

# VILLAGE OF HOMEWOOD



## MEMORANDUM

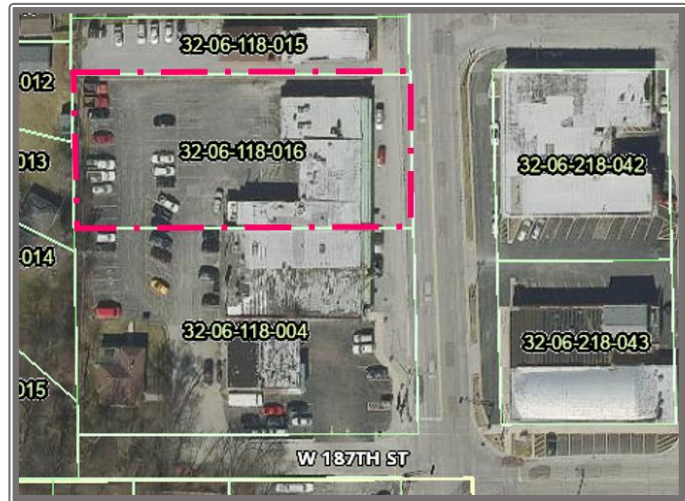
DATE OF MEETING: October 13, 2022

**To:** Planning and Zoning Commission

**From:** Valerie Berstene, Village Planner

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

**Topic:** Case 22-33 - Special Use Permit for Salon/Spa Establishment



## APPLICATION INFORMATION

APPLICANT	Niya Thompson
ACTION REQUESTED	Special Use Permit for Salon/Spa
ADDRESS	18664 Dixie Highway
PIN	32-06-118-016-0000

## ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Community Business District	Vacant, formerly Personal Service
PROPOSED	B-2 Community Business District	Salon/Spa
SURROUNDING	N: B-2 Community Business District	Personal Services; Professional Services
	E: B-2 Community Business District	Personal Services; Retail
	S: B-2 Community Business District	Personal Services; Professional Services; Retail; Salon/Spa
	W: R-2 Single Family Residential District	Single Family Residences

**LEGAL NOTICE** Legal notice was published in *Daily Southtown* on Wednesday September 28, 2022; and letters were sent to 46 property owners and residents within 250’.

As of 10/04/2022, Staff has received one public comment: the owner of the adjacent salon inquired about the proposed use; she expressed concerns about another salon entering the market. Upon learning that the proposed business is focused on medical support nail care, she was not opposed.

## DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application, including completed standards	4	Niya Thompson	09/26/2022

Title	Pages	Prepared by	Date
Landlord Authorization Letter	1	Emma Henke	09/30/2022
Staff Exhibits	4	Valerie Berstene	10/13/2022
Business Brochure	2	Niya Thompson	10/05/2022

## BACKGROUND

The applicant, Niya Thompson, requests a special use permit to operate a salon/spa establishment, NuSole Wellness Spa, LLC within a 560 square foot unit in a multi-tenant commercial building at 18664 Dixie Highway, in the B-2 Community Business District. The applicant is a nail technician offering services in support of medical care.

## HISTORY

The subject property was constructed in 1952. Village records indicate that a dentist occupied the space following the opening of the building. In 1980 the space became Bettina's, custom sewing and alterations. In 1984 Marlene's Custom Sewing and Alterations opened its business at the address and remained open until recent years.

## DISCUSSION

The proposed space is currently vacant. Other uses in the building include professional services (insurance agency, driving school, staffing agency), personal services (salon establishment), indoor amusement (rage room), retail (custom t-shirts), and a vacant bakery. The applicant proposes to open a nail salon providing services associated with medical conditions. The application includes a narrative description of the proposed business, and the applicant provided a draft of her marketing brochure to provide more detail about how her services differ from common cosmetic services.

The zoning ordinance requires two parking spaces per chair plus one parking space per employee for a beauty salon. The salon will include three chairs, each for a different service treatment, and three employees. Therefore, 9 parking spaces would be required ((3 chairs x 2) 6 + 3 employees = 9). Parking on the subject property is sufficient to accommodate the required parking, with the existing uses (including the currently vacant restaurant/bakery space).

The applicant plans to operate her business through appointments only and would serve as the primary technician on-staff.

## Special Use Permit

The Homewood Zoning Ordinance classifies salon/spa uses as a special use in the B-2 Community Business District. The requirement for a special use permit for a salon/spa in the B-2 district has been in effect since an amendment to the Code in 2012 in response to concerns over the proliferation of certain personal services within the B-1 and B-2 districts that impact the desired economic diversity of these commercial areas. The amendment to the zoning ordinance provides the opportunity for the village to consider the impact the proposed use may have upon neighboring lands and the public need for the proposed use at the subject location. It provides the village the opportunity to impose conditions or restrictions that mitigate any potential negative impact and assist the proposed use in meeting the special use standards as set forth in the zoning ordinance.

The applicant's responses to the standards for a special use are attached for consideration.

#### Zoning Code Revisions

The Village is currently in the process of updating the Zoning Ordinance and zoning map, with anticipated adoption in fall 2022/winter 2023. The proposed revisions to the map would rezone the Southgate shopping area in which this property is located from B-2 to B-3 Service Business District. In the B-3 district, salon/spa services under 2,500 sf would become a permitted use. The draft ordinance revises the category of personal services to include the salon/spa uses. Therefore, under the draft of the revised Zoning Ordinance, the proposed use would be a permitted use.

#### **FINDINGS OF FACT**

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 2.16/ Municode Section 44-81 of the Zoning Ordinance for the Special Use. The findings of fact, as proposed or as amended, may be entered into the record.

1. The subject property is located at 18664 Dixie Highway, in the B-2 Community Business District.
2. The applicant, Niya Thompson, is the business owner and has authorization of the property owner, EMA Building Corporation, to request the special use permit to operate a salon/spa establishment.
3. A salon/spa is a special use in the B-2 Community Business District per Table 44-175.1 of the Homewood Zoning Ordinance.
4. The proposed establishment will be approximately 560 sf and include three treatment chairs; the required parking can be accommodated on the site.

#### **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 22-33 to grant a Special Use Permit for a Salon/Spa Establishment in B-2 Community Business District for "NuSole Wellness Spa, LLC" at 18664 Dixie Highway; and

Incorporate the findings of fact into the record.