

May 21, 2009

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 09-09: 612 Western Avenue (Bellyrub Klub)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.420(C) of the Zoning Ordinance to allow an "Animal Day Care Facility" within the I - Limited Industrial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 4, 2009.

Sue Aikman, 130 S. Charlotte, Lombard presented the petition. Ms. Aikman stated she is the owner of the dog training facility currently located at 710 Hill Avenue. She was here last year and applied for and received a text amendment to allow animal facilities as well as a conditional use for approval to conduct her business. As the business is growing, she now needs to find a larger location. The proposed request is for a conditional use to move into the Western Avenue space and run her business as it exists today. The current location doesn't have the amount of space for the animals that the proposed location does. Also, she would like to request a designated space outdoors for a canine area. This space would be fenced in and have a limited impact on adjacent properties. The dogs' waste will be managed more easily and rather than be walked through the neighborhood, the dogs would have an area to get their exercise and fresh air.

Ms. Aikman then gave the background of the company indicating that along with the training and daycare of the animals, they provide seminars and workshops to educate dog owners. They advocate dog owners being able to keep their dogs in their current homes, so by educating the owners they better understand their animals.

Their business also provides benefits to the animal as well as the dog owner. The overall benefit to the animals is that they learn to socialize, have fun, and play. Younger animals develop motor skills, learn obedience and self-control. Overall, the animals learn how to be good dogs. The benefit to the owner is that their animals are not locked up all day, which eliminates the guilt of having to walk and play with their animals when they get home from work.

Ms. Aikman stated her credentials and indicated that she currently has 3 employees. Retail will be another component of their business – they will carry products for training classes and various customer needs. With the extra space, she anticipates being able to provide additional products and is very excited to have nicer displays as well as increase retail sales. With the anticipation of a larger tenant space, she anticipates hiring an additional two to three employees as she will need the extra help.

Lastly, Ms. Aikman talked about how the industry has grown steadily and anticipated revenues. Animal services have experienced a 6% increase from 2007-2008 despite the economy and decrease in discretionary spending. The National Pet Owners Survey demonstrates the fact that pets are considered part of the family and not only will people sacrifice for their dogs, they are demanding higher-quality products and services in order to treat them like family members. She requested that the Commissioners give her an opportunity to let her business grow and approve the conditional use.

Chairperson Ryan opened the meeting for public comment. There was no one present to speak in favor or against the petition

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff drafted the IDRC report to submit to the public record in its entirety. The Bellyrub Klub is currently utilizing a 2,100 square foot tenant space in a commercial/industrial strip center on Hill Avenue in Lombard. Until last year, the Animal Day Care use was not listed as a permitted or conditional use in the I – Limited Industrial District. However, the Bellyrub Klub filed for (and received) text amendment approval (PC 08-33) to allow the aforementioned use to be listed as a conditional use in the I – Limited Industrial District. Subsequently, the petitioner also received conditional use approval (PC 08-34) to conduct business at their current location.

As their business continues to grow, the Bellyrub Klub is seeking amiable means to accommodate their business. As such, they are petitioning for conditional use approval to inhabit a larger tenant space on the subject property and continue use of their canine training business. Once used as an automobile service/detailing facility, the subject tenant space is 8,512 square feet of warehouse space. From an operational standpoint, the current location does not have an outdoor area for the animals, whereas, the new tenant space has an area on the eastern portion of the building that would be fenced-in to allow the animals to have outside exposure.

The principal function of the subject business is the daytime training and supervision of canines. The typical operation involves customers dropping off dogs in the morning and picking them up in the evening. In addition, they do offer joint classes in the evening with the canine and

respective owner. The Bellyrub Klub also offers a retail component for the sale of associated products.

Staff recommends that a 2,100 square foot cap be placed on the proposed outside canine area. 2,100 square feet would be just under 25% of the floor area of the subject tenant space and would therefore classify the outdoor area as an ancillary function of the business. Also, placing a cap on the size of the outdoor component would limit the number of canines that would be outside at any given time and thus reduce any excessive noise disturbances.

The addition of the outdoor area will limit the impact that the canines will have on the adjacent properties. At the current location, the canines need to be walked outside of the business to manage their waste. As the canines outside exposure will be limited to the designated area, the waste can be more easily managed.

The Comprehensive Plan calls for this area to be developed with light industrial land uses. As there will be waste removal and minimal noise disturbances associated with the presence of the canines, the proposed use could be considered light industrial by nature.

The subject property abuts the Union Pacific Railroad and is also surrounded by light industrial uses on the other three sides. There are single family residences located directly north of the Union Pacific Railroad; however, those residences are not only screened by the railroad itself, but also an eight (8) foot solid wood fence located on the northern portion of the subject property. As such, staff finds the proposed use to be compatible with the surrounding land uses

As the subject tenant space is 8,500 square feet, the business would be required to provide 9 parking spaces. The submitted plan indicates that fourteen (14) parking spaces are provided exclusively for the subject tenant space. There are no handicap accessible parking spaces provided for the subject tenant space. As such, a condition of approval will require the parking spaces to be restriped and one handicap accessible space shall be created from the existing parking stock.

Staff finds that the petition meets the standards for conditional uses; therefore, staff finds that the recommends approval of PC 09-09 subject to the seven conditions noted in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

There were no questions or comments from the Commissioners.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommends to the Corporate Authorities **approval** of the petition associated with PC 09-09 subject to the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRC report.
2. The site shall be developed in accordance with Exhibit A, which precludes that the outdoor canine area shall not exceed 25% of the total floor area of the indoor tenant space.
3. The petitioner shall apply for and receive a Certificate of Occupancy/Zoning Certificate for the proposed use.
4. All dumpsters located on the subject property shall be screened pursuant to Section 155.710 of the Zoning Ordinance.
5. All parking spaces associated with the subject business shall be properly restriped to provide a total of thirteen (13) parking spaces and one (1) handicap accessible space.
6. Caging or boarding of animals shall not be allowed in the outdoor area. The outdoor area shall be reserved as an area where canines can roam freely.
7. The north property line shall be maintained with an eight (8) foot solid fence. The fence shall be maintained in good state of repair at all times.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission