subject to the findings for a Conditional Land Use listed in Section 138-1306[d] and listed below, with approval by City Council following a recommendation from the Planning Commission. In initial discussions with the applicant, the addition to this facility of a veterinary clinic was first considered an accessory use to the principal use. However, in further review a veterinary clinic is expressly listed as a conditional use and must be reviewed and approved as a conditional use.

**The specific action requested by the applicant for consideration by the Planning Commission is a Conditional Land Use recommendation to City Council.**

*Discretionary Standards:*

1. Will promote the intent and purpose of the Zoning Ordinance. *Veterinary hospitals or clinics are specifically indicated uses allowed in the B-3 district as Conditional Uses subject to findings listed in 138-1306(d).*
2. Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole. *The veterinary facility will be within an enclosed building. Per the applicant, the operation will not allow noise or odor to emanate from the building.*
3. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service. *People who utilize the facility can use either Rochester Road or Avon to enter/exit. Staff does not believe there will be an increase in demand for police or fire protection; however, there will be a slight increase in waste disposal, which will be either through refuse disposal services (PetSmart's existing dumpster container) or through the sanitary sewer system.*
4. Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare. *According to the applicant, the traffic increase will be negligible. There will be no outside activity to affect neighbors or the surrounding properties.*
5. Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community. *The proposed facility is already existing, and will not require additional costs to the public.*

The applicant has responded to the above general requirements and to Section 138-569, Required Conditions, in the attached letter from Gary R. Rentrop, dated May 21, 2007: The operation is required to be conducted within a totally enclosed building; the facility must be a retail operation that deals directly with consumers; and any outdoor storage shall follow the requirements of Section 138-1068(3). As indicated in the letter, all activities of the veterinary facility will be conducted within a totally enclosed building, and pet waste will be disposed of through the outdoor dumpster or through the sanitary sewer system; the clinic is classified as a service establishment that deals directly with consumers, and there will be no outside storage associated with the veterinary facility.

If the Planning Commission feels that the proposed project meets the discretionary standards noted above, Staff recommends approval of the following motion included for consideration.

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 95-004.4 (PetSmart Veterinary Clinic), the Planning Commission **recommends** to City Council **approval** of the **Conditional Land Use**, based on plans and information dated received by the Planning Department on May 3, 2007, with the following findings.

Findings:

1. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-658(6) in particular.
2. The proposed development has been designed to be compatible, harmonious, and appropriate with the existing character of the general vicinity and adjacent uses of land.
3. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
4. The development should be not detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.
5. The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

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Reference: Fixture Floor Plan (Sheet F1) dated received by the Planning Department May 3, 2007, prepared by PetSmart, Inc.

Attachments: Gary Rentrop, Rentrop & Morrision, P.C. letter dated 05/21/07; Notice of Public Hearing; Development Application dated received 04/16/07; B-3 Zoning Ordinance.

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