

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: January 25, 2024

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 24-01: Special Use Permit for Indoor Place of Assembly (Indoor Fitness)

APPLICATION INFORMATION

APPLICANT	Dionne Townsend
ACTION REQUESTED	Special Use Permit for Indoor Place of Assembly (Fitness)
ADDRESS	18205 Dixie Highway, Homewood, IL, 60430
PIN	29-31-409-056-0000



ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Downtown Transition	Vacant, formerly Dentist Office (Medical Office)
PROPOSED	B-2 Downtown Transition	Fitness Center (Indoor Commercial Place of Assembly)
SURROUNDING	N: B-2 Downtown Transition	Multi-Tenant Commercial Center
	E: R-2 Single-Family Residential	Single-Family Residential
	S: B-2 Downtown Transition	Retail, Less than 5,000 sq. ft.
	W: B-2 Downtown Transition	Church (Place of Assembly, Indoor Non-Commercial)

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on January 11, 2024; letters were sent to property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application – Non-Residential	2	Dionne Townsend, Applicant	12/28/2023
Response to Standards for “Special Use”	2	Dionne Townsend, Applicant	12/28/2023

Original Business Operation Certificate Application and Summary	3	Dennis Bubenik, Former Finance Director	09/30/2022
Floor Plan	1	Dionne Townsend, Applicant	09/30/2022
Staff Exhibits	2	Noah Schumerth, Asst. Director Econ./Comm Dev.	01/05/2024

BACKGROUND/PROJECT SUMMARY

The applicant, Dionne Townsend, is proposing a change of land use at 18205 Dixie Highway requiring a Special Use Permit. The applicant operates Honeycomb Hideout, an event center currently classified and approved as a *banquet hall/event space/office* use. The use was classified and approved under the previous Zoning Ordinance when the business received a certificate to operate in 2022.

The applicant has proposed to add fitness class programming to the *existing banquet hall/event space/office* land use. The addition of fitness classes and programming represents an expansion of existing land use and does not conform to the existing land use category, which has been grandfathered following the adoption of the new Village Zoning Ordinance in 2023. The new land use category under the new Village Zoning Ordinance is *indoor commercial place of assembly, less than 5,000 sq ft*. The existing business is located within the B-2 (Downtown Transition) zoning district, which requires a Special Use Permit for the approval of an *indoor commercial place of assembly* use.

HISTORY

The subject property is a unit within a *multi-tenant commercial center* with a gross floor area of 19,540 square feet. The building is located on a 1.13-acre site and constructed in 1967. The structure has six tenant spaces, three of the spaces have seen significant turnover in the past several years. The existing tenant mix in the building includes a restaurant, and a child care center. A Special Use Permit was approved by the Village Board of Trustees in November 2023 for a fitness center in the tenant space adjacent to the applicant’s business. The space is currently under construction to open within the next few months.

DISCUSSION

The applicant currently operates Honeycomb Hideout, an event center located within the subject property, an existing multi-tenant commercial building located on Dixie Highway. The use was approved as a *banquet Hall/event Space/office* use under the former zoning ordinance, which was replaced in early 2023. The applicant proposes the inclusion of fitness classes and programming within their existing business, which represents a change of use from the existing *banquet/event Space/office* and requires an update of the land use classification to *indoor commercial place of assembly* in the current Zoning Ordinance. This use requires a Special Use Permit in the B-2 (Downtown Transition) zoning district.

The applicant has identified that the operator of the fitness classes and programming will rent out the Honeycomb Hideout space. The fitness business owner has recently closed its physical business. The applicant has stated that the shuttered business was near Honeycomb Hideout, and that the business has been renting space at Mitch’s Fitness in Richton Park south of Homewood. The applicant has noted that the proximity of Honeycomb Hideout to the previous business provides a unique opportunity for the other business to continue operation.

A Special Use Permit application is designed to evaluate a new use against the use-specific requirements outlined in the Village Zoning Ordinance, and provides opportunities for the careful evaluation of conditions to ensure that the use does not adversely harm public health, safety, or public welfare while aligning with planning goals and plans adopted by the Village. The Village is granted the right to impose conditions or restrictions that mitigate any potential negative impact.

Use-Specific Regulations

The Special Use Permit application must be evaluated against use-specific regulations outlined in Section 44-04 of the Village Zoning Ordinance. Uses classified as *indoor commercial place of assembly* must adhere to the Place of Assembly Use Standards outlined in Section 44-04-04(B) of the Village Zoning Ordinance. This section primarily requires the evaluation of places of assembly (commercial and non-commercial) to ensure the mitigation of potential impacts on surrounding properties and zones.

According to Section 44-04-04(b) of the Village Zoning Ordinance, all *indoor places of assembly* shall be located on an arterial or collector roadway. This property is located on Dixie Highway, classified as a Minor Arterial. The roadway serves as a primary north-south route through the community and is capable of supporting uses with greater intensity of traffic, noise, or other potential externalities. Per local use-specific regulations, the subject site is deemed to be suitable for the proposed use.

Special Use Standards Analysis

The Special Use Permit application must also be considered against standards for Special Uses identified in Section 44-07-06 of the Village Zoning Ordinance. These standards are applied to all Special Use Permit applications. The applicant has provided a set of responses to each of the standards for Special Uses, which is attached as an appendix to this memo. A summary of the staff review of the Special Use Standards is included below in **Table A**.

Table A – Special Use Standards Assessment

Special Use Standards	Applicant Comments	Staff Comments
Is the use necessary for public convenience at this location?	<i>“I will be renting out my space to another established business owner whose business recently closed down. I am in close proximity to her previous classes so my space is deal for her classes.”</i>	Staff has no concerns about the public convenience of the use. The use allows for the continued operation of a local business in an accessible manner.
Is the special use detrimental to the economic welfare of the community?	<i>“There will not be any negative impact. The classes are for only one hour a couple of times a week.”</i>	Staff has no concerns about potential harm to economic welfare caused by the proposed use.

<p>Is the use consistent with the goals and policies of the Comprehensive Plan?</p>	<p>N/A</p>	<p>The proposed use is a commercial use that aligns with the type of activity sought after in the central business district of Homewood.</p>
<p>Is the use designed, located, and proposed in a manner which protects public health, safety, and welfare?</p>	<p><i>“No negative impact – a fitness class with a small group of people coming to work out for one hour.”</i></p>	<p>Staff has no concerns about effects on public health, safety, and welfare. Additionally, the tenant space received significant safety upgrades in October 2023.</p>
<p>Is the use a suitable use of the property, and will the property be diminished in value without the special use?</p>	<p><i>“My business is best suited because I have the wide open space for yoga mats, I have wall-to-wall mirrors and two ADA-approved bathrooms.”</i></p>	<p>Upon reviewing the materials submitted with this application, the staff has no concerns about the suitability of the space for the proposed use. Staff has no concerns about the diminishment of property value due to the presence of the use.</p>
<p>Will the use cause substantial injury to the value of the property in the neighborhood?</p>	<p><i>“No, the space will just be used for fitness classes.”</i></p>	<p>Staff has deemed that injury to surrounding properties in the neighborhood will not occur with the presence of this use.</p>
<p>Will the use be consistent with the uses and community character surrounding the property?</p>	<p><i>“Another fitness class is already coming next to my business so the fitness classes are very compatible with other businesses in the neighborhood.”</i></p>	<p>Staff has deemed that the proposed use will be consistent with surrounding land uses, and have no adverse effects on community character.</p>
<p>Will the use hinder the use and enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?</p>	<p><i>“There’s no negative impact for having the workout classes. There is a host that conducts the classes and the guest will workout on yoga mats for one hour.”</i></p>	<p>. Staff has identified the potential conflicts caused by the presence of this business and the business next door whose primary business is fitness classes and programming next to one another, particularly related to parking on the site (detailed below).</p>

<p>Will the use impede normal and orderly development of surrounding property?</p>	<p><i>“The special use will not impede the normal development of surrounding properties. There will be no disruption of surrounding businesses.”</i></p>	<p>Staff does not have concerns about the use causing impacts on orderly and normal development on surrounding properties.</p>
<p>Does the use provide adequate ingress and egress in a manner which minimizes congestion in the public street?</p>	<p><i>“Customers will drive to my business. There is a parking lot and street parking for the small group of guests working out.”</i></p>	<p>The new use may impact the existing parking resources on the site (detailed below), which were previously reviewed in the approval of a Special Use Permit for fitness center in the same multi-tenant commercial center in November 2023.</p>
<p>Is the use adequately served by utilities, access, and other facilities?</p>	<p><i>“Yes, going into the existing development.”</i></p>	<p>The new use will have minimal demand for new facilities, and the space is prepared to handle larger events and gatherings in alignment with the “Indoor Commercial Place of Assembly” use classification.</p>
<p>Is the use substantially affecting one or more historical, cultural, natural or archeological resources located nearby?</p>	<p><i>“Nothing will be adversely affected just by having a small group of guests working out for an hour at a time.”</i></p>	<p>Staff has no concerns about impacts on unique resources from the proposed use.</p>

The primary impact on the site and surrounding area will be the addition of parking demand on the site with expanded activities taking place at 18205 Dixie Highway. The building currently has 62 off-street parking spaces shared by all tenants within the building. However, per the Village Zoning Ordinance, this building is required to provide 65 parking spaces, a deficit of three parking spaces. This is calculated based on the classification of the building as a *multi-tenant shopping center*, which requires a ratio of 1 parking space per 300 square feet of gross floor area.

With a change of use, this application would trigger a requirement to add parking spaces to meet the current zoning standard, as noted in Section 44-05-01(a)(2). However, as a *multi-tenant shopping center* shared parking may be provided among tenants. The proposed change in use ultimately does not affect the required parking of 1 space per 300 square feet of gross floor area (GFA). Given that the classification of the building and its parking standard has not changed, the Zoning Ordinance provides relief from parking requirements. Relief may be provided without administrative approval for structures

with new uses that do not increase the total requirement for off-street parking by greater than 50%. According to Section 44-05-01.4.b:

“Notwithstanding subsection 44-05-01(a)(3) and subsection 44-05-01(a)(4), no building or structure existing on the effective date of the ordinance from which this chapter is derived shall be required to provide any additional parking spaces unless and until the aggregate increase in the required number of spaces shall be greater than 50 percent of the spaces existing on the effective date of the ordinance from which this chapter is derived.”

However, while the new land use (*indoor commercial place of assembly*) meets the parking requirement originally set for banquet hall and event spaces before 2023, the use of the existing event center space for new fitness classes and programming represents an overall increase in demand and may indicate a wider range of hours than the event center is currently being used.

This raises the central parking concern – the intersection in hours of operation between the new fitness classes at Honeycomb Hideout and the classes taking place at the neighboring X-FA Fitness, approved for a Special Use Permit in November 2023. According to social media and advertising materials from the applicant, the hours of operation for the fitness classes at Honeycomb Hideout will be 1-2 hours between 6:00pm – 8:30pm on four weeknights (Monday-Thursday). These hours coincide with the hours of the approved X-FA Fitness, which has evening hours on five weeknights (Monday-Friday). While both fitness facilities are relatively small (the applicant has stated that a “small group of guests will use Honeycomb Hideout for fitness classes”, while the approved X-FA Fitness has capacity for approximately 20 guests per class), staff has concerns about the potential for demand up to 30-40 spaces required for both classes operating concurrently. Given that the 62 available parking spaces must support all tenants in the building, staff has concerns about the impacts on parking which could be caused by the two businesses operating concurrently on most weeknights.

In evaluating parking available around the business, staff has discovered that a range of on-street parking spaces are available for use by tenants of the building on the subject site. Within 300’, 25 on-street parking spaces are available for use throughout the day, which are frequently available after mid-afternoon on weekdays. These spaces may be used to offset demand for off-street parking spaces at peak hours.

While not all on-street spaces may be available at any given time to support the new use, the peak hours of operation for the six uses within the building on the subject site vary, and this variety continues throughout the surrounding business area on Dixie Highway. Businesses include restaurants, retail, and office uses, places of worship and institutional uses. The peak hours of the proposed fitness classes at Honeycomb Hideout, paired with the hours of the neighboring uses, are unlikely to overlap with peak business hours for neighboring uses and are not determined to have an adverse effect on available parking for other businesses in the area. Parking will generally be available for visitors to this site through the duration of the classes offered at both businesses.

Additionally, transit services are available in the vicinity of the proposed, including a Pace bus stop and the central transit center within a ¼ mile from the subject site. Pedestrian access from other areas within the central business district and surrounding residential areas, provides further opportunities for reducing total parking demand from the proposed use.

Staff has found that the parking on the site is adequate to meet the needs of the proposed use. Staff recommends the addition of conditions to reflect the need to carefully manage parking availability at this site due to the overlap in peak demand hours between the applicant's proposed use and similar adjacent uses. In particular, staff has recommended a limit on total class size to 30 patrons. This number has been selected to ensure that parking demand on the site is not exceeded at the peak hours of the fitness programming proposed at Honeycomb Hideout. The neighboring use, XFA Fitness has a maximum class size of 20 patrons, and the other two remaining uses in the commercial center open after 5:00pm on weekdays have a combined total parking demand of 12 spaces, per the Village Zoning Ordinance. With 62 total spaces on the site and 32 spaces required for other approved uses, the remaining parking available is 30 spaces.

Additional conditions have been provided which are standard for new *place of assembly* uses with a mix of proposed activities similar to those proposed at Honeycomb Hideout.

STAFF COMMENTS

The following additional comments are provided:

1. The *multi-tenant commercial center* is held under common ownership on a single parcel. Therefore, no consolidation of parcels or adjustments to the subject property boundaries is required prior to the approval of a Special Use Permit.
2. No exterior construction is required to support the proposed fitness classes and programming. No additional square footage, nor additional parking or site landscaping, is to be provided in conjunction with this project. Therefore, no additional Site Plan Review or Planned Development Review is required concurrent with this Special Use Permit application.
3. No exterior building alterations are required to support the proposed use. Therefore, no Appearance Review or Appearance Board action is required concurrent with this Special Use Permit application.
4. With the approval of this Special Use Permit, the use classification in this tenant space will be *indoor commercial place of assembly*. The existing use of the site as a *banquet Hall/event Space/Office* falls under this use category, as was consolidated into the *Indoor Commercial Place of Assembly* use category.
5. If approved, the Special Use Permit shall expire if the proposed use is not occupied within one year of the Village Board approval date, per Section 44-07-11.F of the Village Zoning Ordinance.

FINDINGS OF FACT

The staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-11 of the Village Zoning Ordinance. The findings of fact, as proposed or as amended, may be entered into the record.

1. The subject property at 18205 Dixie Highway is zoned B-2 (Downtown Transition).
2. The applicant, Dionne Johnson is the business owner at the subject property.
3. The proposed use, cited by the applicant as an "indoor cycling and fitness center," is classified as an *indoor commercial place of assembly* per definitions set forth in Section 44-09 of the Village Zoning Ordinance.

4. The applicant, Dionne Johnson, has requested a Special Use Permit in the B-2 zoning district to operate the indoor commercial *place of assembly*, as required per Table 44-03-04 of the Village Zoning Ordinance.
5. The proposed use will use a tenant space totaling 2,850 square feet in gross floor area in an existing building.
6. The applicant has not proposed additions to the gross floor area, nor modifications to the site layout or exterior of the existing building.
7. The applicant meets the required use-specific standards for the proposed use, per Section 44-04-04.A of the Village Zoning Ordinance, which requires indoor commercial *places of assembly*, to be located on an arterial or collector roadway to support uses that may create additional impacts to noise or peak traffic conditions.
8. The proposed use is located within a *multi-tenant shopping center*; 65 spaces are required for the 19,540 sq. ft. building.
9. The subject site has 62 parking spaces. The use complies with off-street parking requirements per Section 44-05-01 of the Village Zoning Ordinance, which allows additional parking to be waived for existing structures without a change in use. While the use is being adjusted for the tenant space, the parking for is determined as a *multi-tenant shopping center*, and thus the parking use remains the same and adjustments to off-street parking on the site are not required.

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 24-01 to grant a Special Use Permit for a *Place of Assembly, Indoor Commercial* in the B-2 Downtown Transition Zone for “Honeycomb Hideout” at 18205 Dixie Highway;

1. Should a separate business conduct fitness classes and programming in the Honeycomb Hideout business space, the proprietor shall register with the Village to ensure that the business complies with all municipal codes and obtains a business operation certificate.
2. Hours of operation shall be limited to Monday-Thursday 5:00pm – 9:00pm.
3. Total occupancy for fitness classes and programming shall not exceed 30 patrons at any specific time.
4. No alcohol is allowed on the premises without a liquor license issued by the Village.

and

Incorporate findings of fact into the record.