#### **MEETING AGENDA**



**Planning and Zoning Meeting** 

Village of Homewood October 12, 2023

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Commission Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to <a href="mailto:pzc@homewoodil.gov">pzc@homewoodil.gov</a> or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Commission members prior to the meeting.

#### Please see last page of agenda for virtual meeting information.

- 1. Call to Order
- 2. Roll Call
- 3. Minutes:

Approve minutes from the September 14, 2023 Planning and Zoning meeting.

- 4. Public Comments
- 5. Regular Business:
  - A. Case 23-27: Special Use Permit for Indoor Cycling and Fitness Center at 18203 Dixie Highway.
  - B. Case 23-28: Zoning Variance to Parking Requirements to operate a restaurant at 810 Maple Avenue.
  - C. Case 23-29: Special Use for a salon at 18350 Kedzie Avenue, Suite 202.
- 6. Old Business:
- 7. New Business:
- 8. <u>Adjourn</u>

The public is invited to the meeting using the link below to join Webinar: https://us06web.zoom.us/j/99184811606?pwd=UkU5TjBQcityOTd0QXkxektpaGRYdz09

To listen to the Meeting via phone: Dial: 1-312-626-6799 Webinar ID: 991 8481 1606 Passcode: 573812

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#### VILLAGE OF HOMEWOOD



#### **MEETING MINUTES**

DATE OF MEETING: September 14, 2023

PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room 2020 Chestnut Street Homewood, IL 60430

#### **CALL TO ORDER:**

Chair Sierzega called the meeting to order at 7:00 p.m.

#### **ROLL CALL:**

In attendance were Members Alfonso, Bransky, Cap, Castaneda, Johnson, O'Brien, and Chairman Sierzega. Present from the Village was Staff Liaison Angela Mesaros. There were approximately 25 people in the audience. The public was able to watch and listen to the meeting via Zoom webinar.

#### **APPROVAL OF MEETING MINUTES:**

Chair Sierzega asked if there were any changes or corrections to the minutes of August 10, 2023. Member Cap stated that page 5, last paragraph, "nameplate generation capacity," should explicitly say "DDS" is going to own the equipment. Member Castaneda had corrections: page 3, second sentence main environmental... of all industrial emissions; page 5, "he did not know answers to that offhand"; and page 6 "he stated it must be disconnected manually."

Member O'Brien moved to approve the minutes as corrected; seconded by Member Castaneda.

AYES: Members Bransky, Cap, Castaneda, O'Brien, Johnson, Chair Sierzega

NAYS: None

**ABSTENTIONS: Alfonso** 

ABSENT: None

#### **REGULAR BUSINESS:**

#### CASE 23-26: Special Use Permit for a Tattoo Studio/Body Piercing Facility at 18661 Dixie Highway

Chair Sierzega read the description of the case and swore in the applicant, Robert Garrity, 18337 Perth, Homewood. Mr. Garrity presented his case.

Ms. Mesaros stated that she had received at least 52 emails in support of this application.

Mr. Garrity stated that he is moving his business from Calumet City to Homewood. He grew up in Homewood and has always wanted to have his business here, to be part of the community and closer to home. He just moved his business out of 621 Vernon in Calumet City where he had been for 26 years. He shared some of his contributions to the community in Homewood – he painted the basement of Lassens, signs at the HF ice rink and donated to baseball teams.

Last Revised: 10/05/2023

Chair Sierzega asked if he would be the only one working in the studio. Mr. Garrity said currently, yes, but he might use other artists in the future.

Chair Sierzega asked how large the studio is. Mr. Garrity stated 1,250 square feet.

Chair Sierzega asked about the number of customers daily. Mr. Garrity stated tattoos are one-on-one, and one tattoo can take many hours to do at a time. Piercings can be 2-3 people at one time.

Member O'Brien stated that when he measures the dimensions of the space provided in the application, he comes up with about 1,036 square feet. This might be because the area in the back of the alley is not reflected on the site plan. Mr. Garrity stated that he got as much of the space as he could from the measurements taken inside and working off the old drawing. Member O'Brien stated that the space to the north (on the survey) must be the missing interior space.

Member Johnson stated that looking at the lease, Mr. Garrity has one year with an option for five years. Is he planning to stay? Mr. Garrity stated yes, that is a good question. He is starting off with a year and see where it goes. He hopes to remain here for a long time.

Chair Sierzega stated that Mr. Garrity has been trying to move his business to Homewood for many years.

Member Castaneda asked about waste disposal. Mr. Garrity stated that he is using the same waste management contract for biohazards as his previous business.

Member Cap had no questions.

Member Bransky stated that this business is a welcome addition to Southgate. He can tell from all the emails that it is a stable business.

Member Alfonso wished Mr. Garrity congratulations and said that he has a lot of support here based on the emails and comments about how clean and nice his place is. She has never seen anything like it. It is good that the Village now has a district to support this business.

Chair Sierzega asked about the hours of operation. Mr. Garrity stated Tuesday through Saturday, noon to 9 p.m.

Chair Sierzega asked how many customers were estimated per day. Mr. Garrity stated one to twelve on average. The average time it takes a tattoo is 30 minutes to 30 hours; 1-3 hours is an average sitting.

Chair Sierzega asked if anyone in the audience had any questions. There were no questions from the audience.

Member O'Brien moved to recommend approval of Case 23-26 to grant a special use for a tattoo studio and body piercing facility, Ink N Um, at 18661 Dixie Highway. Seconded by Member Bransky.

AYES: Members Alfonso, Bransky, Cap, Castaneda, Johnson, O'Brien, and Chairman Sierzega

NAYS: None

ABSTENTIONS: None ABSENT: None

#### **OLD BUSINESS:**

None

#### **ADJOURN:**

Meeting Minutes | September 14, 2023

Last Revised: 10/05/2023

Member O'Brien moved to adjourn the meeting; Member Cap seconded. All members voted in favor. The meeting adjourned at 7:23 p.m.

Respectfully submitted,

#### **Angela Mesaros**

Director of Economic and Community Development

Last Revised: 10/05/2023

#### **VILLAGE OF HOMEWOOD**



#### MEMORANDUM DATE OF MEETING: October 12, 2023

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 23-27: Special Use Permit for Indoor Cycling and Fitness Center

#### **APPLICATION INFORMATION**

APPLICANT	Tashyna Wells
ACTION	Special Use Permit for Indoor Cycling
REQUESTED	and Fitness Center
ADDRESS	18203 Dixie Highway, Homewood, IL,
ADDRESS	60430
PIN	29-31-409-056-0000



#### **ZONING & LAND USE**

SUBJECT PROPERTY		ZONING	LAND USE
PROPOSED		B-2 Downtown Transition	Vacant, formerly Dentist Office (Medical Office)
		B-2 Downtown Transition	Indoor Cycling/Fitness Center (Place of Assembly, Indoor Commercial)
SURROUNDING N:		B-2 Downtown Transition	Multi-Tenant Commercial Center
	E:	R-2 Single-Family Residential	Single-Family Residential
S:		B-2 Downtown Transition	Retail, Less than 5,000 sq. ft.
	W:	B-2 Downtown Transition	Church (Place of Assembly, Indoor Non- Commercial)

#### **LEGAL NOTICE**

Legal notice was published in *Daily Southtown* on September 22, 2023; letters were sent to property owners and residents within 250'.

#### **DOCUMENTS FOR REVIEW**

Title	Pages	Prepared by	Date
Application	2	Tashyna Willis	08/29/2023
Response to Standards for "Special Use"	2	Tashyna Willis	08/29/2023
Project Narrative	2	Tashyna Willis	08/29/2023
Conceptual Floor Plan	1	Tashyna Willis	07/26/2023

Landlord Approval	1	David Albrecht	09/11/2023
Staff Exhibits	1	Noah Schumerth, Asst. Director Econ./Comm Dev.	10/05/2023

#### **BACKGROUND/PROJECT SUMMARY**

The applicant, Tashyna Willis, is requesting a Special Use Permit to operate an indoor cycling and fitness center at 18203 Dixie Highway. The location is a vacant tenant space (2,713 sq. ft.) previously occupied by a dental practice and neighbored by a restaurant and a professional office. The space is classified as a tenant within an existing *multi-tenant shopping center*, as defined in the 2023 Zoning Ordinance:

"a group of 3 or more commercial establishments, including but not limited to restaurant, personal services, professional office, and retail uses; planned, constructed, and co-located on a single site. Multi-tenant shopping centers contain individual tenant spaces for each commercial establishment that have a separate exterior entrance and are separated by a party wall. Offstreet parking provided on-site is often shared between the uses located on the site."

The indoor cycling and fitness center use proposed by the applicant is categorized as a *place of assembly (indoor commercial)*, as defined in the 2023 Zoning Ordinance:

"...an enclosed building wherein individuals or groups of people gather for an attraction or service used for commercial purposes, such as but not limited to, recreation establishment, theaters, ice rinks, art galleries, live performance theaters, learning centers, clubs or lodges, exhibit halls and experiential retail where merchandise for sale is accessory to the principal use as a gathering place structured around an activity including, but not limited to, art, live music, or visual displays."

According to the narrative and the Special Use Permit response sheet provided by the applicant, the proposed use includes a cycling fitness facility with a weight room and other supporting facilities. The peak usage hours would be early morning and early evening, to support class availability for working patrons.

#### **HISTORY**

The subject property is a 1.13-acre parcel with a single multi-tenant structure. The structure has a net floor area of 19,540 square feet and was constructed in 1967. The structure has six tenant spaces which have seen significant turnover in the past several years. The existing tenant mix in the building includes a restaurant, two professional offices, and a child care center.

A previous Special Use Permit for the operation of a salon/spa use was approved by the Village Board in January 2023.

#### **DISCUSSION**

The proposed "indoor cycling and fitness center" use is in an existing multi-tenant commercial building located on Dixie Highway. The use, classified as a *place of assembly, indoor commercial* in the Village Zoning Ordinance, requires a Special Use Permit before any additional permits for construction or operation of the proposed use.

A Special Use Permit evaluates a new use against the use-specific requirements set forth in Section 44-04 of the Village Zoning Ordinance. Additionally, the Special Use provides opportunities for the careful evaluation of local conditions to ensure that the use does not adversely harm the health, safety, or public welfare of the community, and that the use is aligned with planning goals and plans adopted by the Village government. The Village may impose conditions or restrictions that mitigate any potential negative impact and assist the proposed use in meeting the special use standards as set forth in the Village Zoning Ordinance.

#### <u>Use-Specific Regulations</u>

The Special Use Permit must be evaluated against use-specific regulations set forth in Section 44-04 of the Village Zoning Ordinance. Uses classified as *Places of Assembly, Indoor Commercial* must adhere to the Place of Assembly Use Standards set forth in Section 44-04-04(B) of the Village Zoning Ordinance. This section primarily requires the evaluation of places of assembly (commercial and non-commercial) to ensure the mitigation of potential impacts on surrounding properties and zones.

According to Section 44-04-04(B) of the Village Zoning Ordinance, all indoor *places of assembly* shall be located on an arterial or collector roadway. This property is located on Dixie Highway, classified as a Minor Arterial. The roadway serves as a primary north-south route through the community and is capable of supporting uses with greater intensity of traffic, noise, or other potential externalities. Per local use-specific regulations, the subject site is deemed to be suitable for the proposed use.

#### **Special Use Standards Analysis**

The applicant has cited that there will be no significant additions to noise, nor the creation of any additional externalities from the property. Per staff analysis, the proposed use will have few impacts on surrounding properties due to noise, dust, storm water runoff, glare, light, or other externalities which may affect properties neighboring commercial uses. The proposed use is consistent with both the 1999 Comprehensive Plan and the 2005 Downtown Master Plan.

The primary impact will be the addition of parking demand on the site with the replacement of a vacant site with a new assembly use. This impact is projected by the applicant to be concentrated at peak times (early morning and early evening) due to the intermittent nature of a health and fitness facility such as the one proposed. The subject site currently has 62 parking spaces shared by all tenants. These spaces are located in a side parking lot adjacent to the building. The proposed *place of assembly (indoor commercial)* use requires the provision of a minimum of 1 parking space per 300 sq. ft. of gross floor area (GFA). Under the current Zoning Ordinance adopted in early 2023, the entire building has parking requirements based on its multi-tenant commercial center use, which is also 1 off-street parking space per 300 sq. ft. GFA. The 19,540-square-foot building on the subject site requires 65 parking spaces. There are currently three (3) fewer parking spaces on the site than required by the Zoning Ordinance.

The Zoning Ordinance provides relief from parking requirements. Relief may be provided without administrative approval for structures with new uses that do not increase the total requirement for off-street parking by greater than 50%. According to Section 44-05-01.4.b:

"Notwithstanding subsection 44-05-01(a)(3) and subsection 44-05-01(a)(4), no building or structure existing on the effective date of the ordinance from which this chapter is derived shall be required to provide any additional parking spaces unless and until the aggregate increase in

the required number of spaces shall be greater than 50 percent of the spaces existing on the effective date of the ordinance from which this chapter is derived."

The proposed use will not alter the total gross square footage of the building area, nor require any substantial changes in footage or exterior improvements. The total parking requirement for the site has increased by approximately 17%, which meets the required parking.

The staff has evaluated surrounding parking conditions to determine the suitability of the site for the additional parking demand. A range of on-street parking spaces are available for use by tenants of the building on the subject site. Within 300', 25 on-street parking spaces are available for use throughout the day.

While not all on-street spaces may be available at any given time to support the new use, the peak hours of operation for the six uses within the building on the subject site vary, and this variety continues throughout the surrounding business area on Dixie Highway. Businesses include restaurants, retail, and office uses, in addition to places of worship and institutional uses. The peak hours of the proposed cycling and fitness center are unlikely to overlap with peak business hours for neighboring uses and are not determined to have an adverse effect on available parking for other businesses in the area.

Additionally, transit services are available in the vicinity of the proposed, including a Pace bus stop and the central transit center within a ¼ mile from the subject site. Pedestrian access from other areas within the Homewood central business district and surrounding residential areas, provides further opportunities for reducing total parking demand from the proposed use.

Staff has found that the parking on the site is sufficient and adequate to meet the needs of the proposed use requiring a Special Use Permit.

#### **STAFF COMMENTS**

The following additional comments are provided:

- 1. The *multi-tenant commercial center* is held under common ownership on a single parcel. Therefore, no consolidation of parcels or adjustments to the subject property boundaries is required prior to the approval of a Special Use Permit.
- No new construction is required to support the proposed cycling and fitness gym use. No
  additional square footage, nor additional parking or site landscaping, is to be provided in
  conjunction with this project. Therefore, no additional Site Plan Review or Planned Development
  Review is required concurrent with this Special Use Permit application.
- 3. No exterior building alterations are required to support the proposed use. Therefore, no Appearance Review or Appearance Board action is required concurrent with this Special Use Permit application.
- 4. Any new signage designed to support the proposed use will require additional permitting through the Village Building Division.
- 5. If approved, the Special Use Permit shall expire if the proposed use is not occupied within one year of the Village Board approval date, per Section 44-07-11.F of the Village Zoning Ordinance.

#### FINDINGS OF FACT

The staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-11 of the Village Zoning Ordinance. The findings of fact, as proposed or as amended, may be entered into the record.

- 1. The subject property at 18203 Dixie Highway is zoned B-2 (Downtown Transition).
- 2. The applicant, Tashyna Wells, is the business owner, and the property owner, David Albrecht, has consented to the application.
- 3. The proposed use, cited by the applicant as an "indoor cycling and fitness center," is classified as a *place of assembly, indoor commercial* per definitions set forth in Section 44-09 of the Village Zoning Ordinance.
- 4. The applicant, Tashyna Wells, has requested a Special Use Permit in the B-2 zoning district to operate the *place of assembly, indoor commercial* use, as required per Table 44-03-04 of the Village Zoning Ordinance.
- 5. The proposed use will use a vacant tenant space totaling 2,173 square feet in gross floor area in an existing building.
- 6. The applicant has not proposed additions to the gross floor area, nor modifications to the site layout or exterior of the existing building.
- 7. The applicant meets the required use-specific standards for the proposed use, per Section 44-04-04. A of the Village Zoning Ordinance, which requires *places of assembly, indoor commercial,* to be located on an arterial or collector roadway in order to support uses that may create additional impacts to noise or peak traffic conditions.
- 8. The proposed use is located within a *multi-tenant shopping center*; 65 spaces are required for the 19,540 sq. ft. building.
- 9. The subject site has 62 parking spaces. The use is in compliance with off-street parking requirements per Section 44-05-01 of the Village Zoning Ordinance, which allows additional parking to be waived for existing structures.

#### **RECOMMENDED PLANNING & ZONING COMMISSION ACTION**

If the Commission finds that the request meets the standards for special use, the Planning and Zoning Commission may consider the following motion:

Recommend approval of Case 23-27 to grant a Special Use Permit for a *Place of Assembly, Indoor Commercial* in the B-2 Downtown Transition Zone for "XFA Cycling and Fitness Center" at 18203 Dixie Highway; and

Incorporate findings of fact into the record.

Item 5. A.

PIN: 29-31-409-056

Case 23-27 PZC

October 12,



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**Prepared by**: Noah Schumerth, Assistant Director of Community and Economic Development

PIN: 29-31-409-056

Case 23-27 PZC

October 12,

Item 5. A.





# NON-RESIDENTIAL ZONING REVIEW

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION	
Street Address: 18207 DIXIE HIGHWAY Home	wood, IL 60430 Complete this section to determine your required review(s):
Property Index Number(s):  Lot Size: 2,173 sq. ft. acres  If the subject property is multiple lots, provide the combined area.	Is the subject property more than one lot held in common ownership?  □ yes               □ yes, lots held in common ownership should be consolidated
Zoning District:  □ R-1 □ R-2 □ R-3 □ R-4 □ B-1 ⋈ B-2 □ B-3 □ B-4 □ M-1 □ M-2	A Planned Development is <u>required</u> for development of lots >25,000 sf <u>or</u> located in the B-1 or B-2 Zoning Districts.
REQUESTED USE	_
Requested INDOOR CYCLING AND FITNESS CENTER Use:	The requested use is:  □ Permitted □ Limited
Gross Floor Area: 2,173 sq. ft. Parking Provided:	■ Special
Existing Use: DENTALOFFICE	□ Other:
SITE OR BUILDING CHANGES	
Existing Development: DENTAL OFFICE	New construction? □ yes ★no → If yes, requires Site Plan Review
Proposed Development Check all that apply. Provide a description and	
□ New Construction □ Addition   Site Alterations □ Exterior Build	Floor area increase is 20% or more?
	Does the applicant elect to proceed as a Planned Development?
	Is site circulation or parking impacted?
<b>Development Metrics</b> Existing Pr	□ yes ★ no  ⇒ If yes, requires Site Plan Review
Gross Floor Area (sq. ft): 2,173	2,173
Parking Spaces	Is site landscaping impacted? □ yes ⋈ no
Lot Coverage	→ If yes, requires Site Plan Review
Impervious Area (sq. ft.)	Exterior building alterations?
Impervious Coverage (%) 0.0%	
ONING RELIEF OR CHANGES	
Zoning Variance or Amendment Describe any requested zoning relief o	r changes below. The applicant requests:
REQUESTING A SPECIAL USE PERMIT	□ Variance
	□ Administrative Exception
	□ Zoning Text Amendment

□ Zoning Map Amendment

Name Company	TASHYNA WILL	10			ERTY OWN		
Company				Name	DAVID	ALBRECHT	
	XFA CYCLING	& FITNESS	CENTER	Comp	any		
Address				Addre	ss		
Phone				Phone			
Email				Email			
Role	MEMBER				eck box if the	applicant is the p	property owner
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	information and ex						
» village	erepresentatives are ation;	e permittea ti	o make reasor	nable inspections of	tne subject	property necess	sary to process this
	to pay all required	fees;					aut
» No wo	rk may be done wit	hout first obt	aining a Build	ing Permit. All work	shall be con	npleted in accor	dance with Village Codes
and Or	dinances.						
				1.	44.		
	NA N WILLIS			Shyna Wil	lis		08/29/2023
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CASE	NO:	REQUEST:					
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This ann	lication has zoning	annrovals and	may proceed	d to obtain Ruilding	Permits or a	Certificate of O	ccupancy

Signature: \_\_\_



415 W 119th ST Chicago, IL 60619

www.xfatazz.com

X-Fat Azz (XFA) Cycling & Fitness Compound was established in February of 2019 by Jimmie Taylor, Jr. XFA, acronyms for X-Fat Azz, was created to promote health and wellness via cycling as a party. The compound started in a small space of 900 sq. ft with 15 bikes and has grown into a new building of 2200 sq. ft with 115 bikes with over 20 classes per week. XFA offers various levels of instructional classes 7 days a week with a variety of experienced instructors.



The journey to XFA began when Jimmie found himself in a space where obesity was consuming his life. A doctors visit that made mention of diabetes and high blood pressure along with sleep apnea changed his life forever. Jimmie began working on his weight loss with walking at various parks and high school tracks and changing his diet which caused a 47lbs weight loss. He decided to take his journey up a notch and began working out a XSport Fitness in Chicago Ridge where he stumbled across an indoor cycling class. Being apprehensive at first, Jimmie took the class but sat in the very back of the class. After enjoying many classes, he slowly worked his way to the front of the class and then began assisting the instructor with the class and being a support person for other riders. The love of the indoor cycling bike began, and he lost an additional 65lbs taking classes at XSport.

Deciding that he wanted to showcase his skills and impact a wide variety of people in his own way, he decided to open up XFA. Jimmie purchased the property at 415 W 119<sup>th</sup> St and began to build his vision. The vision started with a small space servicing clients with himself and one other instructor. Over the next 2 years, the small space had to grow to accommodate the number of people who had also fallen in love with cycling. Jimmie built a new space which is known as "The Compound", hired several instructors, increased the number of classes daily, and decided to have the doors open 7 days week. The space is known for family



and love. Taking classes does not feel like a workout, but more of a party on a bike. XFA not only offers a True Beginners Class, Intermediate Classes, Ultimate Classes but also protein shakes, apparel, and cycling shoes.

XFA has taken cycling to another level in Illinois with sprinting on a bike, 2-stepping on a bike, as well squatting on a bike. Come join us for an hour of power, fun, and a great workout in the True Beginners class, intermediate class, or the Ultimate Party Ride class!

#### Social media accounts:

https://www.facebook.com/jimmie.taylor.52012 (xfatazz xfatazz) https://www.instagram.com/xfatazz xfatazz/

PROPOSED HOURS OF OPERATIONS

MONDAY - FRIDAY: 6:00AM - 10:00AM AND 5:00PM - 9:00PM

SATURDAY AND SUNDAY: 6:00AM - 2:00PM

Class Size: 25



## STANDARDS FOR: SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

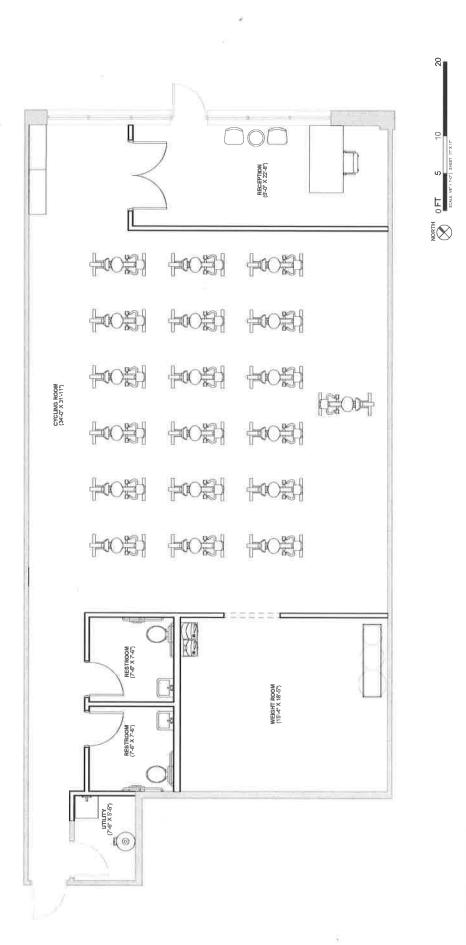
	Address:	18207 DIXIE HIGHWAY	Homewood, IL 60430		
Reques	sted Use:	COMMERCIAL PLACE OF ASSEMBLY		Area:	2,173 sq. ft.
	ss Name:	XFA CYCLING & FITNESS COMPOUND			
Applica	int Name:	TASHYNA WILLIS		Date:	08/29/2023
Provide r	esponses	to each question below using complete senter	nces and specific to the proposed b	usiness (	and selected location.
		Zoning Commission and Village Board shall co	, - , ,		
		lication. No one is controlling.			·
1.		ecial use deemed necessary for the public co why this location is best-suited for your busin			guil l
		DCATION IS BEST BECAUSE THERE IS N		FACILIT	Y FITHIN
	THE AR	REA. IT WILL BRING ECONOMIC GROW			
	PATRO	NS TO NEIGHBORING BUSINESSES			
2.	Is the spe	ecial use detrimental to the economic welfar	e of the community?		
		ousiness have a negative impact on other bus			
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2	VAZIII ele o		- lister of the Community Dis-		
3.		special use be consistent with the goals and place of the soul of	·		
	YES	, , , , , , , , , , , , , , , , , , , ,			
4.		ecial use so designed, located, and proposed	to be operated, that the public he	alth, saf	ety, and
		vill be protected? any negative impacts, external to your busine	ess that may result from it operation	na at thi	slocation
		BLIC HEALTH, SAFETY, AND WELFARE		-	
	CYCLIN	IG STUDIO WILL PROMOTE HEALTH AN	D WELLNESS TO THE COMMU	NITY	
5.		ecial use a suitable use of the property, and v	vill the property will be substantia	lly dimin	ished in
		hout the special use? why your business is best-suited for your this	proportu		
		OPERTY FITS WELL WITH WHAT WE N		DACE T	0
		IMODATE THE STATIONARY CYCLING E			

	Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?  Will your business decrease the value of other properties?  NO				
- 1					
	Will the special use be consistent with the uses and community character of the neighborhood surrounding				
	the property?				
	Describe how your business is compatible with its neighbors.				
	YES				
	Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?				
	Describe any negative impacts, external to your business, that may result from it operating at this location.				
	NO NEGATIVE IMPACT				
	Will the special use impede the normal and orderly development and improvement of surrounding				
•	properties for uses permitted in the zoning district?				
	Describe any negative impacts, external to your business, that may result from it operating at this location.				
	NO				
0.	Does the special use provide adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?  Describe how will customers get to and from your business.				
	YES. WE ONLY OPERATE DURING HOURS OF CLASS TIMES, WHICH WILL BE EARLY				
	MONRING AND EVENING				
1					
	Is the special use served by adequate utilities, drainage, road access, public safety and other necessary				
	facilities?				
	A new business going into an existing development, may answer 'no.'				
	NO				
2	Will the special use substantially adversely affect one or more historical, archaeological, cultural, natural or				
۷.	scenic resources located on the parcel or surrounding properties?				
	A new business going into an existing development, may answer 'no.'				
	NO				



LIFESTUDIO

07/26/2023



HIGNEST NAME

CONCEPTUAL FLOOR PLAN

XFA HOMEWOOD

O1.23.020

18203 DIXIE HIGHWAY | HOMEWOOD, IL

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#### **SHORTBAR**



September 11, 2023

Village of Homewood Planning and Zoning Commission 2020 Chestnut Road Homewood, IL 60430

Chairman Sierzega and the Commission:

I am the managing member of Shortbar, which operates 18201-18209 Dixie (PIN 29-31-409-056-0000) on behalf of Unchecked Capital, LLC. The building is the six-unit commercial strip center located across Dixie Highway from St. Paul's Community Church, zoned B-2 "Downtown Transition".

We are requesting the committee recommend special use authorization for XFA Fitness, a high-intensity fitness/cycling gym, at 18203 Dixie Highway. The gym is an "Indoor Commercial Place of Assembly" less than 5,000 square feet, which requires special use authorization in B-2.

Jimmy and TaShyna, the owner/operators, live in Orland Park and opened their first location on Chicago's South Side, not far from where Jimmy grew up. It's an inspiring story—an entrepreneur, Jimmy was 50+ pounds overweight but after taking up cycling, found it so effective for weight loss, that he decided to open a commercial gym to help others get into shape. I visited their "complex", a short walk from the Stewart Ridge Metra stop in Chicago, and couldn't help noticing not just the commercial potential—wall-to-wall classes of 50+ cyclists—but what nice people they are. Speaking as the son of a clinical dietitian, this is a much-needed business that could do a lot of good for peoples' health if it opened.

In terms of zoning, there's hardly a better use for B-2 than a gym—a moderate-intensity use ideally situated close to/within a residential neighborhood, on the commute corridor between home and work (similar to a bank branch). The location couldn't be better—close to where people live, and also, just a short hop (0.3 miles) to the Metra Electric train station. Want to hit the gym before or after work?

In summary:

- 1. XFA's use is compatible with the overall standards and intent of the B-2 district ("to accommodate the variety of residential and nonresidential uses on the periphery of the downtown core", HMC Sec. 44-02-02);
- 2. The business offers major health benefits, and no comparable business (cycle gym) is operating in the area; and
- 3. Jimmy and TaShyna, and their business, XFA, would make a great addition to the community.

We respectfully request, and encourage, the Planning and Zoning Commission to authorize XFA Cycling and/or its owners, Jimmy Taylor and TaShyna Willis, to commence operation at 18203 Dixie Highway, without delay.

Thank you for your kind consideration in this matter.

David albricht

---6C9E39A97907474...

David Albrecht

Managing Member, Shortbar (manager of 18201-18209 Dixie)

#### **VILLAGE OF HOMEWOOD**



#### MEMORANDUM DATE OF MEETING: October 12, 2023

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Community and Economic Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 23-28

#### **APPLICATION INFORMATION**

APPLICANT	Emad Abed
ACTION REQUESTED	Variance for a Fast Casual Carry Out Restaurant
ADDRESS	810 Maple Avenue, Unit C, Homewood, IL, 60430
PIN	29-32-200-022

#### **ZONING & LAND USE**

SUBJECT PROPERTY CURRENT		ZONING	LAND USE
		B-4 Shopping Center	Vacant
PROPOSED B-4 Shopping Center Carry Ou		Carry Out Restaurant	
		B-4 Shopping Center	Planned Unit Development (Kohl's)
	E:	B-4 Shopping Center	Carry-Out Restaurant (McDonald's)
	S:	B-4 Shopping Center	Multi-Tenant Commercial Center
		B-4 Shopping Center	Professional Office (Special Olympics)

#### **LEGAL NOTICE**

Legal notice was published in *Daily Southtown* on September 22, 2023; letters were sent to property owners and residents within 250'.

#### **DOCUMENTS FOR REVIEW**

Title	Pages	Prepared by	Date
Staff Exhibits	2	Noah Schumerth, Asst. Dir. ECD	10/06/2023
Application Form	2	Emad Abed	09/05/2023
Responses to Standards for Variance	1	Emad Abed/Mohammad Majid	09/05/2023
Conceptual Floor Plan	1	Harold Beron Design	08/11/2023
Conceptual Site Plan	1	Harold Beron Design	08/11/2023
Previous Approved Variance Ordinance	3	Chris Cummings, Village Attorney	09/13/2022

#### **BACKGROUND**

The applicants, Emad Abed and Mohammad Majid, are requesting a Variance to modify parking requirements for operation of a carry-out restaurant at 810 Maple Avenue. The building is currently fitted for two commercial retail spaces, and the applicants are proposing the creation of a third tenant space for a "fast casual carry-out restaurant." The building was previously occupied by a tire retail and vehicle service facility, and was split into two commercial/retail tenant spaces following the approval of the Site Plan Review and Variance cases presented before the Planning and Zoning Commission in August 2022. The proposed use is classified as a *carry-out facility*, as defined in the Village Zoning Ordinance:

"...a business which sells food or beverages to the consumer in a ready-to-consume state and whose operation includes serving food or beverages in paper, plastic, or other disposable containers, and does not include associated seating for dining on the premises."

#### **HISTORY**

Year	Approval/Planning Action
Pre-1975	The site was originally a part of the Washington Park racetrack. The racetrack
	structure was lost to fire damage in the late 1970s.
January 1984	The property was developed as a multi-tenant building for DeRe Goodyear Tire
	and Harley-Davidson.
August 1997	The Planning and Zoning Commission approved Case 97-36, for approval of a
	Special Use Permit to operate a car repair facility in the multi-tenant building.
	The building is consolidated into a single tire and car repair facility, with Harley
	Davidson vacating the building.
August 2004	The Planning and Zoning Commission approved Case 04-26, allowing façade
	improvements to the existing car repair facility on the site. The car repair
	facility was rebranded to Discount Tire.
August 2022	The Planning and Zoning Commission approved Case 22-23, including a Site
	Plan Review of plans for splitting the single building on the property into two
	commercial/retail tenant spaces. The Planning and Zoning Commission
	approved a concurrent Variance (Case 22-24), approving a reduction in
	required parking spaces for the two-tenant building from 46 to 28 spaces.
September 2022	The Appearance Commission approved Case 23-25, for approval of façade
	changes to convert the approved Discount Tire building into two commercial
	spaces and provide exterior improvements.

#### **DISCUSSION**

#### Site Discussion

The applicant has proposed the addition of a third tenant space in the 11,940 square foot structure located at 810 Maple Avenue. The proposed tenant is a fast-casual carryout restaurant business, classified as a *carryout facility* in the Village Zoning Ordinance. The structure was originally a tire service and vehicle repair center, branded as Discount Tire, which was constructed in 1984. In 2022, approvals were provided for the building to be divided into two tenant spaces for retail/commercial use, with

plans proposing a tobacco store and a beauty supply store in the two leasable spaces. The new proposed restaurant tenant will occupy an area of the building which was to be left as stockroom and storage area after the 2022 approval of the new site plan and building improvements. A parking variance, similar to the one requested in this case, was approved to allow the applicant to reduce the total number of required parking spaces for the site from 48 to 28 spaces (42% reduction).

The third space is proposed to occupy the westernmost portion of the structure, facing south along the subject site's frontage with Maple Avenue. The new tenant space will include customer seating and service areas, a food preparation area, and additional backroom areas, totaling approximately 2,500 square feet of gross floor area for the new tenant. The new tenant will be connected to existing parking areas on the property by a concrete walkway included in approved site improvements submitted in 2022.

The applicant is requesting a variance from existing parking regulations on the site, allowing for the operation of the third tenant in the building without additions to the existing parking available on the site. An approved variance will allow for the operation of the three tenants with 28 parking spaces on the site.

The footprint of the building is 11,940 square feet of gross floor area (GFA), and the applicant has not proposed changes to this footprint. However, since the approval of the first parking variance for this site in 2022, the Village has adopted a new zoning ordinance with significant changes to parking requirements. This code adjusted the parking calculation method applied to this site, applying a standard of 1 space per 300 square feet of gross floor area for all *multi-tenant shopping centers*. Based on this new standard, the subject site requires 39 parking spaces, which is a reduction from the 48 spaces required for the two tenants initially proposed in 2022 but remains greater than the 28 spaces currently provided on the site. The site currently provides 71% of the off-street parking required for the site.

In the 2023 Village Zoning Ordinance, the Variance process was updated to include clarity regarding the authority of the Planning and Zoning Commission. The new guidance, found in Section 44-07-12(B) of the Village Zoning Ordinance, determined that variances to required off-street parking and loading standards may not be exceed:

"more than one (1) parking space, or twenty (20%) percent of the off-street parking spaces required by applicable regulations, whichever is greater."

As discussed, the proposed variance would be measured against the parking requirements of the new Village Zoning Ordinance. Based on this new requirement (39 parking spaces), the variance proposes a reduction of required off-street parking by 29%, which is a greater reduction than can be approved by the Planning and Zoning Commission.

Staff recommends that the applicant continue to work with surrounding properties to execute a shared parking agreement which will allow use of existing parking spaces on lots to the north or east of the subject site.

#### **Variance Conditions Analysis**

In order to reach approval of a Variance, the applicant must provide clear demonstration of an external hardship limiting by-right development on the site, and a clear plan for providing the smallest possible deviation from the Village Zoning Ordinance. The hardship must be demonstrated by evaluated against the Standards for Variance, which include the following three standards:

- 1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
- 2. The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.
- 3. The variance will not alter the essential character of the locality surrounding the subject site.

The applicant's responses to the Standards of Variance are attached for review by the Planning and Zoning Commission. Staff analysis of the Standards of Variance is provided below.

The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

While the applicant has stated that financial hardship may be caused by the failure to provide a third tenant in the building, the site was previously reviewed and approved with two tenants. The site has also operated historically with a single vehicle service tenant. No additional evidence was provided to economic hardship caused by the operation of the building under the current Village Zoning Ordinance, nor has the applicant provided a demonstration that seeking an alternative arrangement to meet zoning requirements would cause undue financial hardship. Staff has not identified that the effect on reasonable economic return justifies the granting of a variance from zoning standards.

The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.

The applicant is requesting the reduction of required parking for an existing building. Parking was originally constructed to support a single vehicle service use, which requires less parking than commercial, retail and restaurant uses. While this condition limits property redevelopment, the redevelopment of an existing building does not alone constitute a unique circumstance for a particular property. Exceptions to this rule may exist if redevelopment is hampered by unique limitations applied by a prior ordinance, regulation, or development condition; however, the subject property recently received further relief from parking standards with the classification of the building on the site as a *multi-tenant commercial center* under the new Zoning Ordinance, reducing total parking requirements by approximately 25%. Previous ordinance requirements have not placed a unique hardship on this property, and alternative remedies exist within the zoning ordinance for supporting redevelopment of sites which were developed with less parking than the proposed use requires. There are not site conditions cited which constitute a unique burden on the redevelopment of the property.

The applicant has cited unique opportunities that would be created with the approval of this variance and the allowance of the proposed use in the building without significant site changes, including an increase in business activity, increased tax revenue and the opportunity to provide a neighborhood gathering area. While these variables may be true, providing positive benefits for the community, these do not constitute reasons for varying the zoning standards established for all properties in the B-4

Zoning District. Staff has not identified that a unique hardship has been applied to this site which justifies the granting of a variance from zoning standards.

#### The variance will not alter the essential character of the locality surrounding the subject site.

The applicant has identified that the variance allows another use which is compatible with surrounding commercial businesses and will not affect the local area adversely. Staff is in agreement with this argument, given the intense, auto-oriented commercial areas surrounding the site and the compatibility of this use being located near a major arterial on Halsted Street.

Additionally, the Village reserves the authority in variance applications to ensure that the essential character of the locality, particularly the existing condition of safety, health, and general welfare in the surrounding area, is preserved with the approval of the variance. This also allows for the ability for staff to provide recommendations in the event that the variance causes substandard site function or may cause external impacts on surrounding property.

Staff has reviewed this case to ensure the mitigation of external impacts and the preservation of the essential character of the locality. In this review, staff has identified numerous concerns pertaining to the function of the site and potential impacts on surrounding properties. In addition to concerns regarding the variance request exceeding what is allowable by the Village Zoning Ordinance, staff has concerns about the nature of the use and the impacts the use may have on parking facilities which are already significantly below the standard required by the Zoning Ordinance due to previous approval of a parking variance. The restaurant is proposed to offer both carry-out food services as described, with additional seating for food service more reflective of a restaurant/bar use vs. a carry-out facility. The applicant has proposed 50 seats for restaurant service in the floor plans provided with this application. Additional "sit-down" dining may place a strain on the reduced parking available on the site, which will need to be shared with all three tenants. With additional spaces reserved for employee parking in the rear of the building in areas inconvenient for any customer parking, parking will not be sufficient to accommodate all three uses in the building, and the proposed use is not compatible with the lowertraffic uses which were proposed in the initial parking variance in 2022. Parking overflow onto surrounding properties can be anticipated if the variance for relief from parking expansion is provided for the proposed use.

#### **STAFF COMMENTS**

The proposed variance will require deviation beyond which the Village has the authority to grant, per Variance standards provided in Section 44-07-12 of the Zoning Ordinance. Staff has identified that the three Standards for Variance have not been met by applicant responses or staff analysis of the property. Staff recommends that the applicant continue to work with neighboring properties to demonstrate a shared parking agreement, recorded with the documentation required by Section 44-05-02(K) of the Village Zoning Ordinance. Staff also recommends that the applicant consult with the Director of Community and Economic Development to discuss administrative exceptions, with may be granted administratively for up to 5% of the total parking required on a site per Section 44-07-06 of the Zoning Ordinance.

Additionally, improvement plans submitted with this application identify exterior façade changes required to support the proposed restaurant use. The applicant is required to appear before the Appearance Commission and receive approval for façade improvements supporting the new use prior to receiving any additional building permits.

#### **DRAFT FINDINGS OF FACT**

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-12 of the Zoning Ordinance. The findings of fact, as proposed or amended, may be entered into the record.

- 1. The subject property is located at 810 Maple Avenue and owned by the applicant, Mohammad Majid.
- 2. The subject property is located in the B-4 Shopping Center Zoning District.
- 3. Carry-out restaurant facilities, as proposed by the applicant, are permitted in the B-4 Shopping Center Zoning District.
- 4. The existing development on the site, including a 11,940 square foot building and 28 surface parking spaces, was formerly built for vehicle repair and service.
- 5. The subject property received approval in 2022 to support the renovation of the building to support two new commercial and retail tenants, and received a parking variance to allow for reduced parking requirements for these proposed uses.
- 6. The building on the site is now designed to support multiple tenants, and has been classified as a multi-tenant shopping center in the Village Zoning Ordinance.
- 7. The Village Zoning Ordinance requires 1 off-street parking space per 300 square feet of gross square footage (GFA) within a multi-tenant shopping center, and the building requires a total of 39 parking spaces for the 11,490 square feet of retail and commercial space.
- 8. The applicant proposed to provide 28 parking spaces on the subject property to support the uses within the multi-tenant shopping center on the site.

#### **RECOMMENDED PLANNING & ZONING COMMISSION ACTION**

The Planning and Zoning Commission may wish to consider the following motion:

Recommend denial of Case 23-28 Variance from Table 44-05-01(C) and General Off-Street Parking	
Requirements in Section 44-05-01(A) to allow 810 Maple Avenue to operate with 28 parking space	S.

And

Incorporate the Findings of Fact into the record.

Item 5. B.

PIN: 29-32-200-022

Case 23-28 PZC



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October 12,

PIN: 29-32-200-022

Case 23-28 PZC



### NON-RESIDENTIAL ZONING REVIEW

### PROCESS AND REQUIREMENTS



**Planned Development** 

□ Proposed plat of record for lot

consolidation or subdivision

☐ Directory of all development team

#### **APPLICATION CHECKLIST**

For	all	applications,	provide	the	following:
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Special Use, Limited Use, Temporary Use

□ Completed worksheet responding to

☐ Site plan

□ Conceptual floor plan

☐ Completed application form	□ Proof of ownership, or	☐ Materials, as listed below
$\hfill\Box$ Plat of survey with legal description	Letter of authorization by the owner	□ Payment of fee

Based on each action(s) requested, provide the required materials listed below. Staff reserves the right to request additional materials, as required by the scope of the request, to make an informed decision.

☐ Site plan or survey of existing

☐ Site plan of proposed development

Site Plan Review

conditions

applicable standards or review criteria	□ Conceptual floor pl	an(s)	members/consultants with contact information		
<ul> <li>Narrative describing the proposed use, including:</li> </ul>	□ Landscape plan, exi proposed, if impact	_	□ Site plan or survey of existing conditions		
□ services provided	Text or Map Amendme	ent .	☐ Site plan of proposed development		
$\square$ hours of operations	☐ Site plan	<u> </u>	□ Conceptual floor plan(s)		
<ul> <li>anticipated average and peak capacity</li> </ul>	☐ Conceptual floor pl	an	☐ Tranportation Impact Study		
	□ Narrative describing		□ Village Impact Study		
<u>Variance</u>	land use requiring the amendment to Studies or		☐ Studies or reports by outside agencies		
□ Site plan	the zoning text or n	•			
□ Conceptual floor plan	<ul> <li>Completed worksheet responding to applicable standards</li> </ul>				
<ul> <li>□ Completed worksheet responding to standards</li> </ul>	applicable stalldard	13			
<ul> <li>□ Letters of support from neighbors, optional</li> </ul>					
APPEARANCE REVIEW					
For applications requiring Appearance Revi	iew, submit the following	g materials:			
☐ Completed Appearance Commission a	application form	□ Material palette k	ooard (digital), showing, as applicable:		
☐ Narrative describing the proposed nev	w or changed to	□ building mater	rials		
elevations, landscaping, lighting, and/	or signage	□ plants and lan	dscape materials		
☐ Elevation and/or plan drawings showing	ng the existing and	out shoots for lighting fixture			

□ cut sheets for lighting fixture

□ cut sheets for site furnishings

□ Photometric plan for new or changes to exterior lighting

proposed conditions



## NON-RESIDENTIAL **ZONING REVIEW**

VILLAGE OF HOMI	EWOOD		2020 Chestnut Road, Homewood, IL 6043
Street Address: 810 Maple A	ve	Homewood, IL 60430	Complete this section to determine your required review(s):
Property Index Number(s): 29  Lot Size: 36,608 sq. ft.  If the subject property is multiple	acres		Is the subject property more than one lot held in common ownership?  □ yes
<b>Zoning District:</b> □ R-1 □ R-2 □ R-3 □ R-4 □ B-			A Planned Development is <u>required</u> for development of lots >25,000 sf <u>or</u> located in the B-1 or B-2 Zoning Districts
REQUESTED USE  Requested Use:  Fast Casual Results: 2,480  Existing Use: Vanilla box		ance ag Provided: 30	The requested use is:  ■ Permitted  □ Limited  □ Special  □ Other:
Existing Development: Vanilla Box  Proposed Development Check of Management Check of M	all that apply. Provide a des		New construction?  ★yes □ no  → If yes, requires Site Plan Review  Floor area increase is 20% or more?  □ yes ★ no  → If yes, requires Site Plan Review
All new build out of a fast ca	asuai restaurant		Does the applicant elect to proceed as a Planned Development?   yes   Is site circulation or parking impacted?
Development Metrics	Existing	Proposed	x yes □ no → If yes, requires Site Plan Review
Gross Floor Area (sq. ft):  Parking Spaces  Lot Coverage	2,480	2,480	Is site landscaping impacted?  □ yes ★ no  → If yes, requires Site Plan Review
Impervious Area (sq. ft.) Impervious Coverage (%)	0.0%	0.0%	Exterior building alterations?  □ yes

#### ZONING RELIEF OR CHANGES

**Zoning Variance or Amendment** Describe any requested zoning relief or changes below. Parking Variance

The applicant requests:

- Variance
- ☐ Administrative Exception
- ☐ Zoning Text Amendment
- ☐ Zoning Map Amendment

<b>APPLICA</b>	NT			<u>PRC</u>	PERTY	OWN	<u> </u>	
Name	Emad Abed			Nar	ne M	oham	mad Majid	
Company	Fill A Pita Medit	erranean G	rill	Con	npany M	ajid R	е	
Address				Ado	lress			
Phone				Pho	ne			
Email				Ema	ail			
Role	Tenant				Check box	k if the a	ipplicant is the	e property owner
I acknowle	edge and attest that	::						
» All the	information and ex	hibits submit	ted with this a	application are tr	ue and ac	ccurate	to the best o	f my knowledge;
<ul><li>» Village applica</li></ul>		e permitted to	o make reason	able inspections	of the su	ıbject p	roperty nece	ssary to process this
» lagree	to pay all required	fees;						
	rk may be done wit dinances.	hout first obt	aining a Buildi	ng Permit. All wo	ork shall k	oe com <sub>l</sub>	oleted in acco	ordance with Village Codes
				ocuSigned by:				
Emad Ab	ped		Ev	nad lbed				10/05/2023
Applicant	Name		Appli	cant Signature				Date
Staff Not	tes							Do not write below this line.
Fee:	🗆 Paid						Date Received	d:
	22.20		Parking V	ariance for a Res	taurant			
CASE N	IO: <u>23-28</u>	REQUEST:				Hone	□ Denied	
Commer	·		□ Approved	□ Approved w	itii Condi	uons	□ Defiled	Date:
Conditio	ns:							
CASEN	10:	DEOLIECT.						
CASEIN	10:			□ Approved w		tions	□ Denied	
Commer Condition			Пирисчен	- Approved W	itii conan	cions	_ beined	Date:
Condition	115.							
CASEN	10:	DECLIEST.						
CASEIN				□ Approved w				
Commer Condition			- Approved	- Approved W	itii conan		_ beined	Date:
Condition	115.							
This appl	lication has zoning a	approvals and	d may proceed	to obtain Buildi	ng Permit	s or a C	Certificate of (	Occupancy.
	_							
Name: _			Signatu	ıre:			Da	te:

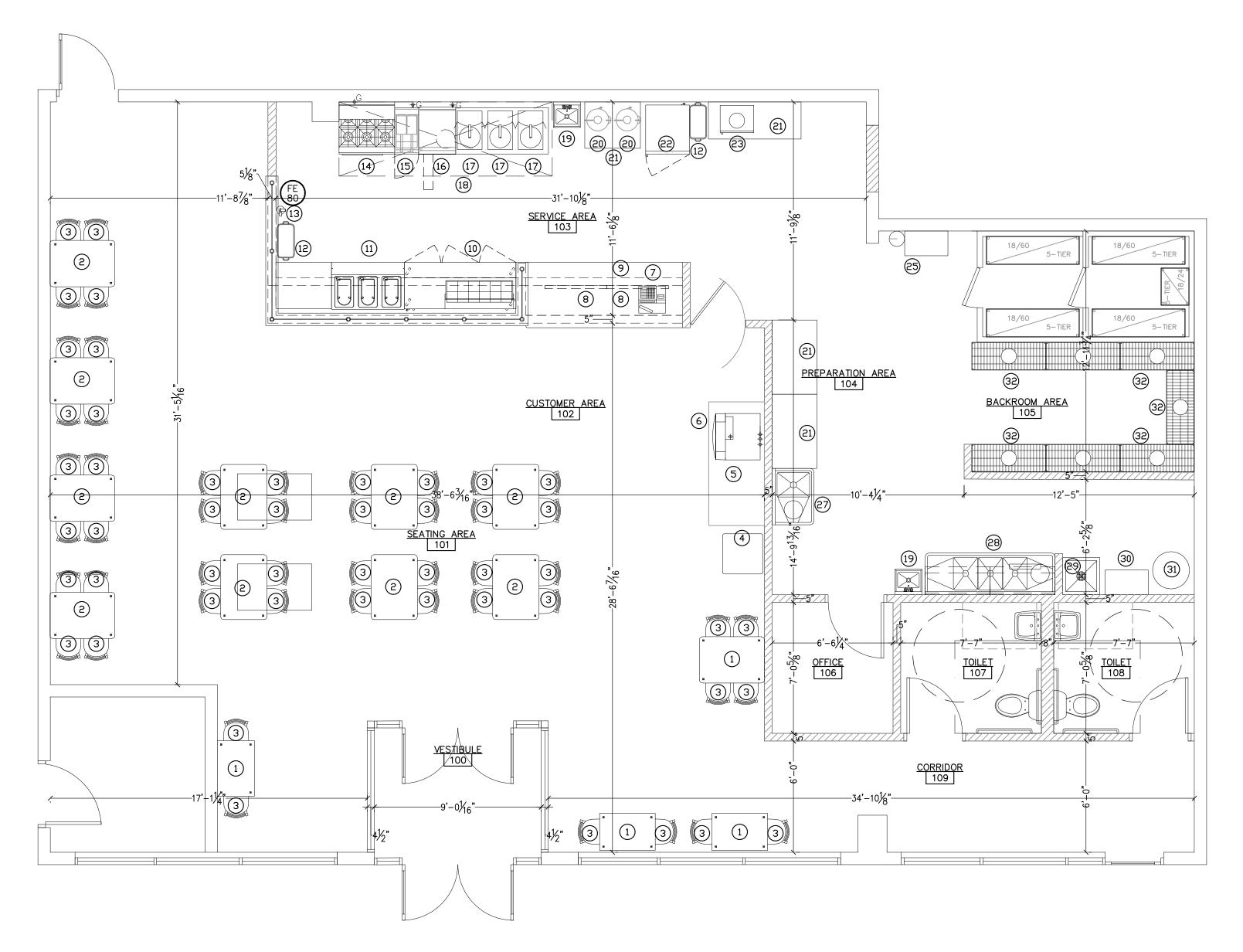




2020 Chestnut Road, Homewood, IL 60430

Street Address: 810 Maply Ave Unit C Homewood, IL 60430  Requested Variance: Fast Casoul Carry Out Restaurant Packing
Zoning Requirement: Fast Casual Carry Out Restaurant
Ordinance Reference:
Applicant Name: EMAD Abed Mahammad Majid Date: 9-5-202
Provide responses to each question below using complete sentences and specific to the property and relief requested.
The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Variance in evaluating the application.
No variance shall be granted unless the findings of fact for each application demonstrate a true hardship and the least deviation from the Ordinance necessary, as provided by the applicant's response to the following:
<ol> <li>Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located? Describe why you cannot comply with the zoning regulations and how it impacts the property value.</li> </ol>
If the Vasiance isn't Granted, 2500 Sq. Ft. Of Space Would remain Empty and Cause Findancial Hardship from lack of cent, Cam Income and Propertials, In turn devaluing the property tremendously
2. Is the plight of the owner due to unique circumstances?  Describe why this request is unique to you; would it apply to your neighbors as well?
This will give us the abilty to be able to open the Fast Casual restaurant and bring bussiness to the town Neighbors and tax revenue,
3. If granted, will the variance alter the essential character of the locality?  Describe how the property, with this relief, will compare to the surrounding properties.
This regionce alings perfectly with the other commerced properties in the vicinty of the property.

Continued on following page.



	EQUIPMENT PI	_AN
A1-2	SCALE 1/4"=	=1'-0"

FRONT ELEVATION A1-2 SCALE 1/4"=1'-0"

AG	DESCRIPTION	MANUFACTURER	ORDERED FROM	QTY.	MODEL / ITEM NO.	DESCRIPTION
				CUSTOME	R AREA	
1	24" X 36" DINING TABLE	-	OWNER	5	-	
2	30" X 42" DINING TABLE	-	OWNER	9	-	
3	DINING CHAIR	-	OWNER	46	-	
			KITCHEN AR	EA AND E	QUIPMENT LEGEND	
4	TRASH RECEPTICLE	RUBBERMAID	OWNER	2	-	
5	30"x80" TABLE	-			-	
6	SODA FOUNTAIN	CORNELIUS W/ICE BIN	OWNER	1	-	
7	POS MACHINE	-			-	
8	MENU BOARD	-	OWNER	2	DIGITAL MENU BOARD	
9	ADA HEIGHT SERVICE COUNTER	-	OWNER	1	-	
10	FOOD PREP TABLE	TRUE	OWNER	1	-	27" LENGTH.BACK COUNTER WITH UNDER-COUNTER REFRIGERATOR. STAINLESS STEEL TOP. ON CASTERS. (NLSMP27-12)
11	HOT TABLE	VOLLRATH	OWNER	1	-	ELECTRIC 38104 HOT FOOD TABLE
12	TRASH RECEPTICLE	RUBBERMAID	OWNER	2	-	
13	FIRE EXTINGUISHER		OWNER	1	-	
14	36" GAS RANGE	IMEPERIAL	OWNER	1	-	6 BURNER W/ OVEN
15	TUBE FIRED GAS FRYER	PITCO	OWNER	1	-	35C+ & 45C+ ECONOMY TUBE FIRED GAS FRYERS
16	GRIDDLE	IMPERIAL	OWNER	1	-	ITG-24
17	GYRO MACHINE	AUTODONER	OWNER	1	-	#3PG
18	KITCHEN HOOD		OWNER	2	-	
19	HAND SINK		OWNER	1	-	
20	RICE COOKER		OWNER	1	-	
21	S.S. WORK TABLE		OWNER	1	-	
22	COOLER		OWNER	1	-	
23	DISPLAY REFRIGERATOR		OWNER	1	-	
24	MICROWAVE		OWNER	1	-	
25	SODA RACK STORAGE		OWNER	1	-	
26			OWNER	1	-	
27	VEGITABLE SINK		OWNER	1	-	
28	3 COMPARTMENT SINK		OWNER	1	-	
29	MOP SINK		OWNER	1	-	
30	CHAMICAL RACK		OWNER	1	-	
31	HOT WATER TANK		OWNER	1	-	
32	WIRE SHELVING		OWNER	9	-	

HAROLD BERON

ARCHITECTS, PLANNERS & DESIGNER

150 WEST WASHINGTON ST. WEST CHICAGO IL 60185 TEL. (630) 473-0581 FAX. (630) 708-0581 HAROLD@BERONDESIGNGROUP.COM

REMODE 60430 AURANT . INOIS HOMEWOOD 

ISSUE FOR REVIEW 8/11/2023 REVISIONS DSGN. HB CHKD. HB DWN. HB SCALE: AS SHOWN SHEET TITLE :

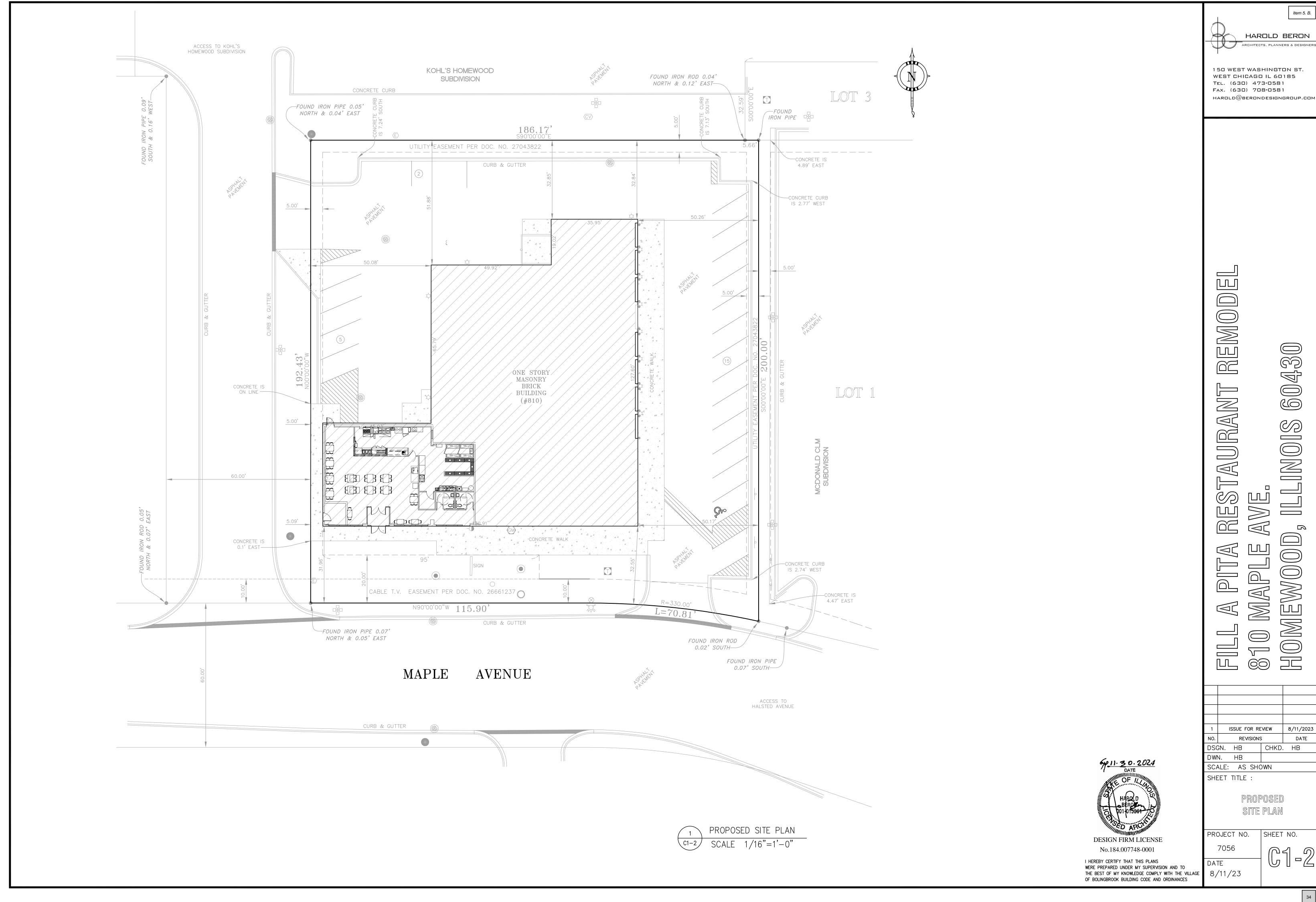
> EQUIPMENT PLAN

PROJECT NO. SHEET NO.

I HEREBY CERTIFY THAT THIS PLANS
WERE PREPARED UNDER MY SUPERVISION AND TO
THE BEST OF MY KNOWLEDGE COMPLY WITH THE VILLAGE
OF BOLINGBROOK BUILDING CODE AND ORDINANCES

DATE

8/11/23



Item 5. B. HAROLD BERON

ARCHITECTS, PLANNERS & DESIGNER HAROLD BERON

\$10N1 MEMOH

#### ORDINANCE NO. M - 2228

### AN ORDINANCE GRANTING A PARKING VARIANCE FOR 810 MAPLE AVENUE, HOMEWOOD, COOK COUNTY, ILLINOIS

WHEREAS, 65 ILCS 5/11-13-1 *et seq.* authorizes municipalities under 500,000 population to determine and vary the application of their zoning regulations relating to the use of land; and

WHEREAS, 65 ILCS 5/11-13-5 authorizes granting a zoning variation by passage of an Ordinance; and

WHEREAS, Majid RE, LLC, an Illinois limited liability company, recently purchased the property at 810 Maple Avenue in the B-4 Shopping Center Zoning District and proposes to divide the building into two commercial retail establishments; and

**WHEREAS**, the site plan submitted by the petitioner proposes 26 parking spaces; however, based upon the area of proposed retail establishments, the Homewood Zoning Ordinance requires 48 parking spaces; and

WHEREAS, the property was operated as a motor vehicle service and repair facility, but when the former owner sold the property it imposed restrictive covenants prohibiting such use by future owners; and

WHEREAS, the Homewood Planning and Zoning Commission considered the parking variance at its August 11, 2022 regular meeting and voted unanimously (7-0) to recommend approval of the requested variance; and

**WHEREAS**, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois deem it appropriate and are willing to grant a variance, subject to the terms and provisions hereof.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

#### **SECTION ONE - INCORPORATION OF RECITALS:**

The above recitals are incorporated into this ordinance as if restated here.

#### **SECTION TWO - FINDINGS OF FACT:**

- 1. The subject property is at 810 Maple Avenue and owned by the applicant, Majid RE, LLC Mohammad Majid, Managing Member.
- 2. The subject property is in the B-4 Shopping Center Zoning District.
- 3. Commercial retail is a permitted use in the B-4 Shopping Center Zoning District.
- 4. The existing development of the subject property, including the 11,940 sf building and surface parking, was formerly purpose-built for motor vehicle service and repair.
- 5. The Homewood Zoning Ordinance requires one parking space for every 250 sf of retail space, or 48 spaces for the proposed 11,940 sf of retail.
- 6. The applicant proposes to provide 26 parking spaces on the subject property.

#### **SECTION THREE - LEGAL DESCRIPTION:**

The subject property is legally described as follows:

Lot 1 in Commercial Subdivision Unit Number 2, Being a Subdivision of Part of the Northeast Quarter of Section 32, Township 36 North, Range 14, East of the Third Principal Meridian, according to the plat therefor recorded April 13, 1984 Document 27043822, in Cook County, IL.

Permanent Index Number: 29-32-200-022-0000

Common Address: 810 Maple Avenue

Homewood, IL 60430

#### **SECTION FOUR - GRANTING OF VARIANCE:**

The following variance is granted to the petitioner:

A variance from Table 11.2 (Municode Table 44-487.2) Parking Requirements to allow the operation of 11,940 sf of retail space with 26 parking spaces, approximately 54% of the total parking spaces required by the zoning ordinance.

#### SECTION FIVE - DOCUMENTS TO BECOME A PART OF THIS ORDINANCE:

These documents are made part of this Ordinance:

The Homewood Planning and Zoning Commission minutes of August 11, 2022, as they relate to the subject zoning.

The Homewood Village Board minutes of September 13, 2022, as they relate to this ordinance.

#### **SECTION SIX - RECORDING:**

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk – Recording Division.

PASSED and APPROVED this 13th day of September 2022.

Village President

Williage Clerk

YEAS: 5 NAYS: 0 ABSTENTIONS: 1 ABSENCES: 2



#### **VILLAGE OF HOMEWOOD**



#### MEMORANDUM DATE OF MEETING: October 12, 2023

To: Planning and Zoning Commission

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

**Topic:** Case 23-29: Special Use Permit for a Salon at 18350 Kedzie Avenue, Suite 202

#### **APPLICATION INFORMATION**

APPLICANT	Jocelyn Alamoodi
ACTION	Special Use Permit for a Salon
REQUESTED	Special Ose Fermit for a Salon
ADDRESS	18350 Kedzie Ave, Suite 202
PIN	31-02-201-012-0000



#### **ZONING & LAND USE**

SUBJECT PROPERTY ZONING  CURRENT B-3 General Business District		ZONING	LAND USE
		B-3 General Business District	Multi-Tenant Shopping Center
PROPOSED		B-3 General Business District	Multi-Tenant Shopping Center
SURROUNDING N:		B-3 General Business District	Motor Vehicle Service
	E:	B-3 General Business District	Retail > 5,000 sf (Jewel Osco)
	S:	R-4 Multiple Family Residences	Multi-Family Dwelling (Pinetree Condos)
	W:	R-4 Multiple Family Residences	Multi-Family Dwelling

#### **LEGAL NOTICE**

The legal notice was published in *Daily Southtown* on September 22, 2023; letters were sent to 16 property owners and residents within 250'.

#### **DOCUMENTS FOR REVIEW**

Title	Pages	Prepared by	Date	
Application	2	Jocelyn Alamoodi	08/07/2023	
Response to Special Use Standards	2	Jocelyn Alamoodi	08/07/2023	
Commercial Lease	4	Elliott Taylor	07/21/2023	
Floor Plan	1	Jocelyn Alamoodi	-	
Staff Exhibits	3	Angela Mesaros	10/02/2023	

#### **BACKGROUND**

18350 Kedzie Avenue is a two-story building with multiple tenants. Traditionally, this building is a professional office building with individual tenant suites with a shared central entrance. The current uses range from medical offices to professional services, personal services, and salon uses that are more typical in a multi-tenant shopping center. The tenants of the building share a common parking lot.

Several cases pertaining to this property have been heard in the past:

- In May 2023, Case 23-09 granted a special use for a Spa to "Glamour 1 Productions, LLC" at 18350 Kedzie Avenue, Suite 200
- In 2021, Case 21-17 granted a special use for a learning center and parking variance to "Stay Essential Fitness" in Suite 201.
- In 2018, Case 18-29 granted a parking variance to J.Flhair Serious Hair Studio in Suite 203 (Ordinance M-2009). A special use permit was not required for a salon in the B-3 district under the previous ordinance.

Under the former zoning ordinance, parking for each tenant space was reviewed individually. Under the new zoning ordinance, the property is classified either as a professional office building or a multi-tenant shopping center, both calculate the parking requirements for the building as a whole. Under both of these classifications, the zoning ordinance anticipates different peak times in demand across the mix of uses, as well as vacancies and tenant turnover. This allows for fluctuations in the individual tenant operations. The required parking for the property is one space per 300 square for a total of 36 spaces (10,800 sf/300 = 36). There are 39 parking spaces provided -30 spaces within the parking lot and 9 spaces on the street. (See attached Staff Exhibits: "Parking Analysis")

Section 44-05-01.A.4 of the Zoning Ordinance allows buildings existing prior to the adoption of the zoning ordinance that are deficient in parking (under the new ordinance) and have been in continuous operation, with no change in use or intensity, to continue operation. Since this building has been in operation for the past 45 years as a mix of tenant uses, the use of the property has not changed or intensified; therefore the property meets the parking requirements.

The applicant, Jocelyn Alamoodi, is requesting a special use permit to operate a salon "Ian Terrell Hair Design Studio" in Suite 202. The area of the suite is approximately 586.5 square feet.

#### **DISCUSSION**

#### **Business Operations**

As provided by the applicant, the business operations will be the following:

- Hours of operation will be Tuesday Saturday 9:00 am 5:00 pm.
- The salon has 4 salon stations, but the stylist will vary on times. For example: Stylist A: may have a client at 10 AM-12 PM and then leave because he or she is done for the day. Stylist B: May be there from 10 AM with stylist A but be done at 4 PM because the schedule is full. There may be instances where not all stations are rented as well.
- The applicant anticipates a maximum of three people in the salon at one time.

#### Standards for Special Use

The Homewood Zoning Ordinance classifies salons as a special use in the B-3 General Business District, which allows evaluation of each requested special use permit individually. The Village may impose conditions or restrictions that mitigate any potential negative impact and assist the proposed use in meeting the special use standards as set forth in the zoning ordinance.

When reviewing an application for a special use permit, the Planning and Zoning Commission uses the Standards for a Special Use to determine the appropriateness of the use at the subject property. The Standards are a tool with a basis that is reasonably related to public health, safety, and general welfare. Largely, these relate to external impacts the proposed business may have on the neighboring properties and the public. Such impacts may include access, circulation, and parking; hours of operations; the intensity of use, such as the number of people anticipated in the space at one time, or light and noise emitted; environmental impacts such as odors or fumes emitted from the business; and adequate provision of public utilities at the location.

The responses to special use standards, completed by the applicant, are attached for review by the Planning and Zoning Commission.

#### FINDINGS OF FACT

The staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-11 of the Zoning Ordinance for a Special Use. The findings of fact, as proposed or as amended, may be entered into the record.

- 1. The subject property is a tenant space located in Suite 202 of a two-story multi-tenant building at 18350 Kedzie Avenue in the B-3 General Business District.
- 2. A salon is classified as a special use in the B-3 district per Table 44-03-04 of the Homewood Zoning Ordinance.
- 3. The proposed business will operate within an existing building that is adequately served by utilities and access.
- 4. The existing property provides 30 off-street parking spaces in a parking lot. Additionally, there are 9 on-street parking spaces adjacent to the property. The property has been continuously operating as a multi-tenant building and meets the parking requirements.
- 5. Village Staff will confirm that all required licenses and certifications for the services are provided prior to issuance of a business operations certificate.

#### **RECOMMENDED PLANNING & ZONING COMMISSION ACTION**

If the Commission finds that the request meets the standards for special use, the Planning and Zoning Commission may consider the following motion:

Recommend approval of Case 23-29 to grant a Special Use Permit for a Salon in B-3 General Business District for "Ian Terrell Hair Design Studio" at 18350 Kedzie Avenue, Suite 202 with the condition that all required licenses and certifications for the services are provided prior to issuance of a business operations certificate; and

Incorporate the findings of fact into the record.

Item 5. C.

**PIN:** 31-02-201-012-0000

Case 23-29 PZC

October 12, 2



Parking Ana Item 5. C.

October 12,





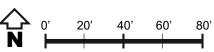
Multi-tenant Building (2 stories; 10,800 GSF)

Tenant Use	Metric (GSF)	Ratio	Parking Required
Multi-Tenant Shopping Center	10,800	/ 300	36
TOTAL REQUIRED			36

#### **Available Parking**

TOTAL PROVIDED	39
On-Street	9
Off-street	30

© 2019 Cook County.

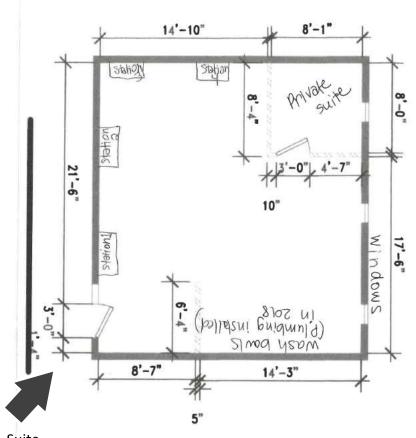


Item 5. C.

**PIN:** 31-02-201-012-0000

Case 23-29 PZC

October 12, 2









## STANDARDS FOR: SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

Street Address:	18350 S Kedzie Ave Suite 202	Homewood, IL 60430		
Requested Use:	Hair Salon		Area:	500 sq. ft.
Business Name:	Ian Terrell Hair Design Studio			
Applicant Name	Jocelyn Alamoodi		Date:	08/07/2023

Provide responses to each question below using complete sentences and specific to the proposed business and selected location.

The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Special Use in evaluating the application. No one is controlling.

1. Is the special use deemed necessary for the public convenience at this location? Describe why this location is best-suited for your business to serve the community.

The special use requested, would ideally be deemed necessary for the beauty/self care needs of men, women and children. The convenience and privacy of this location provides a private, serene experience that creates a space noise and high traffic population free.

2. Is the special use detrimental to the economic welfare of the community? Will the business have a negative impact on other businesses?

This business will not have a negative impact on other businesses. The clients that are serviced by stylist that lease salon stations inside of Ian Terrell Hair Design Studios will be in a quiet, serene setting. The salon will also operate on a business hour schedule of Tuesday-Saturday 8:00AM-5:00PM.

3. Will the special use be consistent with the goals and policies of the Comprehensive Plan?

Describe how your business fits with the goals and policies summarized on the attached sheet.

Ian Terrell Hair Design Studio fits with the goals and policies summarized on the attached sheet as follows:

- 1.1Recruit additional appropriate retail and industrial development for designated vacant commercial and industrial areas shown on the Future Land Use Map
- 4. Is the special use so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected?

Describe any negative impacts, external to your business, that may result from it operating at this location.

The welfare of the public will be protected and regarded per State and local laws.

5. Is the special use a suitable use of the property, and will the property will be substantially diminished in value without the special use?

Describe why your business is best-suited for your this property.

Ian Terrell Hair Design Studio is perfect for the quiet, commercial space. This prohibits any loitering, criminal activity as well as promotes privacy and professional environment for clients and staff.

6. Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?

Will your business decrease the value of other properties?

Ian Terrell Hair Design Studio would not decrease the value of other properties. In fact the commercial space pays the Cook County Assessor a total of \$52,235,00 annually for property taxes. This allows funds to be disbursed throughout the Municipality for: Schools, Transportation and Improvements. The value increases overtime and also the area to flourish financially.

7. Will the special use be consistent with the uses and community character of the neighborhood surrounding the property?

Describe how your business is compatible with its neighbors.

Ian Terrell Hair Design Studio is compatible with its neighbors as it is nuisance free and professional,

8. Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

No negative impacts would result from operating at this location.

9. Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

Ian Terrell Hair Design Studio will not have any negative impacts on residents on businesses in the surrounding area.

10. Does the special use provide adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?

Describe how will customers get to and from your business.

Clients that patronize Ian Terrell Hair Design Studio will have access to a private parking lot once turning an immediate right on 184th Street. There are enough slots for parking available that will not interfere with the residential area parking and the residents across the street from the commercial space have garaged parking.

11. Is the special use served by adequate utilities, drainage, road access, public safety and other necessary facilities?

A new business going into an existing development, may answer 'no.'

Νo

12. Will the special use substantially adversely affect one or more historical, archaeological, cultural, natural or scenic resources located on the parcel or surrounding properties?

A new business going into an existing development, may answer 'no.'

No

## NON-RESIDENTIAL

**ZONING REVIEW** 

2020 Chestnut Road, Homewood, IL 60430

#### VILLAGE OF HOMEWOOD

PROPERTY INFORMATION	Complete this section to determine
Street Address: 18350 S KEDZIE AVE SUITE 202 Homewood, IL 60430	your required review(s):
Property Index Number(s): 31-02-201-0(2-0000  Lot Size: 24,912 sq. ft. 0.57 acres  If the subject property is multiple lots, provide the combined area.	Is the subject property more than one lot held in common ownership?  □ yes
Zoning District:  □ R-1 □ R-2 □ R-3 □ R-4 □ B-1 □ B-2   ■ B-3 □ B-4 □ M-1 □ M-2 □ PL-1 □ PL-2	A Planned Development is <u>required</u> for development of lots >25,000 sf <u>or</u> located in the B-1 or B-2 Zoning Districts.
REQUESTED USE	
Requested Use:  Hair salon with one private suite space.	The requested use is:  ■ Permitted  □ Limited
Gross Floor Area: 500 sq. ft. Parking Provided: 2	<b>★</b> Special
Existing Use: Commericial use building	□ Other:
SITE OR BUILDING CHANGES	
Development:  Proposed Development Check all that apply. Provide a description and metrics below.  New Construction	New construction?  □ yes ★no  → If yes, requires Site Plan Review  Floor area increase is 20% or more?  □ yes ★no  → If yes, requires Site Plan Review  Does the applicant elect to proceed as a Planned Development?  □ yes ★no  Is site circulation or parking impacted?  □ yes □ no
Development Metrics Existing Proposed	<ul><li>□ yes</li><li>□ no</li><li>→ If yes, requires Site Plan Review</li></ul>
Gross Floor Area (sq. ft):  Parking Spaces  Lot Coverage  Impervious Area (sq. ft.)	Is site landscaping impacted?  □ yes ⋈ no  → If yes, requires Site Plan Review  Exterior building alterations?
	□ yes 🕱 no
Impervious Coverage (%) 0.0% 0.0%	ightarrow If yes, requires Appearance Review
ZONING RELIEF OR CHANGES	
Zoning Variance or Amendment Describe any requested zoning relief or changes below.	The applicant requests:
a series and requested coming relies of circumges below.	The applicant requests:  ☐ Variance ☐ Administrative Exception ☐ Zoning Text Amendment ☐ Zoning Map Amendment

APPLICA	ANT			PRO	PERTY OWN	IER <sub></sub>	
Name	JOCELYN M. A			Nam	Elliot C	C. Taylor	
Company	AN TERRELL HAIR DESIGN STUDIO			Comp	Company Construction Source LLC		
Address				Addr	ess 18350	S. Kedzie S	Suite 102
					Home	wood, IL 60	430
Phone				Phon	e j		
Email				Emai			
Role	OWNER			C	neck box if the	applicant is the	e property owner
acknowle	edge and attest that	t:					
» All the	information and ex	hibits submit	ted with this a	pplication are tru	e and accurate	e to the best o	f my knowledge;
» Village applica		e permitted to	o make reason	able inspections o	f the subject	property nece	ssary to process this
» Lagree	to pay all required	fees;					
and Or	dinances.	hout first obt	aining a Buildi	ng Permit. All wor	k shall be con	npleted in acco	ordance with Village Codes
	Alamoodi						
Applicant	Name		Appli	cant Signature			Date
Staff No	tes						Do not write below this line.
Fee:	🗆 Paid					Date Receive	d;
CASE N	10:23-29	REQUEST:	Speci	al Use -	Salon		
Commer Conditio	•		□ Approved	□ Approved wit	n Conditions	□ Denied	Date:
CASE N	10:						
Commer Conditio			□ Approved	□ Approved wit	n Conditions	□ Denied	Date:
CASE N	IO:	REQUEST:					
Commer Conditio			□ Approved	□ Approved wit	h Conditions	□ <b>Denied</b>	Date:
	lication has zoning a						
140111C. =			Signatu	14.			J.C.