



Village of Oak Park

STAFF REPORT

TO: Zoning Board of Appeals

REVIEW DATE: October 6, 2021

FROM: Project Review Team

PREPARED BY: Mike Bruce, Zoning Administrator

P R O J E C T T I T L E

CALENDAR NUMBER: 15-21-Z

The Zoning Board of Appeals ("Board") will conduct a public meeting on a special use permit application filed by the Applicant, Ruth Dorsey, to operate a massage service establishment, pursuant to Section 8.3 ("Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance at the property located at 816 S. Oak Park Avenue, Oak Park, Illinois, Property Index Number 16-18-224-005-0000, in the NC Neighborhood Commercial Zoning District.

A P P L I C A N T I N F O R M A T I O N

APPLICANT: Ruth Dorsey
132 N 13th Street
Melrose Park, IL 60160

PROPERTY OWNER: LBS Management, LLC
721 Ontario Street
Oak Park, IL 60302

P R O P E R T Y I N F O R M A T I O N

EXISTING ZONING: NC Neighborhood Commercial Zoning District
EXISTING LAND USE: Commercial
PROPERTY SIZE: N/A
COMPREHENSIVE PLAN: Mixed-Use

SURROUNDING ZONING AND LAND USES:

NORTH: NC Neighborhood Commercial Zoning District (Sushi Bar Restaurant)
SOUTH: NC Neighborhood Commercial Zoning District (Addis Café)
EAST: Public Alley followed by R-5 Two-Family Zoning District (Residential Units)
WEST: Oak Park Avenue followed by NC Neighborhood Commercial Zoning District (Park Avenue Cleaners and Snip City Hair Salon)

A n a l y s i s

Submittals

This report is based on the following documents which were filed with the Development Customer Services Department:

1. Application for Special Use Permit;
2. Project Summary; and
3. Responses to the Standards for receiving a special use permit pursuant to the Zoning Ordinance.

Description

The Subject Property is located within the NC Neighborhood Commercial Zoning District. The lot is located on the east side of Oak Park Avenue between Van Buren Street to the north and Harrison Street to the south. The lot is improved with a single-story commercial building consisting of three tenant spaces (814-818 S. Oak Park Avenue) along Oak Park Avenue. The Applicant seeks to operate Dream Body Wellness at the property located at 816 S. Oak Park Avenue. The Applicant is a licensed massage therapist. The Applicant says that "My mission is to promote relaxation, stress relief, and a pain free lifestyle through therapeutic massage and bodywork while supporting you in healing yourself holistically. Our focus is to provide natural solutions as well as education that ultimately result in helping you realize optimum health and happiness."

C o m p l i a n c e w i t h t h e Z o n i n g O r d i n a n c e

The Applicant seeks a special use permit from Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance of the Village of Oak Park, which section requires a special use permit for a massage service establishment in the NC Neighborhood Commercial Zoning District, to operate Dream Body Wellness LLC, at the premises commonly known as 816 S. Oak Park Avenue, Oak Park, Illinois.

The 2017 Zoning Ordinance changed the regulation of massage establishment from a by-right "personal service use" permitted in all commercial districts to a special use permit in most commercial districts. Now a special use permit shall be required to operate a massage service establishment in the DT Downtown, GC General Commercial, MS Madison Street, NA North Avenue and NC Neighborhood Commercial Zoning Districts. The special use process, by virtue of its public nature, includes neighborhood notice and hearing, allows community serving operators to stand out.

The 2017 Zoning Ordinance defines a massage service establishment as follows:

"Massage Service Establishment. An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is offered by a licensed massage therapist as required by the State of Illinois. For the purposes of this definition, the following medical practices are not considered a massage service establishment, but are part of a medical/dental clinic per this Ordinance: massage treatment administered by licensed medical practitioners, licensed physical therapists, chiropractors, acupuncturist or other holistic medicine, or similar professional medical person licensed by the state. A massage service establishment does not include ancillary services provided as part of a health club, school, or full-service spa or salon."

After the hearing, the Zoning Board of Appeals shall transmit to the Village Board a written report of its findings as to compliance of the special use approval standards listed in Section 14.2 (E) (Approval Standards) and give its recommendation to either approve, approve with condition(s) or deny the special use.

Special Use:

The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Ordinance. Such evaluation will determine whether an approval of the special use is appropriate at the particular location and manner proposed. The recommendation of the Zoning Board of Appeals and decision of the Village Board must make findings to support each of the following conclusions:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare.
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance, adopted land use policies and the Comprehensive Plan.
4. The special use meets the requirements for such classification in this Ordinance.

The Applicant has responded to the approval standards within her application.

C o m p a t i b i l i t y w i t h S u r r o u n d i n g L a n d U s e s

The NC Neighborhood Commercial Zoning District is intended for commercial uses that serve the local community. The NC District applies to clusters of commercial uses that are more pedestrian-oriented in character and located in close proximity to residential neighborhoods. The adjacent uses in the neighborhood are retail, office and service uses. A massage service establishment, operated by a licensed massage therapist by the State of Illinois, providing therapeutic and clinical massages, would be compatible with the adjacent land uses. For the foregoing reasons, the proposed massage service establishment would be compatible with the surrounding land uses.

G e n e r a l I n f o r m a t i o n

Project Review Team

The Project Review Team met to review the proposal. The Team consists of representatives from various departments and divisions within the Village government. Staff does not have any objections to the proposed massage service establishment at this location.

End of Report.

- c. Applicant
 Zoning Board of Appeals members
 Rasheda Jackson, Zoning Board of Appeals Attorney
 Craig Failor, Village Planner