

# VILLAGE OF HOMEWOOD



## MEETING MINUTES

DATE OF MEETING:

May 25, 2023

## PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room  
2020 Chestnut Street  
Homewood, IL 60430

### CALL TO ORDER:

Chair Pro Tem Bransky called the meeting to order at 7:00 pm.

### ROLL CALL:

In attendance were members Alfonso, Cap, Johnson, O'Brien, and Chair Pro Tem Bransky. Chair Sierzega and Member Castaneda were absent. Present from the Village was Village Planner Valerie Berstene. There was one person in the audience. The public was able to watch and listen to the meeting via Zoom webinar.

### APPROVAL OF MEETING MINUTES:

Chair Pro Tem Bransky asked if there were any changes or corrections to the minutes of May 11, 2023. No corrections were made.

Member O'Brien moved to approve the minutes; seconded by Member Alfonso.

AYES: Members Alfonso, O'Brien, Johnson, Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: Member Cap

ABSENT: Member Castaneda and Chair Sierzega

### REGULAR BUSINESS:

#### CASE 23-15 – Public Hearing for Special Use Permit for Massage Therapy at 920 W 175<sup>th</sup> Street, Suites 1 & 2

Chair Pro Tem Bransky read aloud a description of the case and materials provided, then swore in the applicant, Benita Best. Chair Pro Tem Bransky introduced that the same applicant had previously been granted a special use permit for the same business at a different location, and asked Ms. Best to explain the fundamental differences between the current application at the new location, and the previous application heard on December 8, 2022.

Ms. Best stated that the business is basically the same –no change to the services to be provided.

Member Alfonso asked for clarification that the tenant space is on the first floor, not the second floor residential unit. Ms. Best affirmed.

Member Alfonso asked if the multi-purpose room would be used for many activities during the week. Ms. Best listed some of the types of mind-body low-impact exercises and workshops she would hold in the space.

Member Alfonso asked if the business would operate with a membership model, or by individual services. Ms. Best responded that she is considering a membership model- yet to be determined - but will be selling service packages.

Member Alfonso asked whether Ms. Best, as proprietor, will have employees or independent contractors. Ms. Best replied independent contractors.

Member Cap asked if the other practitioners offering services will work for themselves or for Ms. Best. Ms. Best replied that they will be working independently, but within the shared space, paying Ms. Best to lease the space.

Member Cap asked Staff if any of the other proposed uses would require special use permits. Village Planner Berstene replied that the other proposed uses are all permitted in the B-4 Shopping Center District. Only massage therapy requires a special use permit.

Member O'Brien clarified that this application has a total of five treatment rooms, differing from the previous location which had a total of six treatment rooms. Ms. Best affirmed.

Member O'Brien asked for the suite numbers for the application. Ms. Best stated suites 1 & 2.

Member Johnson asked what process the independent contractors would go through for leasing when joining the business. Ms. Best explained that she will handle sub-leasing; it will be permitted through the terms of her lease.

Member Johnson asked about sanitation and any hazardous material handling. Ms. Best described the tools employed to sanitize the treatment spaces, including air purifiers, linen sanitizing, and general sanitizing between each client. She explained that each contractor will be responsible for their own sanitizing and sterilization between clients, but noted that she does discuss it with the service providers as she takes sanitation very seriously.

Member Bransky inquired about the function of the infrared sauna. Ms. Best clarified that it is only lighting – no moisture or special construction is required for the room.

Member Cap requested more clarification about the operations between Ms. Best as proprietor and the independent contractors subleasing the space and operating within her business. Ms. Best explained that bbHOLISTIC will be the physical space where they are housed and she will assist in marketing and provide access for all patrons to the shared spaces, such as the sauna and meditation room. She stated that they will all work together, but clients will book individually through each provider.

Member Cap asked Staff if this constitutes separate individual businesses that should be licensed as such by the Village. Village Planner Berstene replied that she doesn't believe each contractor needs their own business license, though she is not intimately familiar with those processes.

Member Cap suggested that the independent contractors might require their own special use permits for the services they offer. He expanded that with four rooms to sublease out, there could be the potential for four additional special use requests. Village Planner Berstene explained that the special use is granted for the entire space- not one single room- and that the request for a special use for massage therapy would encompass other providers offering the same services in those identified rooms at this location. She offered a similar example of salons that are permitted under one special use permit but

may rent out chairs to individual service providers all under the umbrella of the lease-holder's special use permit.

Member Cap asked what guarantees that all practitioners will be massage therapists. Member Johnson and Chair Pro Tem Bransky offered clarification that they will not be, per the information provided in the application. Member Johnson explained that the listed services associated with the business, as described in the request for the special use permit, would all be allowed at this address. If a practitioner came forward to offer a different service, not permitted by right in the zoning district, then it would require further review.

Member Johnson offered an example of a former case that applied for a special use permit for a business to house many different services within. In that example, the applicant could not tell the Commission what the other businesses would be. Without that information, the Commission could not recommend approval. Chair Pro Tem Bransky stated that for the current case, all of the proposed services are detailed in the application. He explained that as long as all the services provided are in line with those outlined in the application, then the special use acts as an umbrella for the specific activities to take place at that location.

Member Cap asked how one would know when the uses change [to diverge from those allowed]. Ms. Best explained that she needs to stick with what she described to comply with the terms of her lease and her special use permit. Other members added that the fire department inspections are generally when non-compliant businesses are discovered.

Member O'Brien posited a scenario where a tattoo artist operates within the proposed business. Such a use would be subject to different regulations not reviewed under the current special use request. Village Planner Berstene stated that the applicant then would come before the Planning and Zoning Commission to request an amendment to the special use permit.

Member O'Brien asked Ms. Best if her contractors will sign a sublease. Ms. Best affirmed.

Member Johnson moved to recommend approval of Case 23-15 for a Special Use Permit for Massage Therapy for "bbHOLISTIC, LLC" at 920 W 175<sup>th</sup> Street, Suites 1 & 2; incorporating the findings of fact into the record. Seconded by Member O'Brien.

AYES: Members Alfonso, O'Brien, Johnson, and Chair Pro Tem Bransky

NAYS: Member Cap

ABSTENTIONS: None

ABSENT: Member Castaneda and Chair Sierzega

Member Cap stated that he voted against the motion based on his questions and applicant responses throughout the meeting.

### **OLD BUSINESS:**

Members O'Brien and Chair Pro Tem Bransky provided a summary of the Steering Committee Kick-Off Meeting for the Downtown Transit-Oriented Development Master Plan.

### **ADJOURN:**

Chair Pro Tem Bransky called for a vote of unanimous consent to adjourn the meeting at 7:46 pm; the motion passed.

Respectfully submitted,

**Angela Mesaros**

Director of Economic and Community Development