

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: May 9, 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 24-05/Case 24-09: Special Use Permit for Salon/Spa Use, Variance for Parking

APPLICATION INFORMATION

APPLICANT	Elsayed Elbanna
ACTION	Special Use Permit for Salon/Spa Facility;
REQUESTED	Variance for Parking Requirements
ADDRESS	2207 W 183 rd Street
PIN	32-06-101-001/002/003



ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
SURROUNDING N:	B-2 Downtown Transition	Commercial (Retail)
E:	B-2 Downtown Transition	Commercial (Restaurant)
S:	PL-2 Public Land/Open Space	Parking Lot
W:	B-2 Downtown Transition	Parking Lot

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

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application – Non-Residential Zoning	2	Elsayed Elbanna, Applicant	04/19/2024
Response to Standards for Special Use	2	Elsayed Elbanna, Applicant	03/11/2024
Response to Standards for Variance	2	Elsayed Elbanna, Applicant	04/19/2024
Project Narrative	1	Elsayed Elbanna, Applicant	03/11/2024
Revised Floor Plan	1	Elsayed Elbanna, Applicant	03/15/2024
Parcel Map	1	Elsayed Elbanna, Applicant	03/11/2024
Chicago Heights Location Plans	4	BAU Design and Development	08/18/2023
Staff Exhibits	2	Noah Schumerth, Asst. Director Econ./Comm Dev.	05/02/2024

BACKGROUND

The applicant, Elsayed Elbanna, has proposed the creation of Cloud Salon Suites, a salon/spa establishment at 2207 W 183rd Street. Cloud Salon Suites will create 16 salon suites for individual proprietors to provide a range of salon services. Each suite will be approximately 10' x 10' and allow for individual appointments by proprietors renting spaces within the larger salon center. The applicant has stated that the new business will be marketed to "hairdressers, makeup artists, facialists, lash gurus, personal stylists, tattoo artists, barbers, wax technicians, nail artists, smile experts, and more."

The applicant has noted that the maximum number of site visitors at any given time will be 34 people, with a single proprietor and a single tenant allowed in each of the individual salon suites at any given time. The business is proposed to be operated by appointment only, utilizing an app-based system to allow proprietors to control access to the building. The applicant has noted that peak operation times will be approximately 8 am to 12 pm on weekdays. The business is the second of its kind proposed by the applicant; a second salon suites facility is under construction in Chicago Heights, Illinois.

The building on the subject site was originally a single-family house. The house was demolished and the Homewood Animal Hospital was constructed in 1948, with an addition in 1952. This building was demolished and replaced with a new building in 1957, with an addition in 1971. The current building was completely renovated in 1991 following a fire. The animal hospital operated until 2015. The property was vacant for many years and was most recently donated to the South Suburban Humane Society for use as an adoption center..

The building is approximately 3,850 square feet, including 3,200 square feet of enclosed floor area in a main building and 650 square feet in a kennel building constructed. The subject property has 8 parking spaces and is immediately adjacent to a 68-space public parking lot (Harwood/183rd Lot). The subject site is adjoined by the public parking area on two sides (south and west). Access to the parking spaces on the subject site is provided via cross-access easement through the public parking lot from Harwood Avenue, on the east.

The proposed salon suites requires the following approvals to operate:

Variance (Case 24-09): The subject site currently has 8 parking spaces located on the property. The proposed use requires 19 parking spaces, per Table 44-05-01(c) of the Village Zoning Ordinance. A variance is required to vary the parking requirement for the site by 11 parking spaces.

Special Use Permit (Case 24-05): The subject site is located within the B-2 Downtown Transition zoning district. A salon/spa establishment proposed in the B-2 zoning district requires a Special Use Permit.

DISCUSSION

1. Zoning Variance Standards Analysis

In order to approve a Variance, the applicant must demonstrate an external hardship limiting by-right development on the site, and a clear plan for providing the smallest possible deviation from the Village Zoning Ordinance. The hardship must be evaluated against the Standards for Variance, which include the following three standards:

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
2. The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.
3. The variance will not alter the essential character of the locality surrounding the subject site.

The applicant's responses to the Standards of Variance are attached for review by the Planning and Zoning Commission. Staff analysis of the Standards of Variance is provided below.

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

Should the full parking requirement for the spa/salon establishment (1 space per 200 square feet) be applied to the subject site, the use as proposed will not be permitted. With only 8 parking spaces on the property and a building gross floor area of ~3,850 square feet, only uses with a parking requirement of less than 1 space per 500 square feet will be permitted in this space. The existing parking availability on the site severely limits the number of permitted or special uses in the B-2 zoning district that can occupy this property, including salon/spa establishments.

2. The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.

The existing parking on the site is not self-imposed by the property owner and is unique to the limited parking requirement of the previous use on the site (animal kennel and adoption center). The previous use generally relied on the public parking lot located near the intersection of Harwood Avenue/183rd Street for instances of overflow parking. The public parking area wraps around two sides of the subject site and is the primary source of access for the site.

The subject site has limited opportunities for alternative arrangements for parking to reduce the proposed variance. The applicant is unable to add additional parking spaces on the west side of the building due to restricted space between the western property boundary and the existing building. The staff has determined that there are few additional opportunities to add parking without substantial and costly modifications to the existing structure or site.

One option for adding parking to the property is to demolish the former kennel structure attached to the building (~650 square feet) to open additional parking spaces on the subject site. These spaces would rely on the existing parking aisle in the public parking area for access in a similar manner to the existing 8 parking spaces on the site. A parking variance would still be required, but the additional spaces would reduce the variance by 4-7 spaces. Another option is reorganizing the paved area to the east of the existing parking spaces on the site to add 1-2 parking spaces. This would require removing the mobile dumpsters currently stored at this location and striping those areas for parking. Trash access could be relocated behind the parking spaces to the east of the existing building if access remains for sanitation services, or to the west of the building adjacent to the public parking area. (see illustrations).

Staff has found that the plight of the owner is due to unique and external circumstances and is not self-imposed by the property owner. The site has structural issues which create challenges for redevelopment to accommodate any permitted or special use in the B-2 zoning district.

3. The variance will not alter the essential character of the locality surrounding the subject site.

The variance will require some usage of the public parking area adjacent to the subject site to accommodate the total demand. To meet this Standard of Variance, the additional traffic and parking utilization in the area around the subject site shall not alter the character of the area or affect the operation or enjoyment of surrounding businesses, homes, and public facilities. Staff has found that the proposed use would impact parking availability in the area, but will not impact parking in such a manner that will cause barriers to the operation and enjoyment of surrounding uses, nor affect the overall character of the area. Staff believes that the impact on traffic in the surrounding area will not alter the essential character of the surrounding area.

Surrounding uses along 183rd Street which generally rely on the public parking near Harwood Avenue and 183rd Street, both in the parking lot and on-street (located on the south side of the street within two blocks) generate a demand of 78 parking spaces with an existing on-site supply of 64 spaces, requiring 13 additional spaces from the public parking area to meet parking demand as articulated in zoning requirements. This demand is generally accommodated in the Harwood Avenue/183rd Street parking area.

Table A: Parking Demand in Vicinity of Subject Site, 2287 W 183rd Street

Address	Street	Current Use	Parking Code	Measure	Required	Existing On-Site	Public Parking Need
2131	183rd	Lassens Tap	1/200 SF	2750	14	16	0
2135	183rd	Nix Nax	1/200 SF	2000	10	3	7
2125	183rd	Good Speed Cycles	1/200	4950	25	19	6
2141	183rd	Domino's Pizza	1/250 SF	2000	8	13	0
2155	183rd	Blueberry Hill	1/200 SF	4200	21	13	0
2207	183rd	Salon	1/200 sq. ft.	3850	19	5	14
TOTAL					97	68	27

Source: Village of Homewood

In order to meet the number of spaces required by the Zoning Ordinance, with the proposed use included, a total of 27 spaces are needed from the public parking lot (Harwood Avenue/183rd Street). The Harwood/183rd public parking lot has 68 parking spaces. With the proposed use included, parking requirements from surrounding uses will account for approximately 39% of the public parking spaces in the Harwood/183rd lot. Since parking requirements are designed to accommodate peak demand for land uses, peak demand parking will generally be accommodated well within existing public parking areas.

Staff has concerns about the compatibility of peak times for uses impacting existing supply in the Harwood/183rd parking lot. While parking requirements are designed to generally account for peak demand for various land uses, some uses are especially popular and create additional demand than that

which will be reflected in parking requirements in the Village Zoning Ordinance. This is true of this area of downtown, the nearby Lassen’s Tap and Blueberry Hill restaurants can create large parking demand at peak times (weekend evenings and weekend mornings, respectively). During these times, parking lot utilization in the Harwood/183rd lot can regularly exceed 50% of spaces available. Staff has concerns that parking supply will be limited if a large number of customers visit the proposed salon use during a peak time of one of the other uses in the vicinity. The applicant has stated that the peak hours for the salon suites will be between 8 am and 12 pm on weekdays, however, the variable nature of the salon suites individual tenants causes concerns about the parking availability during the peak hours of other neighboring businesses.

With these concerns in mind, staff also notes that the subject site is one of the last remaining vacant sites in this area of downtown, and a few additional businesses will create future demand which will need to be accommodated in the Harwood/183rd public parking area. Only one small tenant space at 2141 183rd Street will create parking demand in the lot in the future. Therefore, staff finds that this use will not cause substantial issues with parking or restrict the ability for this area to adapt and evolve over time.

Staff finds that the proposed use will not alter the essential character of the surrounding area, including the ability for businesses to operate.

Special Use Standards Analysis

The Special Use Permit application must be analyzed using the 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 responses to each of the standards for Special Use, 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 B**.

Table B – Special Use Standards Assessment

Special Use Standards	Applicant Comments	Staff Comments
Is the use necessary for public convenience at this location?	<i>“With starting this up, it will offer stylists, barbers, etc. a chance to have their own salon suite without paying the high costs of renting an entire space.”</i>	There are numerous salons in Downtown Homewood. In addition, the Village currently has one salon suites facility opening on Halsted Street, approximately 1.5 miles from the location. However, the space may provide a suitable entrepreneurial space for salon/spa proprietors seeking to start a new business but unable to afford a dedicated space for practice.

<p>Is the special use detrimental to the economic welfare of the community?</p>	<p><i>“Cloud Salon Suites will only be positive to the community. With offering suites for business owners to rent and offering more options to the Homewood area.”</i></p>	<p>Staff does not believe that the use will be harmful to the economic welfare of the community. The current market for salon spaces is highly competitive. Additionally, the location of this property is not suitable for many other types of businesses, and redevelopment opportunities are limited at this time.</p>
<p>Is the use consistent with the goals and policies of the Comprehensive Plan?</p>	<p><i>“The salon suites will bring value to the property and area. It is multiple spaces for current and new business owners to start their careers. It will also offer different options to customers looking for a salon.”</i></p>	<p>The proposed use is consistent with the Village Zoning Ordinance and the goals found in the 1999 Comprehensive Plan for the downtown area. The proposed business will support multiple goals of the B-2 zoning district which is established to promote:</p> <ul style="list-style-type: none"> • Adaptive reuse of existing buildings for a mix of residential and non-residential uses • Protect areas for commercial development and the the generation of property tax revenue, and prevent the encroachment of non-taxable uses.

<p>Is the use designed, located, and proposed in a manner which protects public health, safety, and welfare?</p>	<p><i>“The business will bring zero negative impact to the area.”</i></p>	<p>Staff has concerns about the impact of peak parking demand on the surrounding area. Staff also wishes to ensure that salon spaces are operated in a manner that is sanitary and capable of supporting a high demand for services performed on individual bodies. Staff wishes to ensure that the operation of the facility is organized through business licensure in such a manner that protects individual business operators. <i>See conditions.</i></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>“The reason the salon suites business is best suited for this property is for multiple reasons. It is within walking distance from many homes and surrounding businesses, a spacious parking lot, and a well-suited layout to avoid major construction.”</i></p>	<p>The building will require extensive renovation to meet code requirements and to be operated in a manner which is consistent with health and sanitation standards suitable for a salon/spa use. The building is in poor condition and may deteriorate further without a new user, diminishing in value.</p>
<p>Will the use cause substantial injury to the value of the property in the neighborhood?</p>	<p><i>“This business will not decrease any value of surrounding properties. It will more so, increase value since we will be offering a favorable amenity to surrounding neighbors.”</i></p>	<p>The Special Use Permit will be conditioned to restrict business activity which could harm the property value of neighboring residential properties. While staff has some concerns about parking utilization at peak hours in the neighboring public parking lot, staff does not believe increased parking demand will harm the value of neighboring businesses.</p>

<p>Will the use be consistent with the uses and community character surrounding the property?</p>	<p><i>“The salon suites, just like the surrounding businesses, will be offering a service to the area. There are restaurants, flower shops, coffee shops, etc. The salon suites will offer the service of a customer visiting their stylist, barber, etc.</i></p>	<p>Staff finds that the use will be largely consistent with surrounding uses, given the range of service businesses available in the vicinity of the subject site.</p>
<p>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?</p>	<p><i>“The salon suites will not be injurious in any way to the use or enjoyment of other properties.”</i></p>	<p>Staff finds that the special use will generally not be injurious to the use or enjoyment of other properties in the B-2 Downtown Transition zoning district. The business will not be operated in a way which would cause direct impact on businesses. Staff has concerns about the increased demand in the Harwood/183rd parking lot on the availability of parking for surrounding popular businesses which lack large amounts of off-street parking for exclusive use.</p>
<p>Will the use impede normal and orderly development of surrounding property?</p>	<p><i>“The salon suites will not impede on any normal or orderly development.”</i></p>	<p>The proposed use will not impede the development of surrounding property. Increases in parking demand in the Harwood/183rd parking area could affect the opening of a business in a remaining vacant space at 2141 W 183rd Street, if peak hours are in alignment with surrounding uses and the salon suites experience high demand at these hours.</p>
<p>Does the use provide adequate ingress and egress in a manner which minimizes congestion in the public street?</p>	<p><i>“The people who rent out a suite for their business will be operating with an appointment only day. With this, there will be minimum traffic flow coming to and from the salon suites.</i></p>	<p>The use will have appointment-only business which will reduce incidental traffic in the area.</p>

<p>Is the use adequately served by utilities, access, and other facilities?</p>	<p><i>"Yes it is."</i></p>	<p>The applicant will be required to work with building division and fire department staff to ensure that each salon suite meets the standards required for an individual salon/spa business operating in a sanitary and orderly manner. Upgrades to existing utility access and fire suppression may be required to meet modern code standards with the proposed more intensive use. Staff has concerns about the aging kennel structure adjacent to the site, and has suggested consideration of the removal of this structure to reduce the parking variance need and improve the condition of the building.</p>
<p>Is the use substantially affecting one or more historical, cultural, natural or archeological resources located nearby?</p>	<p><i>"The salon suites will not affect any of its surroundings in any negative way."</i></p>	<p>Staff has no concerns about impacts on unique resources from the proposed use.</p>

The proposed use provides a unique use case, given that the business will be a single salon/spa establishment that consists of independent service operators and business proprietors. The building will have a maximum of 16 salon suites operating independently from one another. These businesses will host a range of salon/spa services, including "hairdressers, makeup artists, facialists, lash gurus, personal stylists...barbers, wax technicians, nail artists, and smile experts." Only uses which fall within the use category of "salon/spa establishment" will be permitted. Staff has recommended conditions in this memo to restrict services that are not allowed within the "salon/spa" use category, including tattoo artistry and massage care (see "Discussion").

To function as a salon/spa establishment on the subject site, the applicant must operate the salon suites under a single business operation certificate. Proprietors will lease space in the building; the entire building would be considered a single business for the purposes of business licensure, inspections and code compliance.

The applicant has stated that the building will be equipped with a building access management program, designed to limit access to patrons actively receiving services from a proprietor within the space. According to the applicant, the system will allow proprietors operating salon suites to unlock the front door of the building with an app once guests have notified their arrival. The system is planned for operation at the applicant's Chicago Heights location, which is currently under construction and will open soon.

The applicant has stated that the building will have 24-hour access for proprietors leasing suites in the building. Staff has provided conditions to limit the hours of operation for this business due to its proximity to residential properties along Harwood Avenue.

Staff believes that the proposed Special Use is suitable for the site when operated within the following conditions related to the operation of the salon and spa establishment:

1. *No business operation shall be conducted between the hours of 7:00 am and 11:00 pm.*
2. *The building shall be equipped with an access management system.*
3. *Business operations shall be conducted by appointment only.*
4. *The business operator, and any contractor, lessee, or partner shall be prohibited from operating a business providing tattoo artistry services.*
5. *The business operator, and any contractor, lessee, or partner shall be prohibited from operating a business providing massage services.*
6. *The business operator shall not execute more than sixteen (16) leases to individual contractors, lessees, or partners required for the operation of individual salon suites.*
7. *The salon suites business shall be operated under a single business operations certificate approved by the Village of Homewood with leases administered by the property owner for the operation of individual salon suites.*

FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-12 of the Zoning Ordinance. The findings of fact, as proposed or amended, may be entered into the record.

1. The subject property is located at 2207 W 183rd Street.
2. The subject property is located in the B-2 Downtown Transition zoning district.
3. The subject property is occupied by a single 3,850 square foot structure previously operated as an animal kennel and shelter use.
4. The applicant proposes to operate a salon suites business with sixteen (16) leased suite spaces within the building on the site.
5. Access to the site is provided via the driveway of a public parking lot owned by the Village of Homewood.
6. The site has eight (8) off-street parking spaces located on-site.
7. The proposed a salon/spa establishment, which requires a Special Use Permit in the B-2 Downtown Transition zoning district.
8. The applicant has proposed the operation of the salon/spa establishment with 8 off-street parking spaces located on-site, requiring a Variance of 11 parking spaces from the required number of spaces for the site.

- 9. The individual businesses leased within the salon/spa establishment will be operated by appointment only.
- 10. The business will be operated with an access management system that will allow access to tenants and approved clients only.
- 11. The proposed variance will not alter the character of the neighborhood, injure or diminish the value of adjacent properties, nor impair public health, safety, or welfare.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend **approval** of Case 24-05 to the Village Board of Trustees, to grant a Special Use Permit to permit the operation of *salon/spa establishment* in the B-2 Downtown Transition zoning district for “Cloud Salon Suites” at 2207 W 183rd Street, subject to the following conditions¹. No business operation shall be conducted between the hours of 7:00am and 11:00pm; and

- 2. Building shall be equipped with an access management system; and
- 3. Business operation shall be conducted by appointment only; and
- 4. The business operator, and any contractor, lessee or partner shall be prohibited from operating a business providing tattoo artistry services; and
- 5. The business operator, and any contractor, lessee or partner shall be prohibited from operating a business providing massage services; and
- 6. The business operator shall not execute more than sixteen (16) leases to individual contractors, lessees or partners required for the operation of individual salon suites.; and
- 7. The salon suites business shall be operated under a single business operations certificate approved by the Village of Homewood with leases administered by the property owner for the operation of individual salon suites.

And

Recommend **approval** of Case 24-09, a Variance to Table 44-05-01(c) of the Village Zoning Ordinance to permit the reduction of off-street parking requirements from 19 parking spaces to 8 parking spaces;

And

Incorporate the Findings of Fact into the Record.