



TO: The Honorable Mayor and City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: August 10, 2021

SUBJECT: Petition of Dave Snell for a Special Use to allow for outdoor dog runs/play/exercise area on property located at 1090 N. Main Street.

BACKGROUND: The proposal here is to allow for outdoor dog runs/play/exercise area to accommodate a new doggy daycare/pet boarding operation within the building. The petitioner tells staff that for the most part, the dogs have limited outdoor activity with the greatest percentage of activity occurring indoors at their other facilities. They expect the same activity mix here.

Given the distances between this proposed use and others, as well as the topography in the immediate vicinity, negative impacts of the proposed use are anticipated to be very minimal. No neighbors attended the meeting to object. One neighboring business owner, Dr. Ray Ramirez, did attend and provided his support to the proposal. The business doesn't plan to open until sometime mid-next year.

At its meeting, the ZBA voted 5-0 to recommend the approval of the proposed Special Use. Given the nature of the operation and the testimony provided, staff believes it would be prudent to limit outdoor operation of the play area to between 6:30am and 10pm.

RECOMMENDATION: Approval, as presented with the condition of hours of operation.

ORDINANCE NO. 4586

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 1090 N. MAIN STREET
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Dave Snell, doing business as Camp Bow Wow (the "Petitioner"), has petitioned for a special use to allow the siting of a dog daycare and pet boarding business on property zoned "B-3, Business Service District" and located at 1090 N. Main Street, as shown and described at "Exhibit A" attached hereto and incorporated herein by reference (which property as so described hereinafter referred to as the "Property"); and

WHEREAS, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Special Use subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. A Special Use to allow the siting of a dog daycare and pet boarding business on the Property is hereby approved.

Section 2. The establishment and continuation of the special use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. Petitioner shall establish the Special Use approved by this ordinance in accordance with a site plan (the "Site Plan") prepared and submitted by the Petitioner, attached hereto as Exhibit B and incorporated by reference.
2. Petitioner shall install the retaining wall and other outdoor facilities in accordance with the Site Plan for the Property (Exhibit B) prior to initiating business operations on the Property.
3. Dogs and other pets shall not be allowed in the outside areas of the Property unattended between the hours of 10:00 p.m. and 6:30 a.m.
4. The retaining wall, fencing, and other improvements authorized or required by this Ordinance shall be continuously maintained after completion in accordance with the Site Plan.

Upon the violation of or failure to comply with the forgoing conditions or with any provisions of the City Code applicable to the Property or its use, the City Council may,

after providing reasonable notice and an opportunity for a hearing, terminate the Special Use hereby approved.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use for 1090 N. Main Street

Dave Snell
1090 Main St.
Case 21-SU-25

Exhibit "A"

Legal Description: 01-01-28-401-010



