





## MEMORANDUM

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

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

**MEETING DATE:** February 1, 2018

**SUBJECT:** **PC 18-07; 837 S. Westmore-Meyers Road**

Please find the following items for Village Board consideration as part of the February 1, 2018 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-07; and
3. An Ordinance granting approval of a conditional use pursuant to Section 155.415(C) of the Lombard Zoning Ordinance for a massage establishment.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the February 1, 2018 Board of Trustees agenda with a waiver of first reading.



## VILLAGE OF LOMBARD

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February 1, 2018

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bob Johnston, Dist. 4  
Robyn Pike, 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 18-07; 837 S Westmore-Meyers Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a conditional use, pursuant to Section 155.415(C) of the Zoning Ordinance, to allow for a massage business.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 22, 2018. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development and the petitioners Wenping Song and Zhiwei Hu.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Ms. Song said she is Mr. Hu's interpreter. She said their purpose is to petition for a conditional use at 837 S. Westmore Meyers Road, Suite B13 to operate a full body massage business.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, Chairperson Ryan asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is proposing a foot and full body massage spa at 837 S. Westmore-Meyers Road, Suite B-13, the Eastgate Shopping Center. There are no exterior site improvements proposed at this time and no utility improvements are necessary for the operation. Concept floor plans have been attached. Massages establishments are further regulated by Title 11, Chapter 122, of the Code of Ordinances, also attached. The Building and Planning Division met with the petitioner on January 9, 2018 and reviewed the requirements of Section 122, specifically the non-absorbent floor and wash basins. Staff supports the request.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners. Commissioner Sweetser said the request seems reasonable.

On a motion by Commissioner Sweetser, and a second by Commissioner Flint, the Plan Commission voted 4-0 that the Village Board approve the petition associated with PC 18-07, subject to the following four (4) conditions;

1. That this relief is limited to the operation of a physical culture and massage establishment at 837 S. Westmore-Meyers Rd, Suite B-13. Any expansion, physical site improvement or alterations require approval through the Village;
2. That the operator of the physical culture and massage establishment apply for and receive a physical culture and massage establishment permit, per the provisions of Section 122 of the Village Code, with said permit and operation remaining in good standing;
3. That the petitioner shall develop the site in accordance with plans submitted as part of this request; and
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the physical culture and massage establishment is not established by said date, this relief shall be deemed null and void.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

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

**AN ORDINANCE GRANTING APPROVAL OF CONDITIONAL USE PURSUANT TO SECTION 155.415(C) OF THE LOMBARD ZONING ORDINANCE FOR PHYSICAL CULTURE AND MASSAGE ESTABLISHMENTS LOCATED IN THE B3PD ZONING DISTRICT**

**PC 18-07: 837 S. Westmore-Meyers Road**

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;

WHEREAS, the Subject Property as defined below is zoned B3PD; and,

WHEREAS, an application requests approval for a conditional use for a physical culture and massage establishment; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 22, 2018 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations 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 a conditional use is hereby granted for the Subject Property, as described in Section 4 below, pursuant to Title 15, Chapter 155, Section 155.415(C) of the Zoning Ordinance for a physical culture and massage establishment;

SECTION 2: This ordinance is limited and restricted to the property generally located at 837 S. Westmore-Meyers Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN RAYMOND W. MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSESSMENT PLAT IN PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1976 AS DOCUMENT R76-72686, IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-16-117-007

SECTION 3: The approvals set forth in SECTION 1 above shall be granted subject to compliance with the following conditions:

1. That this relief is limited to the operation of a physical culture and massage establishment at 837 S. Westmore-Meyers Rd, Suite B-13. Any expansion, physical site improvement or alterations require approval through the Village;
2. That the operator of the physical culture and massage establishment apply for and receive a physical culture and massage establishment permit, per the provisions of Section 122 of the Village Code, with said permit and operation remaining in good standing;
3. That the petitioner shall develop the site in accordance with plans submitted as part of this request; and
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the physical culture and massage establishment is not established by said date, this relief shall be deemed null and void.

SECTION 5: 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 \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Ordinance No. \_\_\_\_\_  
Re: PC 18-07  
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Ayes: \_\_\_\_\_

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:

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

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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