

# 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**

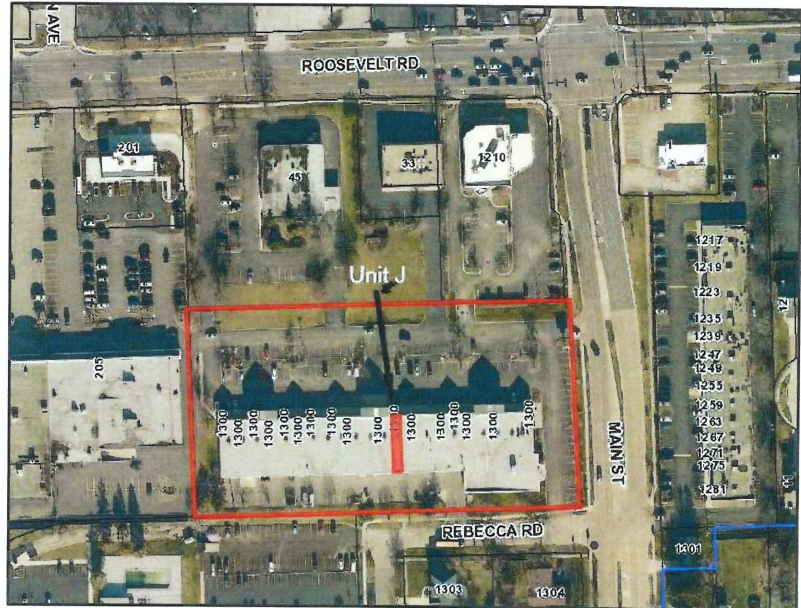
Community Commercial

**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**

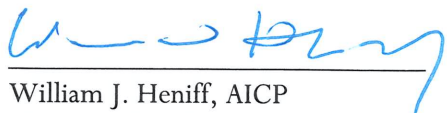
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

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:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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# Response to Applicable Standards

1300 S. Main St. Lombard IL 60148

## Nature of the proposed Conditional Use:

Family Munoz Inc. is seeking a conditional use permit for the subject premises as a tattoo/body piercing studio including custom tattoo art and body piercings.

## Background:

Family Munoz Inc. is a group of highly trained and skilled persons engaged in the profession of "Body Art" including tattooing and body piercings. Family Munoz Inc. personnel would have more than 30 years of tattoo/body piercings training and experience.

The property would be subject to and licensed by the State and to be inspected by the DuPage County Department of Public Health. Its operations would be subject to compliance with 410 ILCS 54/1 et seq. and Title 77 Illinois Department of Public Health, Chapter 1, Section 797.100 et seq.

All of the staff artists have completion of "Bloodborne Pathogen Training", as required by OSHA (29 CFR 1910.1030).

The goal of Family Munoz Inc. is to maintain a high level of artistic quality and professionalism. In order to achieve such goals Family Munoz Inc. has an employment agreement with its artist's which includes additional standards to increase the professionalism and maintain a high level of integrity. The shop managers/owners have more than 20 years of experience combined as tattoo artist/body piercers. The shop managers would be responsible for overseeing both the quality of the work and overall standards are maintained in the studio.

## Legal Standards in the Granting of Conditional Use:

**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**

The tattoo/body piercing studio would follow all the laws and ordinances that Lombard and the state of Illinois requires. The Illinois Department of Health and the DuPage County Department of Health will have reviewed, inspected and approved the conditions, procedures and activities at the location. The state already has many health regulations that a tattoo/body piercing studio must follow. Our studio will take all the proper steps to protect the health and well being of our clients and employees as the state sees fit. All required maintenance and operations equipment will be located on site in order to satisfy state health code. The studio will always maintain a clean and quiet environment.

**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**

The use of the premises will not affect the value of the property in the vicinity. It is located in a commercial area zoned B4A. Our studio will in all likelihood create an increase in various local businesses such as the gas station, restaurants and convenience stores nearby as a significant share of the customer base is repeat clientele from various surrounding suburbs. This will create additional customers for surrounding establishments as they seek gas, food and refreshment before and after their appointments. The studio will

have a low amount of foot traffic and minimal impact on the surrounding area. Our studio is also a small retail establishment that would not affect any of the surrounding business.

**3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;**

We feel that a studio would complement what already exists in the area. Especially being in the B4A zoning area. The studio would follow all business sign and traffic regulations in order to have the least amount of impact on the community of Lombard and surrounding businesses.

**4) That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;**

The structure and public access and utilities are already existing and will not be altered or changed. The retail space has ample parking available which will not increase traffic congestion in the public streets and highways. Our studio will not obstruct any development in the surrounding areas and will hopefully create more business for the district and local stores nearby. The studio's artists would have more than 30 years of tattoo/body piercings experience. All artist at our studio will be from near surroundings areas (DuPage County). The artists will be very knowledgeable about all state safety and health regulations. The retail space is remaining unchanged from its present condition as it has existed for many years and the use as a business has been ongoing, open and continuous and as such will not affect the flood characteristics of the property or the drainage onto adjacent property. The property has been a commercial/ business use and there is nothing about its use as a tattoo/body piercing studio either in regard to the equipment used nor in regard to the relatively small number of people on the premises and multiple means of egress which would create a fire hazard, and such activity will not affect the public expense. There is no increased fire hazard from the activities performed and all supplies and used materials are disposed of in compliance with the applicable safety standards as promulgated in 410 ILCS 54/1 et seq., Title 77 Illinois Department of Public Health, Chapter 1, Section 797.100 et seq. as required by the standards set forth in "Bloodborne Pathogen Training", per OSHA (29 CFR 1910.1030). Our studio will have an adequate supply of light and air to the adjacent property in order to not impair the surrounding area.

**5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;**

The retail space is on Main St. and it has 2 lanes traveling north/ 2 lanes traveling south and has one center turning lane. We feel that our studio will not change or disturb traffic flow in this area because of our low foot traffic. All additional public expense for fire protection, rescue or relief is easily accessible because of the large entrance to retail space and 5 lanes of access on Main St.

**6) That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard;**

Allowing the conditional use of a tattoo/body piercings studio will not influence or affect the comprehensive plan that Village of Lombard has. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of Lombard, nor will it otherwise create a nuisance. The Illinois Department of Health and the DuPage County Department of Health will have reviewed, inspected



and approved the conditions, procedures and activities at the location. Further, 155.416 Purpose statement provides that the B4A Corridor Commercial Zoning is designed to accommodate businesses whose service area may not be confined to any one neighbor and may incompatible with the uses encouraged in other business districts.

**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**

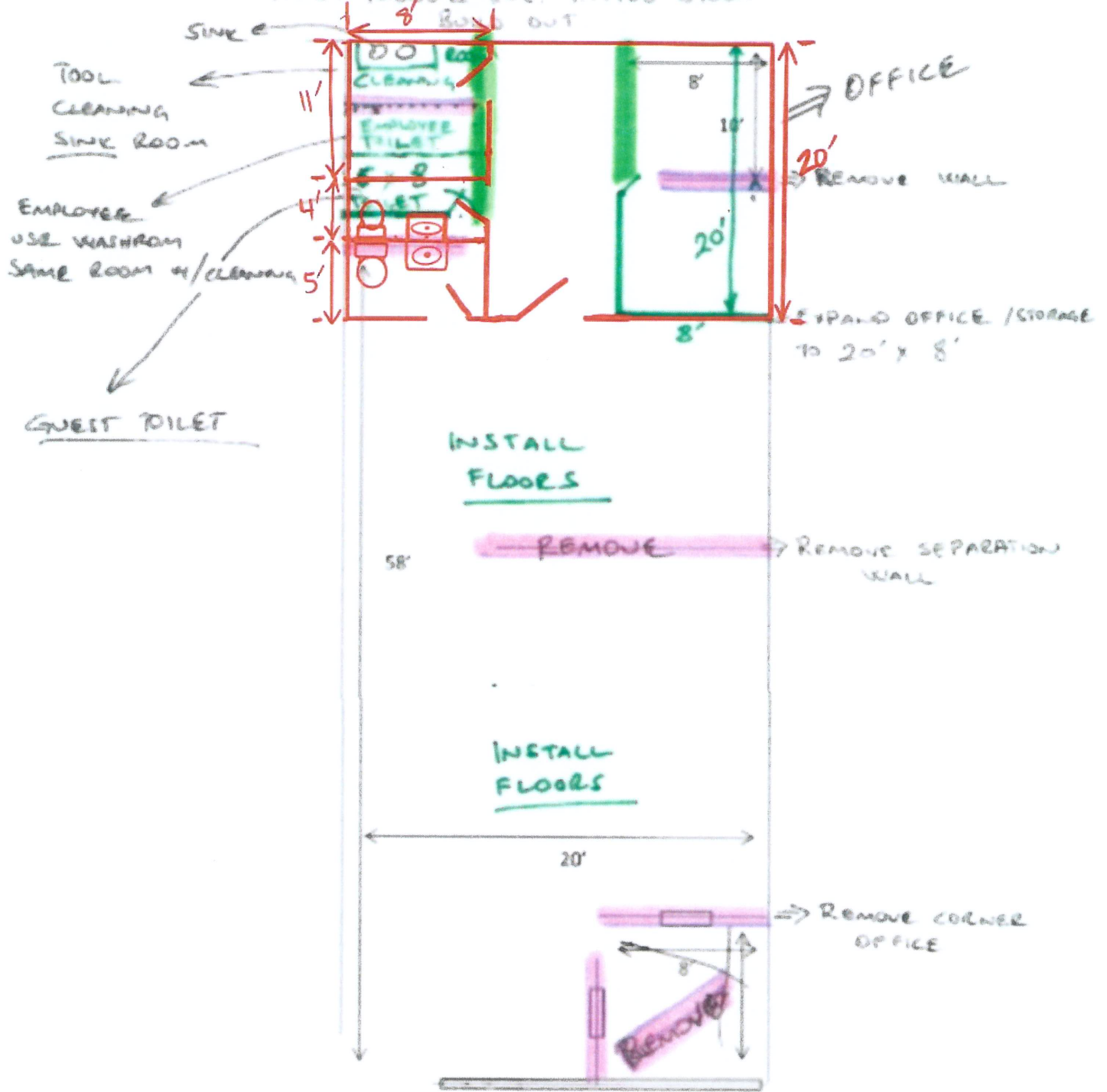
We believe that the B4A zoning is a good fit for the acceptance of a conditional use permit because of the zoning regulations. Further "Physical cultures" establishments are in harmony with a tattoo studio and its functionality. Many nearby businesses are similar in nature from Massage parlors, Pawn Shops, and Hair studios.



1300 S MAIN UNIT 3  
Lombard, IL 60146

7/20/2020

FAMILY MUÑOZ INC. TATTOO STUDIO



Unit 3