

MEETING AGENDA



Planning and Zoning Commission

Village of Homewood

July 11, 2024

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 pzc@homewoodil.gov 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 June 27, 2024 hearing of the Planning and Zoning Commission.

4. Public Comments

5. Regular Business:

A. Public Hearing for Case 24-16: Special Use Permit for Massage Therapy at 18719 Dixie Highway

B. Public Hearing for Case 24-11/Case 24-19: Special Use Permit for Indoor Commercial Place of Assembly Use, Variance for Location of Indoor Commercial Place of Assembly Use

6. Old Business:

7. New Business:

8. Adjourn

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

VILLAGE OF HOMEWOOD



MEETING MINUTES

DATE OF MEETING:

June 27, 2024

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 6:58 p.m.

ROLL CALL:

In attendance were Members Bransky, Cap, O'Brien, Johnson, Castaneda, and Chair Sierzega. Member Alfonso was absent. Present from the Village was Director of Economic and Community Development Angela Mesaros (serving as Staff Liaison), and Assistant Director of Economic & Community Development Noah Schumerth. Trustee Mason of the Village Board of Trustees was present. There were two members of the public in attendance in person. The public was able to watch and listen to the meeting via Zoom webinar. There was one audience member present via Zoom.

APPROVAL OF MEETING MINUTES:

Chair Sierzega asked for any proposed changes to the minutes from the May 23, 2024 meeting.

Member O'Brien stated that he had questions about the May 23, 2024 minutes approved at the previous meeting. O'Brien asked why the changes from the meeting were not reflected in the minutes. O'Brien stated that the phrase "ensure the private financial specifics of the business owners" should be replaced with "engage in the private financial specifics of the business owners." O'Brien stated that the word "perfectly" on page 8 of the minutes should be removed.

Member Johnson stated that the meeting minutes are increasing in length and that a shorter summary of minutes should be provided for meetings which are recorded, opting instead for a broad summary of information. Member Johnson stated that it would be in the best interest of staff to provide a summary of information instead of a "word-for-word transcript."

Motion made to approve the minutes as corrected made by Member O'Brien; second by Member Bransky.

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

NAYS: None

ABSTENTIONS: Members Cap, Johnson

ABSENT: Member Alfonso

Chair Sierzega asked for any proposed changes to the minutes from the June 13, 2024 meeting. No changes were requested.

Motion made to approve the minutes by Member Cap; second by Member O'Brien.

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Last Revised: 07/03/2024

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

NAYS: None

ABSTENTIONS: None

ABSENT: Member Alfonso

PUBLIC COMMENT:

Chair Sierzega requested comments from the audience on other topics which are not included on the regular business agenda. No members of the audience had any questions.

Staff Liaison Mesaros introduced Trustee Philip Mason as the new Board of Trustees liaison to the Planning and Zoning Commission. Trustee Mason provided an introduction and stated that he is open to assistance in any matters where he is needed.

REGULAR BUSINESS:

CASE 24-15: Text Amendment to allow Indoor Commercial Places of Assembly in M-1 Limited Manufacturing Zoning District; Amend Parking Standards for Places of Assembly Uses

Chair Sierzega introduced the text amendment case. Assistant Director Schumerth was present to present the details of the proposed text amendments.

Schumerth introduced the text amendment. Schumerth provided definitions for each class of place of assembly uses included in the Homewood Zoning Ordinance.

Schumerth explained that indoor commercial places of assembly, at all square footage, are not currently permitted in the M-1 zoning district. Schumerth stated that the Village staff propose the addition of indoor commercial places of assembly at all square footage as a special use in the M-1 district.

Schumerth explained that the proposed amendment was informed by parking standards in other communities and parking recommendations published by the Institute of Transportation Engineers (ITE). Schumerth introduced examples of indoor commercial places of assembly in nearby communities.

Staff Liaison Mesaros suggested that the Commission discuss the first amendment proposed by Village staff before reviewing the second amendments to parking requirements.

Member Bransky stated that the proposed amendment makes sense. Bransky cited the importance of maintaining a special use approval process for places of assembly uses. Bransky noted that screening place of assembly uses from some commercial uses is also a good idea.

Member O'Brien asked why other requests for indoor commercial places of assembly in the M-1 district have not been considered by the Planning and Zoning Commission. Schumerth noted that many of these proposals are screened out by staff early in the development process. Staff Liaison Mesaros noted that because the use is not permitted, most people do not pursue it further.

Member O'Brien stated that he has no issues with the M-1 zoning district being modified.

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Member O'Brien asked if the amendment is being considered solely because of the application currently planned to be heard by the Planning and Zoning Commission on July 11. Staff Liaison Mesaros stated that this is partially true, as the amendment had been brought to the attention of staff through the application put forward for review.

Member O'Brien asked if the parking amendment was being considered because of requests made by the application currently under review. Schumerth noted that this was brought forward due to the need to review parking for any modification to allow new uses, and previous conversations with the Planning and Zoning Commission about the need to revisit parking for the place of assembly uses. Staff Liaison Mesaros confirmed that the parking amendment was not related to the specifics of the case being considered on July 11.

Member O'Brien asked how Homewood will handle increases in the required width for parking stalls in the new zoning ordinance compared to the old zoning ordinance since this will put pressure on existing uses as lots are rebuilt. O'Brien asked about the impact of the reduction of parking spaces caused by new size regulations. Mesaros noted that unless full site redevelopment occurred, the lot would be considered a legal non-conforming structure and would not need to adjust parking space size.

Member O'Brien asked if the parking space dimension requirements should be revisited. Member Johnson noted that the ordinance cannot be a perfect standard that will be driven by necessity as new cases come for review by the Planning and Zoning Commission. Johnson stated that we may need to consider the changes to dimensions as cases demand it. O'Brien said that it will need to be revisited in the future. Schumerth stated that staff can begin to look at the changes in the new ordinance and how businesses and redevelopment projects might be impacted.

Schumerth presented the second proposed amendment to adjust parking requirements for all *place of assembly* uses. Schumerth noted that under the current code, the requirement for places of assembly is 1 parking space per 300 square feet.

Schumerth presented the new requirement of 1 parking space per 250 square feet or 1 space per 4 fixed seats. Schumerth noted that schools are currently not clearly defined in Homewood's parking requirements table, and introduced requirements of 1 space per 250 square feet plus 1 space per 10 students at elementary and junior high schools, and 1 space per 4 students at high schools.

Schumerth explained the proposed amendment, citing changes in place of assembly parking requirements between the old zoning ordinance and the new code adopted in 2023.

Member Bransky asked for clarification that the Village was seeking to mitigate drops in required spaces with the new requirements. Schumerth noted that this was correct, and that the Village sought to increase parking requirements without placing highly stringent parking requirements.

Member Bransky asked if the proposal will make development more difficult. Schumerth stated that to trigger requirements, the modification of the lot would have to be significant or a new use would have to be proposed. Schumerth said it would cause an increase in required parking more in alignment with the trips generally seen for many places of assembly, even if site fit does become more difficult on some sites.

Mesaros clarified that any change in land use or change in intensity of use would trigger new parking requirements in most instances. Mesaros noted that the zoning ordinance does not require new parking to be added for pre-existing buildings from before the zoning ordinance unless the land use changes.

Mesaros also noted that the presentation should say “or” between the two place of assembly parking requirements (1 space per 250 square feet OR 1 space per 4 fixed seats), not “plus” as written in a table in the presentation. Schumerth noted the need for the correction.

Member Cap stated that he agreed largely with need to consider peak uses in the parking calculations, but had concerns about the categorization of “secondary” spaces not being separately considered for parking requirements. “Secondary spaces” may also have separate demand that adds to peak use traffic at the use. Cap used an example of a place of worship with a school and a gym social hall, with both additional spaces increasing the level of parking demand on the site at a given “peak” hour because they could be used coincidentally. Cap noted that with the example of a place of worship illustrated in the report, the peak demand should actually be higher because of the presence of other “secondary” spaces that may have coincidental uses. Member Cap said that a different conclusion was drawn by staff than the conclusion that “secondary spaces” should increase parking requirements and be considered as contributors to “peak demand.”

Member Johnson asked if it was the job of staff to determine peak demand levels for uses based on how buildings and spaces are used.

Member Cap asked what the odds are that a potential “peak demand” level is ever reached by a particular use, and stated that it depends on the situation. Member Cap referenced a case involving a parking variance at 810 Maple as an example of an applicant measuring “peak demand” and illustrating how a building or space actually being used. Member Cap stated that he differs with staff in thinking about peak parking demand calculations at some place of assembly uses, stating that the premise is correct but that staff did not go far enough to consider the implications of how “secondary spaces” are additive to demand.

Cap clarified that the disagreement is over how to add up “peak uses,” which shouldn’t be considered as “primary or secondary” but should be added individually. Member Bransky mentioned that it could be helpful to see aggregate tables illustrating how different accessory spaces are used to find “peak demand” for a use.

Schumerth stated that ITE manuals assume that most users of “secondary” areas are also users of a “primary” area, with the use of “primary areas” providing a good measurement for overall demand. Schumerth used an example of church attendees going to Sunday school as an example of how primary spaces can act as a method of roughly calculating peak parking demand. Member Cap said that that use case changes depending on a number of factors, and that as a religious educator he believes that many different spaces are additive to peak parking demand for a us.

Member Johnson asked if the code should capture all of these concerns around peak parking demand or if they should be considered on a case-by-case basis by the Planning and Zoning Commission. Staff Liaison Mesaros noted that there is a “case-by-case” analysis by staff before it comes to Planning and Zoning Commission, and not all cases are heard by the Commission.

Member Johnson asked what the role of the Planning and Zoning Commission is in cases where a new use or site plan will not be reviewed by the Commission. Schumerth stated that the Commission plays a role by providing recommendations for code which staff uses to review proposals.

Member Bransky noted that since the amendment does not convert all place of assembly uses to special uses, it is important to write code language in a manner which allows for a consideration of what parking demand is really going to be at individual sites.

Member Cap said that in situations where there are potentially multiple concurrent uses, there needs to be a review by someone (Commission or staff) which can apply estimates of parking demand to those different concurrent uses occurring at any place of assembly use. Bransky said there needs to be an element of the code which allows for a review of individual uses proposed to occur on a site, or it needs to be tracked by staff.

Mesaros noted that she has maintained charts for demand of different uses in shared buildings, such as multi-tenant buildings. Mesaros noted the new code is easier to administer than the old code.

Member Cap encouraged staff and members of the Commission to remain alert of potential additional uses and activities on a site which may increase peak demand and use of a site.

Member O'Brien expressed appreciation of the "OR" language proposed, but noted that if you have multiple buildings on a site, all should be considered in the parking requirement because activities may happen in all four buildings.

Schumerth provided justification for the amendment as proposed and why the "OR" language was proposed with an emphasis on main assembly spaces. Schumerth responded to concerns around "peak" uses and affirmed that each use case with assembly uses is very different and planning needs to consider that. Schumerth noted that some responsibility for providing appropriate parking lies with the use itself, not the Village, as parking for the highest peak demand can lead to unproductive uses of land.

Member Johnson said that staff is providing appropriate consideration of different factors around peak demand at different uses, and that the code amendment does not place the Village in a position where they are unable to adapt to different uses and consider how to appropriately park each individual site.

Schumerth also noted that the amendment sets a minimum; uses may be provide additional parking and staff can encourage the provision of additional parking.

Member O'Brien noted that the "OR" language must be transferred over to the final recommendation and motion to take action on the item, replacing the "+" included in the language as written.

Mesaros noted separate motions were required for each amendment.

Member O'Brien asked if the Findings of Fact needed to be recommended for approval and incorporation into the record with both amendments, and if they would apply to both amendments. Mesaros confirmed and noted that the findings of fact could be approved along with both motions to

cover both recommendations. Mesaros noted both amendments, if both recommended for approval, would be included in one ordinance.

Member O’Brien asked for the Findings of Fact should be amended to reflect that the 2023 zoning ordinance update was adopted on January 10, 2023; not January 11, 2023.

Member Bransky also noted that the table number 44-05-02 in the recommendation should be amended to Table 44-05-01. Member O’Brien stated that both instances of this incorrect table number needed to be corrected.

Member Cap made a motion to approve an amendment to Table 44-03-04 to allow the addition of indoor commercial place of assembly as a special use in the M-1 zoning district with language as amended; seconded by Member O’Brien.

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

NAYS: None

ABSTENTIONS: None

ABSENT: Member Alfonso

Member Bransky made a motion to approve the amendment to Table 44-05-01 to require new parking requirements for all place of assembly uses with language as amended; seconded by Member Cap.

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

NAYS: None

ABSTENTIONS: None

ABSENT: Member Alfonso

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ADJOURN:

Member O’Brien made a motion to adjourn; seconded by Member Castaneda. The meeting adjourned at 8:06pm.

Respectfully submitted,

Noah Schumerth

Assistant Director of Economic and Community Development

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: July 11, 2024

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 24-16 – Special Use Permit for Massage Therapy at 18719 Dixie Highway

APPLICATION INFORMATION

APPLICANT	Fei Li, ReLax Massage
ACTION REQUESTED	Special Use Permit for Massage Therapy
ADDRESS	18719 Dixie Highway, Homewood, IL, 60430
PIN	32-06-400-003-0000

ZONING & LAND USE

LEGAL NOTICE The legal notice was published in Daily Southtown on June 27, 2024. Letters were sent to property owners and residents within 250’ of the subject property.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Fei Li	06/11/2024
Special Use Standards Worksheet	2	Fei Li/Thomas Frixman	06/11/2024
Business Operation Certificate Appl.	2	Fei Li	06/04/2024
Floor Plan Drawings	1	Fri Li/Thomas Frixman	06/11/2024
Staff Exhibits	2	Asst. Dir. Econ/Comm. Development	07/02/2024

BACKGROUND

The applicant, Fei Li of Relax Massage, has proposed operating a massage therapy facility in the Southgate Shopping Center at 18719 Dixie Highway. The use will operate in a 1,200-square-foot tenant space within the shopping center previously occupied by a pet grooming business. The business will provide four rooms designed to accommodate various types of massage services, and additional supporting spaces including a bathroom, shower, and laundry. Other uses in the building include Cold Stone Creamery, Excuse Free Fitness, Edward Jones, Nail Salon and Kryo Spa.

VILLAGE OF HOMEWOOD



DISCUSSION

Business Operations

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

- Services provided are foot, full body, Swedish, and other professional massage services.
- Hours of operation will be Monday through Sunday 10:00 am – 9:00 pm
- The applicant will start as the sole practitioner and expects to hire one additional person in the future. The business will see up to 2-3 customers at any one time.

The use is not expected to cause any additional externalities that could hinder the enjoyment of the commercial center, such as noise, traffic, trash, or other nuisances. Other elements such as lighting, proper ingress/egress, and building security systems are in place to support safety and welfare in the use operation. The business is not located adjacent to or in the direct vicinity of a similar use in a manner that could cause undue economic hardship on a previously approved use. The operators will be required to ensure that all employees offering massage services meet all licensing requirements for massage practitioners in the State of Illinois.

Parking

Under classification as a multi-tenant commercial center, the zoning ordinance requires 1 parking space per 300 gross square feet (GSF). The gross floor area of the building is approximately 18,000 square feet, requiring 60 parking spaces (18,000/300 = 60). The property has 80 parking spaces in the off-street parking lot.

Standards for Special Use

The Special Use Permit application must be considered against standards for Special Uses identified in Section 44-07-11 of the Village Zoning Ordinance. These standards are applied to all Special Use Permit applications. The applicant has provided a set of responses to each of the standards for Special Uses, which is attached as an appendix to this memo. A summary of the staff review of the Special Use Standards is included below in **Table A**.

Table A – Special Use Standards

Special Use Standards	Applicant Comments	Staff Comments
Is the use necessary for public convenience at this location?	<i>“It’s on a main highway in Homewood with good lighting at night. Safe for customers day and night. Good for owners and customers.”</i>	The proposal provides a new use within easy access of Homewood residents. The location of the use increases the accessibility and likelihood of economic success of the use.

VILLAGE OF HOMEWOOD



Special Use Standards	Applicant Comments	Staff Comments
Is the special use detrimental to the economic welfare of the community?	<i>"The business will bring in customers to other business because massage makes you feel great. Therefore, you will also spend money at other nearby businesses."</i>	The business is not adjacent to or in the direct vicinity of a similar use. The use may provide a small amount of additional customer traffic into the commercial center in a manner which could positively impact surrounding businesses.
Is the use consistent with the goals and policies of the Comprehensive Plan?	<i>"Foot massage; full body massage; Swedish massage; all professional services."</i>	The use is consistent with the goals of the 1999 Comprehensive Plan, including: <ul style="list-style-type: none"> - Recruiting appropriate commercial uses for vacant commercial spaces - Expand commercially and economically productive uses in a variety of Village locations.
Is the use designed, located, and proposed in a manner which protects public health, safety, and welfare?	<i>"Not that we are aware of."</i>	Staff has found no concerns with the location or design of the use which could pose risks to public health, safety, or welfare.
Is the use a suitable use of the property, and will the property be diminished in value without the special use?	<i>"Many people require massage. This will also bring people from other suburbs and cities to use this location, so the value of the property should go up."</i>	The staff has reviewed the use and does not believe that the use will cause negative property value impacts. The location is appropriate for an appointment-based service use requiring public visibility and regional access.
Will the use cause substantial injury to the value of the property in the neighborhood?	<i>"Not at all, it should increase the value."</i>	Staff has reviewed the use and does not believe that the use will cause substantial injury to the surrounding neighborhood, including both commercial and residential properties. The applicant and business operators will be responsible for ensuring that customers park within designated off-street parking areas for businesses in the shopping center.

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Special Use Standards	Applicant Comments	Staff Comments
Will the use be consistent with the uses and community character surrounding the property?	<i>"It is not related to other businesses."</i>	The staff has noted that the use is unique for the area, with the nearest massage facilities located in Downtown Homewood near the intersection of Ridge Road and Dixie Highway. The nearest similar use is Tokyo Nail Spa located within the same shopping center, offering similar but not related services. While it is unique, staff has determined that the use is compatible with other commercial uses adjacent to the site.
Will the use hinder the use and enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?	<i>"None whatsoever."</i>	Staff has reviewed the use and determined that the use will not hinder the enjoyment of other property in the neighborhood by being approved.
Will the use impede normal and orderly development of surrounding property?	<i>"No negative impacts, only positive!"</i>	Staff has reviewed the use and found no concerns which could pose a threat to normal and orderly development of surrounding properties. Parking is adequate on the site, and additional demand created by the proposed use will not be at a scale at which neighboring commercial tenants could not be redeveloped and occupied in a normal and orderly manner.
Does the use provide adequate ingress and egress in a manner which minimizes congestion in the public street?	<i>"Right off Dixie Highway – parking is in parking lot."</i>	The site has adequate ingress and egress in a manner which minimizes traffic congestion. The Southgate Shopping Center has multiple ingress and egress points on Dixie Highway and 187 th Street.

VILLAGE OF HOMEWOOD



Special Use Standards	Applicant Comments	Staff Comments
Is the use adequately served by utilities, access, and other facilities?	<i>"All in great, as far as I know."</i>	The site has adequate utility access to operate the proposed facility. The tenant space was previously a pet grooming salon, which provided adequate water and sanitary services to host a use with similar demands for utilities. Staff has not identified any outstanding utility concerns with the tenant space.
Is the use substantially affecting one or more historical, cultural, natural or archeological resources located nearby?	<i>"No"</i>	Staff has no concerns regarding the effects of the use on historical, cultural, natural, or archeological resources.

FINDINGS OF FACT

Staff has prepared the following draft Findings of Fact in accordance with the standards set forth in Section 2 of the Village Code of Ordinances. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property at 18719 Dixie Highway is zoned B-3 (General Business).
2. The applicant, Fei Li, is to be the business operator of the proposed use. Jason Diamond of Mega Properties, LLC is the property owner.
3. The applicant, Fei Li, has requested a Special Use Permit in the B-3 zoning district to operate a massage therapy facility, as required per Table 44-03-04 of the Village Zoning Ordinance.
4. The proposed use will occupy a tenant space with a total of 1,200 square feet of gross floor area, located within an existing building classified as a multi-tenant commercial center.
5. The existing property provides 84 marked parking spaces, 60 parking spaces are required. The property meets the parking requirements per the Zoning Ordinance.
6. The commercial center meets Village of Homewood requirements for ingress/egress, exterior lighting, and utility access and is suitable for supporting the proposed use.

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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 24-16 to grant a Special Use Permit for the operation of a massage therapy facility in the B-3 General Business district for “ReLax Massage” at 18719 Dixie Highway 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.



VILLAGE OF HOMEWOOD

APPLICATION:
**NON-RESIDENTIAL
ZONING REVIEW**

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 18719 S. DIXIE HWY Homewood, IL 60430

Property Index Number(s): 32-06-400-003-0000
32-06-400-004-0000

Lot Size: 1200 sq. ft. X acres
If the subject property is multiple lots, provide the combined area.

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

Complete this section to determine your required review(s):

Is the subject property more than one lot held in common ownership?

yes no

→ If yes, lots held in common ownership should be consolidated

A Planned Development is required for development of lots >25,000 sf or located in the B-1 or B-2 Zoning Districts.

REQUESTED USE

Requested Use: MASSAGE SPA

Gross Floor Area: 1200 sq. ft. Parking Provided: _____

Existing Use: _____

The requested use is:

Permitted

Limited

Special

Other: 6/04/20

SITE OR BUILDING CHANGES

Existing Development: _____

Proposed Development Check all that apply. Provide a description and metrics below.
 New Construction Addition Site Alterations Exterior Building Alterations

BUILD WALKS TO SEPARATE ROOMS AND ADD WASHER + DRYER. POSSIBLY ADD SHOWER AND BATHROOM.

Development Metrics	Existing	Proposed
Gross Floor Area (sq. ft.):	<u>1200</u>	_____
Parking Spaces	<u>4-5</u>	_____
Lot Coverage	_____	_____
Impervious Area (sq. ft.)	_____	_____
Impervious Coverage (%)	<u>0.0%</u>	<u>0.0%</u>

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

→ If yes, requires Site Plan Review

Is site landscaping impacted?

yes no

→ If yes, requires Site Plan Review

Exterior building alterations?

yes no

→ If yes, requires Appearance Review

ZONING RELIEF OR CHANGES

Zoning Variance or Amendment Describe any requested zoning relief or changes below.
MASSAGE SPA

The applicant requests:

Variance

Administrative Exception

Zoning Text Amendment

Zoning Map Amendment

LOCATION

NON-RESIDENTIAL ZONING REVIEW

APPLICANT

Name Fei Li
Company RELAX MASSAGE
Address 18719 S. DIXIE HWY
HomeWOOD P. CALIFORNIA
Phone
Email
Role OWNER

PROPERTY OWNER

Name JASON DIAMOND
Company ME FA PROPERTIES
Address
Phone
Email

Check box if the applicant is the property owner

I acknowledge and attest that:

- All the information and exhibits submitted with this application are true and accurate to the best of my knowledge;
Village representatives are permitted to make reasonable inspections of the subject property necessary to process this application;
I agree to pay all required fees;
No work may be done without first obtaining a Building Permit. All work shall be completed in accordance with Village Codes and Ordinances.

Fei Li

Applicant Name

Fei Li

Applicant Signature

6/04/2024

Date

Staff Notes

Do not write below this line.

Fee: Paid

Date Received:

CASE NO: REQUEST:

Comments/Conditions: Approved Approved with Conditions Denied Date:

CASE NO: REQUEST:

Comments/Conditions: Approved Approved with Conditions Denied Date:

CASE NO: REQUEST:

Comments/Conditions: Approved Approved with Conditions Denied Date:

This application has zoning approvals and may proceed to obtain Building Permits or a Certificate of Occupancy.

Name: Signature: Date:



STANDARDS FOR:
SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

Street Address: <u>18719 S. DIXIE HWY</u>	Homewood, IL 60430
Requested Use: <u>MASSAGE SPA</u>	Area: <u>1200</u> sq. ft.
Business Name: _____	Date: <u>6/04/24</u>
Applicant Name: <u>Fei Li</u>	

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.

ITS ON A MAIN HIGHWAY IN HOMEWOOD, GOOD LIGHTING AT NIGHT, SAFE FOR CUSTOMERS BOTH DAY & NIGHT. GOOD FOR THE OWNER & CUSTOMERS!

2. Is the special use detrimental to the economic welfare of the community?

Will the business have a negative impact on other businesses?

THE BUSINESS WILL BRING IN CUSTOMERS TO OTHER BUSINESS BECAUSE MASSAGE MAKES YOU FEEL GREAT THEREFORE YOU WILL SPEND MONEY ALSO AT OTHER BUSINESS

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.

FOOT MASSAGE
FULL BODY MASSAGE
SWEDISH MASSAGE - ALL PROFESSIONAL

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.

NOT THAT WE ARE AWARE OF.

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.

MANY PEOPLE REQUIRE MASSAGE. THIS WILL ALSO BRING PEOPLE FROM OTHER SUBURBS & CITIES TO USE THIS LOCATION, SO THE VALUE OF THE PROPERTY SHOULD GO UP.

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?

NOT AT ALL, IT SHOULD INCREASE THE VALUE.

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.

ITS NOT RELATED TO OTHER BUSINESS

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.

NONE WHATSOEVER.

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.

NO NEGATIVE IMPACTS, ONLY POSITIVE!

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.

RIGHT OFF DIXIE HWY. PARK IN PARKING LOT.

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.'

ALL IN GREAT AS FAR AS I KNOW

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



VILLAGE OF HOMEWOOD
2020 Chestnut Road, Homewood, IL 60430
(708) 798-3000
BUSINESS OPERATION
CERTIFICATE APPLICATION

Date received:
Date issued:

Please complete all applicable sections of this application. Business Inspections will be conducted at least annually.

Date of Application: 6/04/2024 Anticipated Opening Date: 9/1/2024

Check any that apply: [X] New business [X] New owner of existing business [] Business location change [] Expansion of existing business [X] Business name change

Business Name: RELAX MASSAGE

Local Business Address: 18719 S. DIXIE HWY. Suite # X

Business Telephone Number [REDACTED] e-mail [REDACTED]

Description of Business (product or service offered): MESSAGE SPA

Business Days and Hours of Operation: 7 DAYS 10:00 AM - 9:00 PM

State of Illinois Business Tax number. (Sales Tax No.) X APPLIED ON 6/4/24

Type of Ownership: Individual [X] Partnership [] Corporation [] Limited Liability Company []

Please indicate the address to which invoices should be mailed: [] Local storefront [] Corporate office

Business Owner's Name: Fei Li Phone: [REDACTED]

Operator's Name: Fei Li Home Phone: () [REDACTED]

Emergency Contact Fei Li Phone: [REDACTED] Address: [REDACTED]

NOTE: Additional information on the individuals involved in either the ownership or the operation of the business may be required. If so, you will be advised and supplied with the necessary forms for this additional information.

CORPORATION INFORMATION

Corporate Name: [REDACTED]

Corporate Address: [REDACTED] City: [REDACTED]

State: [REDACTED] Zip: [REDACTED]

Contact Name: [REDACTED] Phone #: [REDACTED]

Registered Agent Name: [REDACTED]

Address: [REDACTED] City: [REDACTED]

Phone #: [REDACTED] State: [REDACTED] Zip: [REDACTED]

PARTNERSHIP OR CO-OWNER INFORMATION (if applicable)

Partner Name: _____ N/R
Partner Address: _____ City _____
Partner Phone: (____) _____ State _____ Zip _____

Square footage of operating and storage areas: 1200 SQ FT Attach floor plan to this application

Number of parking spaces allotted this business 4-5 Locations ON Premises

Number of employees (indicate shift with greatest number of full and part-time employees on site) 1-2 AM TO 9 PM

Type of Alarm System: Fire Burglar _____ Hold-up _____ None _____

Is there a fire suppression system? Yes / No

Will there be any remodeling of the premises? Yes / No Will there be any installation of signage? Yes / No

Will any hazardous materials be used or stored on the premises? Yes / No

(If yes, please describe)

Material Safety Data Sheets (MSDS) must be provided to the Fire Department for all such chemicals or materials.

If premises are leased, please provide the following information:

Building Owner's Name: MEGA PROPERTIES / JASON DIAMOND LEASING AGENT.



Please check all that apply for your business:

- General Business (\$100 up to 5000 square feet)
- _____ General Business (\$200 over 5000 square feet)
- _____ Food Delivery Vehicle (\$75)
- _____ Food Vending Machine (\$50/machine)
- _____ No. of machines _____
- _____ Tobacco (\$400)
- _____ Liquid Propane Exchange (\$50)
- _____ Coin-Operated (\$75/machine)
- _____ No. of machines _____

NOTE: Food handlers will be charged an additional fee for health inspections to be conducted on the premises during the year.

AFFIDAVIT:

Has the owner, partner, corporate officer or director ever been convicted of the commission of a felony under the laws of the State of Illinois or any other state or federal law of the United States? Yes / No (please circle one)
(If yes, state the case name, number, court, nature of the charge, date of conviction and the sentence received as an attachment.)

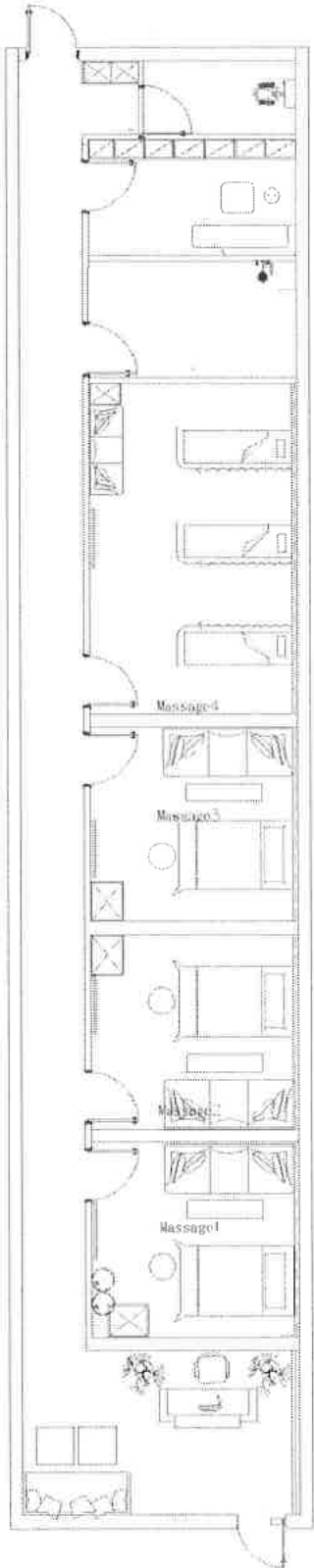
I hereby certify that there are no willful misrepresentations in, or falsifications of, the above statements, answers, and attachments. I understand that it is my responsibility to notify the Village of any changes of this application, immediately as they occur.

I understand and agree that I may not open or operate my business until all the necessary inspections have been completed and all the necessary approvals have been granted to me from the Village. _____ initials I understand and agree that no alcohol may be served on-site without the proper licensing. No on-site food preparation without proper licensing. _____ initials

Signature of principal owner(s), partners or corporate president:

Fei Li Signature Fei Li - OWNER Printed name and title 3/19/2024 Date

Signature _____ Printed name and title _____ Date _____







VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: July 11, 2024

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 24-11/Case 24-19: Special Use Permit for Indoor Commercial Place of Assembly Use, Variance for Location of Indoor Commercial Place of Assembly Use

APPLICATION INFORMATION

APPLICANT	Arnell Newman, Soulistic 360
ACTION REQUESTED	Special Use Permit for Indoor Commercial Place of Assembly
ADDRESS	17811 Bretz Drive, Homewood, IL, 60430
PIN	29-33-100-067

ZONING & LAND USE

LEGAL NOTICE

The legal notice was published in Daily Southtown on June 27, 2024. Letters were sent to property owners and residents within 250’ of the subject property. This case was initially heard at the June 13, 2024 Planning and Zoning Commission hearing. The Planning and Zoning Commission approved a motion to continue the case to the June 27, 2024 hearing of the Planning and Zoning Commission. The case was re-published with the requirement of a Variance application to operate the proposed special use.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	1	Arnell Newman	05/06/2024
Special Use Standards Worksheet	2	Arnell Newman	05/06/2024
Variance Standards Worksheet	2	Arnell Newman	06/10/2024
Floor Plan Drawings	1	Ideal Designs, Architect	06/27/2024
Interior Rendering Drawings	2	Arnell Newman	05/06/2024
Use Operations Checklist	1	Arnell Newman	06/27/2024
Staff Exhibits	2	Asst. Dir. Econ/Comm. Development	07/02/2024

BACKGROUND

The applicant, Arnell Newman of Soulistic 360, has proposed the operation of a professional film and music production studio in a vacant commercial condominium in Building C in the Homewood Business Park Condominium, at 17811 Bretz Drive. The proposed business will occupy approximately 3,000 square feet, through the combination of two vacant tenant spaces. The space will be a mixture of offices, production areas, and service areas related to the production of music and film products. The proposed location is within a multi-tenant commercial business park with three buildings. Other uses within the buildings include a plumbing contractor, a baseball academy, a crematorium, a brewery and taproom, and a baseball bat manufacturer (Homewood Bat).

The proposed space is within the M-1 Limited Manufacturing zoning district and provides a flexible arrangement of office and flex spaces to host a wide range of uses. The site has 145 parking spaces and multiple access points to Bretz Drive.

The proposed use falls within the definition of the *indoor commercial places of assembly* use category, which includes:

“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.”

The approval of this proposed special use is contingent on the approval of an amendment to permit *indoor commercial places of assembly* in the M-1 Limited Manufacturing zoning district. This amendment was recommended by the Planning and Zoning Commission for approval by the Village Board of Trustees on June 27, 2024. The amendment will be considered by the Village Board of Trustees at a meeting in July 2024.

Additionally, a variance from Section 44-04-04 is required for the operation of an *indoor commercial place of assembly* at 17811 Bretz Drive. The use-specific standards for a *place of assembly use* require location on collector and/or arterial streets, prohibiting the operation on local streets. The proposed street, Bretz Drive, is a local street (not a collector or arterial) that provides access to nearby commercial buildings, near the intersection of Bretz Drive and Ridge Road. Therefore, a variance is required.

SPECIAL USE DISCUSSION

The applicant has proposed the operation of a music and film production use in two existing tenant spaces at 17811 Bretz Drive. The space will encompass approximately 3,000 square feet of gross floor area.

As identified in the floor plan exhibit provided with this memo, the space will be largely utilized as a large open floor area dedicated to production space, with the open area primarily used for camera carts, recording applications, or storage. The open area will be assembled from the two large flex spaces in the rear of each of the tenant spaces. A 25' x 17' production stage will be located on the eastern end of this large open space with an 18' x 12' curved LED wall along the back wall of the space. Additional secondary spaces, including a control room/production office space, a soundproofed music production

studio, and dedicated staff offices, will be located throughout the remainder of the space. A small lounge and break room for staff will be provided on a mezzanine floor constructed above the ground floor open space.

The space will be primarily used for two types of activities:

1. The production of video, short film, and music products with crews and production staff
2. Assembly for training sessions and other small speaking gatherings

Each activity is discussed in brief below as part of the Special Use Permit review.

Video, Short Film, and Music Production

The primary activity within the space will be video, short film, and music production. This activity primarily involves professional production stage services for film, post-production, and the music industry, which will generate the majority of the economic value of the business and constitute most daily operations. According to the applicant, this production use will include filming and production of short films and live streams, the creation of film scores, recorded music and other music content, band and choir rehearsal and recording, and music mixing for use in films, music videos, and other projects.

The work will revolve around a mixture of larger production crews working on projects in recording and production spaces and smaller crews working in offices or smaller production areas to complete processing and final content production. Given the gathering of various teams of crew members and others associated with the production of media products such as film and music, the use is classified as a *place of assembly* use.

The hours of operation would be seven days a week, with access to the workspace from 10:00 am-2:00 am. The applicant has stated that most production teams work between 10:00 am and 6:00 – 7:00 pm on weekdays, following an 8-9 hour workday schedule typical of the industry. According to the applicant, industry labor restrictions make work after 7:00 pm – 8:00 pm difficult. The applicant has stated that the peak hours of the business will be between 11:00 am and 3:00 pm, as these are the primary hours for most intensive production work involving live filming, recording, or other production services.

Most activity after 7:00 pm would be restricted to office-based work, including post-production work, editing, or processing of footage, music, or other media. This restriction is due to the lack of availability for professional production crews after 7:00 pm, industry restrictions, and the lack of interest from most clients in late-night production. The preference is that later hours be used for processing the work completed during business hours. Additionally, all soundstage production will be restricted to between 10:00 am and 12:00 am in areas with adequate soundproofing. The applicant has proposed soundproofing to both protect neighboring businesses and ensure the integrity of the music production occurring at the facility.

Assembly for Training, Seminars and Other Events

The applicant proposes a limited range of events at Soulistic 360 oriented around the music and film production uses completed by the business. The applicant will also host special industry-focused education events. Several specific events types named by the applicant include:

- Training sessions for production staffs and crews
- Private screenings of film and other media productions
- Training seminars for local students attending theatre and music programs
- Live audience attended recordings
- Private events/presentations through local music association
- Soulistic 360 “Vinyl Exchange” event

In acknowledgment of the limited capacity and the reputation of the association through which many of the events will be run, the events will be operated on an “invite only” basis. The applicant has stated that assembly events, except training seminars and sessions, will be restricted to Saturdays and Sundays when the multi-tenant center has lower traffic volumes and production uses are generally not taking place. The capacity for “invite only” events will be 40 people with assigned seats, arranged in a pattern shown in the floor plan exhibit provided with this memo. The applicant has stated that most events will have 13-25 people invited, with some events having a greater number. Event invites will be strictly controlled by the applicant and business owner.

The applicant has expressed a desire to avoid “entertainment-style” events, with no alcohol provided with events. The applicant has stated that to maintain industry competitiveness in the media production field, there is a strong incentive to avoid creating a “party venue” with poor behavior and unregulated events.

The Special Use Permit application must be considered against standards for Special Uses identified in Section 44-07-11 of the Village Zoning Ordinance. These standards are applied to all Special Use Permit applications. The applicant has provided a set of responses to each of the standards for Special Uses, which is attached as an appendix to this memo. A summary of the staff review of the Special Use Standards is included below in **Table A**.

Table A – Special Use Standards

Special Use Standards	Applicant Comments	Staff Comments
Is the use necessary for public convenience at this location?	<i>“Bretz Drive provides the structure required to develop an iconic facility that is supported by extensive parking and fiber communication.”</i>	The location of the use provides the level of convenience needed for this type of use (regional accessibility, near major roadways, etc.), and the structure provides a suitable space for this type of economically and culturally productive use.
Is the special use detrimental to the economic welfare of the community?	<i>“Our facility will not negatively impact any of the existing or developing business. In fact, we see a wonderful opportunity to network with our neighbors.”</i>	The special use in this location will not cause adverse economic impacts. The business will be located in a vacant commercial space and will improve economic welfare of the surrounding area.

<p>Is the use consistent with the goals and policies of the Comprehensive Plan?</p>	<p><i>"This business will provide more goods and services for residents and visitors."</i></p>	<p>The use is consistent with the goals of the 1999 Comprehensive Plan, including:</p> <ul style="list-style-type: none"> - Recruiting appropriate industrial or commercial uses for vacant industrial and commercial spaces - Expand commercially and economically productive uses in a variety of Village locations.
<p>Is the use designed, located, and proposed in a manner which protects public health, safety, and welfare?</p>	<p><i>"There are no foreseen negative impacts to operate at this location."</i></p>	<p>Staff's primary concern is parking for the site. The site currently has 146 spaces. The proposed business, under new parking requirements as approved by the Village Board on July 9, will require 12 parking spaces. The current businesses within the commercial center require 50-60 parking spaces total. Parking is suitable for occasional events with 40 patrons on weekends, when the only potential conflict is with the Rabid Brewing on the opposite end of the property. General daily operations are unlikely to cause significant disturbances to neighboring businesses. However, if events exceed site capacity, limited options for additional parking are available in the area due to the lack of on-street parking allowed on Bretz Drive. The applicant claims that these events will be rare, however, the building/fire capacity allows more than 40 people. Any van or delivery traffic can access the rear entrance of the building for load-in and load-out for the use, minimizing disturbance to the safety and welfare of surrounding businesses. The use will be managed and designed in a manner which sufficiently protects health (noise, etc.), safety (large gatherings, etc.) and overall welfare.</p>

<p>Is the use a suitable use of the property, and will the property be diminished in value without the special use?</p>	<p><i>“Bretz Drive commercial condos are constructed of extended ceilings that are required for professional filming/post/music broadcast operations. This industrial park provides a specific footprint that is appreciated by professionals”</i></p>	<p>The use is suitable for the property. The use generally requires the type of spaces found at the subject property, with high ceilings and large amounts of flex space allowing for the adaptability necessary for production uses such as the one proposed. The use, as proposed, is designed to mitigate effects on neighboring properties that might diminish the overall value of the property. The use is unique and can fill a vacancy in the Village, increasing overall economic value for the area east of Halsted Street.</p>
<p>Will the use cause substantial injury to the value of the property in the neighborhood?</p>	<p><i>“Our facility will not decrease the value of other properties.”</i></p>	<p>The applicant has taken steps to mitigate the potential injury which could occur to surrounding properties, including noise impacts on neighboring properties. Sound recording is contained to a soundproofed isolation room, and other sound-dampening measures are being proposed by the applicant to preserve the integrity of the product. Other potential impacts which could emerge from this use, such as higher-than-average demand for off-street loading areas, have been successfully mitigated by the applicant.</p> <p>Parking remains a potential concern for injury to property in the neighborhood. While the applicant has taken steps to mitigate the effects of larger gatherings on surrounding areas (identifying most events as “invite only” with controlled capacity, seating capacity limited to 40 patrons, limiting most events to weekends only), the maximum capacity of the space is such that larger events could potentially be held. Such events could create parking spillover with few other options for parking impacting neighboring uses.</p>

<p>Will the use be consistent with the uses and community character surrounding the property?</p>	<p><i>"Yes."</i></p>	<p>Staff finds the use to be consistent and compatible with surrounding uses. The use is unique, but in-line with the types of economically productive uses desired for the M-1 zoning district, and is a use which is suitable for some M-1 zoned properties.</p>
<p>Will the use hinder the use and enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?</p>	<p><i>"No negative impacts as a result of operating at this location."</i></p>	<p>Parking remains the primary concern for ensuring full enjoyment of other property in the neighborhood, including neighboring businesses. The applicant has taken steps to mitigate the effects of larger gatherings on surrounding areas (identifying most events as "invite only" with controlled capacity, seating capacity limited to 40 patrons, limiting most events to weekends when parking demand for the overall property is lower), the maximum capacity of the space is such that larger events could still potentially be held. Such events could create parking spillover with few other options for parking impacting neighboring uses.</p> <p>The applicant has largely mitigated other potential impacts and has stated a desire to avoid becoming an "entertainment" use which would lower the status of the business and decrease its market competitiveness, further protecting against impacts hindering the enjoyment of surrounding properties.</p>
<p>Will the use impede normal and orderly development of surrounding property?</p>	<p><i>"No negative impacts."</i></p>	<p>The use is unlikely to impede the normal and orderly development of surrounding property. The use will increase parking demand on the subject property, with most demand peaking at 40 users. While the site can support this level of use without issue, the applicant is proposing an open assembly space with a total capacity greater than the 40 anticipated for most events. This capacity may be exceeded if the event is a "standing room" event.</p>

<p>Does the use provide adequate ingress and egress in a manner which minimizes congestion in the public street?</p>	<p><i>"Yes. Customers will drive, and park and designated parking."</i></p>	<p>The site has adequate ingress and egress in a manner which minimizes traffic congestion. The use is located on a local street (requiring a variance), but the street is of sufficient capacity and location so as not to cause excess traffic congestion, nor effects on residential property from increased trip counts which would otherwise occur on most local streets. Staff has no concerns regarding ingress and egress to the subject property.</p>
<p>Is the use adequately served by utilities, access, and other facilities?</p>	<p><i>"No."</i></p>	<p>The business is going into an existing development. The development has sufficient services to operate the proposed use. The applicant has stated "no" as stated in the directions for businesses entering existing developments on the Special Use Permit worksheet.</p>
<p>Is the use substantially affecting one or more historical, cultural, natural or archeological resources located nearby?</p>	<p><i>"No"</i></p>	<p>Staff has no concerns regarding the effects of the use on historical, cultural, natural or archeological resources.</p>

VARIANCE DISCUSSION

The applicant requires a variance from the use-specific standards outlined in Section 44-04-04(b) of the Homewood Zoning Ordinance, which state that:

"Indoor places of assembly shall be located on collector and/or arterial streets."

The purpose of this standard is to ensure that *indoor places of assembly* are located in areas which are suitable for intermittent peaks of high-intensity traffic and are capable of handling larger assemblies of guests/visitors without disturbances from traffic congestion or excessive on-street parking.

The proposed use, if approved, would be located on Bretz Drive. Bretz Drive is classified as a *local street* by Village of Homewood engineering standards, and is not designated as a collector or arterial per the 1999 Comprehensive Plan. Bretz Drive is a north-south local corridor providing access to the rear of several large retail businesses along Halsted Street, as well as the front of the subject property. The street then turns into an east-west corridor serving as a private roadway collecting traffic from parking lots at the Jewel-Osco and Target businesses along Halsted Street, creating an access loop via the public easement along the access drive between Jewel Osco and Target.

The street varies from most local streets in the Village, with no available on-street parking and wide traffic lanes designed to accommodate larger trucks accessing commercial uses in the vicinity.

The Variance application must be considered against Standards for Variance identified in Section 44-07-12 of the Village Zoning Ordinance. These standards are applied to all Variance applications. The applicant has provided a set of responses to each of the Standards of Variance, which is attached as an appendix to this memo. A summary of the staff review of applicant responses is included below in **Table B**.

Table B – Variance Standards

Special Use Standards	Applicant Comments	Staff Comments
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?	<i>“The current regulations would restrict the business model for training and hosting.”</i>	The business would not be permitted without the variance.
Is the plight of the owner due to unique circumstances?	<i>“As a full service production/recording facility, the process to present is the priority driving force.”</i>	As stated by the applicant, the use is unique and has unique constraints on the development. The current site is suitable but lies on a local street. The local street is modified and is unlike most local streets in Homewood, with few access points, no on-street parking, and no residential access. The street was designed for higher-intensity use and specific points of access to industrial and commercial property. This street may be appropriate for a place of assembly use, and current regulations restrict use of the space.
If granted, will the variance alter the essential character of the locality?	<i>“This will not alter the character of the surrounding properties.”</i>	Staff agrees that the proposed business will not fundamentally alter the essential character of the locality.

<p>Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?</p>	<p><i>“Without the relief, this property is not able to be used in the commercial application.”</i></p>	<p>There are not physical or topographical constraints on the operation of this space. However, the business is located on a unique street which varies from other streets in a similar classification. This poses a hardship that causes the business to be unable to operate if subjected to a strict interpretation of the regulations of the Homewood Zoning Ordinance.</p>
<p>Would the conditions upon which the request for variance is based be generally applicable to other property within the same zoning classification?</p>	<p><i>“Yes.”</i></p>	<p>The conditions apply to this specific type of use (place of assembly) located on Bretz Drive in the M-1 Limited Manufacturing zoning district. They do not apply to other locations in the M-1 zoning district or along other local streets in the vicinity of the subject property.</p>
<p>Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?</p>	<p><i>“No.”</i></p>	<p>No. The street classification for Bretz Drive was established at the time of its construction in the 1990s and was designated in the 1999 Comprehensive Plan.</p>
<p>If granted, will the variance be detrimental to public welfare or injurious to other neighboring properties?</p>	<p><i>“This will not have any negative impact on our neighbors.”</i></p>	<p>The approval of the variance to permit the operation of an <i>indoor commercial place of assembly</i> on Bretz Drive will not cause injury or loss of value to surrounding properties. The use requires review through the Special Use Permit process to consider other potential effects on neighboring properties caused by the use.</p>

<p>If granted, will the variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?</p>	<p><i>“This will not have any impact on current or potential developments. This relief will not endanger public safety.”</i></p>	<p>The variance will not cause impairment of light and air supply, increase fire danger, or increase public safety concerns. The use as proposed will not create regular traffic to such a degree to cause congestion and potential dangers from increased traffic. The street location is not in a highly trafficked area where the variance will add to existing congestion or safety concerns. The use will not cause any pedestrian safety hazards caused by the street designation or design of the street section.</p>
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Based on the existing conditions of Bretz Drive and its unique location and design, staff recommends approval of the variance to allow an *indoor commercial place of assembly* to operate on Bretz Drive as a local street.

FINDINGS OF FACT

The staff has prepared the following draft Findings of Fact in accordance with the standards set forth in Section 2 of the Village Code of Ordinances. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is located at 17811 Bretz Drive in the M-1 Limited Manufacturing zoning district.
2. The applicant, Arnell Newman, is the business operator of the proposed use.
3. The applicant, Arnell Newman, has requested a Special Use Permit in the M-1 Limited Manufacturing zoning district to operate an *indoor commercial place of assembly* use, as required per Table 44-03-04 of the Village Zoning Ordinance.
4. The applicant, Arnell Newman, has requested a Variance from Section 44-04-04(b) of the Homewood Zoning Ordinance, which states that *indoor commercial place of assembly* uses “shall be located on collector and/or arterial streets.” Bretz Drive is classified as a local street on street classification maps.
5. The proposed use will occupy a tenant space with a total of 3,000 square feet of gross floor area, located within an existing building classified as a *multi-tenant commercial center*.
6. The use is located in a business condominium with 145 marked parking spaces, where 78 marked parking spaces are required, and complies with the Homewood Zoning Ordinance parking requirements set forth in Section 44-05-01. The tenant space has a requirement of 12 parking spaces if individual use standards were applied to the space.
7. The proposed special use is in alignment with the Special Use Standards set forth in Section 44-07-11.

- 8. The proposed variance is due to unique circumstances and will not harm the health, safety, or public welfare of the surrounding community.
- 9. The proposed use will require the issuance of a Business Operation Certificate to operate.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

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

Recommend **approval** of Case 24-18 to permit a variance from Section 44-04-04(b) of the Homewood Zoning Ordinance, allowing the operation of an *indoor commercial place of assembly* use at 17811 Bretz Drive, which is located on a street currently classified as a local street;

AND

Recommend **approval** of Case 24-11 to permit the operation of an *indoor commercial place of assembly* as a special use at 17811 Bretz Drive;

AND

Incorporate the Findings of Fact into the record.



VILLAGE OF HOMEWOOD

NON-RESIDENTIAL ZONING REVIEW

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 17811 Bretz Drive Homewood, IL 60430

Property Index Number(s): 29-33-100-067-1014

Lot Size: _____ sq. ft. _____ acres
If the subject property is multiple lots, provide the combined area.

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

Complete this section to determine your required review(s):

Is the subject property more than one lot held in common ownership?

- yes
- no

→ If yes, lots held in common ownership should be consolidated

A Planned Development is required for development of lots >25,000 sf or located in the B-1 or B-2 Zoning Districts.

REQUESTED USE

Requested Use: The development of a professional production stage that will provide services for film, post production, and music industry. In addition to daily operations, our facility will host a series of

Gross Floor Area: 3000 sq. ft. **Parking Provided:** 12

Existing Use: vacant / clear

The requested use is:

- Permitted
- Limited
- Special
- Other:

SITE OR BUILDING CHANGES

Existing Development: vacant / clear

Proposed Development *Check all that apply. Provide a description and metrics below.*

New Construction Addition Site Alterations Exterior Building Alterations

(lower main level) Delete existing 13'x13' foyer. Add (1) additional restroom. Add (1) kitchen/break room with appliances. 16'x17'x8'. Add (1) lower level office 16'x14'x8'. Replace existing foyer/entry to 16'x14'x8'. Install 5 ton unit on rooftop and provide ductwork. Update service panel and sprinklers for 1st floor offices. Install 25'x17'x 2' production stage. Add 18'x14' LED pool and fiber. Add stage lighting.

Development Metrics	Existing	Proposed
Gross Floor Area (sq. ft):	3000	300
Parking Spaces	12	12
Lot Coverage		
Impervious Area (sq. ft.)		
Impervious Coverage (%)		

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

→ If yes, requires Site Plan Review

Is site landscaping impacted?

- yes
- no

→ If yes, requires Site Plan Review

Exterior building alterations?

- yes
- no

→ If yes, requires Appearance Review

ZONING RELIEF OR CHANGES

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

The applicant requests:

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



STANDARDS FOR: SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

Street Address: 17811 Bretz Drive Homewood, IL 60430

Requested Use: Production facility/education center -Film/Music/Post **Area:** 3000 sq. ft.

Business Name: Soulistic 360

Applicant Name: Arnell Newman **Date:** 5/6/2024

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.

Bretz Drive provides the structure required to develop an iconic facility that is supported by extensive parking and fiber communication.

2. Is the special use detrimental to the economic welfare of the community?

Will the business have a negative impact on other businesses?

Our facility will not negatively impact any of the existing or developing business. In fact, we see a wonderful opportunity to network with our neighbors.

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.

This business will provide more goods and services for residents and visitors.

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.

There are no foreseen negative impacts to operate at this location.

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.

Bretz Drive commercial condos are constructed of extended ceilings that are required for professional filming/post/music broadcast operations. This industrial park provides a specific footprint that is appreciated by professionals.

- 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?

Our facility will not decrease the value of other properties.

- 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.

Yes.

- 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 as a result of 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.

No negative impacts.

- 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.

Yes. Customers will drive, and park and designated 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.'

No.

- 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



VILLAGE OF HOMEWOOD

Item 5. B.

STANDARDS FOR:
VARIANCE

2020 Chestnut Road, Homewood, IL 60430

Street Address: 17811 Bretz Dr. Homewood, IL 60430

Requested Variance: Place of assembly

Zoning Requirement: M-1

Ordinance Reference: _____

Applicant Name: Arnell Newman **Date:** 06/10/2024

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:

1. 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.

The current regulations would restrict the business model for training and hosting.

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?

As a full service production/recording facility, the process to present is the priority driving force.

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 will not alter the character of the surrounding properties.

Continued on following page.

Supplemental to the above standards, the decision-making authority shall also consider and make findings of fact on the character of the alleged hardship and the potential impacts to neighboring properties of granting the variance, as provided in the applicant's following responses. No one is controlling.

4. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?

Describe the unique characteristics of the site that limit use or development without the requested relief.

Without the relief, this property is not able to be used in the commercial application.

5. Would the conditions upon which the request for variance is based be generally applicable to other property within the same zoning classification?

Do your neighbors have the same circumstances?

Yes

6. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?

Provide information about any personal gains related to the hardship.

No

7. If granted, will the variance be detrimental to public welfare or injurious to other neighboring properties?

Describe any potential negative impacts on neighboring properties and mitigation efforts.

This will not have any negative impact on our neighbors.

8. If granted, will the variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?

Explain how the requested relief will not create a hazard or de-value adjacent property.

This will not have any impact on current or potential developments. This relief will not endanger public safety.

INTERIOR BUILDOUT FOR:
ARNELL NEWMAN
17811 Bretz Dr.
Homewood, IL 60430

DESIGN FROM REC. NO.
194.009972
EXP. DATE
4-22-25

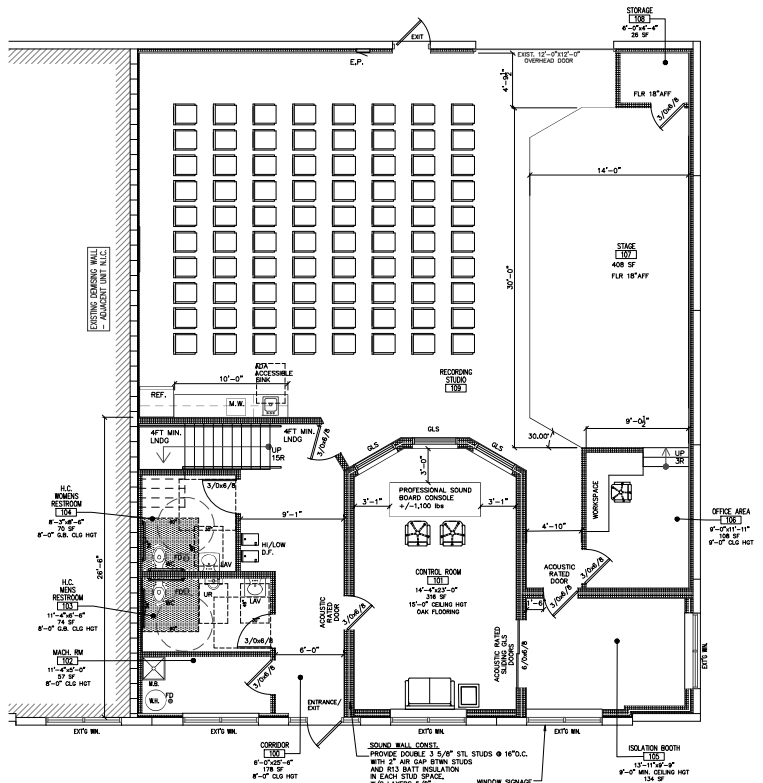
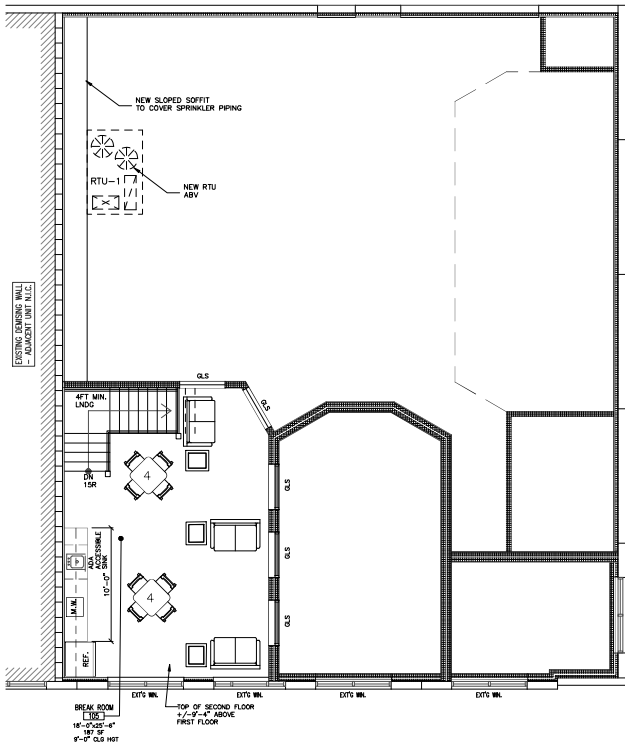
REVISIONS
REV # DATE REV. PER.

DATE
06-27-24
DRAWN BY: JY
PROJECT NO.
24052
SHEET NAME
FLOOR PLANS
NEW CONSTRUCTION

SHEET NUMBER
A-1

LEGEND

[Symbol]	DESCRIPTION
[Symbol]	EXIST. EXTERIOR WALL
[Symbol]	NEW WALL CONDT
[Symbol]	PARTITION TYPE TAG - SEE SHEET A-2
[Symbol]	DOOR TYPE TAG - SEE SHEET A-2
[Symbol]	WINDOW TYPE TAG - SEE SHEET A-2



PRELIMINARY DRAWINGS
LAYOUT FOR OWNER REVIEW/APPROVAL
NOT FOR CONSTRUCTION
27 JUNE 2024







Soundstage & Production Studio

Hours of operation: 10:00 AM- 2:00 AM

Video Production:

- Short Film/Reels
- Livestream
- Content for products
- Music content
- Training seminars
- Private Screening

Soundstage Production:

10:00 AM- 12:00 Midnight

- Band / Choir Rehearsal
- Band / Choir Recording
- Training seminars for local students attending theatre and music programs
- Live audience attended recordings (40 Seats) - *Weekends only*
- Scoring for film
- Private events/ presentations – *Weekends only*
- Soulistic 360 “Vinyl Exchange” – *Weekends only* This is our open invite for local record stores to set-up and present their releases for audiophiles and vinyl collectors.

Recording Studio:

- Full band/production recording
- Scoring and mixing recorded material
- Training seminars for local H.S students in music programs
- Voiceover ADR



