

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: August 22, 2011 (BOT) Date: September 1, 2011
TITLE: PC 11-18: 817 E. Roosevelt Road (Harmony Therapeutic Wellness Center)
SUBMITTED BY: Department of Community Development *ML*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests a conditional use, per Section 155.417(2)(b)(11) of the Village of Lombard Zoning Ordinance to allow for a Therapeutic massage establishment on the subject property located within the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of this petition with conditions.

The petitioner is requesting a waiver of first reading.

Please place this item on the September 1, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):


Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ 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: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development 

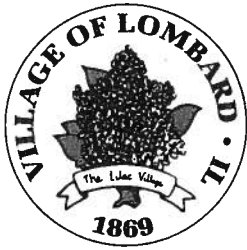
DATE: September 1, 2011

SUBJECT: **PC 11-18: 817 E. Roosevelt Rd. (Harmony Therapeutic Wellness Center)**

Attached please find the following items for Village Board consideration as part of the September 1, 2011 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 11-18;
3. Plans associated with the petition;
4. Petitioner's e-mail correspondence requesting a waiver of first reading; and
5. An Ordinance approving a conditional use, per Section 155.417(2)(b)(11) of the Village of Lombard Zoning Ordinance to allow for a therapeutic massage establishment on the subject property located within the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of the conditional use associated with the petition subject to conditions.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

September 1, 2011

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 11-18: 817 E. Roosevelt Road (Harmony Therapeutic Wellness Center)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a conditional use, per Section 155.417(2)(b)(11) of the Village of Lombard Zoning Ordinance to allow for a therapeutic massage establishment on the subject property located within the B4A Roosevelt Road Corridor District.

"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."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 15, 2011.

Presenting the petition were Kim Sevenz, 719 S. Grace, Lombard, and Michele Hull, 724 E. Wilson, Lombard. Ms. Sevenz stated that they are the owners of Harmony Therapeutic Wellness Center and want to comply with the standards within the conditional use of the Zoning Ordinance for running their business, located in the York Center Plaza at 817 Roosevelt Road. Their main goal as a company is to focus on the safety, health and welfare of their clients. Their company relies on the tranquility and wellness of their clients and the community. Their main focus will be to ensure that their services and products reflect a high quality. They will obtain an establishment license and will ensure that their facility and operations will maintain the highest quality. They are petitioning for a conditional use in the B4A and will operate within the Lombard Business Regulations Chapter 122: Massage Establishments. They will also operate within Village Codes and will comply with the Code of Ethics. Their management team consists of two owners, her and Michelle, both licensed massage therapists. She detailed her and Michelle's credentials and school and work experience and noted that they have both lived and have been active members in the Lombard community for many years. They have well-rounded professional backgrounds and appreciate the opportunity to business within the standards of the conditional use of the Zoning Ordinance and establish their business in the Village of Lombard.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one spoke in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff has prepared the IDRC report to submit to the public record in its entirety. The proposed physical culture and massage establishment use will occupy a currently vacant 1,374 square foot space within the multi-tenant building located within the Roosevelt Road Corridor. The subject business is located within a commercial strip center which consists of five restaurants, one retail clothing store, one jewelry store, two beauty shops, and one vacant tenant space (the subject tenant space). The Zoning Ordinance lists "Physical culture and massage establishments as conditional uses within the B4A Roosevelt Road Corridor District.

Individual masseurs/masseuses are licensed through the State of Illinois and are required to provide a copy of their license as part of the overall business license application. The petitioner notes that the proposed establishment would be primarily operated by two licensed masseurs/masseuses. Additional masseurs/masseuses may be added based upon business conditions. The concept floor plan proposes to have five massage rooms, one restroom, reception/waiting area and an office/storage room. No external improvements are proposed as part of the business operation.

The subject property is bounded by commercial uses on two sides. To the north and west are commercial establishments, providing a wide variety of retail and service commercial as well as office activities. A vacant lot is located to the east of the subject property while the southern portion of the property abuts residential. As the primary entrance to the establishment is on the north building elevation, it is oriented away from the residences to the south. It is not anticipated that the proposed use would generate any loading or additional traffic demand on the subject property.

Staff has historically recommended approval of massage establishments within the Roosevelt Road Corridor. In 2007 (PC 07-10), the Village Board approved a massage establishment at 1263 S. Main Street within the Oxford Corners Shopping Center. Staff finds that the petitioner has addressed the standards for conditional uses and that the proposed physical culture and massage establishment is consistent with past approvals and will not have any negative impacts on the surrounding area

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, provided that it is operated in compliance with Village Code and recommends approval of PC 11-18 subject to the four conditions outlined in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no comments.

September 1, 2011

PC 11-18

Page 3

On a motion by Commissioner Burke and a second by Commissioner Cooper, the Plan Commission voted 6 to 0 that the Village Board approve the requested relief subject to the following conditions:

1. The petitioner shall operate the tenant space in accordance with the preliminary interior building sketch plan, prepared by petitioner dated July 12, 2011.
2. The conditional use for the physical culture and massage establishment is exclusively for the tenant space at 817 E. Roosevelt Road. Any expansion of the establishment within the existing shopping center beyond what was submitted as part of PC 11-18, shall require an amendment to the conditional use approval.
3. Any massage establishments to be located on the premises shall apply for and receive a license from the Village of Lombard. Said establishments shall meet all provisions of Chapter 12, Section 122 of the Village Code and shall keep their license in good standing. Moreover, all massage therapists employed on the premises must have a current license from the State of Illinois for the conditional use to apply.
4. The petitioner shall apply for and receive a building permit for any improvements to the interior of the tenant space prior to starting and build-out of the tenant space.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

Surrounding Zoning and Land Use:

North: B4A Roosevelt Road Corridor District; developed as a fast-food restaurant (Popeye's) and an automobile service center (Midas).

South: Unincorporated property zoned single family residential and developed as single family residences.

East: B4A Roosevelt Road Corridor District; undeveloped parcel of land.

West: B4A Roosevelt Road Corridor District; developed as a commercial retail business (Century Tile).

ANALYSIS

SUBMITTALS

This report is based on the following documents which were filed with the Department of Community Development on July 8, 2011:

1. Petition for Public Hearing with the Standards for Conditional Uses.
2. Preliminary Interior Building Sketch Plan, prepared by petitioner, dated July 12, 2011.

DESCRIPTION

The proposed physical culture and massage establishment use will occupy a currently vacant 1,374 square foot space within the multi-tenant building located within the Roosevelt Road Corridor. In addition to needing a conditional use, the applicant is also required to submit an application and receive approval for a Massage Establishment Business License with the Village.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services has no comments on the petition.

PUBLIC WORKS

The Department of Public Works has no comments on the petition.

FIRE DEPARTMENT

The Fire Department has no comments on the petition.

BUILDING DIVISION

The Building Division has no comments on the petition. However, if they are intending to make modifications to the tenant space, a building permit is required.

PLANNING

Compliance with the Zoning Ordinance

The subject business is located within a commercial strip center which consists of five restaurants, one retail clothing store, one jewelry store, two beauty shops, and one vacant tenant space (the subject tenant space). The Zoning Ordinance lists “Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)”, as conditional uses within the B4A Roosevelt Road Corridor District. Staff notes that the 1994 text amendments to the Zoning Ordinance further regulating therapeutic massage establishments was intended to better differentiate the massage activity from adult uses.

Prior to commencing the proposed massage establishment, the applicant is required to submit an application and receive approval for a Village of Lombard Massage Establishment Business License. Individual masseurs/masseuses are licensed through the State of Illinois and are required to provide a copy of their license as part of the overall business license application. The business licensing provisions ensure that the business activity is being operated consistent with Village Code – if an establishment does not meet the code provisions, their license application would not be extended or could be revoked.

The petitioner notes that the proposed establishment would be primarily operated by two licensed masseurs/masseuses. Additional masseurs/masseuses may be added based upon business conditions. The concept floor plan proposes to have five massage rooms, one restroom, reception/waiting area and an office/storage room. No external improvements are proposed as part of the business operation.

Compatibility with Surrounding Land Uses

The subject property is bounded by commercial uses on two sides. To the north and west are commercial establishments, providing a wide variety of retail and service commercial as well as office activities. A vacant lot is located to the east of the subject property while the southern portion of the property abuts residential. As the primary entrance to the establishment is on the north building elevation, it is oriented away from the residences to the south. It is not anticipated

that the proposed use would generate any loading or additional traffic demand on the subject property.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends community commercial uses for the subject property. As a supplement to the Comprehensive Plan, the Roosevelt Road Corridor Plan was adopted in 2007. Compatibility with adjacent residential properties was identified as a primary concern within Roosevelt Road Corridor Report, which ranked 143 different land uses from “highly desirable” to “highly undesirable”. According to the Roosevelt Road Corridor Report a Physical culture & massage establishment is a less-desirable use within the Roosevelt Road Corridor. The Report lists Physical culture & massage establishments as 109th out of 143 uses. Conversely, out of the 10 votes tallied during the survey of ad hoc committee members, the majority of the votes (4) listed the Physical culture & massage use as “desirable”.

Staff has historically recommended approval of massage establishments within the Roosevelt Road Corridor. In 2007 (PC 07-10), the Village Board approved a massage establishment at 1263 S. Main Street within the Oxford Corners Shopping Center. Staff finds that the petitioner has addressed the standards for conditional uses and that the proposed physical culture and massage establishment is consistent with past approvals and will not have any negative impacts on the surrounding area.

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, provided that it is operated in compliance with Village Code.

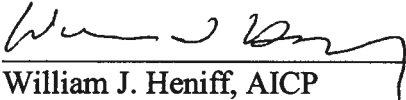
Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

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 conditional uses included within the Inter-departmental Review Report as the findings of the Lombard Plan Commission and therefore, recommends to the Corporate Authorities **approval** of PC 11-18, subject to the following conditions:

1. The petitioner shall operate the tenant space in accordance with the preliminary interior building sketch plan, prepared by petitioner dated July 12, 2011.

2. The conditional use for the physical culture and massage establishment is exclusively for the tenant space at 817 E. Roosevelt Road. Any expansion of the establishment within the existing shopping center beyond what was submitted as part of PC 11-18, shall require an amendment to the conditional use approval.
3. Any massage establishments to be located on the premises shall apply for and receive a license from the Village of Lombard. Said establishments shall meet all provisions of Chapter 12, Section 122 of the Village Code and shall keep their license in good standing. Moreover, all massage therapists employed on the premises must have a current license from the State of Illinois for the conditional use to apply.
4. The petitioner shall apply for and receive a building permit for any improvements to the interior of the tenant space prior to starting and build-out of the tenant space.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

PC 11-18: 817 E. Roosevelt Rd.



Kim Sevenz and Michele Hull
Harmony Therapeutic Wellness Center

July 12, 2011

Community Development Department
255 E. Wilson Ave
Lombard, IL 60148

Dear Community Development Department:

Harmony Therapeutic Wellness Center has a great appreciation for the outstanding work the Village of Lombard has done with the community to ensure the citizens are protected with their health, safety, comfort, and general well-being. We appreciate the opportunity to possibly be part of this community and have the opportunity to present our plans to make sure we comply with the standards for running our business within the conditional use of the Lombard Zoning Ordinance.

The following outlines the complete scope of requirements that is requested for conditional use with our plan to ensure we comply with each requirement.

STANDARDS FOR CONDITIONAL USES

1. **That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.** This is our main goal and vision as a company to focus on the health, safety, moral, comfort and general welfare of each client our company cares for. Each person will be certified and licensed for every service they provide. Training will be continued throughout the year to ensure the highest quality of care is given to each client. This training will be documented and available for review. Communication will be a must for each client. They will be given every opportunity to communicate any issues or questions that they might have any time. Products that are available for sale will be tested to be ensured of great quality. Details of the ingredients will be listed on each product with additional information available on site. All products will be made of natural ingredients and any questions of the product can be immediately answered.
2. **That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located.** Our company relies on tranquility and welfare of clients and the community. It will be high priority to ensure that all business will only be affected in a positive manner. We rely on the community surrounding our business and we will make sure that all services will remain of high quality and reflect well in all surrounding areas. Our products and services are wellness items and are located within our place of business.
3. **That establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.** Our business will operate within the Lombard Business Regulations Chapter 122: Massage Establishments. We will operate within the village codes. We ensure we will operate within the General Provisions, obtain an Establishment License, and ensure highest quality of Facilities and Operations. Our company will operate in a organized manner where 80% of our clients

will be by appointment so that our clients will be cared for in an organized manner and business in the surrounding area will not be affected by disruption of clients being unattended or disruption of parking for other business. Our business relies on organization so that our clients are calm and relaxed.

4. **That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided.** The location for our business is York Center Plaza which is a well-established shopping center. There are two driveways into the plaza. There is parking in front of the wellness center and also a very large parking lot in the back where clients can access the wellness center by either location. Bathrooms will be used for client and employees only to ensure proper access to employees and clients at all times.
5. **The adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.** There will be adequate measures to ensure there is proper passage into the area of business and proper passage way out without effecting traffic within the public streets. One of these measures is where we will have 80% of our clients be seen by appointment only. This helps in the organization of the clients visit to ensure there is sufficient time for each client and that there is not a mass amount of people leaving and coming at the same time. The second measure is a good size parking lot. Our clients have a good amount of space in the parking lot where there will be no issue of moving around cars and having to move out to the streets to ensure their safety.
6. **That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard.** 817 York Center Plaza, Roosevelt Rd, Lombard, IL is zoned as a B4A location which is the requirement for our type of business.
7. **That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.** Our business will be operating within all Village Codes and Lombard Business Regulation Chapter 122: Massage Establishments. We will also be complying with a Code of Ethics within our business.

Management Team

The Harmony Therapeutic Wellness Center management team consists of the two owners Michele Hull and Kim Sevenz.

Michele Hull:

Michele's Education consists of the following:

Education Graduate of Cortiva Institute of Massage, Woodridge, IL
Completed 750-hour Massage Program

- Diploma, January 2010
- Academic Excellence Award

Nationally Certified, January 2011
Illinois Massage Therapy License
Member of ABMP, November 2010
Manual Lymphatic Drainage, April 2011
Reiki III Practitioner, April 2011

Currently enrolled at Midwest University of Naturopathic Medicine, St Charles IL

Her work experience consists of Therapeutic Massage and Wellness Therapy, Accounting, Customer Service, and Office Manager. Detailed information can be found below:

Experience:

Currently **Elements therapeutic Massage, Naperville, IL**

Swedish, Deep Tissue, MFR, MNR, Manual Lymphatic Drainage, Cupping

10-2009- 2010 - Cortiva Institute of Massage, Woodridge, IL

- 750 hours
- Student Clinic
- GPA 3.86

2006- 2011 - Immaculate Conception Parish Business Office, Elmhurst, IL

Account Payable, responsible for, maintaining incoming and outgoing bills to be paid. Printing vendor checks. Accounts Receivable, responsible for tuition statement and receiving all payments. Departmental Deposits, reporting and accounting for money coming into the high school and grammar school. Data entry of contributions. General office duties as needed.

1994-1999 - Midwest Polychem, LTD. Melrose Park, IL

Traffic / Operations manager, Accounts Receivable/Collections/Payments
Billing/Order Entry, Customer Service/In House sales, General Office Duties as needed

1990-1994 - Browning Ferris Industries, Melrose Park, Glen Ellyn & Downers Grove, IL

Specials Projects, Office Manager

1989-1990 - Household Retail Services, Inc, Wooddale, IL

Customer Service

1988-1989 - Montgomery Ward's Credit, Lombard, IL

Customer Service Adjuster

1985-1988 - Venture Department Store, Forest park, IL

Customer Service Supervisory Lead, Trainer

Kim Sevenz:

Kim's Education consists of the following:

Education

DeVry Institute of Technology Addison, IL B.S, Computer Science.

Keller Graduate School Oakbrook, IL MBA

Currently enrolled at Midwest University of Naturopathic Medicine, St Charles IL

Her work experience consists of Project Management and Engineering. More detailed information can be seen below:

Experience:

Current: 04/2007 – Present Trading Technologies Chicago IL – Engineering Project Management

- Currently managing 13 projects within the securities software industry for software connecting to major financial exchanges around the world.

7/2006 – 4/2007 – Baxter Healthcare Round Lake, IL – Principle Engineer

- Supervised the design and development of the automation system for infusion pumps.

8/2005 – 7/2006 – Trading Technologies Chicago IL – Senior Software Test Engineer

- Designed and Developed performance tests for FIX Protocol Applications.

3/2000-5/2005 – Motorola Schaumburg IL – Senior Software Engineer

- Developed and Managed the Qualification of Bluetooth software for wireless accessories for 2-Way radios.

1999-2000 – Wallace Elk Grove, IL – Software Engineer

- Designed and engineered various programs for automated billing systems for various companies.

1998 – 1999 Sabratek Niles, IL – Software Engineer

- Developed software for application to monitor and program medical infusion pumps.

1996-1998 – Alliance/MDSI Itasca, IL – Software Engineer

- Developed software for wireless computers on wireless wide area networks.

Michele and Kim have lived in Lombard for many years. They value the community. They have been active members of St. Pius X. Church where their daughters currently attend school. Kim and Michele combined have a well rounded professional career with Wellness Therapy, Finance, Business, Accounting, Customer Service, and Engineering.

We appreciate the opportunity present our proposal to do business within the standards for conditional uses within the Lombard Zoning ordinance and possibly establish our business within the Village of Lombard.

Sincerely,

Kim Sevenz and Michele Hull
Owners of Harmony Therapeutic Wellness Center
Harmony Therapeutic Wellness Center

Toth, Michael

From: Kim Sevenz [ksevenz2@yahoo.com]

Sent: Monday, August 15, 2011 10:36 PM

To: Toth, Michael

Cc: michelle hull

Subject: Waiver of first reading

Mike,

Thank you so much for all your help and support through this process. We really appreciate it. I also wanted to send you this email as a request for a waiver of the first reading before the Board of Trustees. We are requesting this so that can gain access to the tentant space. We currently do not have access to the tenant space since it is contingent on approval from the Village.

Thank You,

Kim

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.417(b)(11)
OF THE LOMBARD ZONING ORDINANCE**

(PC 11-18; 817 E. Roosevelt Rd.)

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 is zoned B4A - Roosevelt Road Corridor District,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a therapeutic massage establishment on the subject property located within the B4A - Roosevelt Road Corridor District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 15, 2011 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, subject to conditions; 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 property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 155.417(2)(b)(11) of the Zoning Ordinance so as to allow for a therapeutic massage establishment.

SECTION 2: That the Ordinance is limited and restricted to the property generally located at 817 E. Roosevelt Rd. Lombard, Illinois, and legally described as follows:

THAT PART OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION, SAID POINT BEING 68.80 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE

WEST 298.00 FEET TO A POINT, SAID POINT BEING 66.18 FEET SOUTH OF THE NORTH LINE OF SAID SECTION ; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 169.42 FEET; THENCE WEST 2.00 FEET TO A POINT THAT IS 235.60 SOUTH OF THE NORTH LINE OF SAID SECTION; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 104.98 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 300.00 FEET OF THE EAST LINE THEREOF; THENCE NORTH ALONG SAID EAST LINE 271.78 FEET TO THE PLASCE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-204-008

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

1. The petitioner shall operate the tenant space in accordance with the preliminary interior building sketch plan, prepared by petitioner dated July 12, 2011.
2. The conditional use for the physical culture and massage establishment is exclusively for the tenant space at 817 E. Roosevelt Road. Any expansion of the establishment within the existing shopping center beyond what was submitted as part of PC 11-18, shall require an amendment to the conditional use approval.
3. Any massage establishments to be located on the premises shall apply for and receive a license from the Village of Lombard. Said establishments shall meet all provisions of Chapter 12, Section 122 of the Village Code and shall keep their license in good standing. Moreover, all massage therapists employed on the premises must have a current license from the State of Illinois for the conditional use to apply.
4. The petitioner shall apply for and receive a building permit for any improvements to the interior of the tenant space prior to starting and build-out of the tenant space.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Ordinance No. _____
Re: PC 11-18
Page 3

Passed on first reading this ____ day of _____, 2011.

First reading waived by action of the Board of Trustees this ____ day of _____, 2011.

Passed on second reading this ____ day of _____, 2011.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

