

# VILLAGE OF HOMEWOOD



## BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 25, 2022

**To:** Napoleon Haney, Village Manager

**From:** Angela Mesaros, Director of Economic and Community Development

**Topic:** Text Amendment and Special Use Permit for a veterinary clinic at 18265 Dixie Highway

### PURPOSE

Joe Bernard, Heartland Veterinary Partners, has submitted an application to operate a veterinary clinic at 18265 Dixie Highway. The subject property is zoned B-1, Central Business District. Veterinary Clinics are currently only permitted in the M-1 district. An amendment to the zoning ordinance is necessary to allow a veterinarian clinic at the subject property in the B-1 district. The proposed

amendment is to add this use as a special use. A special use allows the opportunity for the village to consider the impact the proposed use may have upon neighboring lands and the public need for the proposed use at the subject location.



### PROCESS

Heartland Veterinary Partners is in the process of securing a lease for the one-story commercial building at the northeast corner of Dixie Highway and 183<sup>rd</sup> Street. The subject property was previously a video store and is currently in use as 24-hour fitness center.



Subject property looking southeast from 183<sup>rd</sup> & Dixie Hwy.

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The applicant operates Markham Animal Clinic, which opened in the 1970s and partnered with Heartland in 2017. They have outgrown the existing location and wish to relocate to a larger space with better visibility.

At its regular meeting on January 13, 2022, the Homewood Planning & Zoning Commission reviewed the request for a text amendment and special use permit.

In making their recommendations on the text amendment, the Planning & Zoning Commission reviewed the proposed amendment, any oral and written comments received at the public hearing, and the standards set forth below. No one of the standards is controlling.

1. Is the proposed text amendment consistent with the stated goals in the Comprehensive Plan? The proposed amendment is consistent with the Village of Homewood Downtown Master Plan key goal to “*sustain and enhance Downtown Homewood as a regional draw for the South Suburbs.*”
2. Does the proposed text amendment address a particular issue or concern for the Village of Homewood? The Village does not currently have a veterinary clinic and the code currently limits this type of use to the M-1, limited manufacturing district.
3. Will the proposed text amendment impose an unreasonable hardship on existing uses? By designating a veterinary clinic as a special use, the Village can determine whether a proposed business will have adverse impacts on existing uses. The text amendment would not allow kennels.
4. Have major land uses, conditions, or circumstances changed since the original zoning ordinance text was established? Types of uses have changed since the adoption of the zoning ordinance. The Village is in the process of a comprehensive update to the zoning ordinance to reflect those changes. The subject property was originally constructed for video rental, which is no longer a viable use.
5. Is the requested change compatible with the existing uses and development patterns of the community? The purpose of the B-1 district is to allow commercial uses that provide goods and services to the Village as a whole. By designating a veterinary clinic as a special use, the Village may determine whether a proposed business will have adverse impacts on existing uses.
6. Will the proposed change be detrimental to the health, safety, and welfare of the neighborhood or of the village as a whole? The proposed amendment is not anticipated to have an impact on the B-1 zoning district.

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The following standards were considered in the review of the special use request:

1. Is deemed necessary for the public convenience at that location. Veterinary services is a use that is considered a public convenience. Homewood does not currently have a veterinary clinic. According to the petitioner, this location was chosen in part because it is easily commutable to the current staff –the managing veterinarian lives within blocks of the subject property and recognizes a community need for veterinary services.
2. Is not detrimental to the economic welfare of the community. The veterinary clinic would be considered complementary to retail and dining uses and contribute to the economic base of the community. The managing veterinarian of the practice is a Homewood resident and Heartland Partners plans to be an engaged and active participant in the Homewood community through working with the schools, hosting events, etc.
3. Will be consistent with the goals and policies of the Comprehensive Plan. The Comprehensive Plan specifically states that 183<sup>rd</sup> Street will become a major east/west entryway into the Village to allow for access-way to downtown Homewood. This property is at a gateway to downtown Homewood. The proposed veterinary clinic is a business that will bring customers to downtown.
4. Is so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected. This use is in close proximity to downtown Homewood at the corner of two arterial streets – 183<sup>rd</sup> Street (major arterial) and Dixie Highway (minor arterial). This location is considered a gateway to downtown.
5. Is a suitable use of the property and, without the special use, the property will be substantially diminished in value. The petitioner chose downtown Homewood as their location in part due to the Village's active and strong financial investments in downtown. They plan to make a long-term commitment to the community.
6. Will not cause substantial injury to the value of other property in the neighborhood in which it is located. The proposed facility is located within an existing commercial building. The clinic will not operate a kennel and outside activities would be limited.
7. Will be consistent with the uses and community character of the neighborhood surrounding the parcel. The proposed use is adjacent to other commercial uses to the south, west, and north along 183<sup>rd</sup> Street and Dixie Highway.
8. Will not be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district. The proposed use is not expected to generate excessive noise, vibration, light, or other factors that would disrupt adjacent

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properties. Dixie Highway and 183<sup>rd</sup> Street are classified as arterial streets and therefore anticipate the expected traffic volumes.

9. Will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district. The area is developed.
10. Provides adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets. Adequate access is provided from 183<sup>rd</sup> Street and Dixie Highway. The facility meets the parking requirements.
11. Is served by adequate utilities, drainage, road access, public safety and other necessary facilities. The area is developed and currently served by adequate utilities.
12. Will not substantially adversely affect one (1) or more historical, archeological, cultural, natural or scenic resources located on the parcel or surrounding properties.

The Planning & Zoning Commission, with all (seven) members present, unanimously recommended approval of a special use permit and zoning variation.

### OUTCOME

After consideration of public testimony, the following Findings of Fact (as proposed or amended) by the standards set forth in Section 2.16 may be entered into the record:

1. The subject property is located at 18265 Dixie Highway
2. The subject property is owned by Keith A Hoogland, KAH IV, LLC;
3. Heartland Veterinary Partners proposes to operate a veterinary clinic at the subject location;
4. The property is currently zoned B-1/ Central Business District;
5. A veterinarian clinic is not a permitted or special use in the B-1, Central Business District;
6. The building is currently in operation as a 24-hour fitness use; and
7. Section 2.15 of the Homewood Zoning Ordinance states that any person having a right of ownership in any property in the Village may propose amendments to the zoning text.

Approval of the text amendment and special use allows a new business to open that will provide a service to the area. This location was chosen in part due to the community need for veterinary services. The managing veterinarian is a Homewood resident and plans to make a long-term commitment to the community.

### FINANCIAL IMPACT

**Funding Source:** No Financial Impact

- **Budgeted Amount:** N/A
- **Cost:** N/A

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### **LEGAL REVIEW**

Completed

### **RECOMMENDED BOARD ACTION**

Pass an ordinance amending the Homewood Zoning Ordinance to allow operation of a veterinary clinic as a special use in the B-1 Zoning District; and an ordinance granting a special use permit to allow operation of a veterinary clinic at 18265 Dixie Highway in Homewood.

### **ATTACHMENT(S)**

Ordinances