

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: February 27, 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 25-05: Special Use Permit for Indoor Commercial Place of Assembly at 18111 Dixie Highway

APPLICATION INFORMATION

APPLICANT	Erbey Solis
ACTION REQUESTED	Special Use Permit
ADDRESS	18111 Dixie Highway
PIN	29-31-408-005

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Downtown Transition	Carryout Restaurant (Epiq Nutrition)
SURROUNDING	N: B-2 Downtown Transition	Retail (The Rock Shop)
	E: R-4 Multiple-Family Residential	Multi-Family Residential
	S: B-2 Downtown Transition	Professional Office (Edward Jones)
	W: B-2 Downtown Transition	Professional Office (18110 Building)

LEGAL NOTICE Legal notice was published in *Daily Southtown* on February 13, 2025; letters were sent to property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Erbey Solis, Applicant	01/31/2025
Special Use Standards Worksheet	2	Erbey Solis, Applicant	01/31/2025
Floor Plan	1	Erbey Solis, Applicant	01/31/2025
Classes Summary	1	Epiq Nutrition	
Staff Exhibits	3	Noah Schumerth, Asst. Dir. ECD	02/14/2025

BACKGROUND

The applicant, Erbey Solis, owner of Epiq Nutrition at 18111 Dixie Highway, wishes to operate fitness classes after hours at the existing carry-out eating place (smoothie & juice bar). This use is classified as an indoor commercial place of assembly in the zoning ordinance, which is a special use in the B-2 Downtown Transition zoning district. The carryout restaurant is a permitted use at the location. The special use permit will allow the applicant to host weekly fitness classes.

DISCUSSION

On January 17, 2025, Village staff learned that the applicant planned to offer weekly fitness classes at Epiq Nutrition. The Village sent notice to the applicant that a Special Use Permit was required to host classes, given that the classes qualify as an *indoor commercial place of assembly* in addition to the carryout restaurant use previously permitted on the property.

Existing Use

The current business operates in a 1,495-square-foot tenant space. The restaurant area consists of a large open floor area with a counter for ordering and drink preparation. The business has a kitchen area behind the counter, a single restroom, and a storage room.

Epiq Nutrition, the current business at the subject site, is open from 6:00 am – 6:00 pm on weekdays, and from 7:00 am – 3:00 pm on Saturdays. The business is closed on Sundays. The applicant has stated that the business can serve up to 20 customers at a time at peak times.

Proposed Use

The applicant wishes to host fitness classes in the open floor area of the restaurant after hours for customers. The applicant has stated that the goal is to provide an additional benefit for existing customers and that the classes are part of the existing business' mission to "promote holistic health and fitness."

The classes would occur once a week for one hour, from 6:30 pm to 7:30 pm on Monday or Wednesday nights. The applicant does not wish to expand classes beyond one class per week due to the limited availability of staff and instructors to support the classes. The classes are primarily marketed to existing customers of Epiq Nutrition.

The applicant has restricted capacity for fitness classes to 20 people and does not wish to expand beyond 20 participants. The classes will not be hosted at times when Epiq Nutrition is open, and the applicant does not anticipate a crossover in traffic between restaurant customers and class participants.

While this use permit application is under consideration, the applicant has temporarily moved classes to a public recreation building in Chicago Heights.

Site Plan/Parking

The business has four (4) parking spaces. The proposed use (indoor commercial place of assembly) has a lower parking requirement than the existing use. Indoor commercial places of assembly require a ratio of one (1) parking space per 300 square feet, while carryout restaurants require a ratio of one (1) space per 200 square feet. The proposed use does not increase the parking requirement for the site. Per Section 44-

05-01(a)(4), since the building was constructed before January 10, 2023, the proposed use arrangement does not require the addition of new parking spaces and the current parking on the site meets zoning requirements.

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? Similar fitness classes at a nearby business at 18203 Dixie Highway (XFA Fitness) that was approved for a Special Use Permit in December 2023. However, the applicant has stated that the classes at Epiq are primarily marketed toward existing customers.

The applicant has temporarily relocated classes to a location in Chicago Heights until approval of the special use permit. The applicant has shared that classes at the alternative location suffer from limited participation because most customers reside closer to the Epiq location in Homewood.

- 2) Will the special use be detrimental to the economic welfare of the community? Staff does not project negative impacts from the proposed assembly use. Events such as classes are common for improving business performance for experiential retail and restaurants and may drive additional traffic to businesses in the nearby vicinity.
- 3) Will the special use be consistent with the goals and policies of the comprehensive plan and other adopted plans of the village?
- 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? Staff finds that no noise, light, or other impacts are anticipated which could cause harm to health, safety, or general welfare. Other businesses in the area operate similar uses without negative impacts on surrounding properties.
- 5) Is the special use a suitable use of the property and, without the special use, could the property will be substantially diminished in value? The existing carryout restaurant use has operated since May 2024. The property value would not be diminished should the special use permit be denied.
- 6) Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?
- 7) Will the special use be consistent with the uses and community character of the neighborhood surrounding the subject property? Other properties in the nearby vicinity offer events, classes or other intermittent events as part of normal business operation or as a dedicated permitted use, and the use is consistent with existing uses and desired character of the Downtown area.
- 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?

- 9) Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?
- 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? Staff finds that the property has sufficient ingress and egress for vehicles and pedestrians to support the proposed use, which has a similar intensity to peak hours for the existing use at the property. The hours for the classes are proposed to minimize overlap with neighboring businesses such as 5th Quarter Bar, which has peak hours on Thursday evenings and/or weekends.
- 11) Is the subject property adequately served by utilities, drainage, road access, public safety and other necessary facilities to support the special 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 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, 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 carryout 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 carryout 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 event business will operate within the existing commercial building that is adequately served by utilities, access, and on-site parking.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

Staff recommends approval of a Special Use Permit for an indoor commercial place of assembly at 18111 Dixie Highway. The Planning and Zoning Commission may wish to consider the following motion:

Recommend approval of Case 25-05, for a Special Use Permit to operate an indoor commercial place of assembly use at 18111 Dixie Highway, subject to the following conditions:

1. The proposed use shall not operate within the hours of operation of the existing carryout restaurant use.
2. The total capacity of the use shall not exceed twenty (20) people.

AND

Incorporate the Findings of Fact into the record.