

**STAFF DEVELOPMENT COMMITTEE REPORT**

To: Plan Commission  
 Prepared By: Sam Hubbard, Development Planner  
 Meeting Date: December 14, 2016  
 Date Prepared: December 9, 2016  
 Project Title: Arlington Heights Animal Hospital LUV  
 Address: 412 W. Algonquin Rd.

**BACKGROUND INFORMATION**

Petitioner: Michael J. Matthys – Linden Group  
 Address: 10100 Orland Parkway – Suite 110  
 Orland Park, IL 60467

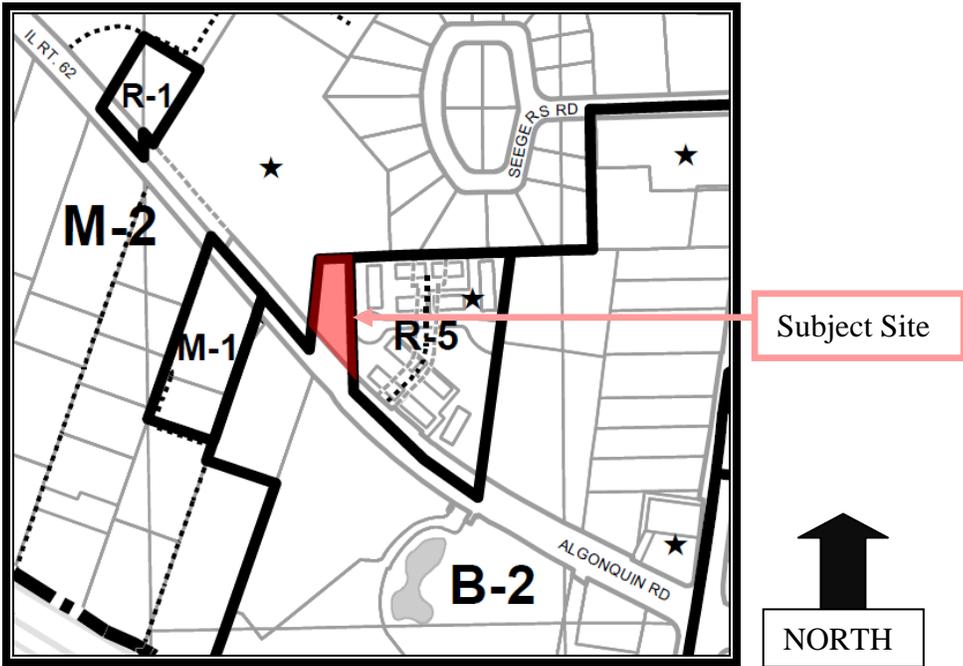
Existing Zoning: B-2, General Business District

**Requested Action:**

- Land Use Variation to allow a Commercial Kennel within the B-2 District.
- Amendment to Ordinance 92-009

**Variations Identified:**

- Variation from Section 11.4-2 to reduce the required on-site parking spaces from 31 spaces to 29 spaces.
- Variation from Section 5.1-11.6 to reduce the required east side yard setback from 53.3 feet to 40.3 feet.
- Variation from Section 6.6-5.1 to allow an AC unit to be 46 feet from the east side yard lot line where code requires a 53.3 foot side yard setback.



**Surrounding Properties:**

Direction	Zoning	Existing Land-Use	Comprehensive Plan
North	M-2, Limited Heavy Manufacturing District	Pace Bus Administrative Facility	R&D Mfg and Warehouse
South	B-2, General Business District	Hotel (Motel 6), Multi-story office building	Offices Only, R&D Mfg and Warehouse
East	R-5, Multiple Family Dwelling District	Arlington Reserves Townhomes	Moderate Density Multi-

			Family
West	M-2, Limited Heavy Manufacturing District	Pace Bus Administrative Facility	R&D Mfg and Warehouse

### Background:

The subject property is 36,622 square feet in size and contains the Arlington Heights Animal Hospital, which is a 6,104 square foot single story full service veterinary hospital. The hospital has 30 fulltime and part-time employees and is open from 8:00am-7:00pm Monday thru Friday, 8:00am-4:00pm on Saturday, and 9:30am-12:00pm on Sunday. The site has full access to Algonquin Road allowing both eastbound and westbound ingress and egress. There are 30 existing parking spaces on the subject property (20 spaces in the front parking lot, 10 spaces in the rear parking lot).

The petitioner has proposed a 664 square foot addition to the existing building in order to accommodate additional space for animal boarding, a service that is currently offered at the animal hospital. The existing building has space for boarding up to 102 animals. In conjunction with the building addition, portions of the existing interior space would be remodeled to improve the spaces used for animal boarding functions (food storage, bathing, etc.). There is no proposed increase to the amount of animals that will be boarded, and the resulting number of cages would actually be reduced to between 84 and 102. This reduction is due to the fact that the new cages and runs would be larger than the existing cages, which will bring the boarding service more in line with current industry standards that call for larger cages and spaces for boarded animals. All animals would be walked behind the building, which is where they are currently walked. The hours of operation are expected to remain the same.

### Zoning and Comprehensive Plan

As indicated above, the property is within the B-2, General Business District, and "Animal Hospitals" are classified as a permitted use in the B-2 District. However, the animal boarding service, which is classified as a "Commercial Kennel", is neither a permitted nor special use within the B-2 District. Therefore, a Land Use Variation is required. It should be noted that the petitioner purchased the property from the previous operator in 2014. Animal boarding was always a service that had been offered at the animal hospital, and when the current owner began operations, they continued to offer this service. Since the boarding function is being expanded in floor area, it is required that the owner obtain the proper approvals to allow a "Commercial Kennel".

The petitioner has provided written justification to the following criteria necessary for Land Use Variation approval:

- *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.*
- *The plight of the owner is due to unique circumstances.*
- *The variation, if granted, will not alter the essential character of the locality*

Staff concurs that the necessary criteria for Variation approval have been met and supports the Land Use Variation for the following reasons:

1. The applicants purchased the property under the assumption that animal boarding was permitted and therefore they could continue this use. The property would be less valuable to the petitioners if the animal boarding services are discontinued, and therefore the property may not be able to yield a reasonable return.
2. The variation will not alter the essential character of the locality. The animal boarding service has been in operation for several decades and staff is not aware of any specific complaints due to this service at this location. All animals are walked within the confines of the subject property, which is screened with a 6' tall solid wood fence along the eastern property line.

The Village's Comprehensive Plan designates the future use of the subject property as "Commercial". The proposed Land Use Variation is therefore consistent with the Comprehensive Plan.

It should be noted that when the animal hospital was approved subsequent to a rezoning and subdivision in 1992, the ordinance authorizing approval contained a condition that prohibited "dog runs and outside facilities for animals". As animals are walked outside, the enabling ordinance from 1992 must be amended to remove this condition. Staff recommends clarifying this condition within the ordinance authorizing approval of this application so that it clearly allows dog walking but prohibits any outdoor dog runs and/or any exterior recreational/exercise areas meant for multiple animals.

Finally, all kennels within Arlington Heights are required to obtain a license from the Village. If approved, the proposed kennel will be required to obtain this license.

**Traffic & Parking**

The subject property currently contains 30 parking spaces, and based on the medical office use of the animal hospital, it is required to provide 1 space per 200 square feet of floor area. At 6,104 square feet, 31 parking spaces are required for the existing facility. The proposed 664 square foot addition requires parking at a ratio of 1 space per 300 square feet due to the use as a kennel (as opposed to a medical office). Since portions of the existing 6,104 square foot hospital space will be remodeled to accommodate the kennel functions, the parking requirements for the existing space will be reduced as portions of the hospital (1 space per 200) will be remodeled for boarding functions and these spaces will then be subject to a 1 space per 300 square foot requirement.

The chart below illustrates the required parking based on code requirements:

SPACE	PARKING CODE USE	GROSS SQUARE FOOTAGE	PARKING RATIO	PARKING REQUIRED
Animal Hospital	Medical Office	5,098	1:200	25
Animal Boarding	Retail	1,670	1:300	6
Total Parking Required				31
Total Parking Provided				29
Parking Surplus/(Deficit)				2

Based on this evaluation, a two space parking shortage will result from the 664 sq. ft. building addition, and therefore a Variation has been requested to reduce the code required parking from 31 spaces to 29 spaces. Staff supports the proposed Variation for the following reasons:

1. Although the floor area will be expanded, the proposed animal boarding capacity will not exceed the number of animals that currently can be boarded. Therefore, the total maximum boarding capacity will remain unchanged (102 animals).
2. The petitioner has submitted a parking survey that was conducted during six days over a two-week period. Based on this parking survey, the peak parking demand occurs between 11:30am – 12:30pm, and the total number of cars parked on site during peak demand did not exceed 19 cars. Therefore, the resulting 29 spaces should be adequate to cover peak parking demand on the site.

Staff notes that although the current use as an animal hospital and commercial kennel is not anticipated to create a parking shortage on the site, if the property was sold to a medical office user (for humans as opposed to animals), the typical parking demands for this new user would be greater than the typical parking demands for the animal hospital. Since parking variations run with the land, staff is recommending a condition of approval that links the parking Variation to the use of the site as an animal hospital. This will prevent a medical office from assuming the underlying parking Variation, which parking Variation has potential to create a parking shortage if the site is used as a standard medical office.

Section 6.12-1 of Chapter 28 of the Municipal Code requires a traffic study prepared by a professional traffic engineer only on projects larger than 5,000 square feet when located along a major arterial. As the proposed addition is only 664 square feet, a formal traffic study is not required.

**Site Plan, Building and Landscaping**

The proposed 664 square foot addition conforms to all setback, height, and bulk requirements, with the exception of the side yard (east) setback which requires a Variation. The required side yard setback for the subject property is based on the neighboring residential townhome development to the east, and the Zoning Code is written to require the subject property to provide the same side yard setback as is required for the residential property to the east. As the side yard setback for the residential property to the east is based on 10% of the width of that residential lot, and because that residential lot is 533 feet in width, a 53.3' side yard setback is required on the subject property. It should be noted that the existing animal hospital building is setback only 5.2 feet from the eastern side lot line, and although the proposed addition will be setback 40.3 feet from this lot line, it still does not conform to the required 53.3 foot setback. Staff supports this variation due to the unique circumstances surrounding the side yard setback

calculation and because the proposed addition will be setback significantly greater than the existing established side yard setback of the building.

The building expansion will require a new ground mounted AC unit, which will be located adjacent to the new addition. However, AC units are only allowed within the buildable envelope for the primary structure, and due to the aforementioned eastern side yard setback, the proposed AC unit is just outside of this buildable envelope. Therefore, a Variation to allow the proposed AC unit is required. The proposed AC unit is within all building setbacks except the required 53.3 foot side yard setback, where it is located approximately 46 feet from the side yard property line. The subject property currently has four AC units, none of which conform to the 53.3 side yard setback, with the closest of these units being approximately 10 feet from the eastern side yard lot line. Staff is supportive of the aforementioned variation due to the unique circumstances surrounding the side yard setback calculation and because the proposed AC unit will be setback substantially further from the side yard lot line in comparison to the existing AC units on site.

Finally, the petitioner notes that a future back-up generator is being considered. This generator will likely encounter the same side yard setback limitations as the AC unit and building addition, and will therefore likely require a Variation. Because it is unknown if the owner will proceed with the purchase and installation of said generator, and because the proposed location of this generator is unknown at this time, staff is notes that a future Variation request may be warranted.

The proposed landscape plan conforms to Village requirements. Replacement trees are not required for the three trees that will be removed to accommodate the building addition as these trees are outside of the required setback areas and are within the buildable envelope for the lot. The applicant has proposed landscaping around the new AC unit to provide for adequate screening.

#### Plat and Subdivision Committee

The Plat and Subdivision Committee met on September 28<sup>th</sup>, 2016, to discuss the proposed Land Use Variation. The subcommittee encouraged the applicant to conform to any landscaping requirements as identified by the Village, and to be able to explain any noise reduction aspects of the new kennel addition. They not identify any major issues with the preliminary proposal and encouraged the applicant to move forward.

#### Design Commission

A completed Design Commission application was received on December 8, 2016, and granted administrative Design Commission approval (i.e. no appearance before the Design Commission was required). The application met all design guidelines and no conditions of approval were added.

#### RECOMMENDATION

The Staff Development Committee reviewed the proposed request and supports the proposed Land Use Variation, parking Variation, and setback Variations, subject to the following:

1. The petitioner shall obtain a kennel license from the Village of Arlington Heights.
2. Dog walking shall be permitted in the areas to the side and rear of existing building, however, no outdoor dog run(s) and/or exterior recreational/exercise area(s) meant for multiple animals shall be permitted on the subject property.
3. The parking variation is only valid while the subject property is used as an animal hospital/veterinary clinic. The Variation will become null and void should the property be used for any other purpose.
4. The Petitioner shall comply with all applicable Federal, State, and Village Codes, Regulations, and Policies

December 9, 2016

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads