



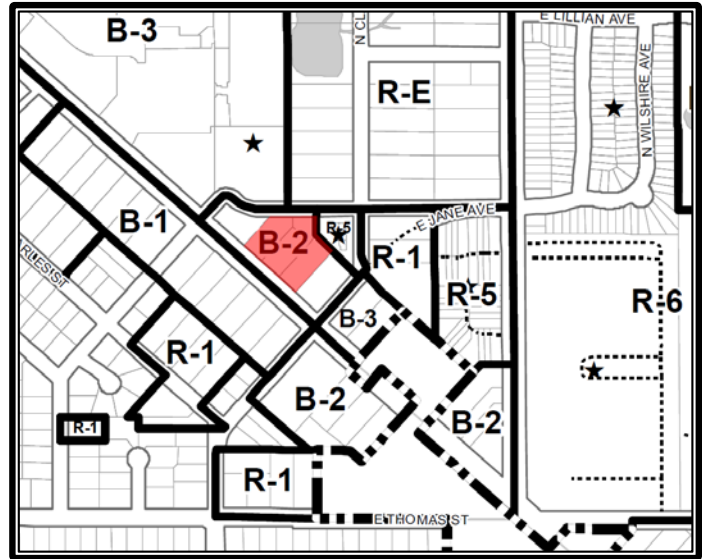
VILLAGE OF ARLINGTON HEIGHTS
STAFF DEVELOPMENT
COMMITTEE REPORT

Project Number: PC 20-010
Project Title: Pet Suites
Location: 1050 E. Rand Road
PIN: 03-20-205-002, -004, -007, and -008

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: August 26, 2020
Date Prepared: August 21, 2020

Petitioner: Novogroder Properties, LLC
Address: 875 N. Michigan Ave. – Suite 3612
 Chicago, IL 60611

Existing Zoning: B-3: General Service, Wholesale, and Motor Vehicles District
Comprehensive Plan: Commercial



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-3: General Service, Wholesale, and Motor Vehicles District R-E: Public Lands District	Southpoint multi-tenant shopping center, Single-family home	Mixed Use, Single Family Detached Estate
South	B-2: General Business District, B-1: Limited Retail Business District	Minor auto repair business (Midas), multiple commercial buildings	Commercial
East	R-5: Multi-Family Dwelling District	Multi-family development	Moderate Density Multi-Family
West	B-2: General Business District	Dunkin Donuts/Baskin Robbins store	Mixed Use

Requested Action:

- Rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2, General Business District.
- Land Use Variation to allow a commercial kennel in the B-2 District.

Variations Required:

- Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
- Variation to Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.
- Variation to Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.

Project Background:

The subject property is 72,412 square feet in size and contains a 16,460 square foot single-story building with an additional 5,281 square feet of space within the basement. The building has been vacant for over two years. Access to the site comes from two right-in/right-out driveways along Rand Road and a singular full access driveway along Jane Avenue that leads to the signalized intersection of Rand Road and Jane Avenue. The subject property contains 86 parking spaces.

Pet Suites, a nation-wide animal boarding facility that provides day care and overnight services for dogs and cats, has the subject property under contract and would like to open a location in Arlington Heights. Hours of operation would be from 6:30am until 8:00pm every day, and the petitioner anticipates a maximum capacity of 130 dogs and 10 cats. Initially, the business would have 5 full time employees and up to 10 part time employees, with peak future staffing at up to 25 employees. In addition to minor enhancements to the building façade, the petitioner would be remodeling the interior and adding a screened outdoor play area on the southeastern side of the building. Pursuant to the business plan, the following services would be offered:

- Daycare capacity for up to 130 dogs
- Overnight capacity for 130 dogs and 10 cats
- Animal grooming/washing and haircuts
- Dog training school
- Ancillary retail sales of pet products

The outdoor play area would be screened by a 7' tall vinyl fence with landscape screening around the outside perimeter. A 400 square foot permanent canopy shelter (12' tall) is proposed within the outdoor play area, as well as a portable warming shelter for winter months. Company policy requires the outdoor play area to be under full time supervision during use, and dogs are segregated into separate areas based on size. If a dog is particularly noisy and continues to bark, the dog is brought inside. Outdoor areas are cleaned 3-4 times daily. Staff would not walk dogs within the parking lot or on the exterior of the premises or surrounding neighborhood; all exterior activities take place within the outdoor play area. After the facility closes at 8pm, there is no further usage of the outdoor area.

Zoning and Comprehensive Plan

The Village Zoning Map shows the property as zoned B-2, General Business District. However, during review of this application, it was found that the property was rezoned into the B-3, General Service, Wholesale, and Motor Vehicles District in 1988. There is no evidence that the property was ever rezoned into the B-2 District, and therefore the B-2 classification as shown on the zoning map is presumed to be an error.

However, the Village believes that B-2 zoning on the property is more appropriate than B-3 zoning due to the range of uses allowed under the B-3 classification. The petitioner is therefore seeking a rezoning into the B-2 District. Commercial Kennels are not permitted uses within the B-2 District, therefore, the petitioner is seeking a Land Use Variation to allow a Commercial Kennel within the B-2 District.

The petitioner has provided a written response addressing each of the four hardship criteria necessary for Land Use Variation approval, which criteria have been included below for reference and which response is within the packet provided to the Plan Commission:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**

- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The Staff Development Committee concurs with the petitioner that the necessary criteria for Land Use Variation approval have been met, and notes the following:

- The proposed use will not alter the essential character of the locality in that there are neighboring commercial uses (Dunkin Donuts with a drive-thru and Midas auto repair) that are compatible with the proposed commercial kennel. Neighboring residential uses will be buffered through the existing fence along the northern property line, and the outdoor play area will also be buffered with fencing and landscaping. Perimeter landscaping will be enhanced to the north east and northwest.
- The unique circumstance of an over two-year vacancy illustrates the challenges of finding a user for this site that conforms to the allowable B-2 or B-3 uses.
- Traffic generation during peak times for the proposed use is expected to be equal or less than what it would be for the site had the site been used as a permitted use within the B-2 or B-3 District.

Although the outdoor play area will be screened with a 7' tall vinyl fence, because of the potential for loud noise, staff is recommending a condition of approval that should excessive noise from the subject property become a problem, at the discretion of the Village, the petitioner shall be required to work with the Village to address said noise issue, which may include (but is not limited to) restrictions on usage times and/or number of dogs within the outdoor play area, and/or the replacement of a portion of the vinyl fence with a solid masonry fence for sound attenuation.

The Comprehensive Plan classifies this property as appropriate for "Commercial" uses, and the proposed commercial kennel is compatible with this designation. Three variations are required; 1) for the location of the canopy structure within the outdoor dog play area, 2) the size of the canopy structure within the outdoor play area, and 3) the height of the outdoor play area fence at 7'. These variations will be reviewed in detail below.

Building, Site and Landscaping:

The petitioner has proposed some minor modifications to the exterior of the building to refresh the building architecture and provide an enhanced exterior aesthetic. The primary design feature for the exterior renovation is removal of the existing mansard roof feature, and replacement with a new stucco wall with metal "V" groove grid pattern. The proposed materials and colors work well together, and a new green canopy will coordinate nicely with the wall signage.

On June 23rd, the petitioner appeared before the Design Commission and received unanimous approval subject to a requirement to have the color of the CMU trash enclosure compliment the color of the building, and some minor recommendations on signage and landscaping. Conformance with the motion from the Design Commission shall be required.

As mentioned above, two variations are required for the proposed 400 square foot roofed canopy structure within the outdoor play area, which structure is meant to provide shade for summer workers:

- **Variation to Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.**

- **Variation to Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.**

The Staff Development Committee has reviewed the petitioners request and concurs that the necessary criteria for approval have been met. The accessory structure will be setback over 70' from Rand Road and over 100' from the closest residential property line. It is centrally located within the site and is the minimum variation necessary to allow for reasonable usage of the site as a commercial kennel. The structure will have no walls, so its bulk and mass will have less of an impact than a structure with walls.

The petitioner has proposed a 7' tall white vinyl fence around the exterior of the outdoor play area. Therefore, the following variation is required:

- **Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.**

This variation is warranted as the additional fence height will ensure that agile and excited dogs cannot jump over the fence, which will enhance the safety of the facility. Furthermore, the one-foot increase above the code allowed 6' height maximum is a modest increase considering that the building was originally planned to be expanded in this area, which would have had a much more significant visual impact compared to the 7' tall fence.

The petitioner has proposed revitalized onsite landscaping as part of occupancy, and having new ownership with a long-term tenant will ensure the site landscaping is maintained to conform to code requirements. The petitioner has proposed infilling of missing shrubs in the perimeter screen along Rand Road and the addition of ornamental grasses along Jane Avenue for an enhanced perimeter screen. Four missing shade trees would be added to existing landscape islands, and the outdoor play area would be buffered with evergreen shrubs. However, in order to further buffer this area, the petitioner shall extend the play area evergreen plantings around the entire perimeter of the play area, which will provide better screening to the northeast.

Parking and Traffic:

The petitioner has provided a traffic and parking study by a certified traffic engineer, which traditionally would assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, and parking. This analysis would be based on field observations of existing traffic movements within the vicinity, to determine if capacity is available to accommodate for expected volumes from the proposed use. However, due to the CoVid pandemic, existing traffic volumes are significantly lower than typical levels, therefore, field observations are not warranted.

In order to complete a thorough analysis of the traffic implications of the proposed use, the study's methodology compared 1) ITE traffic projections for the building as liquor store (which was the previous use) and 2) ITE traffic projections for building as a retail center, to 3) projected traffic for Pet Suites as based on one weekday observation and one weekend observation at three stores of comparable size in the Indianapolis area from 2017 (total 6 days of study – was conducted pre-CoVid).

Based on the observations from the Indianapolis stores, the study came up with an average anticipated volume for Pet Suites during peak hours, and compared that to the projections for the building as 1) a retail center and as 2) a liquor store. In no instance (AM or PM peak hours) were the average volumes

experienced by Pet Suites’ comparable stores in the Indianapolis area greater than the ITE projected volumes for the site if used as 1) a liquor store or 2) general retail center. Staff notes that both a liquor store and general retail center are classified as permitted uses in both the B-2 and B-3 District. The Staff Development Committee does not expect the traffic impact of the development to have an adverse impact on traffic within the vicinity.

The site contains an surplus of parking relative to code requirements. **Table I** below shows the parking calculations:

Table I: Parking Calculations

Tenant	Address	Use	Square Feet	Parking Ratio	Parking Required
Pet Suites	1050 E Rand	Retail	16,435 (ground floor) 5,281 (basement)	1 per 300 SF	72
TOTAL SQUARE FOOTAGE			21,716 sq. ft.		
<i>PARKING REQUIRED</i>					72
<i>PARKING PROVIDED</i>					86
<i>SURPLUS / (DEFICIT)</i>					14

Staff believes that the development will have a minor impact on traffic and a relatively low parking demand. There is sufficient onsite supply to accommodate for the proposed use, and as noted above, a future building expansion had been planned for the site where the outdoor play area has been proposed, which is one of the reasons there is a surplus of onsite parking relative to code requirements.

As the proposed use has the same parking requirement as the previous tenant, an update to the Village’s recently adopted bicycle parking regulations is not required at this time.

RECOMMENDATION

The Staff Development Committee has reviewed the petition to rezone the subject property from the B-3, General Service, Wholesale and Motor Vehicles District, to the B-2, General Business District, a Land Use Variation to allow a Commercial Kennel within the B-2 District, and the following variations:

- **Chapter 28, Section 6.13-3b, to allow a 7’ tall solid fence in the side and rear yard where the maximum permitted fence height is 6’ tall.**
- **Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.**
- **Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.**

The Staff Development Committee recommends **APPROVAL** of the application, subject to the following conditions:

1. The Land Use Variation for the commercial kennel shall only apply to the petitioner.
2. Outdoor usage/recreation for animals staying at the facility shall occur only within the fenced outdoor play area (i.e. walking of dogs around the property or surrounding neighborhood shall not be permitted).

3. Should excessive noise from the subject property become a problem, at the discretion of the Village, the petitioner shall work with the Village to address said noise issue, which may include (but is not limited to) restrictions on usage times and/or number of dogs within the outdoor play area, the replacement of a portion of the vinyl fence with a solid masonry fence for enhanced sound attenuation, and/or sound attenuation improvements to the building.
4. The landscape plan shall be revised to include plantings around the entire perimeter of the outdoor play area.
5. Compliance with the June 23, 2020, Design Commission motion.
6. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

August 21, 2020

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads