

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: May 8, 2025

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 25-10: Special Use Permit, Carry-out Facility, Sunny's Smoothie Café, 18035 Dixie Highway

APPLICATION INFORMATION

APPLICANT	Kathy Bracy
ACTION REQUESTED	Special Use Permit
ADDRESS	18035 Dixie Highway
PIN	29-31-400-054

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Downtown Transition	Vacant
SURROUNDING	N: B-2 Downtown Transition	Indoor Commercial Place of Assembly (Elite 24 Fitness)
	E: B-2 Downtown Transition	Medical Office (Eldridge/Eldridge Dental)
	S: B-2 Downtown Transition	Professional Services (Travel Brokers)
	W: B-1 Downtown Core	Fuel Station (Advanced Fuel Station)

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on April 23, 2025; letters were sent to property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Kathy Bracy, Applicant	04/07/2025
Special Use Standards Worksheet	2	Kathy Bracy, Applicant	04/07/2025
Floor Plan	1	Kathy Bracy, Applicant	04/30/2025
Staff Exhibits	2	Noah Schumerth, A.D. ECD	05/02/2025

BACKGROUND

The applicant, Kathy Bracy, has proposed a 1,100 square-foot carry-out facility at 18035 Dixie Highway. The restaurant is proposed to be operated as a juice bar serving smoothies and other similar beverages. The building is currently vacant and is located in the B-2 Downtown Transition zoning district.

DISCUSSION

Use Review

The Homewood Zoning Ordinance defines a carry-out facility as *“a business which sells food or beverages to the consumer in a ready-to-consume state and whose operation includes serving food or beverages in paper, plastic, or other disposable containers, and does not include associated seating for dining on the premises.”*

The applicant does not plan to provide seating for patrons, except for temporary seating while they wait for their food and beverages. The applicant intends to serve all products in disposable containers and a ready-to-consume state. Therefore, the use meets the definition of a carry-out facility.

A carry-out facility requires a special use permit in the B-2 Downtown Transition zoning district. In addition, according to Section 44-04 of the Zoning Ordinance, Carry-out facilities are required to meet the following use-specific standards:

- Vehicular access, as applicable, shall be provided from a collector or arterial street (Section 44-04-07.A.1)
- The operator shall provide daily litter clean up along the right-of-way abutting the property (Dixie Highway) and adjacent properties subject to litter from the establishment. (Section 44-04-07.A.2)

The café will meet these requirements. Dixie Highway is an arterial street, and the applicant agrees to provide litter cleanup.

The smoothie café will operate in the large open area in the front of the building. A small existing kitchen space in the rear of the building will serve the business. An existing restroom for employees is located in the rear of the building. Employee access to the building is provided in the rear, while customer access will be provided through the front storefront.

The café will be open Monday through Saturday, 6:30 a.m. until 7:00 p.m., and closed on Sundays. The applicant plans to have two staff members and one summer employee.

Parking

The space has one (1) dedicated parking space located in the rear of the building. The one employee of the business will use this parking space. There is no public customer parking on the site. The Homewood Zoning Ordinance requires one parking space per 200 square feet, 5 parking spaces ($1,100 \text{ square feet} / 200 = 5.5 \text{ spaces}$ (rounded down to five spaces per Section 44-05-01.b.1 of the Zoning Ordinance).

The property is deficient by four (4) parking spaces. Section 44-05-02.j of the Zoning Ordinance allows the use of off-site parking spaces within 300 feet of the business to meet the requirements. The four spaces located on Dixie Highway in front of the building meet this requirement.

Building Review

The Village's Building Division and Engineering Staff have reviewed the proposal. The applicant must install a grease trap to service the restaurant. The applicant will also be required to provide a fire alarm system, though fire sprinklers are not required. The applicant is not required to provide a publicly accessible restroom for this type of use.

Special Use Standards

The Planning and Zoning Commission must consider the following standards when reviewing the application for this special use:

- 1) Is the special use deemed necessary for the public convenience at that location? Facilities offering healthy food options provide a public convenience to residents of Homewood and neighboring communities.
- 2) Will the special use be detrimental to the economic welfare of the community? Occupation of this space benefits the economic welfare of the community through property and sales taxes.
- 3) Will the special use be consistent with the goals and policies of the comprehensive plan and other adopted plans of the village? The Village's Transit-Oriented Development Plan, adopted in 2024, encourages support of small businesses, such as places for take-out, downtown.
- 4) Is the special use at the subject property so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected? The proposed use would be located completely within the existing structure with no outdoor facilities. This space was previously a popcorn shop and has a similar impact to the proposed use.
- 5) Is the special use a suitable use of the property and, without the special use, could the property be substantially diminished in value? The property is currently vacant; therefore, occupancy increases the value of the property. The subject property is zoned for commercial uses and carryout facilities are regulated as special uses in the B2 commercial district.
- 6) Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located? The proposed facility is located within an existing commercial building.
- 7) Will the special use be consistent with the uses and community character of the neighborhood surrounding the subject property? The proposed use, a carryout restaurant, and is adjacent to commercial uses along Dixie Highway.
- 8) Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district? The proposed use is not expected to generate any excessive noise, vibration, light or other factors that would disrupt adjacent tenants or properties.

Dixie Highway is classified as a minor arterial and therefore anticipates the expected traffic volumes.

- 9) Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district? The area is developed. The uses within the building will most likely fluctuate over the years.
- 10) Does the proposed special use at the subject property provides adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets? Dixie Highway operates as a minor arterial. This business has adequate ingress and egress with parking on the street for customers to come and go for carryout.
- 11) Is the subject property adequately served by utilities, drainage, road access, public safety and other necessary facilities to support the special use? The area is developed and currently served by adequate utilities to support the use.

FINDINGS OF FACT

The staff has prepared the draft findings of fact following the standards outlined in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is located at 18035 Dixie Highway on a 0.24-acre parcel, at the northeast corner of Dixie Highway and Ridge Road;
2. The subject property is owned by UMC Meds LLC of Mokena, Illinois;
3. The subject property is located within the B-2 Downtown Transition zoning district;
4. The proposed business is to be located within a space with 1,100 square feet of gross floor area;
5. The applicant has proposed a carry-out facility to occupy the subject property;
6. The current zoning designation of the property allows a carryout restaurant as a special use;
7. The subject property has four (4) parking spaces on-site, shared with other businesses adjacent to the proposed business, with one (1) dedicated parking space.
8. The site meets applicable development standards in Section 44-05 of the Village Zoning Ordinance;
9. The existing commercial building is adequately served by utilities, access, and parking.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

If the Commission finds that the request meets the standards for special use, the Planning and Zoning Commission may consider the following motion:

Recommend approval of Case 25-10 to grant a Special Use Permit for a carry-out facility in the B-2 Downtown Transition District for Sunny's Smoothie Café at 18035 Dixie Highway; and

Incorporate findings of fact into the record.