



#2018-117
Peach Infinity Spa – Special Use Permit
Project Review for Planning and Zoning Commission

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| <u>Meeting Date:</u> | October 17, 2018 |
| <u>Request:</u> | Special Use Permit to allow a massage establishment. |
| <u>Location:</u> | 435 Angela, suite 8 |
| <u>Existing Zoning:</u> | B-2 PUD General Commercial |
| <u>Surrounding Properties:</u> | North: R-2 PUD Single Family Residential South: R-1 PUD Single Family Residential East: O PUD Office West: B-2 PUD General Commercial |
| <u>Staff Contact:</u> | Elizabeth Maxwell (815.356.3738) |

Background:

- **Existing Use:** The subject property is a multi-tenant retail 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 petitioner has 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 Commerce. This land use designation is appropriate for this use.
- **Zoning:** The site is zoned B-2 PUD, 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 retail, office, and service uses. The following goal is applicable to this request:

Land Use - Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the city, as well as, the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan.

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 (Yoo, received 09/19/18)
 - B. Floor Plan (Yoo, received 09/19/18)
2. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice, provided they do not violate HIPAA laws.
3. 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.

4. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
5. 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.
6. No residential use is permitted within the massage establishment at any time.
7. Alcohol is not permitted to be served in a massage establishment at any time.
8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining if the provisions of this section are met.
9. A license for massage establishments is required. The petitioner must comply with the Massage Establishment License requirements.
10. Upon the petitioner's sale, transfer or relocation of this massage establishment this special use will be considered null and void.
11. 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.
12. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.



RECEIVED
SEP 19 2018
BY:

**City of Crystal Lake
Development Application**

Office Use Only
File # _____

Project Title: Peach Infinity Corp. / Spa place

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

Owner Information (if different)

Name: JAMES YOO
 Address: 435 Arpela Ln. Suite 8
Crystal Lake, IL
 Phone: 646.207.2193
 Fax: 400
 E-mail: JAMES2193@gmail.com

Name: WSREE, LLC
 Address: 1300 E. Woodfield Rd. Suite 150
Schaumburg, IL 60173
 Phone: 847.239.7516
 Fax: 847.239.7520
 E-mail: VERA@XR-partners.com

Property Information

Project Description: Spa offering MASSAGE

Project Address/Location: 435 Arpela Ln. Suite 8
Crystal Lake, IL

PIN Number(s): 19-18-478-001

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____


Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

James K You  9/18/18

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.

VERA Putko, as Agent for Owner 9/18/18

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.

PUBLIC NOTICE
BEFORE THE PLANNING AND
ZONING COMMISSION OF THE
CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS
IN THE MATTER OF THE
APPLICATION OF
James Yoo

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 James Yoo, on behalf of WSREE, LLC, for a Special Use Permit to operate a Massage Establishment relating to the following described real estate commonly known as

435 Angela Lane,
Crystal Lake, Illinois 60014,
PIN: 19-18-478-001.

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.

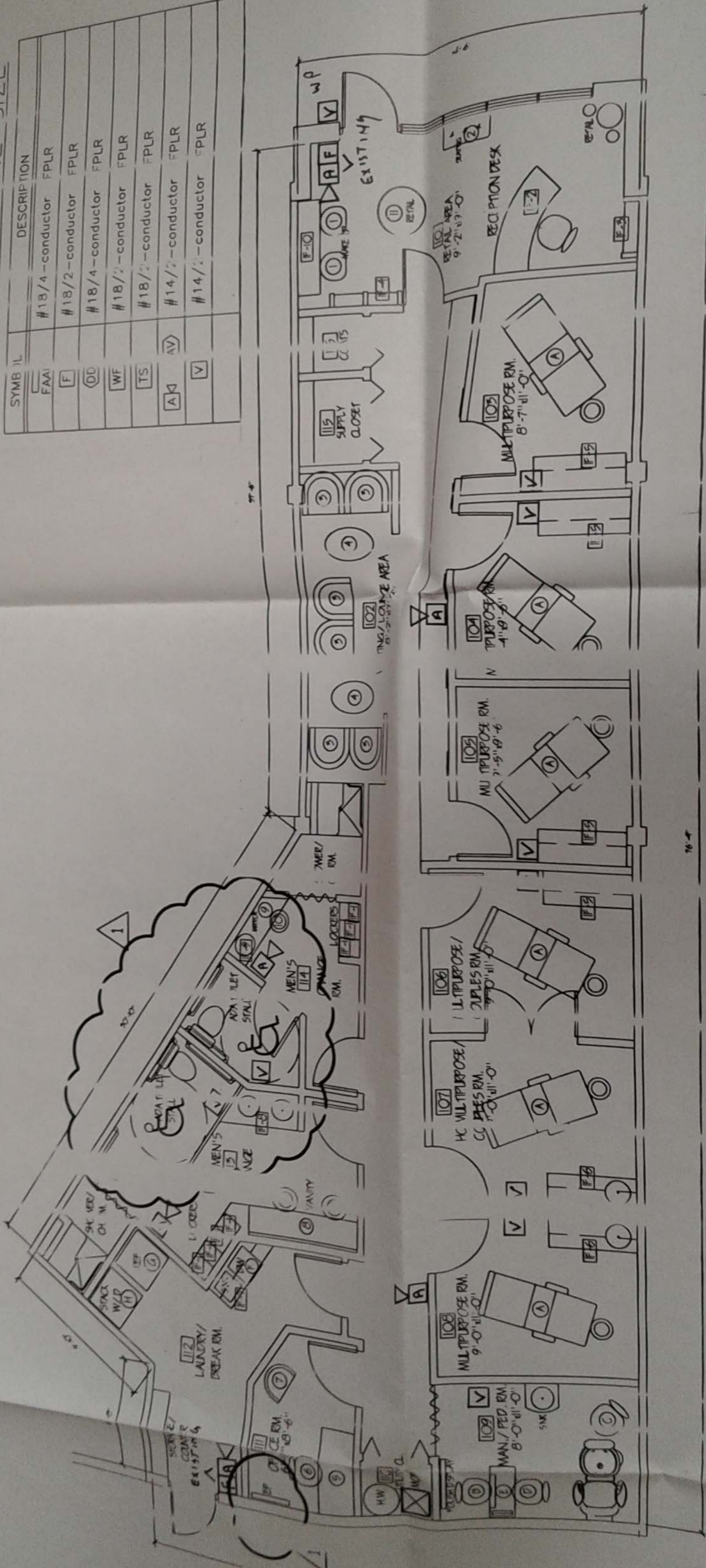
A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday October 17, 2018, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
on October 1, 2018)1588043

FIRE ALARM WIRE SIZE

| SYMBOL | DESCRIPTION |
|--------|----------------------|
| FAA | #18/4-conductor FPLR |
| F | #18/2-conductor FPLR |
| DD | #18/4-conductor FPLR |
| WF | #18/2-conductor FPLR |
| TS | #18/2-conductor FPLR |
| AK AV | #14/2-conductor FPLR |
| V | #14/2-conductor FPLR |



FIRE ALARM SYMBOLS

DESCRIPTION

FIRE-ALARM NOT S