

**STAFF DEVELOPMENT COMMITTEE REPORT**

To: Plan Commission  
 Prepared By: Bill Enright, Deputy Director Planning and Community Development  
 Meeting Date: March 9, 2016  
 Date Prepared: March 3, 2016  
 Project Title: Arlington Dog House Doggy Day Care and Kennel  
 Address: 213 S. Arlington Heights Road

**BACKGROUND INFORMATION**

Petitioner: Mark Leers  
 Address: 421 Brookmont Lane  
 North Barrington, Illinois 60010  
 Existing Zoning: B-2, General Business District

**Requested Action:**

- A land use variation to allow an expansion to a commercial dog kennel in a B-2, District

**Variations Required:**

- None.



**Surrounding Land Uses:**

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-2, General Business District	Commercial Building	Commercial
South	B-2, General Business District	Enterprise rent-a-car	Commercial
East	R-6, Multi-Family Dwelling District	Multi-Family-Apartments	Moderate Density Multi-Family
West	B-2, General Business District	Francessa's Restaurant	Commercial

**Background**

The subject site is 19,779 square feet (0.45 acres) and there is an existing one-story, multi-tenant commercial building that has a total floor area of 6,632 square feet that includes Grand Frame (1,750 square feet) and Karate Studio (1,750 square feet) Arlington Dog House which occupies 3,132 square feet. A Land Use Variation was granted in Ordinance #10-027. The petitioner would like to expand as the Karate Studio is vacating their space. The expansion would include dog grooming as well as allowing an increase to the maximum number of dogs for daycare from 25 to 45, and to allow an increase to the maximum number of dogs for overnight boarding from 10 to 25. The Ordinance approving the Land Use Variation placed these restrictions on the use given parking limitations and proximity to residential to the east. The business has been open since 2010 and staff is unaware of any complaints from the residential neighbors regarding this business.

### **Zoning and Comprehensive Plan**

In Chapter 28, Section 3.2-115, a commercial kennel is defined as *"...any lot or premise or portion thereof on which more than four dogs, cats, and other household domestic animals, over four months of age, are kept, or on which more than two such animals are boarded for compensation or kept for sale"*. The Permitted Use Table outlined in the Village's Zoning Ordinance lists this type of use as a special use in the B-3, General Service, Wholesale, and Motor Vehicle district. Since the property is zoned B-2, a Land Use Variation was required and approved in 2010. This request requires an amendment to Ord. 10-027 therefore the petitioner must provide a written justification for the expansion based on the following hardship criteria:

- The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and
- The plight of the owner is due to unique circumstances; and
- The variation, if granted, will not alter the essential character of the locality.

The petitioner has submitted a market study regarding the need for the expansion to a successful business. Staff has not received complaints from the residential to the east and therefore has no objection to the expansion.

### **Plat and Subdivision Committee**

The Plat and Subdivision Committee met on January 27, 2016 to discuss the project. The Committee was very supportive of the expansion and felt that as long as the petitioner was comfortable with parking on site that this should move forward. All agreed that soundproofing should be installed as was done with the existing space.

### **Building, Site and Landscape Related Issues**

To mitigate noise, the Petitioner was required to install sound dampening insulation within the interior and exterior walls and ceiling around the two dog play rooms. The Petitioner also installed sound dampening vents and acoustic panels/insulation in the dog play areas/kennels that vent to the outside. Staff recommends similar insulation for the expansion. The sound insulation would have a Sound Transmission Class (STC) 57 rating. This rating is higher than Village's Energy Efficiency and Sound Control Ordinance, which requires an STC rating of not less than 55 for structures other than one and two family dwellings.

Previously the petitioner provided an acoustical study that was prepared by Acoustic Associates. This study found that the projected decibel level as measured at the nearest condominium unit to the east (approximately 75 feet) is 52 DBA, while the decibel level as measured at the nearest town home unit to the northeast (approximately 121 feet) is 45 DBA. By way of comparison, the maximum noise level allowed by the State of Illinois noise code is 55 DBA, while the surrounding ambient noise, as measured at 8:00 PM, is 49 DBA.

Staff would also advise the Petitioner that it shall be unlawful to cause or to knowingly permit the emission of objectionable odors in quantities so as to be readily detectable by an observer at any point on the boundary line of any premises or beyond. If the Village determines that the proposed use does not comply with the aforementioned code requirement, then the Petitioner will need to incorporate additional measures and/or improvements that will address the odor issue. Furthermore, the Petitioner shall be required to obtain approval from State of Illinois Department of Agriculture prior to the issuance of a building permit.

Building noted that the opening between the two spaces may not be allowed therefore a fire rated door may be required between the existing space and the new space. In addition the basement if it is to be used, it may need to be accessible for the disabled.

### **Traffic & Parking Related Issues**

Since the petitioner previously provided a Traffic and Parking Study, one was not required for this amendment. Since the Dog House requires less parking than the Karate Studio, the previous variation stands. Parking counts were provided (see attached) and indicated maximum occupancy of the 10 spaces was 9 during the afternoon hours.

**Table 1: Parking Analysis**

Use	Square footage	Parking Ratio	Parking Required Current	Parking Required Arl Dog Expansion
Arlington Dog House	3,132 / 4,882	1 space / 300 SF	10	16
Grand Frame	1,750	1 space / 300 SF	6	6
Karate Studio	1,750 / 0	1 space / 250 SF	7	0
Total	6,632		23	22
Total Provided			10	10
Surplus / (Deficit)			(13)	(12)
<b>Adjacent Retail Center Parking</b>				
Use	Square footage	Parking Ratio	Parking Required	
Enterprise Office	2,000	1 space / 300 SF	7	
Rental Vehicles	12	1 space / vehicle	12	
Total Required			19	
Total Provided			19	
Surplus / (Deficit)			0	

**RECOMMENDATION**

The Staff Development Committee recommends approval of an amendment to Special Use Ordinance #10-027 to expand the Arlington Dog House subject to the following conditions:

1. The land use variation shall only apply to the Arlington Dog House operator.
2. The petitioner shall install sound dampening vents and acoustic panels/insulation in the dog play areas/kennels that vent to the outside. These modifications shall be reflected in plans submitted for building permit. After the installation of said noise reduction systems, if the dog play areas/kennel volumes are determined to be an issue, the Petitioner shall be required to make further modifications to resolve the noise problem.
3. No more than 45 dogs for daycare and 25 dogs for overnight boarding are permitted.
4. All other conditions of approval from Ordinance 10-027 shall remain in full force and effect.
5. Compliance with all Federal, State and Local laws, regulations and policies.

\_\_\_\_\_, March 2, 2016

Bill Enright, AICP  
Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads