

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
NOVEMBER 3, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Ordinance Text Amendment	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared amending Chapter 28, Zoning Ordinance, *Section 28.606 B-2 District – Special Uses*. The proposed amendment would add animal kennels to the list of permitted Special Uses in the B-2 General Retail Business district.

FISCAL IMPACT

N/A.

STRATEGIC PLAN ALIGNMENT

The Goals 2013 identified *Exceptional Municipal Organization*. Supporting this goal is the objective *Top Quality Core Services Responsive to Current and Future Community and Resident Needs*.

UPDATE & RECOMMENDATION

This item was discussed at the October 27, 2009 workshop. Staff recommends approval on the November 3, 2009 active agenda.

BACKGROUND

The petitioner is requesting review of the proposed amendment to the Zoning Ordinance. Specifically, the petitioner is proposing to add “animal kennel” to the list of permitted Special Uses in the B-2 General Retail Business District.

The B-2 General Retail Business district is intended for businesses which are normally city-wide or larger in character. The uses in this district generally fall between the more intense car-oriented uses reserved for the B-3 zoning district and smaller neighborhood establishments of the B-1 zoning district intended for daily walk-in trade serving the needs of the residents of the abutting neighborhoods. The B-2 district areas are centrally located at the convergence of major traffic arteries. The B-2 zoning district areas are currently concentrated around Belmont Road and Fairview Avenue Metra stations, at the intersection of Belmont Road and Maple Avenue, at the intersection of Main and 63rd Streets, the Meadowbrook shopping center at 63rd Street and Woodward Avenue, and along the north side of 75th Street.

There are uses with similar characteristics as animal kennels which are currently allowed either as permitted or special uses in the B-2 zoning district. For example, an animal surgical office or veterinary clinic is a similar use currently allowed as a by-right permitted use in the B-2 zoning district. Veterinary clinics are allowed to board animals as part of pre-surgical and post-surgical care as long as the animals are boarded within enclosed buildings.

By adding the animal kennel use to the Special Use list of B-2 district, the change will increase the area within the Village where this use could potentially be established. The proposal is consistent with the intent of the Zoning Ordinance to give the Village more control over land use development. Through Special Use the Village will be able to mitigate potential impacts a kennel could have on surrounding properties. A special use proposal for an animal kennel in the B-2 district will be reviewed through the public hearing process at the Plan Commission level and must ultimately receive an approval from the Village Council subject to four special use standards.

Animal kennels are currently allowed as by-right permitted uses in the B-3 General Services and Highway Business district and M-1 Light Manufacturing district. Animal kennels in these districts do not have to obtain Plan Commission and Village Council approval. As a result, there are several animal kennels and animal hospitals in the Village. Most of them are located adjacent to residential properties.

The Plan Commission considered the amendment at their October 5th meeting. The Commissioners found that the proposed amendment was consistent with the intent of the Zoning Ordinance and the current use lists in the B-2 District. The Plan Commission recommended unanimous approval of the amendment. Staff concurs with the Plan Commission's recommendation.

ATTACHMENT
Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Petitioner **DATE:** November 3, 2009
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** PC 25-09
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AMENDING B-2 DISTRICT SPECIAL USES", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance will permit animal kennels in the B-2 General Retail Business District.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE AMENDING B-2 DISTRICT SPECIAL USES

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading/underline**; deletions by ~~strikeout~~):

Section 1. That Section 28.606. is hereby amended to read as follows:

28.606. B-2 District - Special uses.

The following uses are allowed in the B-2 General Retail Business District as special uses:

- (a) Aircraft landing areas.
- (b) Automobile Dealerships; conducted wholly within a completely enclosed building.
- (c) Automobile Laundries; conducted wholly within a completely enclosed building.
- (d) Automobile Repair; conducted wholly within a completely enclosed building.
- (e) Automobile service stations. (See Section 28-1018.)
- (f) Drive-in, drive-up and drive-through uses, including but not limited to banks and restaurants.
- (g) Outdoor cafes. (See Section 28-1006.)
- (h) Outdoor display of merchandise. (See Section 28-1005.)
- (i) Planned developments. (See Article XVI.)
- (j) Plumbing contractors' offices and shops, provided that such use shall be operated in conjunction with a plumbing showroom.
- (k) Recycling collection facilities. (See Section 28-1007.)
- (l) Telecommunications Towers. (See Section 28-1307.)
- (m) Undertaking establishments, funeral parlors.
- (n) Animal Kennels.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law

Mayor

Passed:
Published:
Attest: _____
Village Clerk