#2017-17
39 Williams SUP and Variation
Project Review for Planning and Zoning Commission

Meeting Date:	June 21, 2017
Requests:	1. Special Use Permit for a massage therapeutic establishment. 2. Variations from Article 4-200 from the required minimum parking of 15 spaces to allow 0 spaces.
Location:	39 Williams Street
Acreage:	3,400 square-foot space
Existing Zoning:	B-4 Downtown Commercial
Surrounding Properties:	North: B-4 Downtown Commercial South: B-4 Downtown Commercial East: B-4 Downtown Commercial West: B-4 Downtown Commercial
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- Existing Use: The property was the Benedict's To Go space. A previous parking variation for a retail use was granted from 5 spaces per 1,000 SF to allow 0 spaces. The physical fitness use requires 6.4 spaces per 1,000 SF requiring an additional variation.
- Project: The tenant would create a yoga studio with a waiting area and two rooms for massage.

Development Analysis:

General

- Request: The petitioner is requesting both a Special Use Permit to allow a massage use and a Variation for the required parking.
    - Special Use Permit for a Massage Therapeutic Establishment. The Pilates studio plans to offer some rooms for massage. Massage establishments require a Special Use Permit in the B-4 zoning district.
    - The change of use to a more intense use requires the parking variation. The total parking required is 22 spaces. The Downtown area receives a reduced parking requirement and only needs to provide 70% of the required parking. This requires that 15 spaces be provided.

- Land Use: The land use map shows the area as Mixed Use. This land use designation is appropriate for these uses, as well as, a multitude of other uses.
- Zoning: The site is zoned B-4 Downtown Commercial. This zoning district is appropriate for these business uses.

Findings of Fact:

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit to allow a massage establishment at the subject property. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. A floor plan, drawn to scale is required illustrating all the services/uses listed.
   ☐ *Meets* ☐ *Does not meet*

2. A complete list of the names, residence addresses, with zip codes, and dates of birth of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses as issued by the State Department of Professional Regulation of all licensed massage therapists must be provided.
   ☐ *Meets* ☐ *Does not meet*

3. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
   ☐ *Meets* ☐ *Does not meet*

4. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
   ☐ *Meets* ☐ *Does not meet*

5. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
   ☐ *Meets* ☐ *Does not meet*

6. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
   ☐ *Meets* ☐ *Does not meet*

7. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 11:00 a.m.
   ☐ *Meets* ☐ *Does not meet*

8. No residential use is permitted within the massage establishment at any time.
   ☐ *Meets* ☐ *Does not meet*

9. Alcohol is not permitted to be served in a massage establishment at any time.
   ☐ *Meets* ☐ *Does not meet*

10. By applying for a special use, the applicant is authorizing the City, its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application, including an investigation of the applicant's character, qualification and criminal background check.
    ☐ *Meets* ☐ *Does not meet*

11. By applying for a special use, the applicant is consenting to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.
    ☐ *Meets* ☐ *Does not meet*

12. Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.
    ☐ *Meets* ☐ *Does not meet*

Findings of fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation:

- Article 4-200 Parking and Loading. The Downtown, by design, does not provide on-site parking for uses. Within the vicinity there is sufficient on-street and public parking lots. Pilates Body by Kirsten currently operates downtown within the Brink Street Market.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

☐ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

☐ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

☐ *Meets* ☐ *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

☐ *Meets* ☐ *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

☐ *Meets* ☐ *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

☐ *Meets* ☐ *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

It should be noted that this property could qualify for an administrative variation for the required parking Downtown.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Mixed Use. The following goal is applicable to this request:

Unique Areas – Downtown

Goal: Promote the unique architectural, historical, and social aspects of the downtown to stimulate economic and social vitality.

This can be accomplished with the following supporting action:
Supporting Action: Strengthen the economic base of the downtown while diversifying it.
Success Indicator: The number of new occupancies Downtown for "mom and pop" stores.

Recommended Conditions:
If a motion to recommend approval of the petitioner's request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Karlblom, received 05/26/17)
   B. Floor plan (Karlblom, received 05/26/17)

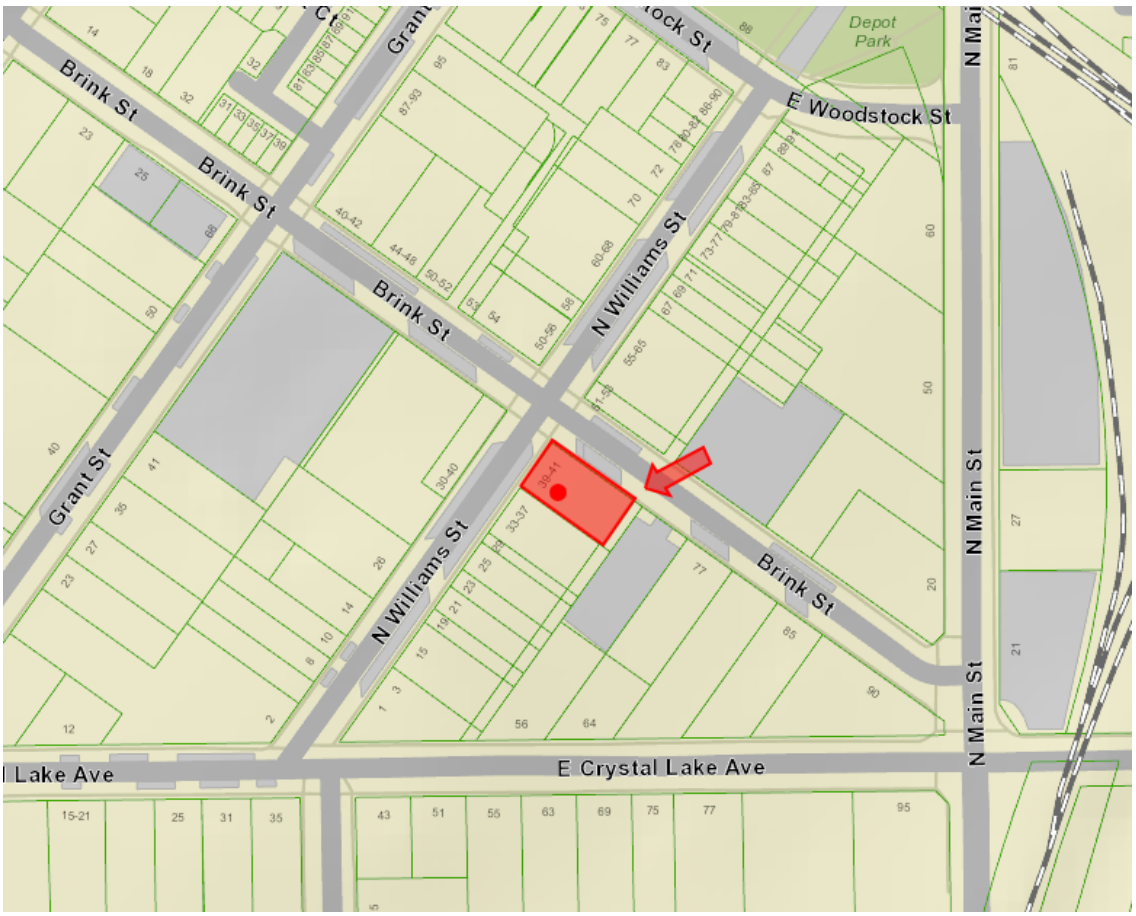
2. The petitioner must comply with the State requirements and provide the City with a copy of every licensed masseuse at the location.

3. The petitioner shall comply with the SUP criteria for massage therapeutic establishments and when the City enacts the massage license requirement, they shall apply for and receive a license to continue operation.

4. The parking variation is granted for the proposed use, if the uses intensify or a new more intense use locates here, the request will need to be amended to review the parking in the future.

5. All employees for this businesses must acquire and maintain Z-lot passes.

6. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, and Fire Rescue Departments.


Depot Park
E Woodstock St
Brink St
Brink St
Brink St
Brink St
Grant St
N Williams St
N Williams St
N Main St
N Main St
E Crystal Lake Ave
Lake Ave


Brink St
Pettick Ln
Brink St
Grant St
N Williams St
N Main St

RECEIVED
MAY 26 2017
BY

City of Crystal Lake
Development Application

Office Use Only
File # 2017 17

Project Title: 39 N. Williams Street
• Pilates Body By Kirsten

Action Requested

__	Annexation	__	Preliminary PUD
__	Comprehensive Plan Amendment	__	Preliminary Plat of Subdivision
__	Conceptual PUD Review	__	Rezoning
__	Final PUD	X	Special Use Permit
__	Final PUD Amendment	X	Variation
__	Final Plat of Subdivision	__	Other

Petitioner Information

Name: KIRSTEN Karlblom
Address: 3908 meandering way
CRystal lake, IL 60014
Phone: (815) 347-8485
Fax: Ø
E-mail: KIRSTENKARLBLOM@gmail.com

Owner Information (if different)

Name: Steve Dalzell
Address: 41 N. Williams St.
CRystal Lake, IL 60014
Phone: (815) 482-6738
Fax: Ø
E-mail: sdalzell@sbcglobal.Net

Property Information

Project Description: Pilates Studio with Massage Room

Project Address/Location: 39 N. Williams St.
CRystal lake, IL 60014

PIN Number(s): 14-32-483-027

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Kristin Kabble 5/26/17

PETITIONER: Print and Sign name (*if different from owner*) **Date**

As owner of the property in question, I hereby authorize the seeking of the above requested action.

5/30/17

OWNER: Print and Sign name **Date**

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

RECEIVED
MAY 30 2017
BY:

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF Kirsten Karlblom

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission on the application by Kirsten Karlblom, seeking a Parking Variation and Special Use Permit for 39 N. Williams Street, Crystal Lake, Illinois. PIN: 14-32-483-027.

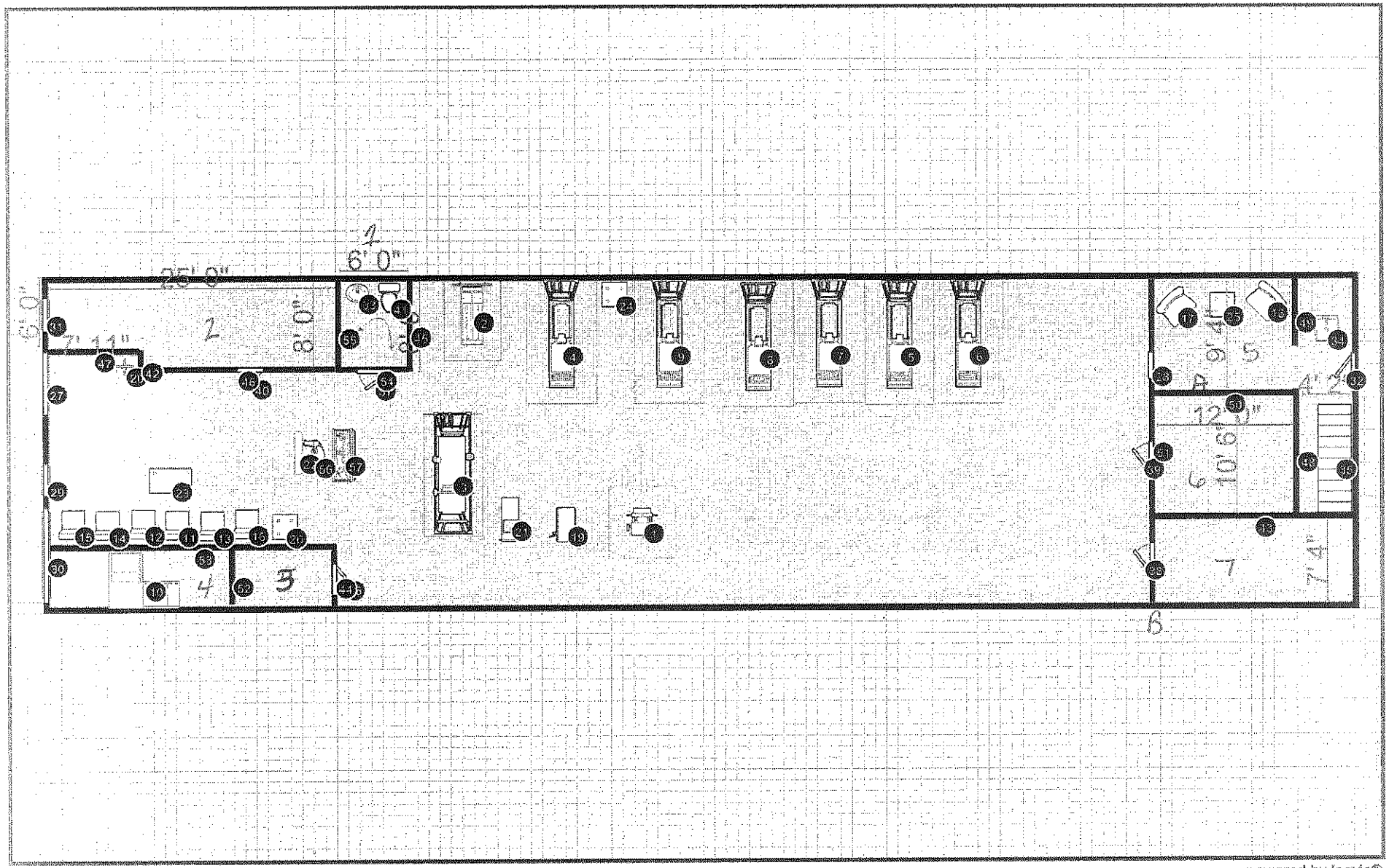
This application is filed for the purpose of seeking a Special Use Permit for a Massage Establishment pursuant to Article 2-300, 2-400 and 9-200 D and a Variation from the required parking pursuant to Article 4-200. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:30 p.m. on Wednesday, June 21, 2017, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson

Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald on June 5, 2017) 1419675



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2017 studio2

0 ft 2 ft 4 ft

Created for 39 N. Williams Street by Kirsten Karlblom

This floor plan is a representation and should not be relied on exclusively. Measurements should be verified to ensure accuracy.

balanced body®

Pilates Body by Kirsten
39 N. Williams Street
Crystal Lake, Illinois 60014
(815)347-8485

Room Number 1:
-Adding upstairs bathroom 6'X8'
-Adding outlet
-Adding light
-Adding light switch
-Adding Fan
-Adding door 36"x83"

Room Number 2:
-Office 6'X8' then expanding to 8'X17'
-Adding Light switch
-Adding outlet
-Adding door 36"x83"

Room Number 3:
-Changing Room Existing
-Has existing bench
-Walls are existing 97" high no need to change
-Door is 36"x83" existing

Room #4:
-Stairs are located behind the wall
-No changes made
-Not using

Room #5:
-Waiting Room for massages
-No Changes needed
-Keeping walkway open for fire exit
-Sink in back is existing
-Adding 2 chairs
-Adding side table

Room #6:
-Massage room number 1
-Adding wall A 12'x10'
-Adding door 36"x83"

-Adding light switch
-Has existing outlet
-Adding Vent

Room #7:
-Massage room number 2
-No changes needed
-Adding light switch
-Adding Door 36"x83"
-Existing vent
-Existing outlet
-Removing stairs

Wall B:
-Existing wall just extending to ceiling
-currently 97" changing to 120"

Front waiting room:
-6 waiting room chairs
-1 table
-1 side table
-Reception counter (47"x9"x44")
    -Needs outlet in floor
-Moving fountain from other studio (58"x96"x24")
    -Needs outlet in floor