



## Agenda Item Summary

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**File #:** ORD 21-87, **Version:** 1

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### **Submitted By**

Zoning Board of Appeals through Tammie Grossman, Development Customer Services Director

### **Reviewed By**

AMZ

### **Agenda Item Title**

**Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit to Operate a Massage Services Establishment at 816 S. Oak Park Avenue**

### **Overview**

The applicant, Ruth Dorsey with Dream Body Wellness, LLC, has applied for a special use permit to operate a massage service establishment in the NC Neighborhood Commercial Zoning District at 816 S. Oak Park Avenue. This matter was heard at a public hearing by the Zoning Board of Appeals.

### **Recommendation**

The Zoning Board of Appeals recommends approval of the application.

### **Staff Recommendation**

Staff supports the Zoning Board of Appeals recommendation for the special use application.

### **Fiscal Impact**

The cost of the legal posting is \$336.00 (GL#1001.46202.101.550652)

### **Background**

The property is located within the NC Neighborhood Commercial Zoning District and located on the east side of Oak Park Avenue between Van Buren Street and Harrison Street. The property is improved with a single-story commercial building consisting of three tenant spaces along Oak Park Avenue. The applicant who is a licensed massage therapist, seeks to operate Dream Body Wellness, LLC, between 9a.m. to 6p.m. Monday through Friday and 9a.m. to 12p.m. on Saturday.

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 use. 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.

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.”

### **Alternatives**

Deny the special use application.

Approve the special use application with modifications.

### **Previous Board Action**

N/A.

### **Citizen Advisory Commission Action**

The Zoning Board of Appeals held a public hearing on October 6, 2021. There was no public testimony. The Zoning Board of Appeals recommends approval of the Special Use permit as they found the standards had been met and ratified their finding of fact report by a vote of 6-0 in support of the application at their October 6, 2021 meeting. The video can be viewed on Commission TV:

<https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

### **Anticipated Future Actions/Commitments**

N/A.

### **Intergovernmental Cooperation Opportunities**

Zoning and land use matters are unique to the Village government within the corporate limits of Oak Park and therefore, intergovernmental cooperation opportunities do not exist.