



**VILLAGE OF ARLINGTON HEIGHTS**  
**STAFF DEVELOPMENT**  
**COMMITTEE REPORT**

**Temp File Number:** T1747  
**Project Title:** Little Paw Animal Rescue  
**Address:** 1457 E. Palatine Road  
**PIN:** 03-21-100-012-0000

**To:** Conceptual Plan Review Committee  
**Prepared By:** Jake Schmidt, Assistant Planner  
**Meeting Date:** August 25 2021  
**Date Prepared:** August 20 2021

**Petitioner:** Ray Balfanz  
 Outlook Management Group, LLC  
**Address:** S74 W16853 Janesville Rd.  
 Muskego, WI 53150

**Existing Zoning:** B-2: General Business District  
**Comprehensive Plan:** Commercial



**SURROUNDING LAND USES**

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3/R-2, One Family Dwelling District	Single Family Homes	Single Family Detached Estate
South	R-6, Multiple Family Dwelling District	Duplex Homes	Single Family Attached
East	R-6, Multiple Family Dwelling District; R-4, Two-Family Dwelling District	Arbor Lane Townhomes	Single Family Attached, Moderate Density Multi-Family
West	R-1/R-E, One Family Dwelling District; B-2, General Business District	Single Family Homes, Gas Station	Commercial, Single Family Detached Estate

**Requested Action:**  
 1. Land Use Variation for a “Kennel, Commercial”

**Variations Required:**  
 1. None identified at this time.

### **Project Background:**

The subject property is located within the Pal-Win Shopping Center at 1401-1457 E. Palatine Road. The site is currently developed with an 35,735 square-foot multi-tenant single-story shopping center with 164 parking spaces. The site is accessible via four driveways, two abutting the eastbound Palatine Road frontage road and two abutting Windsor Drive.

The petitioner is proposing to reoccupy the space at 1457 E. Palatine Road with Little Paw Animal Rescue, an animal shelter focusing on the adoption of small dogs no larger than 15 pounds. Adoption fees would be assessed, with pricing starting at \$350 and extending to over \$800. This tenant space is currently occupied by Pocket Puppies, a pet store selling boutique tiny dogs.

The shelter's hours of operation would be 9:00 AM to 7:00 PM Monday through Sunday, with visiting hours of 11:00 AM to 5:00 PM on Sunday and Monday, and 11:00 AM to 7:00 PM Tuesday through Saturday. The peak number of employees on-site at any time would be 5. There would be no more than 20 dogs on-site for adoption.

### **Zoning and Comprehensive Plan**

The subject property is located within the B-2 Zoning District. The proposed use is classified as a "Kennel, Commercial". This use is not a permitted or special use in the underlying B-2 Zoning District; therefore, a Land Use Variation is required. While the existing use, Pocket Puppies, is also classified as a "Kennel, Commercial", a Land Use Variation was never approved for this existing business, and therefore an existing Land Use Variation cannot be assumed by the proposed shelter. Staff has determined that unclear plans provided as part of Pocket Puppies' business license application resulted in this zoning issue remaining unidentified.

To proceed forward, the Plan Commission must review and the Village Board must approve a Land Use Variation for the subject property. In order to demonstrate conformance with the standards of approval for a Land Use Variation, the petitioner must provide a written justification to the following criteria, as cited in Chapter 28, Section 12.2 of the Municipal Code:

- 1. The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and**
- 2. 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; and**
- 3. The proposed variation is in harmony with the spirit and intent of this Chapter; and**
- 4. The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The subject property is designated as appropriate for commercial uses per the Comprehensive Plan of the Village of Arlington Heights. The proposed use is compatible with this designation.

### **Building, Site Plan, and Landscaping**

The petitioner is not proposing any changes to the site or building as part of this petition. Existing on-site screening and landscaping must conform to current code requirements. During the formal Plan Commission review process, staff will evaluate the condition of the parking lot and landscaping to determine if any additional landscaping, repairs, resurfacing, or restriping is needed. The petitioner shall also provide details on where the dogs' outdoor recreation area will be, and information on the maintenance of this area.

While there is an existing similar use in the subject tenant space, and Staff have not received any complaints relative to the existing business, Staff still has concerns regarding sanitation, sound proofing, and air handling.

The petitioner shall provide information on any proposed sound attenuation and air purification improvements, as well as sanitation practices. This is especially important as it is anticipated that during colder times of the year the dogs' bodily functions will be taking place within the building envelope. The proposed use shall not create any objectionable odor or noise for the neighboring tenants and residents.

**Traffic and Parking**

The total parking requirement for the proposed shelter is assessed at ratio of 1 space per 300 square-feet, the ratio for retail space. A total of 6 spaces would be required for the proposed tenant.

Per the tenant list provided by the applicant, the combined required parking for Pal-Win Plaza would be 133 spaces. As the subject site is improved with 164 spaces, this results in a code-required parking surplus of 31 parking spaces, as shown in **Table I** below.

**Table I: Required Parking**

Tenant Space	Address (E. Palatine Rd.)	Business	SF	Unit		Total Parking Required
1	1457	Little Paw Animal Rescue (Proposed)	1,800	1	300	6
2	1453	VACANT	3,000	1	300	10
3	1451	Osaku Asian Kitchen	900	1	300	3
4	1449	VACANT	1,100	1	300	4
5	1447	Farmers Insurance	700	1	300	2
6	1429	Anytime Fitness	7,000	1	250	28
7	1427	VACANT	5,230	1	300	17
8	1425	VACANT	1,750	1	300	6
9a	1423	VACANT	1,400	1	300	5
9b	1421	VACANT	1,050	1	300	4
10	1419	Sunny's Nail Salon & School	1,050	1	250	4
11	1417	Shear Design Beauty Shop	975	1	250	4
12	1415	Edward Jones	1,200	1	300	4
13	1411-13	Euro Experts (tailor)	596	1	300	2
14	1409	Health First Chiropractor	2,070	1	200	10
16	1405	Liquor Store	3,000	1	300	10
17	1403	The Spot Ice Cream Shop (aka the Pal-Win Ice Cream Shop)	1114 (363 SF "Seating" Area)	1	45	8
18	1401A	DeCarlucci's Pizza	900	1	300	3
19	1401B	All Pets Groomed	900	1	300	3
<b>Total Required</b>						<b>133</b>
<b>Total Parking Provided in Front of Center</b>						<b>136</b>
<b>Total Parking Provided in Back of Center</b>						<b>28</b>
<b>Total Parking Provided on Site</b>						<b>164</b>
<b>Surplus (Deficit)</b>						<b>31</b>

A traffic and parking study from a Certified Traffic Engineer is only required for land use variations on land abutting a major arterial that includes over 5,000 square feet of floor area. Since the subject unit is only 1,800

square feet in floor area, no formal traffic and parking study is required. Given the existing surplus of onsite parking relative to code requirements, no additional parking surveys are recommended.

With respect to bicycle parking, bicycle parking is only required when a change in use results in an increase in code-required vehicular parking. As the proposed shelter does not result in a change of use or a change in required vehicular parking, no additional bicycle parking spaces are required. There are existing bicycle racks on-site, on the west end and near the center of Pal-Win Plaza, with capacity for 4 to 6 bicycles.

**RECOMMENDATION**

The Staff Development Committee has reviewed the proposed Land Use Variation Request to allow a “Kennel, Commercial” at the subject property, and requires additional information in order to make a recommendation. The additional information required is as follows:

1. The petitioner shall provide a written justification demonstrating compliance with the standards for Land Use Variation approval as outlined in Chapter 28, Section 12.2 of the Arlington Heights Municipal Code.
2. More detailed, scaled floor plans shall be provided.
3. The petitioner shall provide information on any proposed sound attenuation and air purification improvements, as well as sanitation practices. The proposed use shall not create any objectionable odor or noise for the neighboring tenants and residents.
4. The petitioner shall provide details on where the dogs’ outdoor recreation area will be, and information on the maintenance of this area.
5. These are just preliminary comments only and should not be relied upon as identification of the only major issues. The Staff Development Committee reserves the right to change its position on issues upon submittal of a formal application and detailed review.

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August 20, 2021

Bill Enright, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads  
Temp File 1747