

Surrounding Zoning and Land Use:

North: R5 PD General Residence District, Planned Development; developed as the Covington townhome development

South: R4 PD Limited General Residence District, Planned Development; developed as the Arboretum Park townhomes

East: B3 Community Shopping District; developed as a commercial strip retail center and office use

West: B3 Community Shopping District; developed as an Auto Service Station

ANALYSIS

SUBMITTALS

This report is based on the following documents which were filed with the Department of Community Development on February 15, 2006:

1. Petition for Public Hearing
2. Standards for Conditional Use
3. Plat of Survey; Prepared by Accredited Land Surveying, Inc.; dated January 31, 2001.
4. Supporting Documentation: Preliminary Interior Building Plans and photographs of the interior.

DESCRIPTION

This petition requests conditional use approval for a massage establishment within Cove Plaza Shopping Center. The proposed use will occupy a 1,200 square foot space within the 24,300 square foot multi-tenant building. The Village previously approved a conditional use for a massage establishment in 2000 (PC 00-53 – see Attachment A for a copy of the Ordinance of approval), subject to a number of conditions. The petitioner chose not to complete the parking lot improvements and chose to open the salon without massage services.

The Cove Plaza Shopping Center is now under new ownership. The new owner completed all of the site improvements that were outlined as part of the conditional use approval in 2000. As more than five years have passed since the conditional use approval was granted, another conditional use approval is needed prior to permitting the use to operate on the subject property.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services

The Department of Community Development, Private Engineering Services Division has no comments at this time.

Public Works

The Department of Public Works has no comment at this time.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments at this time.

PLANNING

The existing salon is located at 406 W. 22nd Street within the Cove Plaza shopping center within the B3 Community Shopping District. The petitioner is proposing to buy the existing hair salon and incorporate massage therapy into the services provided at the salon. While barber shops and beauty salons are permitted uses within the B3 District, physical culture and massage establishments are listed as conditional uses in the District.

The original owner, John Michael Quinn applied for and received conditional use approval for massage establishment back in 2000 (PC 00-53). One of the conditions of approval was that prior to opening the establishment, the petitioner had to submit for review and approval, a revised parking lot plan that included an increase in the number of accessible spaces and a landscape plan for the parkway and the parking lot. The petitioner was unable to complete the parking lot improvements or submit a bond to the Village to cover the costs of the improvements. Therefore, the petitioner chose to open the salon without massage services. The Cove Plaza shopping center where the salon is located is now under new ownership. The new owner has completed the parking lot improvements that were outlined as part of the conditional use approval in 2000. Section 155.103(F)(12) of the Zoning Ordinance authorizes the continuation

of a conditional use if the ownership changes provided that the use remains unchanged. However, that section also states that a conditional use expires if the conditional use ceases for more than twelve months for any reason. Since, more than five years have passed since the conditional use approval, another conditional use approval is needed.

Prior to commencing the proposed massage establishment, the applicant is required to submit an application and receive approval for a Village Massage Establishment License. This license agreement will be required for each massage therapist which may be employed by the petitioner. Each massage therapist applying for a position is required to apply for a massage license and must be approved by the Village prior to conducting business.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends neighborhood commercial uses for the subject property and the surrounding area. The proposed use and activity is frequently found within commercial centers and is often complementary with other retail commercial uses. The use will be compatible with the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The subject property is bounded by commercial uses on two sides. To the north are high-density dwellings and to the south are medium-density multi-family dwellings. The physical culture and massage establishment incorporated with the hair care facility is intended to serve local shopping needs, and hence it is compatible with the adjacent land uses.

Compliance with the Zoning Ordinance

The petitioner has requested conditional use approval to allow a massage establishment. The Zoning Ordinance lists, "Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)", as a conditional use within the B3 Community Shopping District.

During the review of the original petition for a conditional use (ZBA 00-53), staff recommended that the petitioner submit a parking lot plan that meets current Village parking lot requirements. The parking only had two accessible parking spaces when five spaces were required. Also, the parking lot did not have any landscape islands and therefore did not meet interior parking lot landscaping requirements. The parking lot was not setback from the front property line, and therefore did not meet perimeter parking lot landscaping requirements. The new property owner has since made the necessary improvements to bring the parking lot into compliance with the current parking regulations.

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the response to standards included as part of the petition and concurs that the petition meets the standards set forth in the Zoning Ordinance. Staff believes that the proposed use is appropriate at the subject location and is compatible with surrounding uses.

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance, and, therefore, I move that the Plan Commission accept the findings and responses to the standards for variations included within the Inter-departmental Review Report as the findings and responses of the Lombard Plan Commission and therefore, recommends to the Corporate Authorities **approval** of PC 06-08 subject to the following conditions:

1. The conditional use is exclusively for the physical culture and massage establishment activity proposed to be conducted on the premises.
2. All massage therapists must obtain a license from the Village of Lombard prior to commencing the physical culture and massage establishment operations.
3. All massage therapists employed on the premises must have a current license from the Village of Lombard for the conditional use to apply.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH/MK
att
c. Petitioner