

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**10/11/2016**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
421 Maple Ave – Rezoning, Special Use, Variation	Stan Popovich, AICP Director of Community Development

**SYNOPSIS**

The petitioner is requesting approval of a Rezoning and a Special Use with a parking variation to permit an animal boarding facility at 421 Maple Avenue.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2015-2017 include *Strong and Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**

This item was discussed at the October 4, 2016 Village Council meeting. Staff recommends approval on the October 11, 2016 Active Agenda.

**BACKGROUND**Property Information & Zoning Request

The petitioner is requesting to rezone the property from O-R-M (Office, Research, Manufacturing) to B-2, General Retail Business in order to allow an animal boarding business. An animal boarding use is a Special Use in the B-2 zoning district. The petitioner is also seeking a parking variation to permit 34 parking spaces where 48 are required.

The property is improved with a one-story 15,595-square-foot brick commercial building and a parking lot containing 39 spaces. The Maple Avenue right-of-way is currently improved with an asphalt drop-off area with stairs leading up to the building's front entrance.

The building will be divided into three main areas: retail, kennels, and an indoor play area. Grooming services and training opportunities will also be provided in addition to pet boarding and pet daycare services. Many of the pets will be dropped-off and picked-up at scheduled hours in the morning and evening. The parking lot will have a total of 34 spaces after converting 1,200 square feet of the existing parking lot into an outdoor play area and the addition of two handicap parking spaces, open space and landscaping. Up to a maximum of twelve employees would work the same shift with the average being closer to eight, leaving 26 parking spaces available for clients.

### Compliance with the Comprehensive Plan

The Comprehensive Plan designates the subject property as Neighborhood Commercial. It is located in the Fairview Focus Area. Due to its proximity to the Fairview train station, transit oriented development should be encouraged and the property is also part of Catalyst site #34. While the proposed use is not redeveloping the property, pedestrian access will be enhanced by adding sidewalks and access aisles, and a neighborhood business in close proximity to a train station will provide a diverse service to commuters. Key concepts also include screening and landscaping. These are investments the applicant is proposing to make which will improve the appearance of the property.

### Compliance with the Zoning Ordinance

The subject property is currently zoned O-R-M, Office-Research-Manufacturing. The proposal includes the rezoning to B-2, General Retail Business and a Special Use to operate an animal service. The property will fully comply with landscaping and open space requirements. A parking variation is being requested as part of this proposal for the animal boarding use to permit 34 parking spaces where 48 are required based on the square footage of the building per section 7.030 of the Zoning Ordinance. The parking ratio of 3.5 spaces per 1,000 square feet of building area accounts for all animal services that could occur under one roof such as veterinarian services. In this case, much of the parking will be used as drop-off and pick-up for animal boarding.

### Traffic and Circulation

Due to the southern access point leading to commuter parking, a cross-access easement is requested to permit vehicles to exit away from the commuter parking lot in anticipation of future development. This would facilitate a more comprehensive traffic management plan.

### Engineering\Public Improvements

The applicant is required to convert the existing asphalt drop-off on Maple Avenue into green space and install a sidewalk to fill in the gap between the two adjacent properties. The existing stairs from the building will lead directly to the sidewalk. The conversion of the drop-off space will include new curb and gutter and will enhance safety along Maple Avenue.

### Public Safety

The Fire Prevention Division of the Fire Department has reviewed the proposed plans. The proposed building will be fully sprinkled and equipped with a fire alarm system.

### Public Comment

No member of the public spoke at the plan commission hearing. Furthermore, a neighborhood meeting was held by the petitioner on August 27, 2016 in accordance with Section 12.010.F.3 of the Zoning Ordinance. No member of the public attended.

## **ATTACHMENTS**

Ordinance

Aerial Map

Staff Report with attachments dated September 12, 2016

Draft Minutes of the Plan Commission Hearing dated September 12, 2016

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Applicant DATE: October 11, 2016  
(Name)

RECOMMENDATION FROM: \_\_\_\_\_ FILE REF: 16-PLC-0036  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 421 MAPLE AVENUE TO PERMIT AN ANIMAL BOARDING/KENNEL SERVICE WITH A VARIATION", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance will authorize a special use for 421 Maple Avenue to permit an animal boarding/kennel service with a variation.

**RECORD OF ACTION TAKEN:**

---



---



---

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 421 MAPLE AVENUE  
TO PERMIT AN ANIMAL BOARDING/KENNEL SERVICE  
WITH A VARIATION**

WHEREAS, the following described property, to wit:

□ LOT 4 (EXCEPT THE SOUTH 25 FEET THEREOF) AND THE EAST 80 FEET (EXCEPT THE SOUTH 25 FEET THEREOF) OF LOT 5 IN HIGHLAND ACRES, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER AND THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF MAPLE AVENUE (EXCEPT RAILROAD) ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1912 AS DOCUMENT 108797, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 421 Maple Avenue, Downers Grove, IL 60515  
PINs: 09-08-227-002

(hereinafter referred to as the "Property") is presently zoned in the "*B-2, General Retail Business District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per section 28.5.010 of the Zoning Ordinance be granted to permit an animal boarding/kennel service including the following Variation:

1. Variation per Section 28.7.030; *Parking*, to decrease the required parking spaces from forty-eight (48) to thirty-four (34).

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting for the petition on September 12, 2016 and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the Special Use and Variation, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;
2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the standards for granting a variation per Section 28.12.090.G have been met; and,

1. No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner.
2. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented:
  - a. the subject property cannot yield a reasonable return if required to comply with the regulations that apply to it;
  - b. the plight of the owner is due to unique circumstances; and
  - c. the variation, if granted, will not alter the essential character of the locality.
3. In addition, the hearing body must also take into consideration the extent to which the following facts, favorable to the property owner, have been established by the evidence presented:
  - a. that the physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
  - b. that the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification;
  - c. that the alleged difficulty or hardship was not created by the current property owner;
  - d. that the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood;
  - e. that the proposed variation will not alter the essential character of the area; and
  - f. that the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That Special Use of the Property is hereby granted to allow construction of an animal boarding/kennel service with a parking variation.

SECTION 2. This approval is subject to the following conditions:

1. The proposed Zoning Map Amendment, Special Use and Parking Variation requests to operate an Animal Boarding/Kennel Service shall substantially conform to the plans prepared by Studio 21 Architects, dated 9/1/16, attached to the staff report dated September 12, 2016, except such plans may be modified to conform to Village Codes, ordinance and policies.

2. The petitioner shall consolidate the two lots into a single lot of record pursuant to Section 20.507 of the Subdivision Ordinance.
3. A cross access easement shall be granted between this property and the adjacent BNSF owned commuter lot.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and/or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

\_\_\_\_\_  
Mayor

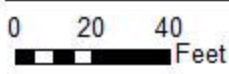
Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk

1\wp8\ord.16\SU-421-Maple-w-var-16-PLC-0036



421 Maple Avenue-Location Map





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
SEPTEMBER 12, 2016 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
16-PLC-0036 421 Maple Avenue	Zoning Map Amendment, Special Use, Parking Variation	Scott Williams Planner

**REQUEST**

The petitioner is requesting approval of the following:

- Zoning Map Amendment (Rezoning);
- Special Use for Animal Service to allow Animal Boarding/Kennel; and
- Parking Variation.

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements.

**GENERAL INFORMATION**

**OWNER:** Chicago Title Land Trust Co. No. 6579  
421 Maple Avenue  
Downers Grove, IL 60515

**APPLICANT:** Doggie Depot  
c/o: Gregory Jones, Ancel Glink, P.C.  
635 Rogers Street  
Downers Grove, IL 60515

**PROPERTY INFORMATION**

**EXISTING ZONING:** O-R-M, Office-Research-Manufacturing  
**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** 38,730 square feet (0.89 acres)  
**PINS:** 09-08-227-002

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	M-1, Light Manufacturing	Neighborhood Commercial
<b>SOUTH:</b>	BNSF, Commuter Lot & Railroad	BNSF Railroad
<b>EAST:</b>	B-2, General Retail Business	Neighborhood Commercial
	B-1, Limited Retail Business	Neighborhood Commercial
<b>WEST:</b>	M-1, Light Manufacturing	Neighborhood Commercial



## **ANALYSIS**

---

### **SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Location Map
3. Project Summary/Narrative
4. ALTA/ACSM Land Title Survey
5. Floor Plan
6. Elevation Plan
7. Summary of Neighborhood Meeting

### **PROJECT DESCRIPTION**

The petitioner is seeking Special Use approval to operate an animal boarding/kennel business at 421 Maple Avenue at the intersection of Maple Avenue & Rogers Street. The business, Doggie Depot, has been serving the community for over ten years at its current location, 635 Rogers Street. To allow this Special Use, the property has to be rezoned from O-R-M (Office, Research, Manufacturing) to B-2, General Retail Business, a zoning district more appropriate based on the Future Land Use Map. Based on the square footage of the existing building, the petitioner is also seeking a variation to allow 34 parking spaces where 48 are required.

The property is improved with a one-story brick commercial building that is 15,595 square feet and a parking lot containing 39 spaces. The parking lot has two points of access: one to the north off of Maple Avenue and the other to the south leading to BNSF right-of-way that also functions as a commuter parking lot. This southern access point is currently closed off with traffic barricades. The Maple Avenue right-of-way is currently improved with an asphalt drop-off area, and stairs leading from the front door to this area.

The applicant's floor plan shows that the renovated building would be converted into three main areas: retail, kennels, and an indoor play area. Grooming services and training opportunities will also be provided in addition to pet boarding and pet daycare services. There will be five indoor play areas, eighteen hotel spaces, and eighty-two kennel crates. Many of the pets will be dropped-off and picked-up at scheduled hours in the morning and evening. The facility's design can handle up to 100 dogs at a time.

The site plan shows that six parking spaces located just north of the proposed trash enclosure would be converted into a 1,200 square-foot outdoor play area. Other site changes include the addition of open space and landscaping. The number of proposed parking spaces includes two ADA spaces. Up to a maximum of twelve employees would work the same shift with the average being closer to eight, leaving 26 parking spaces available for clients.

### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The Comprehensive Plan designates the subject property as Neighborhood Commercial. It is located in the Fairview Focus Area. Due to its proximity to the Fairview train station, transit-oriented development should be encouraged. The property is also part of Catalyst site #34 in the Comprehensive Plan which promotes transit oriented development and includes a mix of uses or office developments. While the proposed use varies from these listed uses, pedestrian access will be enhanced by adding sidewalks and

16-PLC-0036, 421 Maple Avenue  
September 12, 2016

Page 3

access aisles and may minimize the total number of car trips by capitalizing on pedestrian activity already present in a secondary downtown. Key concepts also include parking lot screening and screening of dumpsters through landscaping. These are investments the applicant is proposing to make which will improve the appearance of the property.

#### **COMPLIANCE WITH THE ZONING ORDINANCE**

The subject property is currently zoned O-R-M, Office-Research-Manufacturing. The proposal includes the rezoning to B-2, General Retail Business. A Special Use to operate an animal service is required in the B-2 zoning district; however, no major changes are proposed to the bulk zoning conditions.

The site plan shows that over ten percent of the property will be open space. This includes the current conditions and portions of the parking lot that will be converted into a landscape island and endcaps. Landscaping screening for the parking lot is proposed for the street yard and along the eastern property line. Two ADA parking spaces with five-foot wide access aisles are added to the parking lot configuration. A separate aisle leading to the side entrance is provided for customers parking to drop-off or pickup their pets.

A parking variation is being requested as part of this proposal for the animal boarding use to permit 34 parking spaces where 48 are required based on the square footage of the building per section 7.030 of the Zoning Ordinance. The parking ratio of 3.5 spaces per 1,000 square feet of building area accounts for all animal services that could occur under one roof such as veterinarian services. In this case, much of the parking will be used as drop-off and pick-up for animal boarding.

#### **TRAFFIC AND CIRCULATION**

Due to the southern access point leading to commuter parking, a cross-access easement is requested to permit vehicles to exit away from the railroad crossing in anticipation of future development. This would facilitate a more comprehensive traffic management plan for future benefit. The parking lot drive aisle is designed to accommodate on-site and off-site traffic. The required minimum width is 24'. The site plan shows the current width at 45'2" with the narrowest portion at the new landscape island shown as 36'7". This should be sufficient to safely allow through-traffic.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

No on-site stormwater detention is required, and the applicant is proposing additional open space for landscaping. A water service upgrade is required with directional boring under Maple Avenue to tap into the water line. This will also have to accommodate sprinkling and fire suppression system requirements.

The applicant is required to convert the existing asphalt drop-off on Maple Avenue into green space and install a sidewalk to fill in the gap between the two adjacent properties. The existing stairs from the building will lead directly to the sidewalk. The conversion of the drop-off space will include new curb and gutter and will enhance safety along Maple Avenue.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division of the Fire Department has reviewed the proposed plans. The proposed building will be fully sprinkled and equipped with a fire alarm system.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property line in addition to posting the public hearing sign and publishing a legal notice in *Downers Grove Suburban Life*. Staff has received no inquiries regarding the petition.

A neighborhood meeting was held by the petitioner on August 27, 2016 in accordance with Section 12.010.F.3 of the Zoning Ordinance. No member of the public attended, and a summary of the meeting is attached.

#### **FINDINGS OF FACT**

The petitioner outlined the request in the attached narrative letter/project summary, site plan, floor plan, and associated exhibits. Staff finds that the proposal meets the standards for granting the Rezoning, Special Use, and Variation as outlined below:

#### Zoning Map Amendment – Rezoning

#### **Section 28.12.030.I. Review and Approval Criteria – Zoning Map Amendments (Rezoning)**

*The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors:*

**(1) *The existing uses and zoning of nearby property.***

The subject property is the only O-R-M zoned district in this area. It is bordered to the east by B-1 and B-2 commercial zoning. To the west, a personal storage facility is zoned M-1. The majority of the commercial properties around the Fairview train station are zoned for commercial purposes. This criteria is met.

**(2) *The extent to which the particular zoning restrictions affect property values.***

The proposed improvements and rezoning will have no negative impact on surrounding property values. Value will be added to the property by rezoning to a designation that allows commercial uses that are consistent with the Comprehensive Plan. This criteria is met.

**(3) *The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.***

The proposed rezoning will not negatively impact property values or the public health, safety and welfare of the community. This criteria is met.

**(4) *The suitability of the subject property for the zoned purposes.***

The subject property is already the site of a commercial building with a commercial tenant. The current use is a musical instrument retail and service facility which is consistent with a commercial zoning category. This criteria is met.

**(5) *The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***

The existing music store is operational and has been open for many years but has plans to close shortly. In consideration of the O-R-M zoning, the site will likely become vacant once the store closes if no rezoning is undertaken. This criteria is met.

**(6) *The value to the community of the proposed use.***

Doggie Depot currently operates in Downers Grove at a different location and has been there for 10 years. The business continues to expand and has outgrown the existing facilities and is looking to invest in the subject site and stay in the community. Many residents use this service on a regular basis and this business is conveniently located close to the Fairview Train Station. This criteria is met.

**(7) *The Comprehensive Plan.***

The proposal is consistent with the Comprehensive Plan because the Future Land Use is designated as Neighborhood Commercial. The current zoning designation of O-R-M does not permit the majority of commercial uses. The proposed investment in the property will improve the overall appearance and enhance pedestrian connectivity that is desired in the Fairview Focus Area. This criteria is met.

**Special Use**

The applicant is requesting Special Use approval for Animal Boarding/Kennel. The proposed use meets the standards for granting a Special Use as outlined below:

***Section 28.12.050.H Approval Criteria – Special Uses***

*No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:*

**(1) *That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;***

The property, if rezoned, would be located in the B-2, General Retail Business zoning district. Under Section 5.010 of the Zoning Ordinance, an animal boarding facility is listed as an allowable Special Use in the B-2 zoning district. This standard has been met.

**(2) *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.***

The proposed redevelopment of this site with a new animal boarding facility is desirable and will contribute to the general welfare of the community. The proposed development will meet various Comprehensive Plan goals including the redevelopment of an underutilized property, enhance pedestrian interconnectivity, and add landscaping and buffering. This standard has been met.

**(3) *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.***

The proposed development will not be detrimental to the health, safety or general welfare of persons residing in or working in the vicinity and will not be injurious to property values or improvements in the vicinity. The proposed development will assist with implementing the Fairview Focus Area principles and enhance landscaping. There have been no complaints regarding Doggie Depot which is located more closely to residential properties at the current location. This standard has been met.

**Variation**

The petitioner is requesting approval of 34 parking spaces where 48 are required:

***Section 28.12.090.G Standards and Review Criteria – Variations***

Variations require evaluation per Section 28.12.090 of the Municipal Code, *Standards and Review Criteria*: “No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented:”

- (1) ***The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.***

Most commercial uses including animal services requires 3.5 parking spaces per 1,000 square feet and without a variation, none of them would be permitted to operate on this site based on the square footage of the existing building and the parking lot capacity. Therefore, after the rezoning, the subject property would not be able to yield a reasonable rate of return. This standard has been met.

- (2) ***The plight of the owner is due to unique circumstances.***

The existing parking lot is nonconforming. In order to comply with landscaping and ADA requirements, some portions of the parking lot have to be converted thus reducing the parking supply. Furthermore, the business is geared towards serving animals and requires outdoor play areas which furthers reduces the number of available spaces.

The nature of the business is unique in that many of its clients drop-off and pick-up their pets, spending less than 3 minutes per trip on the property based on the operations of the current location in Downers Grove. The use more closely resembles a Day Care operation and its associated parking requirements. If longer durations of time are required, meetings are scheduled during off-peak hours. There are also a variety of uses associated with the business that will not run concurrently meaning the entire square footage of the building will not be active at one time. This standard has been met.

- (3) ***The variation, if granted, will not alter the essential character of the locality.***

The proposed variation will not alter the essential character of the locality. The existing parking lot and commercial building will remain but with improvements that will render it code compliant. Overall, the proposed project will enhance the character of the locality by adding improvements. This standard has been met.

- (4) ***That the particular physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.***

The property was developed in 1947 before the advent of modern zoning requirements. The physical conditions of the property does not allow for the expansion of the parking lot due to the proximity to BNSF right-of-way. The site is already laid out in the most efficient manner and does not allow for additional parking. The proposed site plan allows for both pedestrians and motorists to utilize the site with only one variation from the Zoning Ordinance. This standard has been met.

- (5) ***That the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification.***

The conditions leading to the requested variation are very specific to this property and the Animal Boarding/Kennel use and are not generally found with other properties within the B-2 district. Most other B-2 properties are larger in size and are the product of modern development. Also, the proposed use is closer to a day care use in parking intensity. As such, the variation request is only applicable to this property. The proposed site design will meet all other safety and design regulations. This standard has been met.

- (6) ***That the alleged difficulty or hardship was not created by the current property owner.***

Regardless of what type of commercial use is proposed, it is impossible for the nonconforming site to meet the parking requirements based on square footage of the building floor area with only 39 spaces provided onsite. The applicant has attempted to mitigate the parking supply and demand gap

by restriping, but village landscaping and ADA requirements has also removed parking spaces in order to make the property code compliant. This standard has been met.

- (7) ***That the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.***

The approval of the proposed variation will not diminish or impair the property values of similar properties within the neighborhood. Adequate landscaping, screening, and buffering will be provided so as to not endanger the public health, safety or welfare. The extension of the public right of way sidewalk and the creation of an aisle in the parking lot will enhance pedestrian safety. The granting of the requested variation will not negatively impact the desirability of adjacent properties. This standard has been met.

- (8) ***That the proposed variation will not alter the essential character of the area.***

The granting of a variation will not alter the essential character of the area. The proposed use of the existing building is consistent with B-2 commercial properties but lacks comparable parking. It will maintain the current site layout of the property. This standard has been met.

- (9) ***That the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.***

If this request is granted, it will not confer a special privilege to the subject property as there are physical hardships and unique circumstances associated with this proposed use. Based on staffing and the configuration of the floor plan, the applicant requires fewer spaces than what is required per the zoning code and is requesting what it needs. This property could not accommodate the animal service use or any commercial use without the variation. This standard has been met.

## RECOMMENDATIONS

---

The proposed Zoning Map Amendment, Special Use, Variation for the operation of Animal Boarding/Kennel is compatible with surrounding zoning and land use classifications, meets the key criterion for Zoning Map Amendments, Special Uses and Variations, and is consistent with the Comprehensive Plan.

Based on the findings listed above, staff recommends that the Plan Commission make a positive recommendation to the Village Council regarding 16-PLC-0036 subject to the following conditions:

1. The proposed Zoning Map Amendment, Special Use and Parking Variation requests to operate an Animal Boarding/Kennel Service shall substantially conform to the plans prepared by Studio 21 Architects, dated 9/1/16, attached to this report except as such plans may be modified to conform to Village codes, ordinances, and policies.
2. The petitioner shall consolidate the two lots into a single lot of record pursuant to Section 20.507 of the Subdivision Ordinance.
3. A cross access easement shall be granted between this property and the adjacent BNSF owned commuter parking lot.

Staff Report Approved By:




---

Stanley J. Popovich, AICP

16-PLC-0036, 421 Maple Avenue  
September 12, 2016

Page 8

Director of Community Development

SP:sw

-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2016 PC Petition Files\16-PLC-0036 421 Maple SUP, Rezoning from O-R-M to B-2, Parking Variation - Doggie Depot\Staff Report 16-PLC-0036.docx



0 20 40 Feet

### 421 Maple Avenue-Location Map







DIAMOND BUSH  
DiCIANNI  
& KRAFTHEFER

A Professional Corporation  
140 South Dearborn Street, Suite 600  
Chicago, IL 60603  
www.ancelglink.com

Gregory W. Jones  
gjones@ancelglink.com  
(P) 312.604.9195  
(F) 312.782.0943

August 12, 2016

Via: E-Mail and Hand Delivery

Mr. Stan Popovich  
Downers Grove Community Development Director  
801 Burlington Avenue  
Downers Grove, Illinois 60515  
[spopovich@downers.us](mailto:spopovich@downers.us)

**Re: Doggie Depot - Rezoning of 421 Maple Avenue**

Dear Stan,

On behalf of Doggie Depot, Inc., I'm pleased to submit this Plan Commission Application Packet. Doggie Depot opened its doors in Downers Grove over a decade ago to provide superior pet care services to residents of the village and surrounding communities. Since that time, this family owned and operated business has grown with the community. Doggie Depot now serves over 1,200 customers from nearly 60 communities, including over 500 Downers Grove families. These families make regular – and in many cases, daily – trips to Downers Grove to visit Doggie Depot and the village's other businesses.

A victim of its own success, Doggie Depot has outgrown its rented space at 635 Rogers Street. The need for additional room coupled with a desire to invest in the community by owning property led Doggie Depot to the property located at 421 Maple Avenue, which is currently occupied by Hendricks Pianos. This soon-to-be-vacant property is uniquely situated to meet both Doggie Depot's needs and the village's development goals.

Doggie Depot seeks village approval of a map amendment to rezone 421 Maple Avenue from O-R-M to B-2, a special use to accommodate animal boarding, and a parking variance to reduce the required number of parking spaces from 50 to 35. As discussed in the enclosed exhibits, Doggie Depot's approval requests are reasonable, justified, and consistent with the goals in the village's Comprehensive Plan.

Downers Grove has a long tradition of supporting its residents and businesses. Doggie Depot's owners, Brian and Colleen McLachlan, have lived in Downers Grove for over a decade and look forward to continuing to grow their business and their family in the village. Thank you for your consideration, and please don't hesitate to contact myself, Brian, or Colleen with questions.

Sincerely,

  
Gregory W. Jones

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHOFER, P.C.

August 12, 2016

Page 2

cc: Brian McLachlan, Doggie Depot, Inc. (via e-mail)  
Colleen McLachlan, Doggie Depot, Inc. (via e-mail)  
Bill Styczynski, Studio21 Architects (via e-mail)  
Scott Williams, Planner, Village of Downers Grove (via e-mail)

Enclosures

4850-6263-7874, v. 1

## **EXHIBIT A REZONING FACTORS**

### **1) The existing use and zoning of nearby property.**

The subject property is zoned O-R-M and is directly bordered by properties zoned B-2, B-1, and M-1. The nearest O-R-M-zoned property is located over 2 miles west of the subject property at the intersection of Belmont Road and the Burlington Northern Santa Fe Railway. Doggie Depot proposes to rezone the subject property from O-R-M to the B-2 Zoning District to remain consistent with the zoning designations of properties located along the Fairview Avenue corridor.

The properties located at all corners of the adjacent Maple Avenue and Fairview Avenue intersection are uniformly zoned B-2. Additional B-2-zoned properties are located to the east at Burlington Avenue and Wilcox Avenue, and the south at Fairview Avenue and 2nd Street. Complimentary business zoning designations (*i.e.*, B-1, B-3) are located throughout the immediate area. Downers Grove's Comprehensive Plan designates the subject property's future land use as "neighborhood commercial," which is consistent with the types of uses allowed in the B-2 Zoning District.

The subject property has long been occupied by Hendricks Pianos, a musical instrument retail and service facility. The properties immediately east of the subject property are occupied by a Speedway Gas Station, dance studio, insurance office, optometrist, and a variety of related service uses. West and north of the subject property is a contractor's office, a storage facility and an automotive facility. The BNSF Railway borders the property on the south. The area is comprised of a mix of neighborhood business and light industrial uses.

### **2) Extent to which the particular zoning restrictions affect property values.**

The existing O-R-M zoning designation does not permit many of the uses contemplated by the Comprehensive Plan's "neighborhood commercial" future land use designation, including pet care facilities. For example, the O-R-M Zoning District does not allow retail sales, instructional studios, or service uses including business support or consumer maintenance and repair. All of these uses are commonly found in neighborhood commercial districts and are allowed in the B-2 Zoning District. Without rezoning the property from O-R-M to B-2, it is unlikely that the village will successfully foster neighborhood commercial use of the subject property. Failure to encourage the neighborhood commercial atmosphere identified in the Comprehensive Plan will have a negative impact on the value of the subject property and the surrounding area. In contrast, rezoning the property to the B-2 Zoning District will allow the subject property to provide a valuable service to residents of the surrounding neighborhood.

### **3) Extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.**

The existing zoning designation provides no clear benefit to the public health, safety, and welfare. The existing music business provides a service to the community. The proposed pet

care facility also offers a valuable community service, albeit one that will likely be used by more customers and on a more regular basis. The proposed pet care facility generates more frequent customer visits than the existing business.

**4) Suitability of the subject property for the zoned purposes.**

The current O-R-M zoning designation does not accommodate neighborhood commercial uses. The Comprehensive Plan recommends that the subject property provide residents with “convenient, day-to-day goods and services within a short walk or drive from their homes.” The O-R-M Zoning District allows research, development, manufacturing, assembly, and limited office uses. The uses allowed in the O-R-M Zoning District are inconsistent with the Comprehensive Plan’s recommendation for the subject property. In contrast, the B-2 Zoning District accommodates many businesses that provide the services encouraged by the Comprehensive Plan, including pet care facilities.

**5) Length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.**

The subject property has been occupied by a music store for many years. The owners of Hendricks Pianos plan to wind up the business shortly. If the subject property is not rezoned to the B-2 Zoning District, the subject property will likely become vacant.

**6) The value to the community of the proposed use.**

Doggie Depot opened on Rogers Street ten years ago and has grown considerably since that time. Doggie Depot is grateful to call more than 500 Downers Grove families customers. In addition, Doggie Depot serves over 700 families from nearly 60 other communities from Naperville, to Champaign, to Wilmette. Doggie Depot’s loyal customers make regular trips to Downers Grove for a variety of pet service needs, from grooming, to training, to retail services, to boarding. Doggie Depot is proud to have built a strong reputation in the village and wants to continue to do so by significantly investing in the subject property.

**7) The Comprehensive Plan.**

Downers Grove’s Comprehensive Plan designates the subject property as “neighborhood commercial” and suggests that the property should provide residents with day-to-day goods or services within a short walk or drive from home. Doggie Depot’s business model is based on serving the community seven days a week. As discussed earlier, Doggie Depot relies heavily on those that live or work in the village and are either a short walk or drive away. Simply put, Doggie Depot cannot succeed without catering to the local population.

The subject property’s location will enable Doggie Depot to attract additional customers and tax revenue for the village. The close proximity of the Fairview Metra stop (a ~2 minute walk) will allow commuters to drop off and pick up their dogs without making significant adjustments to their daily routine. The subject property’s convenient location will likely increase Doggie Depot’s retail business as well, generating additional revenue for the village. Reducing reliance

on cars, minimizing the number trips, and increasing customer access and convenience are all consistent with the area's "catalyst site" designation in the Comprehensive Plan.

Further, rezoning the subject property to B-2 would set the table for future redevelopment of the neighboring properties to the west and north. If the six properties comprising the catalyst site ever came under common ownership (they are currently owned by 6 different entities) and the village chose to vacate, realign, and reconstruct Maple Avenue, the subject property's B-2 zoning designation would clearly communicate development expectations for the properties to the north and west. The subject property's B-2 zoning designation may help transition the neighboring properties away from their current industrial use and zoning designation. Stated differently, the proposed rezoning creates both immediate and long-term benefits consistent with the Comprehensive Plan's goals.

4826-3915-3204, v. 1

**EXHIBIT B  
SPECIAL USE FACTORS**

**1) The proposed use is expressly authorized as a special use in the B-2 Zoning District.**

Animal service facilities are allowed as a permitted use in the B-2 Zoning District. In addition to offering retail products, grooming services, and training opportunities, Doggie Depot will also provide pet boarding. The proposed boarding service requires special use approval; all other components of Doggie Depot's operations are permitted by right in the B-2 Zoning District.

**2) The proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.**

Doggie Depot's proposed use meets an important and demonstrated community need for pet care. Village residents and those residing in surrounding communities have loyally and repeatedly relied on Doggie Depot's services for over ten years. Relocating Doggie Depot's operations from a facility it currently leases to the subject property will bring Doggie Depot closer to its customers. The subject property is located at the intersection of three arterial streets (Fairview Avenue, Maple Avenue, and Rogers Street) and within a two minute walk of the Fairview Metra Station. Situating Doggie Depot at the confluence of these significant transportation corridors increases both convenience for village customers and accessibility for customers travelling from surrounding communities. The subject property's strategic location and Doggie Depot's regional draw will likely increase tax revenue for the community.

**3) The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.**

Doggie Depot's proposed use will not adversely impact the surrounding properties, residents, or businesses. Doggie Depot's facility will be licensed by the Illinois Department of Agriculture and subject to regular inspection. Doggie Depot's staff is comprised of trained professionals educated in proper animal care techniques. Most of the staff currently works at Doggie Depot's facility on Rogers Street. The staff is familiar with, invested in, and a part of the community.

The proposed business is consistent with the use of the surrounding properties, particularly the neighborhood service uses located along Fairview Avenue to the east. Like these uses, Doggie Depot will provide valuable, daily services within close proximity to the village's residents. The industrial uses located to the west and north are comparatively more intense than Doggie Depot's planned use of the subject property. The property north of Doggie Depot includes a significant outdoor storage and work yard located within close proximity of a residential neighborhood, including single-family homes.

In contrast, nearly all of Doggie Depot's activities will be conducted indoors. Doggie Depot's small outdoor exercise area is located adjacent to the BNSF Railway at the southern edge of the

property and will be fully screened by an eight foot tall fence. Dogs will not be permitted outside of the exercise area and will be supervised by Doggie Depot staff.

The nearest residential property is located 180 feet south of the subject property on the opposite side of the BNSF railway and Burlington Avenue. The nearest residential structure – the multi-family building located at 425-431 Burlington Avenue – is located 210 feet away from the subject property. The nearest single-family home is located over 350 feet away from the proposed exercise area on the opposite side of Rogers Street and Maple Avenue.

Notably, Doggie Depot's existing outdoor exercise area located at 635 Rogers Street is located only 130 feet from the nearest residential properties – single-family homes located at 624 and 630 Maple Avenue. The proposed exercise area is comparable in size, but located significantly farther away from neighborhood residential uses.

4826-0586-0916, v. 1

### EXHIBIT C VARIANCE FACTORS

- 1) The proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

The proposed parking variance will not threaten public safety or harm property values. The subject property provides more parking than what is needed to accommodate Doggie Depot's needs. The site's 35 parking spaces will comfortably accommodate Doggie Depot's employees and clients. Doggie Depot's maximum shift includes 12 employees, and its smallest shift includes 2 employees. Generally, about 8 employees will be present on the subject property, reserving 27 parking spaces for client use.

Clients typically visit the property twice a day. The average dog drop off and pickup trip lasts 1-3 minutes. Stated differently, clients typically spend less than 5 minutes per day on the subject property. The morning peak generally runs from 7:00 a.m. to 8:30 a.m. Doggie Depot's evening rush begins at 4:30 p.m. and concludes at 6:00 p.m. Excluding a limited number of employee vehicles, the parking lot will be nearly empty between 8:30 a.m. and 4:30 p.m.

The facility will accommodate up to 100 dogs at any one time. An analysis of Doggie Depot's existing Rogers Street facilities reveals that it is uncommon for Doggie Depot to be at full capacity, with the exception of during holidays. Doggie Depot's busiest seasons tend to be spring break, July, and around the end of the year.

Doggie Depot schedules new client meetings during off-peak hours. These meetings typically last 20-30 minutes and occur on an as-needed basis at 10:00 a.m., 3:00 p.m. and 6:00 p.m. Using off-peak hours for longer appointments further eliminates potential parking congestion during mornings and evenings.

A review of Doggie Depot's operations shows that the subject property provides more than enough parking capacity. The parking lot contains a total of 35 parking spaces. Conservatively assuming that 12 parking spaces will be occupied by employees at all times (the actual number of employees is nearly always less), a total of 23 parking spaces would be available at all times for Doggie Depot's customers.

These parking spaces turnover quickly during morning dog drop off and evening pickup. As stated earlier, the vast majority of Doggie Depot's clients spend less than 3 minutes per trip on the subject property. Even if Doggie Depot's customers linger for 5 minutes on the subject property, the existing parking lot could accommodate 414 cars during the morning rush and another 414 cars during the evening rush.<sup>1</sup> Assuming each car carries only 1 dog, the parking

---

<sup>1</sup> The morning peak lasts 90 minutes. If each customer spends 5 minutes on the property, a total of 18 vehicles could be accommodated in a single parking space during the morning peak (*i.e.*,  $90 / 5 = 18$ ). If 23 parking spaces are reserved solely for customer use, the parking lot could



lot's capacity exceeds building's 100 dog maximum capacity by a factor of 4. The subject property's parking supply is more than sufficient to accommodate Doggie Depot's needs.

**2) The property cannot yield a reasonable return if required to comply with applicable regulations.**

The subject property could not accommodate Doggie Depot or any other animal care facility absent approval of a parking variance. The building located on the subject property is uniquely suited to accommodate an animal service use. The building's open floor plan and warehouse features uniquely lend themselves to Doggie Depot's needs. Unfortunately, the parking lot provides only 35 spaces, and the village code requires 50 parking spaces for any animal care business that wishes to occupy the subject property. Absent approval of a variance, the building may fall vacant until demolition or redevelopment.

**3) The plight of the owner is due to unique circumstances.**

Township records indicate that the property was developed in 1947. The property has remained largely unchanged during the last 70 years. Doggie Depot did not originally develop the subject property; it is simply trying to invest in the subject property to grow its business with – and in – the village.

Doggie Depot's business model differs from other animal care providers. In addition to daycare, Doggie Depot provides overnight boarding, training, grooming, and retail services. Accommodating this range of uses under one roof requires space. The Village's parking requirement for an animal care facility is based on variable: square footage. While facility size certainly influences overall parking demand, how the space within a facility is used plays an equal – if not larger – role in determining how many parking spaces are actually needed. For instance, not all of Doggie Depot's services are offered concurrently, which means that certain portions of the facility are inactive while other areas are being used. This reality is not reflected in a parking ratio that relies solely on building square footage.

The Village Code's general parking ratio does not account for Doggie Depot's broad range of services or the parking efficiencies it creates. It relies solely on the building's size. As discussed in Response 1 above, data from Doggie Depot's existing facilities indicates that far fewer than the 35 existing parking spaces are required to meet Doggie Depot's parking needs.

**4) If granted, the variance will not alter the essential character of the locality.**

Approving Doggie Depot's parking variance will not negatively impact the neighborhood or the village. Response 1 above demonstrates that the subject property's 35 parking spaces are more than sufficient to meet Doggie Depot's needs. The surrounding area is an auto-oriented

---

accommodate a total of 414 vehicles during the morning peak (*i.e.*, 23 parking spaces x 18 vehicles per parking space = 414 total vehicles). The same analysis applies to the 90 minute evening peak.

neighborhood commercial center. Doggie Depot intends to rely on the subject property's accessibility by car, train, and foot to provide a valuable service to the neighborhood, village, and region as a whole.

**5) The physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.**

The subject property's building and parking lot were constructed nearly 70 years ago, far before the advent of modern parking standards. Excluding the small grassy areas located near the north property line, the entire site is covered by pavement and structures. Simply put, there is no room on the subject property to construct additional parking spaces.

Constructing a parking deck for the sole purpose of satisfying the code's general parking ratio is neither financially feasible nor justified by Doggie Depot's actual parking needs. Further, demolishing part of the existing structure to construct additional parking would undermine Doggie Depot's planned use for the subject property. The subject property attracted Doggie Depot largely because of the amount of indoor space it provides. Reducing the building square footage simply to satisfy a general parking ratio would impose an undue hardship on Doggie Depot.

**6) The conditions leading to the need for the requested variance are not applicable, generally, to other properties within the same zoning classification.**

The subject property is uniquely situated. Its location in an established, older neighborhood distinguishes it from conditions present on other B2-zoned properties, including those located around the intersection of 75th Street and Main Street. Generally speaking, B2-zoned properties located elsewhere in the village are larger in size and inhibited by fewer existing site constraints.

In addition to being paved from corner to corner, the subject property is bordered on two sides by rights-of-way: Maple Avenue to the north, and the BNSF Railway to the south. It is not practical for Doggie Depot to purchase right of way for the purpose of constructing additional unneeded parking spaces.

Also, the location of the existing building on the subject property eliminates potential opportunities for a shared parking arrangement with the storage facility to the west. The existing building obstructs any potential access drive that could connect the two properties. Finally, the property to the east is fully developed with parking necessary to accommodate its current tenants.

**7) Granting the variance will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.**

Doggie Depot is requesting a variance to provide a reasonable number of parking spaces on the subject property. As demonstrated at Doggie Depot's existing facility, the 50 parking spaces

required by code far exceeds what Doggie Depot needs to serve its clients and employees. Doggie Depot is not seeking a special privilege; rather, it simply seeks the village's permission to provide only the parking spaces it needs.

4842-1660-4724, v. 1

# ALTA/ACSM LAND TITLE SURVEY

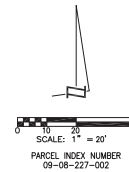
PROFESSIONAL LAND SURVEYING, INC.

3080 OGDEN AVENUE SUITE 307  
LISLE, ILLINOIS 60532  
PHONE: 630-778-1757  
PROF. LICENSE # 164-041456  
E-MAIL: info@plsls.com

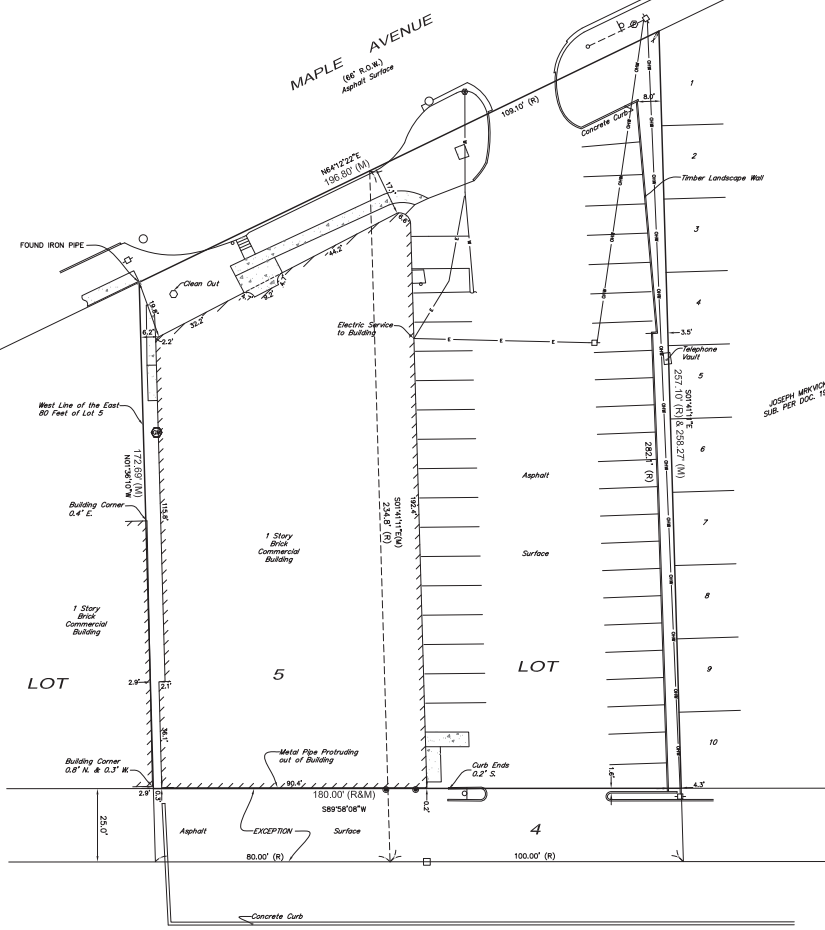


VICINITY MAP

~ NO SCALE ~



SCALE: 1" = 20'  
PARCEL INDEX NUMBER  
09-08-227-002



### SURVEYOR'S NOTES

1. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD MARKS ON THE GROUND, AND ABOVE GROUND OBSERVABLE EVIDENCE ONLY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.
3. BEARINGS SHOWN HEREON ARE BASED ON ILLINOIS STATE PLANE EAST ZONE COORDINATE SYSTEM.
4. BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS.
5. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL.
6. EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER 165104261RH WITH AN EFFECTIVE DATE OF MAY 23, 2016. A REVIEW OF WHICH INDICATES THAT:
  - ITEMS 1-7, A, B, C, D, F, G, H, I, J, K, L, E, N, O & R ARE NOT SURVEY RELATED.
  - ITEM M PERTAINS TO A SANITARY SERVICE ACCESS AGREEMENT OVER THE SANITARY SERVICES LOCATED ON THE SUBJECT PROPERTY. NO SERVICES WERE FOUND BY OBSERVABLE EVIDENCE AND THEREFOR ARE NOT SHOWN ON THE FACE OF THIS SURVEY.
  - ITEM O & P PERTAIN TO POSSIBLE EASEMENTS FOR UTILITIES. UTILITY POLES ARE SHOWN HEREON
7. (R) = RECORD DATA  
(M) = MEASURED DATA
8. AREA OF SURVEY= 38,730 SQ. FT., OR 0.89 ACRES, MORE OR LESS.
9. PROPERTY DESCRIBED HEREON LIES WITHIN ZONE X AS DELINEATED ON THE NATIONAL FLOOD INSURANCE RATE MAP 17043C0901H WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004.
10. NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

### SYMBOL LEGEND

- - BOLLARD
- ⊕ - GAS METER
- ⊙ - BUFFALO BOX
- ▭ - CONCRETE SURFACE
- - INLET
- ⊕ - UTILITY POLE W/GUY
- ⊖ - POWER POLE
- ▽ - STREET SIGN
- (R) - RECORD DATA
- (M) - MEASURED DATA
- - WATERMAIN
- - UNDERGROUND ELECTRIC CABLE
- - CATCHBASIN
- - OVERHEAD WIRES
- ⊕ - TELEPHONE CANISTER

### SURVEYOR'S CERTIFICATE

CERTIFIED TO:  
CHICAGO TITLE INSURANCE COMPANY  
DOGGIE DEPOT, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 15 & 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 16, 2016, DATED THIS 2ND DAY OF AUGUST, 2016.



PLS No. 3483  
MY LICENSE EXPIRES 11/30/2016

### LEGAL DESCRIPTION

LOT 4 (EXCEPT THE SOUTH 25 FEET THEREOF) AND THE EAST 80 FEET (EXCEPT THE SOUTH 25 FEET THEREOF) OF LOT 5 IN HIGHLAND ACRES, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER AND THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF MAPLE AVENUE (EXCEPT RAILROAD) ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1912 AS DOCUMENT 108797, IN DUPAGE COUNTY, ILLINOIS.

PREPARED FOR: PANKAJ LAW  
ADDRESS: 421 MAPLE AVENUE, DOWNERS GROVE, ILLINOIS  
BOOK & PG: 160/67 DATE: 07/29/16 JOB NO: 1612525  
DRAWN BY: JLK CHECK BY: \_\_\_\_\_  
REVISED: \_\_\_\_\_

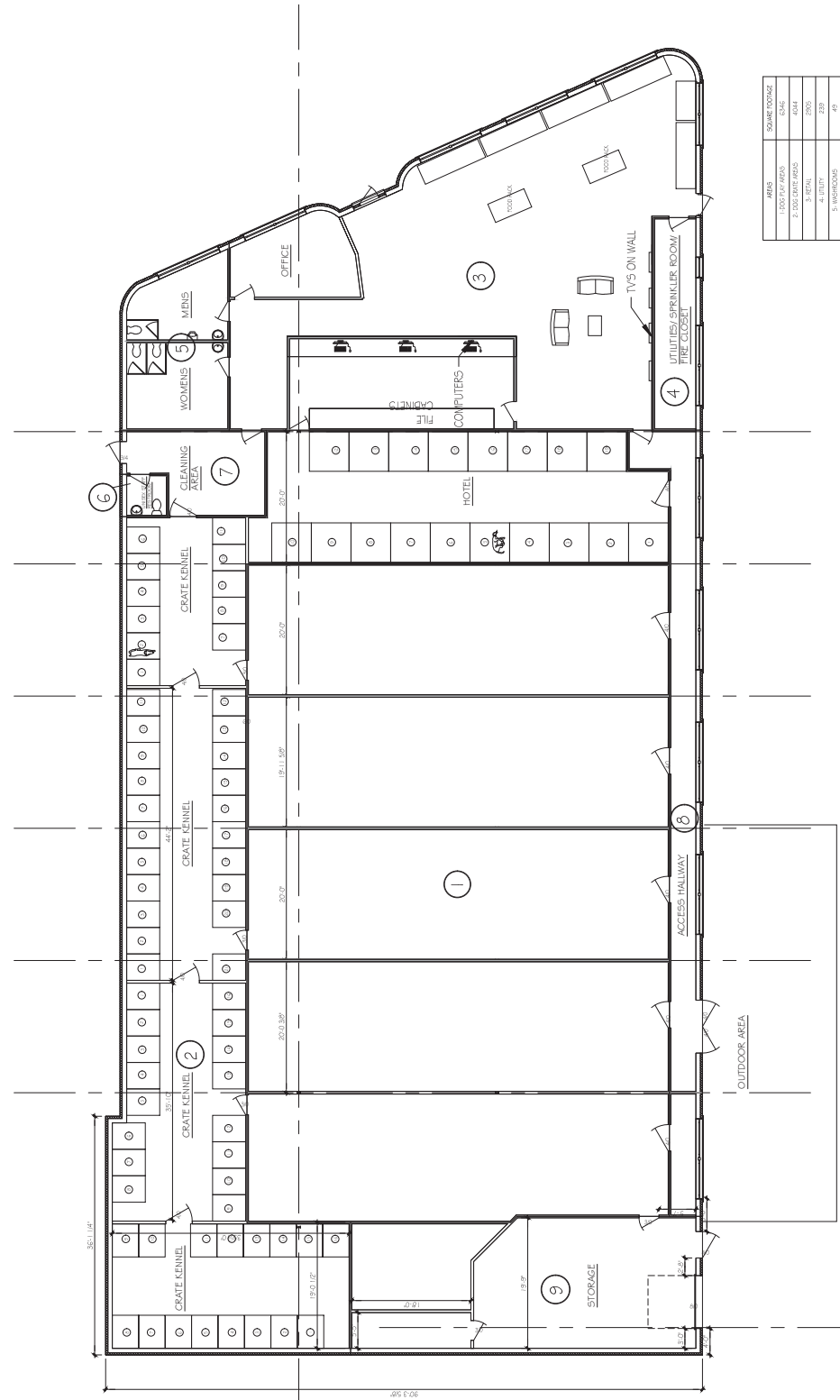


Doggie Depot  
421 Maple Avenue, Downers Grove, IL 60515

911 Rogers Street  
Downers Grove, IL 60515  
630.789.2513  
studios21architects.com

DATE: 09/01/16

PROJECT: 16193  
STREET: A2.0



AREA	SQUARE FOOTAGE
1. DOG PLAY AREAS	6246
2. DOG CRATE AREAS	4044
3. RETAIL	2505
4. UTILITY	230
5. WASHROOM	40
6. WASHROOM	40
7. STORAGE AREA	242
8. ACCESS HALLWAY	242
9. STORAGE	1033

FLOOR PLAN

421 Maple Avenue, Downers Grove, IL 60515  
**Doggie Depot**

911 Rogers Street  
Downers Grove, IL 60515  
630.789.2513  
studio21architects.com  
**studio21 architects**

DATE: 09/01/16

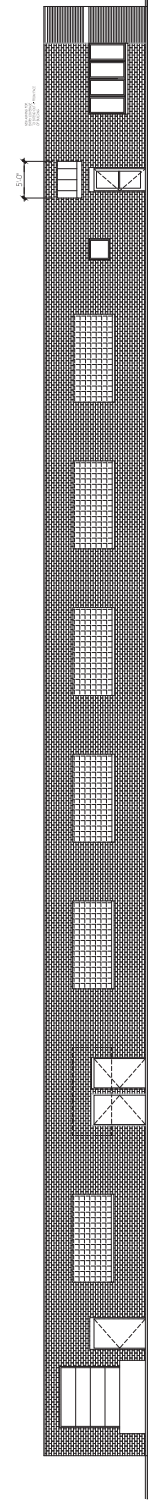
PROJECT: 16193  
SHEET: A4.0

PROPOSED SIGNAGE  
13.50' HIGHER THAN EXISTING SIGNAGE

**doggie depot**  
DAYCARE BOARDING & TRAINING

22'-0"

SOUTH ELEVATION



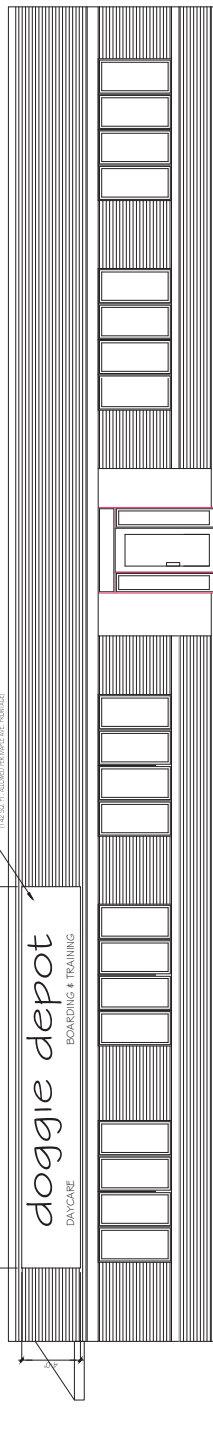
EAST ELEVATION

PROPOSED SIGNAGE  
13.50' HIGHER THAN EXISTING SIGNAGE

**doggie depot**  
DAYCARE BOARDING & TRAINING

22'-0"

MAPLE AVENUE  
**NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"





A Professional Corporation  
140 South Dearborn Street, Suite 600  
Chicago, IL 60603  
www.ancelglink.com

Gregory W. Jones  
gjones@ancelglink.com  
(P) 312.604.9195  
(F) 312.782.0943

September 1, 2016

Via: E-Mail and Hand Delivery

Mr. Scott Williams  
Planner  
Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, Illinois 60515

**Re: *Neighborhood Meeting Summary  
Doggie Depot – 421 Maple Avenue***

Dear Scott,

As part of its application for zoning approval, Doggie Depot, Inc., held a neighborhood meeting on Saturday, August 27, 2016 at 11:30 a.m. The meeting was held at 635 Rogers Street in Downers Grove. Written meeting invitations were mailed on August 18, 2016, to the owners of all property located within 250 feet of 421 Maple Avenue. A copy of the meeting invitation is enclosed for reference.

The meeting was attended by Doggie Depot's President, Brian McLachlan, and two Doggie Depot employees. No members of the public attended the meeting. After waiting for 30 minutes, Brian and his team cleaned up and vacated the meeting space.

Please don't hesitate to contact me with questions.

Sincerely,



Gregory W. Jones

cc: Brian McLachlan, Doggie Depot, Inc. (via e-mail)  
Colleen McLachlan, Doggie Depot, Inc. (via e-mail)  
Bill Styczynski, Studio21 Architects (via e-mail)

Enclosures

4811-9394-6935, v. 1





# We're Moving!

(but, not too far)

## Neighborhood Meeting Invitation

After a decade of serving Downers Grove's pet lovers at our Rogers Street location, Doggie Depot is moving to a larger space! We are in the process of buying 421 Maple Avenue (Maple Avenue just west of Fairview Avenue) and seeking the Village of Downers Grove's approval to continue serving the community. In September, the Village will conduct a public hearing to consider our proposed relocation and our application for a rezoning, special use permit, and a parking variance.

Before that, though, we want to invite the community to discuss Doggie Depot's exciting plans. **Please join us at 11:30 a.m. on Saturday, August 27, 2016 at 635 Rogers Street in Downers Grove for a neighborhood meeting.** We will provide an overview of our plans and be available to answer questions.

It's been an honor serving the community for the last 10 years. We look forward to another great 10 years (or more!) to come.

Thank you for your support!

Colleen and Brian McLachlan

P.S. – If you can't attend the meeting but would like to learn more about our plans, please feel free to call us at (630) 969-7529 or stop by the store during business hours. We're located at 635 Rogers Street in Downers Grove.

## DRAFT

**FILE 16-PLC-0036:** A petition seeking approval of a Special Use to operate an Animal Boarding business, a Parking Variation, and a Rezoning from O-RM, Office-Research-Manufacturing to B-2, General Retail Business. The property is currently zoned O-R-M, Office-Research-Manufacturing. The property is located to the south of the intersection of Maple Avenue and Rogers Street, approximately 220 feet to the southwest of Fairview Avenue, commonly known as 421 Maple Avenue, Downers Grove, IL (PIN 09-08- 227-002). Gregory Jones, Attorney to Doggie Depot, Inc., Petitioner; Chicago Title Land Trust Co. No. 6579, Owner.

Planner Scott Williams reviewed an aerial map of the subject site pointing out that Doggie Depot is proposing to move from its present location to the Maple Avenue site. The site is zoned Office/Research/Manufacturing (ORM) and is the only ORM zoning in the Fairview Focus Area. Mr. Williams reviewed the surrounding zoning of the subject site. Currently, the use was a retail/educational use in a one-story brick building. In 1985 the site was zoned ORM and staff believes it was due to the Future Land Use Map at that time and it was supported by staff at that time.

The petitioner is not proposing to make any changes to the site plan or building. Currently there are 39 non-code compliant parking spaces with two access points to the property – north to Maple Avenue and south to the commuter lot. Reviewing the site plan, Mr. Williams pointed out the location for the proposed 34 parking spaces, in order to meet ADA code compliance, and to provide for a landscape island and meet code. Also identified on the site plan was an outdoor play area for the dogs, the trash enclosure, a connection sidewalk to the two adjacent properties, and an asphalt area to be converted to address safety concerns. A floor plan was reviewed. Mr. Williams stated up to 100 dogs could be accommodated.

Mr. Williams drew commissioners' attention to the fact that the Future Land Use Map identified the site as Neighborhood Commercial which was why staff was recommending that the petitioner rezone from ORM to B-2 Business, based on the Fairview Focus Area and the nearby railroad station. The site was also identified as Catalyst Site 34 and the associated potential for transit-oriented development. While the proposed site will not be redeveloped, it is diversifying the types of business within walking distance of the train station. Mr. Williams explained how the use met the enhancement goals of the focus area overall.

Staff believed the proposal met all of the criteria for the rezoning to B-2 General Business. However, if the rezoning was not to be approved, Mr. Williams stated that the animal boarding use would not be permitted in the ORM district and so the petition could not be granted approval. The proposal met all the criteria for the Special Use and no complaints had been received regarding the petitioner's current animal boarding business. No member of the public contacted staff opposing the rezoning either. Mr. Williams stated the owner held a neighborhood meeting and no public attended the meeting.

Based on the 3.5 spaces per 1,000 square feet, any commercial use, subject to the rezoning, would have to apply for a variation request but Mr. Williams stated this was a non-conforming building predating the zoning code. Also, because the use was similar to a daycare center where patrons drop off dogs and pick them up later, the parking requirements for that were 2.0 spaces per 1,000 sq. feet. Lastly, Mr. Williams stated there would be no veterinary services on the site which would require stricter parking requirements.

## DRAFT

Staff recommended approval of the petition, subject to the conditions listed in staff's report which the applicant was aware.

Responding to commissioner questions, the petitioner confirmed an 8-foot wooden fence (board on board) would surround the outdoor play area. Asked whether the rear exit would remain closed off, Mr. Williams said staff was trying to work that out with the cross-access easement and believed the petitioner and staff agreed that the current look of having temporary barriers "was not ideal." The issue still needed to be worked out.

Representing the owners/petitioners, Brian and Colleen McLachlan, Attorney Greg Jones with Ansel Glink, 140 S. Dearborn St., Chicago, thanked staff for their assistance and for the fine presentation to the commission. Mr. Jones provided a history of his client's full service dog care facility stating that over 1200 families were served across the state and approximately 500 families were served in the Downers Grove facility. Mr. Jones stated his clients needed more space and wanted to own their property. He referred to the 230 signed customer petitions in support of the McLachlans relocating to the Maple Avenue site and whom also supported the rezoning of the site and special use. The site offered a number of positives for the business – a better location, its close proximity to the train station, and its proximity to the community. It brought a neighborhood commercial use to the site.

In summary, Mr. Jones believed, in working with staff, the proposal was a "win-win." The owners were proposing to invest in a fire suppression system, enhance pedestrian connectivity, and increase the landscaping. He offered to answer questions with his team present.

Per a question about the hours of grooming and training, Mr. Jones stated the business's hours were from 6:30 AM to 6:30 PM and the majority of the training occurred with the dogs that were dropped off and stayed during the day. The two peaks hours included a 90 minute window from 7:00 AM to 8:30 AM and then another peak window from 4:30 PM to 6:00 PM. The parking lot would have additional vehicles during those times but would then remain empty the remainder of time except for employee vehicles.

Chairman Rickard invited the public to speak. No public comment followed. No closing statement was received from the petitioner.

Asked who will pay for the sidewalk, Ms. Leitschuh explained that it is village policy for applicants making zoning entitlement requests to pay for it. Sidewalks are required by the zoning code and the comprehensive plan to enhance pedestrian connectivity, as pointed out by Mr. Williams.

Chairman Rickard closed the public hearing.

Asked who the granting body was for the cross access easement, Mr. Jones indicated it would be Doggie Depot and his client was amenable to the condition. However, his client also had some concerns about removing all limits to access, due to cut-through traffic and issues with families/dogs walking across the parking lot. Specifically, Mr. Jones explained that once the petitioner and staff agreed upon the "triggers" for the access to be removed, Doggie Depot could follow through with it. Staff agreed to discuss that matter with the petitioner. Mr. Williams added that the access agreement language would appear on the lot consolidation before any building permit would be issued.

DRAFT

**WITH RESPECT TO FILE 16-PLC-0036, MR. THOMAN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO THE FOLLOWING THREE CONDITIONS IN STAFF'S REPORT:**

- 1. THE PROPOSED ZONING MAP AMENDMENT, SPECIAL USE AND PARKING VARIATION REQUESTS TO OPERATE AN ANIMAL BOARDING/KENNEL SERVICE SHALL SUBSTANTIALLY CONFORM TO THE PLANS PREPARED BY STUDIO 21 ARCHITECTS, DATED 9/1/16, ATTACHED TO THIS REPORT EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES, ORDINANCES, AND POLICIES.**
- 2. THE PETITIONER SHALL CONSOLIDATE THE TWO LOTS INTO A SINGLE LOT OF RECORD PURSUANT TO SECTION 20.507 OF THE SUBDIVISION ORDINANCE.**
- 3. A CROSS ACCESS EASEMENT SHALL BE GRANTED BETWEEN THIS PROPERTY AND THE ADJACENT BNSF OWNED COMMUTER PARKING LOT.**

**SECONDED BY MS. HOGSTROM. ROLL CALL:**

**AYE: MR. THOMAN, MS. HOGSTROM, MS GASSEN, MS. JOHNSON, MR. QUIRK,  
CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 6-0**

/s/ Celeste K. Weilandt  
(As transcribed by MP-3 audio)