

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


 X 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: Scott Niehaus, Village Manager

DATE : October 23, 2018 **(BOT) Date:** November 1, 2018

SUBJECT: PC 18-34; 99 E. Roosevelt Road, NV Massage

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, Pangoo LLC, requests that the Village grant a conditional use, pursuant to Section 155.415(G)(2)(b)(xi) of the Zoning Ordinance, to allow for a therapeutic massage establishment in the B4APD Roosevelt Road Corridor District Planned Development.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the November 1, 2018 Board of Trustees agenda with a waiver of first reading.

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 

MEETING DATE: November 1, 2018

SUBJECT: **PC 18-34; 99 E. Roosevelt Road, NV Massage**

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

1. Plan Commission referral letter;
2. IDRC report for PC 18-34; and
3. An Ordinance granting approval of a conditional use pursuant to Section 155.417(G)(2)(b)(xi) of the Lombard Zoning Ordinance for a massage establishment.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the November 1, 2018 Board of Trustees agenda with a waiver of first reading.



VILLAGE OF LOMBARD

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November 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
Bill T. 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 18-34, Conditional Use for a massage establishment,
99 E. Roosevelt Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Pangoo LLC, requests that the Village grant a conditional use, pursuant to Section 155.415(G)(2)(b)(xi) of the Zoning Ordinance, to allow for a therapeutic massage establishment in the B4APD Roosevelt Road Corridor District Planned Development.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on October 15, 2018. Sworn in to present the petition were Shanshan Fan, the petitioner, and Anna Papke, Senior Planner.

Chairperson Ryan 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.

Ms. Fan presented the petition. She said she and her husband intend to run a therapeutic massage business on Roosevelt Road. The business will offer several types of massage. The petitioners have eight years of experience and have another location already established outside Lombard.

Chairperson Ryan 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 massage establishment in a building in the Roosevelt Road corridor. Therapeutic massage establishments are conditional uses in the B4A District.

Staff reviewed the petition and finds the business would be compatible with other uses in the immediate neighborhood. The petitioner has submitted floor plans which have been reviewed by the Building and Fire Divisions. Staff finds the petition meets the standards for conditional uses and recommends approval of the request subject to the conditions in the staff report.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-34, subject to the following four (4) conditions:

1. That this relief is limited to the operation of a therapeutic massage establishment at 99 S. Roosevelt Rd. Any expansion, physical site improvement or alterations require approval through the Village;
2. That the operator of the therapeutic massage establishment apply for and receive a therapeutic 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 therapeutic 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(G)(2)(b) OF THE LOMBARD ZONING
ORDINANCE TO ALLOW FOR A THERAPEUTIC MASSAGE
ESTABLISHMENT LOCATED IN THE B4APD ZONING DISTRICT**

PC 18-34: 99 E. Roosevelt 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 B4APD; and,

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

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on October 15, 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 2 below, pursuant to Title 15, Chapter 155, Section 155.417(G)(2)(b) of the Zoning Ordinance for a therapeutic massage establishment;

SECTION 2: This ordinance is limited and restricted to the property generally located at 99 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

THE EAST LOT 301.75 FEET OF THE WEST 521.75 FEET OF THE NORTH 284 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS. EXCEPT THAT PART TAKEN FOR HIGHWAY PURPOSES.

AND

THE NORTH 30 FEET OF LOT 1, THE NORTH 30 FEET OF LOT 2 AND THE NORTH 30 FEET OF THE WEST 26.75 FEET OF LOT 3, ALL IN SHARON'S SUBDIVISION OF THE SOUTH 378 FEET OF THE NORTH 660 FEET OF THE EAST 330 FEET OF THE WEST 660 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-20-100-067

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 therapeutic massage establishment at 99 S. Roosevelt Rd. Any expansion, physical site improvement or alterations require approval through the Village;
2. That the operator of the therapeutic massage establishment apply for and receive a therapeutic 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 therapeutic massage establishment 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 _____, 2018.

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

Ordinance No. _____
Re: PC 18-34
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Passed on second reading this _____ day of _____, 2018.

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