

# VILLAGE OF HOMEWOOD



**BOARD AGENDA MEMORANDUM**

**DATE OF MEETING: March 11, 2025**

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**To:** Village President and Board of Trustees

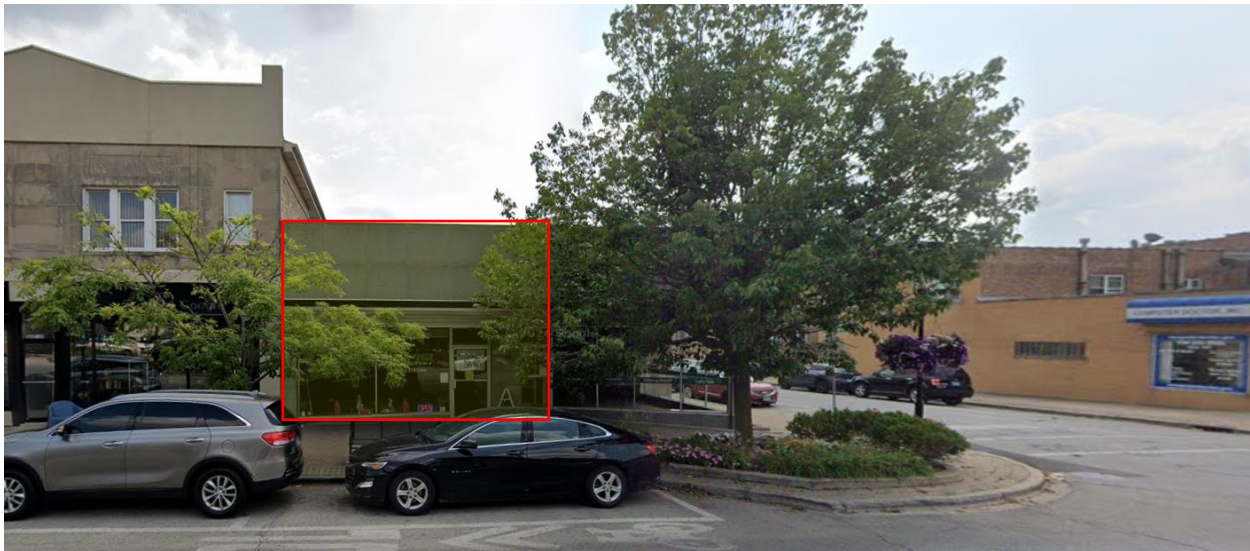
**Through:** Napoleon Haney, Village Manager

**From:** Angela Mesaros, Director of Economic and Community Development

**Topic:** Special Use Permit for indoor commercial place of assembly in the B-2 Downtown Transition District at 18111 Dixie Highway, Epiq Nutrition

## **PURPOSE**

The applicant, Erbey Solis, wishes to operate fitness classes after hours at Epiq Nutrition, an existing carry-out smoothie and juice bar at 18111 Dixie Highway. The proposed fitness use is classified as an indoor commercial place of assembly in the zoning ordinance. The carry-out restaurant portion of the business is a permitted use at this location in the B-2 zoning district. However, a special use permit is required to host weekly fitness classes.



The subject location is a 1,495-square-foot tenant space in a multi-tenant building in downtown Homewood. The smoothie and juice bar has an open floor area with a counter for customer orders and drink preparation, a single restroom, and a storage room. Epiq Nutrition's hours of operation are from 6:00 a.m. to 6:00 p.m. on weekdays, 7:00 a.m. to 3:00 p.m. on Saturdays, and closed on Sundays. The business serves up to 20 customers during peak times.

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The zoning ordinance requires one parking space per 300 square feet; a total of (4) four parking spaces is required. The business has one dedicated parking space behind the building, used for employee parking. Customer parking is on the street or in public parking lots. Subsection 44-05-02.J of the zoning ordinance allows off-site parking spaces within 300' of the business. On-street parking is available in front of the property on Dixie Highway, and to the south and east on Hickory Road, and Gottschalk Avenue.



The applicant proposes to host one (1) fitness class per week for customers, after restaurant hours. The goal is to provide an additional benefit for customers. Fitness classes are part of the business' mission to "promote holistic health and fitness." The classes would occur for one hour, from 6:30 p.m. to 7:30 p.m. on either Monday or Wednesday night.

The applicant does not wish to expand classes beyond one (1) class per week due to the limited availability of staff and instructors to support the classes. The applicant does not wish to expand beyond twenty (20) participants. Epiq Nutrition does not anticipate a crossover in traffic between restaurant customers and class participants.

## PROCESS

At its regular meeting on February 27, 2025, the Homewood Planning and Zoning Commission reviewed the request for a special use permit. With five (5) of the seven (7) members present, the Commission voted three (3) ayes to two (2) nays. It is important to note that four (4) affirmative votes are required for approval of the recommendation. Therefore, the Planning and Zoning Commission failed to approve the motion.

In making its recommendation, the Planning and Zoning Commission reviewed the application and submittals, and the standards outlined in the zoning ordinance. The Commissioners who

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voted against this application expressed concerns about parking for the fitness classes and the impact on the surrounding area with pick up and dining at local restaurants. Commission members who voted in favor of the special use permit believed that the impact on the area would be minimal because the classes would only be held for one hour, one day a week.

Staff has evaluated the application and finds no reason why this use cannot be accommodated by this space.

## OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant, and considered the applicant's response to the Standards for a Special Use. The following Findings of Fact were incorporated into the record:

1. The subject property is located at 18111 Dixie Highway on a 0.14-acre parcel, near the northeast corner of Dixie Highway and Hickory Road;
2. The subject property is owned by Mark E. Kinsella of Evergreen Park, 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 1,495 square feet of gross floor area;
5. The applicant has proposed an indoor commercial place of assembly use, which is allowed as a special use within the B-2 Downtown Transition zoning district;
6. The applicant will operate the proposed use within the space currently operated as a permitted carry-out restaurant use with hours of operation distinct from the existing use;
7. The subject property has four (4) parking spaces dedicated to the existing carryout restaurant business. The parking requirement for the proposed indoor commercial place of assembly use is lower than the requirement for carry-out restaurant use. The business is not required to add additional parking spaces as a building erected before January 10, 2023 per Section 44-05- 1(a)(4) of the Village Zoning Ordinance;
8. The applicant will operate classes once per week after the posted closing hour of the existing business, Epiq Nutrition, with classes on Mondays or Wednesdays to avoid conflicts with neighboring businesses which could cause congestion on public streets;
9. The site meets applicable development standards for this use in Section 44-04 of the Village Zoning Ordinance;
10. The proposed fitness class business will operate within the existing commercial building that is adequately served by utilities, access, and on-site parking.

## FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

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## **LEGAL REVIEW**

Completed

## **RECOMMENDED BOARD ACTION**

In consideration of the attached ordinance granting a special use permit for indoor commercial assembly at 18111 Dixie Highway, in the B-2 Downtown Transition zoning district, the Village Board should consider and approve one of the following options: 1) approve the special use with the conditions that the proposed use shall not operate within the hours of operation of the existing carry-out restaurant use, and the total capacity of the use shall not exceed twenty (20) people; 2) refer the matter back to the Planning and Zoning Commission for further consideration; or 3) deny the application.

## **ATTACHMENT(S)**

Ordinance