

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: June 13, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Case 23-15: Special Use Permit for Massage Therapy in the B-4 Shopping Center District for “bbHOLISTIC, LLC” at 920 175th Street, Suites 1 & 2

PURPOSE

The applicant, Benita Best, requests a Special Use Permit for Massage Therapy, to operate bbHOLISTIC, LLC within a 1,900-square-foot unit at 920 175th Street in the B-4 Shopping Center District.

The Homewood Zoning Ordinance classifies massage therapy as a special use in the B-4 Shopping Center District. The special use permit process allows for careful evaluation of each requested permit individually to consider the impact of the proposed use on neighboring properties and the public need for the proposed use at the subject location.



The applicant proposes to operate a business consisting of massage therapy, acupuncture, skin and nail care, infrared sauna, stress relief, and relaxation through meditation, mind-body movement, and health and wellness education. Of the proposed services to be provided, only massage therapy is a special use. The other services are permitted in the B-4 Shopping Center District.

PROCESS

On January 10, 2023, the applicant was granted a special use permit for the same services at a different location, 18203 Dixie Highway, in the B-1 Central Business District (Case 22-35; Ordinance M-2236). The special use was issued under the former Zoning Ordinance, which classified the proposed use as a Salon/Spa Establishment. After receiving the special use permit, the applicant was unable to agree on terms with the landlord and searched for another location, which led to 920 175th Street and the current request.

VILLAGE OF HOMEWOOD



The proposed business will operate within an existing commercial building that is adequately served by utilities, access, and on-site parking. The subject property is a 9,282-square-foot building containing multiple commercial tenant suites on the ground floor. The tenant spaces have been occupied by a variety of professional offices over the years. Most recently, two suites were occupied by two separate insurance brokers, and a law office in a third suite. One of the insurance brokers has closed his business, vacating the suites that the applicant proposes to occupy.

The proposed establishment will consist of five treatment rooms; an infrared sauna room; meditation/relaxation room; a multi-purpose room; a reception/waiting area; and a storage room. The applicant will hold the lease and be one service provider. The other four treatment rooms will be subleased to other specialists. All subtenants will be subject to the same conditions of the lease and the special use permit. All subtenants will be required to hold current licenses, as required by the State, to perform their services.

OUTCOME

On May 25, 2023, the Planning and Zoning Commission considered the request for a special use permit in a public hearing. Five commission members were present and voted 4-1 to recommend approval of the special use permit.

Member Cap was the dissenting vote. He had questions regarding whether or not the subtenants should have to come before the village to receive individual special use permits, if their proposed services require it. As is our practice, one special use permit is granted to an address and that business can provide a multitude of services under the umbrella of the special use.

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 a 1,900-square-foot tenant space located at 920 175th Street, Suites 1 & 2 in the B-4 Shopping Center District, where massage therapy is a special use per Table 44-03-04 of the Homewood Zoning Ordinance.
2. The proposed business will operate within an 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

VILLAGE OF HOMEWOOD



LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance granting a Special Use Permit for Massage Therapy in B-4 Shopping Center District for “bbHOLISTIC, LLC” at 920 W 175th Street, Suites 1 and 2.

ATTACHMENT(S)

Ordinance