#2018-138
Hubbard - Mucha – Special Use Permit
Project Review for Planning and Zoning Commission

Meeting Date: November 7, 2018

Request: Special Use Permit to allow a massage establishment.

Location: 455 Angela, suite 112

Existing Zoning: O Office

Surrounding Properties:
North: B-2 PUD General Commercial
South: R-3B PUD Multi-Family Residential
East: O PUD Office
West: O Office

Staff Contact: Elizabeth Maxwell (815.356.3738)

Background:

- Existing Use: The subject property is a multi-tenant office building.
- UDO Requirements: Massage establishments are required to obtain a special use permit. The special use permit requires all massage establishments to comply with certain criteria.
- The petitioners were previously located in another office building prior to the UDO requiring the SUP. When they moved locations they were unaware they needed to apply for the SUP at the new location.
- The petitioners have also made an application for a Massage Establishment License.

Development Analysis:

General

- Request: The petitioner is requesting a special use permit for a massage establishment.
- Land Use: The land use map shows the area as Office. This land use designation is appropriate for this use.
- Zoning: The site is zoned O Office, which allows a massage establishment as a Special Use.

Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Office, which allows for existing and future office and service uses. The following goal is applicable to this request:

Land Use - OFFICE

Goal: Maintain and expand the availability of professional and research office in appropriate locations throughout the City to complement commercial and manufacturing uses.

Findings of Fact:

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

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.

   ☐ *Meets* ☐ *Does not meet*

2. The use will not be detrimental to area property values.

   ☐ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.

   ☐ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.

   ☐ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.

   ☐ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.

   ☐ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.

   ☐ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.

   ☐ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.

   ☐ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.

    ☐ *Meets* ☐ *Does not meet*

Massage Establishments must also meet the following specific standards established in Section 2-400 of the Unified Development Ordinance. 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 8:00 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*

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Mucha, received 10/12/18)
   B. Application (Hubbard, received 10/12/18)
   C. Floor Plan (Mucha, received 10/12/18)

2. The petitioners shall comply with the Special Use Permit and specific Massage Establishment criteria and the Massage Establishment License requirements.

3. Upon the petitioner's sale, transfer or relocation of this massage establishment this special use will be considered null and void.

4. The violation of these Special Use Permit conditions is subject to the City's adjudication process, which may result in fines or revocation of the SUP.

5. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

PLN-2018-00138 HUBBARD-MUCHA – 455 COVENTRY LN SUITE 112





PLN-2018-00138

City of Crystal Lake
Development Application

Office Use Only
File # _____

RECEIVED
OCT 12 2018
BY: _____

Project Title: _____

Action Requested

- ___ Annexation
- ___ Comprehensive Plan Amendment
- ___ Conceptual PUD Review
- ___ Final PUD
- ___ Final PUD Amendment
- ___ Final Plat of Subdivision
- ___ Preliminary PUD
- ___ Preliminary Plat of Subdivision
- ___ Rezoning
- ✓ Special Use Permit
- ___ Variation
- ___ Other

Petitioner Information

Name: Vivian Hubbard
Address: 455 Coventry Ln. Crystal Lake IL 60014
Phone: 815-355-2395
Fax: /
E-mail: vivhubbard53@gmail.com

Owner Information (if different)

Name: Prodehl Family Investment
Address: 320 Water Stone Way Joliet IL. 60431
Phone: 815-553-2400
Fax: _____
E-mail: sheri.prodehl@gmail.com

Property Information

Project Description: Massage Therapy Establishment

Project Address/Location: 455 Coventry Lane, Crystal Lake, IL. 60014

PIN Number(s): 19-05-376-004

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: _____

Action Requested

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

Petitioner Information

Name: Dawn Mucha
Address: 738 Merrimac St
Cary, IL. 60013
Phone: 847-452-8987
Fax: —
E-mail: dawnmucha@sbcglobal.net

Owner Information (if different)

Name: Prodehl Family Investments, LLC
Address: 320 Water Stone Way
Joliet, IL. 60431
Phone: 815-553-2400
Fax: —
E-mail: sheri.prodehl@gmail.com

Property Information

Project Description: Massage Therapy Establishment "Balance & Harmony Massage"

Project Address/Location: 455. Coventry Ln. Suite #112
Crystal Lake IL. 60014

PIN Number(s): 19-05-376-004

Sharon Doruff

From: Sheri Prodehl <sprodehl@coldwellhomes.com>
Sent: Tuesday, October 09, 2018 10:34 AM
To: Sharon Doruff; dawnmucha@sbcglobal.net
Subject: Massage Therapy - 455 Coventry, Suite #112, Crystal Lake
Attachments: Application page 1.jpg; Application page 2.jpg

Good morning Sharon,

Dawn Mucha and Vivian Hubbard asked me to contact you regarding the signature and approval of the application for the massage therapy license at our location in Crystal Lake at 455 Coventry Lane, Suite #112. Please use this email as my approval of this application. Should you have any further questions or need my assistance, please let me know.

Thank you,
Sheri



COLDWELL BANKER
The Real Estate Group

Sheri Prodehl
Director of Finance
Coldwell Banker The Real Estate Group

m: 815-592-1261 | o: 815-553-2400
sprodehl@coldwellhomes.com
ColdwellHomes.com

320 Waterstone Way, Joliet, IL 60431

Wire Fraud Alert Before wiring funds, call the intended recipient at a number you know is valid to confirm the instructions. This sender does not have authority to bind a party to real estate contracts via written or verbal communication.

PUBLIC NOTICE

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

IN THE MATTER OF THE PETITION OF)
Dawn Mucha and Vivian Hubbard)

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by Dawn Mucha and Vivian Hubbard, on behalf of Prodehl Family Investments, LLC, for a Special Use Permit to operate a Massage Establishment relating to the following described real estate commonly known as

455 Coventry Lane,
Crystal Lake,
Illinois 60014,
PIN: 19-05-376-004.

This application is filed for the purposes of seeking a Special Use Permit to allow the operation of a Massage Establishment; pursuant to Article 2, Land Use and Article 9-200 Administration. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday November 7, 2018, 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 October 20, 2018)1594347

STATE OF ILLINOIS)
) SS
COUNTY OF McHENRY)

IN THE MATTER OF THE APPLICATION OF)
VIVIAN HUBBARD & DAWN MUCHA)
455 COVENTRY LN SUITE 112)

AFFIDAVIT

(Applicant), being first duly sworn on oath deposes and states as follows:

A. That a copy of the legal notice, concerning the variation request for the above mentioned Applicant, was sent to each of the persons names below by First Class mail notifying them of the request. Said notice was mailed to each of the below mentioned persons by First Class mail on October 22, 2018.

B. That the posting requirements of the City of Crystal Lake Zoning Ordinance have been complied with by placing the customary notification sign on the property on October 23, 2018.

(Signature of Applicant)

SUBSCRIBED AND SWORN to me before
This 23rd day of October, 2018.

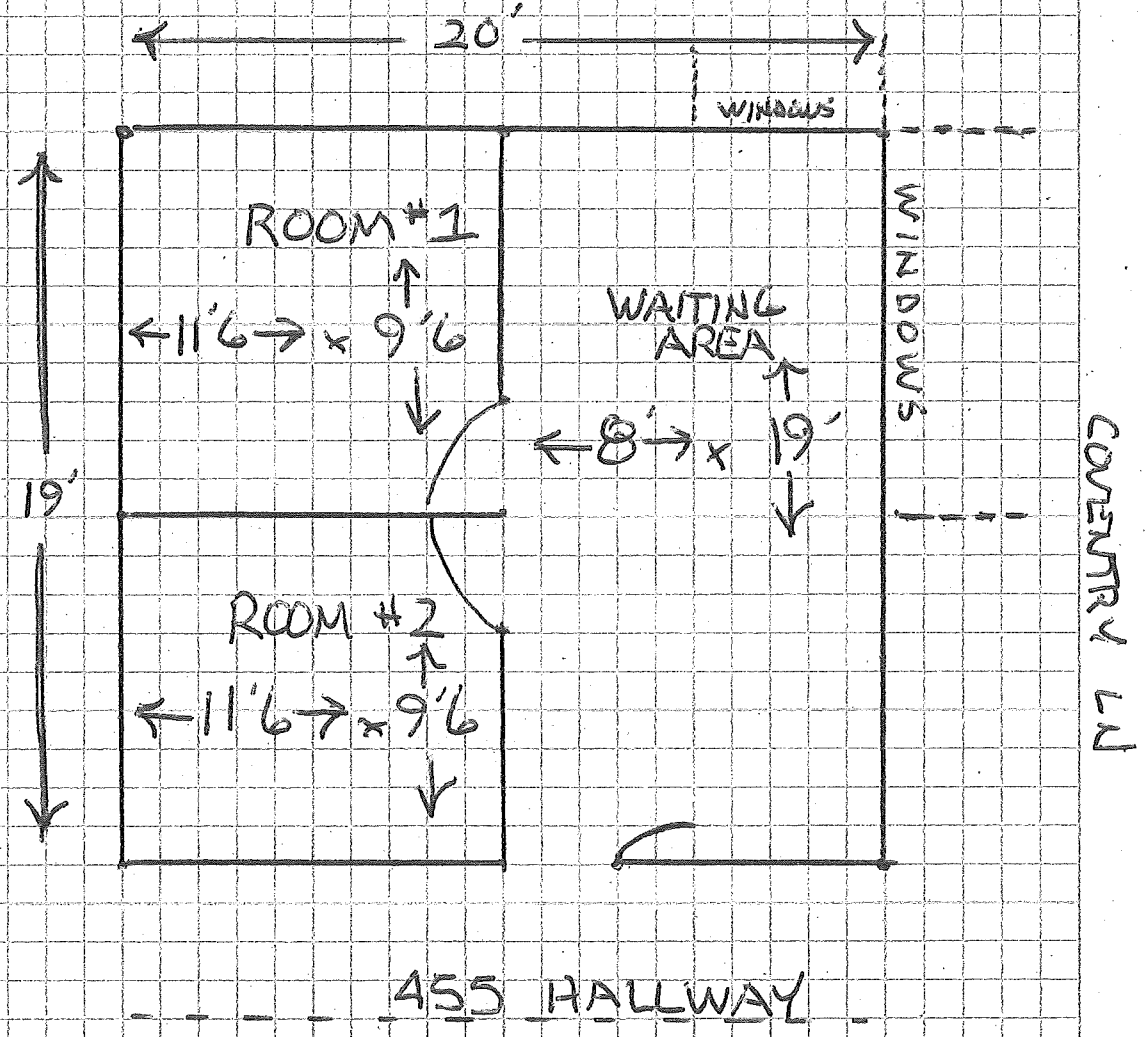
Notary Public

"OFFICIAL SEAL"
Mary K. Goebel
Notary Public, State of Illinois
My Commission Expires June 8, 2019

RECEIVED
OCT 23 2018

Balance + Harmony Massage - Dawn Mucha

455 COVENTRY LN
SUITE # 110
380 ☐



SCALE 1 BOX = 1 FT

RECEIVED
OCT 12 2018