



Village of Oak Park

STAFF REPORT

TO: Zoning Board of Appeals

REVIEW DATE: June 1, 2022

FROM: Project Review Team

PREPARED BY: Mike Bruce, Zoning Administrator

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

CALENDAR NUMBER: 14-22-Z The Zoning Board of Appeals ("Board") will conduct a public hearing on a special use permit application filed by the Applicant, Gratus, LLC (Rebecca Ralston), 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 1041 Chicago Avenue, Oak Park, Illinois, Property Index Number 16-07-102-030-0000 ("Subject Property"), 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: Rebecca Ralston
2623 Budd Street
River Grove, IL 60171

PROPERTY OWNER: Gratus, LLC (Rebecca Ralston)
1041 Chicago Avenue
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: Mixed Use (2 ½ Story with Basement Building)
PROPERTY SIZE: 41.50' x 101.00' (4,191.5 SF)
COMPREHENSIVE PLAN: Neighborhood Commercial/Mixed Use

SURROUNDING ZONING AND LAND USES:

NORTH: NC Neighborhood Commercial Zoning District (Multiple-Family Building)
SOUTH: NC Neighborhood Commercial Zoning District (Multiple-Family Building)
EAST: NC Neighborhood Commercial Zoning District (Commercial Building)
WEST: NC Neighborhood Commercial Zoning District (Commercial Building, Cleaners)

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;
3. Responses to the Special Use Standards pursuant to Section 14.2 (E):
4. Floor Plan; and
5. Picture Inside of Building at 1041 Chicago Street.

Description

The Subject Property is located in the NC Neighborhood Commercial Zoning District. The property is improved with a mixed-use building located at 1041 Chicago Street. In the past, the first floor was occupied by a Law Firm while the upper floor is devoted to residential use.

The Applicant seeks a special use to allow the first-floor tenant space to be used as a massage service establishment. Rebecca Ralston is the owner of "Ralston Massage & Bodywork." Ms. Ralston is a licensed massage therapist. Ralston Massage & Bodywork has been operating in Oak Park for over ten years. According to the Applicant, "physical and emotional wellness are at the core of our vision and being a therapeutic massage studio allows us to help assist clients to care for themselves and prevent injury. We offer therapeutic massage through Swedish, myofascial, sports massage, deep tissue, pregnancy and my kinesthetic treatments."

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 that requires a special use permit for a massage service establishment in the NC Neighborhood Commercial Zoning District at the above stated premises.

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. A special use permit shall be required to operate a message service establishment in the DT Downtown, GC General Commercial, MS Madison Street, NA North Avenue and NC Neighborhood Commercial Zoning Districts.

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.

A massage service establishment operated by a licensed massage therapist providing therapeutic massage services would be compatible with the adjacent land uses and is an appropriate use for the NC Neighborhood District where these areas are often oriented towards day-to-day needs for residents. 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

Staff discussed the Applicant's request for a special use permit. Staff 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