

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
**For Inclusion on Board Agenda**


Resolution or Ordinance (Blue)       Waiver of First Requested  
 Recommendations of Boards, Commissions & Committees (Green)  
 Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** September 29, 2020      **(BOT) Date:** October 1, 2020

**SUBJECT:** PC 20-22, 1300 S. Main Street, Suite J – Conditional use for a tattoo studio

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.417(G)(2)(b)(xiv) of the Lombard Village Code to allow for a tattoo studio to operate on the subject property located within the Roosevelt Road Corridor B4A District.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 1, 2020, Board of Trustees agenda with a waiver of first reading requested by the petitioner.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WJH*

**MEETING DATE:** October 1, 2020

**SUBJECT:** **PC 20-22, 1300 S. Main Street, Suite J – Conditional use for a tattoo studio**

Please find the following items for Village Board consideration as part of the October 15, 2020, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 20-22; and
3. An Ordinance granting approval of a conditional use for a property located at 1300 S. Main Street, Suite J.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 1, 2020, Board of Trustees agenda with a waiver of first reading requested by the petitioner.



## VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
[www.villageoflombard.org](http://www.villageoflombard.org)

October 1, 2020

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

### Trustees

Dan Whittington, Dist. 1  
Anthony Puccio, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Andrew Honig, Dist. 4  
Daniel Militello, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared **Vision** for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The **Mission** of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 20-22, 1300 S. Main Street, Suite J**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.417(G)(2)(b)(xiv) of the Lombard Village Code to allow for a tattoo studio to operate on the subject property located within the Roosevelt Road Corridor B4A District.

The Plan Commission conducted a public hearing on September 21, 2020. Pursuant to Governor Pritzker's Executive Order No. 2020-07 which suspends the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, multiple members of the Plan Commission participated in the meeting through a virtual meeting platform.

Sworn in to present the petition were: Anna Papke, Senior Planner; and Jaime Munoz, the petitioner.

Vice-Chair Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Munoz stated that he is applying for a conditional use to open a tattoo studio. He noted that he already owns another tattoo studio in the Village. This would be a second location.

Vice-Chair Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner proposes to operate a tattoo studio in the B4A Roosevelt Road Corridor District. The business would occupy a suite in a strip shopping center on Roosevelt Road. Staff has reviewed the petition and does not believe the proposed use will create any undue impacts on neighboring properties. A tattoo studio is similar to other personal service businesses located along the corridor. Staff finds the petition meets the standards for conditional uses and recommends approval of the petition.

Vice-Chair Flint asked if staff had received any comment from members of the public prior to the meeting. Ms. Papke said no public comment had been received.

Vice-Chair Flint opened the meeting for comments among the Commissioners.

Commissioner Burke said he had no comments and would entertain a motion to recommend approval of the petition.

Commissioner Giuliano had no questions or comments.

Commissioner Johnston had no questions or comments.

Commissioner Sweetser had no comments. She asked if there were any other tattoo studios in the Village. Mr. Munoz stated that he owned another tattoo studio on East St. Charles Road.

On a motion by Commissioner Sweetser, and a second by Commissioner Johnston, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 20-22, subject to the following four (4) conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the approval of the conditional use shall be contingent upon meeting the provisions of the Tattoo and Body Piercing Establishment Registration Act;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the tattoo studio is not established by said date, this relief shall be deemed null and void.

Respectfully,

**VILLAGE OF LOMBARD**

Steve Flint, Vice-Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### Tattoo and Piercing Studio – 1300 S. Main Street, Unit J

**September 21, 2020**

**Title**

PC 20-22

**Petitioner**

Jaime Munoz (Family Munoz Inc.)  
 Jaime Munoz  
 1031 E. Maple Street  
 Lombard, IL 60148

**Property Owner**

Key Investment  
 1263 S. Highland Avenue  
 Lombard, IL 60148

**Property Location**

1300 S. Main Street, Unit J

**Zoning**

B4A – Roosevelt Road Corridor  
 District

**Existing Land Use**

Multi-tenant strip shopping center

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Conditional use, pursuant to Section 155.417(G)(2)(b)(xiv) of the Village Code, to allow for a tattoo studio in the Roosevelt Road Corridor B4A District

**Prepared By**

Anna Papke, AICP  
 Senior Planner



**LOCATION MAP**

**PROJECT DESCRIPTION**

The petitioner requests a zoning conditional use to allow for a tattoo studio to operate on the subject property within the Roosevelt Road Corridor B4A District.

The subject property is a tenant space in a strip shopping center. The petitioner, Jaime Munoz (Family Munoz Inc.), is proposing to use the space for a tattoo and piercing studio. The petitioner operates an existing tattoo studio at 1047 E. St. Charles Road (PC 14-19). The proposed tattoo studio at 1300 S. Main Street will be a second location.

**APPROVAL(S) REQUIRED**

The petitioner requests a zoning conditional use pursuant to Section 155.417(G)(2)(b)(xiv) of the Lombard Village Code to allow for a tattoo studio to operate on the subject property located within the Roosevelt Road Corridor B4A District.

**EXISTING CONDITIONS**

The subject property is currently developed with a multi-tenant commercial strip shopping center.

**PROJECT STATS**

**Lot & Bulk**

Parcel Size: 3.60 acres  
Building Area: 39,684 sq. ft.  
Unit J Area: 1,160 sq. ft.

**Submittals**

1. Petition for a public hearing, dated August 31, 2020;
2. Response to Standards for a Conditional Use, prepared by the petitioner;
3. Plat of survey, prepared by Glen D. Krisch Land Surveyor, Inc.; and
4. Floor plans, provided by petitioner.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments regarding the petition. The petitioner will need a separate building permit for the proposed work shown in the submitted floor plans. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has no comments regarding the petition. Additional comments may be forthcoming during permit review.

**Public Works/Private Engineering Services:**

Public Works and Private Engineering Services (PES) have no comments regarding the petition. Additional comments may be forthcoming during permit review.

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

**1. Surrounding Zoning & Land Use Compatibility**

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	B4A	Office and bank buildings
<b>South</b>	R2, R5	Single- and multi-family residences
<b>East</b>	B4A	Strip shopping center
<b>West</b>	B4APD	Strip shopping center

The subject property is located on the Roosevelt Road commercial corridor. The proposed tattoo studio is compatible with surrounding uses.

**2. Comprehensive Plan Compatibility**

The Comprehensive Plan recommends community commercial uses in this area. The proposed use is consistent with this designation.

**3. Zoning Compatibility**

Tattoo studios were added to the Zoning Ordinance as a conditional use in the B4A District and other business zoning districts in 2014 (PC 14-18).

Staff has reviewed the petitioner's request and finds the proposed tattoo studio will not create any undue impacts on neighboring properties. The petitioner operates a tattoo studio in a strip shopping center at 1047 E. St. Charles Road, where the surrounding neighborhood and the mix of tenants in the shopping center are similar to those at 1300 S. Main (PC 14-19). Staff notes that tattoo studios are similar to other personal services such as salons and barber shops, which are permitted uses in the B4A District. Staff finds the proposed use is consistent with the standards for conditional uses.

### **SITE HISTORY**

#### **PC 15-08**

Conditional use for outdoor dining area (Wing Brothers restaurant).

### **FINDINGS & RECOMMENDATIONS**

Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use for a tattoo studio in the B4A District and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 20-22:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 20-22, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the approval of the conditional use shall be contingent upon meeting the provisions of the Tattoo and Body Piercing Establishment Registration Act;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the tattoo studio is not established by said date, this relief shall be deemed null and void.

Inter-Departmental Review Committee Report approved by:

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William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A  
TATTOO STUDIO PURSUANT TO TITLE 15, CHAPTER 155,  
SECTION 155.417(G)(2)(b)(xiv) OF THE LOMBARD CODE OF  
ORDINANCES**

PC 20-22; 1300 S. Main Street, Suite J

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned Roosevelt Road Corridor B4A District; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.417(G)(2)(b)(xiv) of the Lombard Zoning Ordinance to allow a tattoo studio; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on September 21, 2020, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following conditional use for a tattoo studio is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 1300 S. Main Street, Suite J, Lombard, Illinois and legally described as follows:

Ordinance No. \_\_\_\_\_  
Re: PC 20-22  
Page 2

That part of the east 592.0 feet of the northeast ¼ of section 19, township 39 north, range 11, east of the third principal meridian, which lies north of the north line of Rebecca Road, and the north line of Rebecca Road extended west, as per melody lane estates unit No. 1 (excepting therefrom the north 337.80 feet thereof and except that part dedicated for MainStreet as per said Melody Lane estates unit No. 1), in DuPage County, Illinois.

Parcel Number: 06-19-201-018 (the “Subject Property”).

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the approval of the conditional use shall be contingent upon meeting the provisions of the Tattoo and Body Piercing Establishment Registration Act;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the tattoo studio is not established by said date, this relief shall be deemed null and void.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2020.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

Ayes: \_\_\_\_\_

Ordinance No. \_\_\_\_\_  
Re: PC 20-22  
Page 3

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk