



#2022-254

Lakeside Healing Arts Boutique – Special Use Permit Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	February 15, 2023
<u>Request:</u>	Special Use Permit to allow a massage establishment.
<u>Location:</u>	820 E. Terra Cotta Avenue
<u>Existing Zoning:</u>	O Office
<u>Surrounding Properties:</u>	North: B-2 PUD General Commercial South: M-L Manufacturing Limited and M PUD Manufacturing East: B-1 McHenry County West: B-2 and B-2 PUD General Commercial
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3738)

Background:

- **Existing Use:** The property is a multi-tenant office building housing office and service uses.
- The tenant was located in a different location and is moving to this building. The tenant will utilize the space for two massage rooms and open space for yoga.
- **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, which is processed by the Community Development Department.

Development Analysis:

General

- **Request:** The petitioner is requesting a special use permit for a Massage Establishment.
- **Massage Establishments:** Special use permits for massage establishments have specific review criteria. The petitioner is aware of and agrees to the requirements for approval.
- **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, which allows a massage establishment as a Special Use.

Comprehensive Land Use Plan 2030 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.

Supporting Actions: Encourage office development along major roadways, near transit stops and bicycle routes, and in proximity to residential uses.

Success Indicators: The number of new office occupancies.

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*

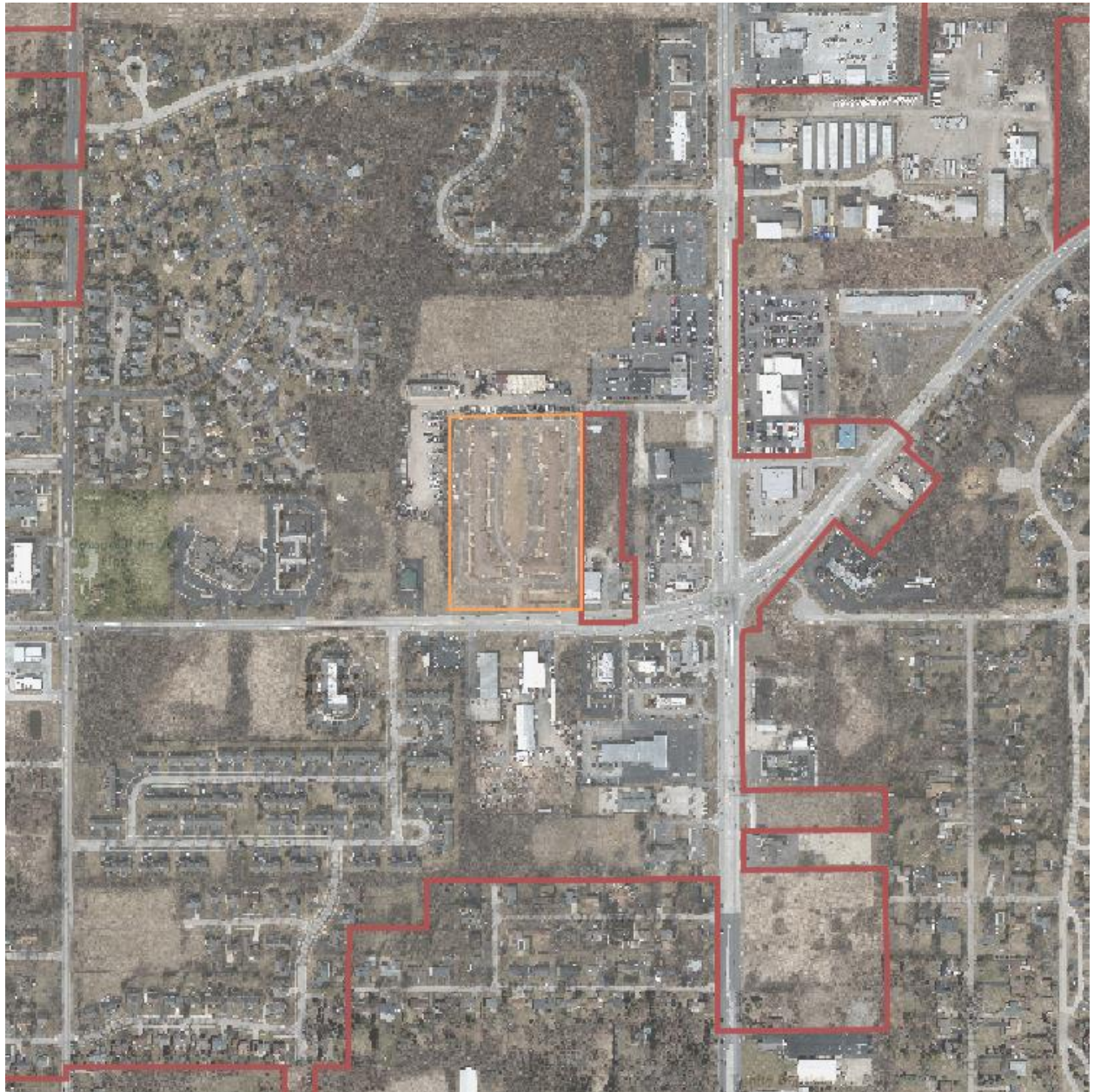
7. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 8:00 a.m.
 Meets *Does not meet*
8. No residential use is permitted within the massage establishment at any time.
 Meets *Does not meet*
9. Alcohol is not permitted to be served in a massage establishment 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 (Johnson, received 1/18/23)
 - B. Floor Plan (Johnson, received 1/18/23)
2. A license for massage establishments is required. The petitioner must comply with the Massage Establishment License requirements.
3. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

PIQ Map
820 E. Terra Cotta Avenue



**City of Crystal Lake
Development Application**

Office Use Only
File # _____

Project Title: Lakeside Healing Arts Boutique

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

Name: Alexis Johnson
Address: 820 E. TerraCotta
Ave. Unit 239
Phone: (815) 354-1652
Fax: N/A
E-mail: SelfCare222@upmo.com

Owner Information (if different)

Name: TERRACOTTA *Developments INC*
Address: 1716 DULLIDGE DA
MC Donny IL 60050
Phone: 847-344-7470
Fax: _____
E-mail: VC EXPRESS 3 AT SBC 660246
, NET

Property Information

Project Description: Roughly 1800 square feet with
multiple treatment rooms, two bathrooms,
and an open space for yoga class. Nothing
in unit will need changing/no building or construction
needed.
Project Address/Location: 820 E. TerraCotta Ave Unit 239

PIN Number(s): _____

Received
1-18-23

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: Ann@chmlawgroup.com

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

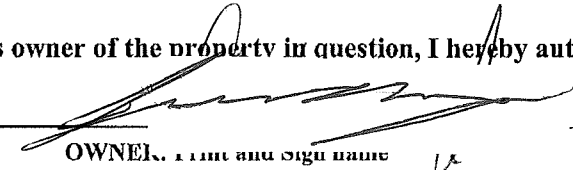
Other: _____

Signatures

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.


OWNER: Print and sign name

1/18/2023

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 PETITION OF
Lakeside Healing Arts Boutique

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 Alexis Johnson, representing Lakeside Healing Arts Boutique on behalf of the owner Crystal Clinic LLC for a Special Use Permit relating to the following described real estate commonly known as 820 E. Terra Cotta Avenue, Crystal Lake, Illinois 60014, PIN: 14-34-178-094.

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 7:00 p.m. on Wednesday February 1, 2023, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald January 14, 2023)2047556

STATE OF ILLINOIS

COUNTY OF MCHENRY

IN THE MATTER OF THE APPLICATION OF
Lakeside Healing Arts Boutique

(Name)

As represented by _____
(Name, if different than applicant)

AFFIDAVIT

Alexis Johnson, being first duly sworn on oath deposes and states as follows:
(Name)

A. That a copy of the legal notice, concerning the hearing date for the above mentioned Petitioner, was sent to each of the persons named on the attached list by regular mail notifying them of the hearing before the Planning and Zoning Commission on 2/15/23, at 7:00 p.m., at the City of Crystal Lake
(Meeting date)
City Hall, 100 West Woodstock Street in Crystal Lake, Illinois. Said notice was mailed to each of the below mentioned persons by regular mail on 1/17/23
(Date)

B. That the posting requirements of the Zoning Ordinance have been complied with by placing the customary public notice sign on the subject property on 1/19/23
(Date)

Alexis Johnson
(Name)

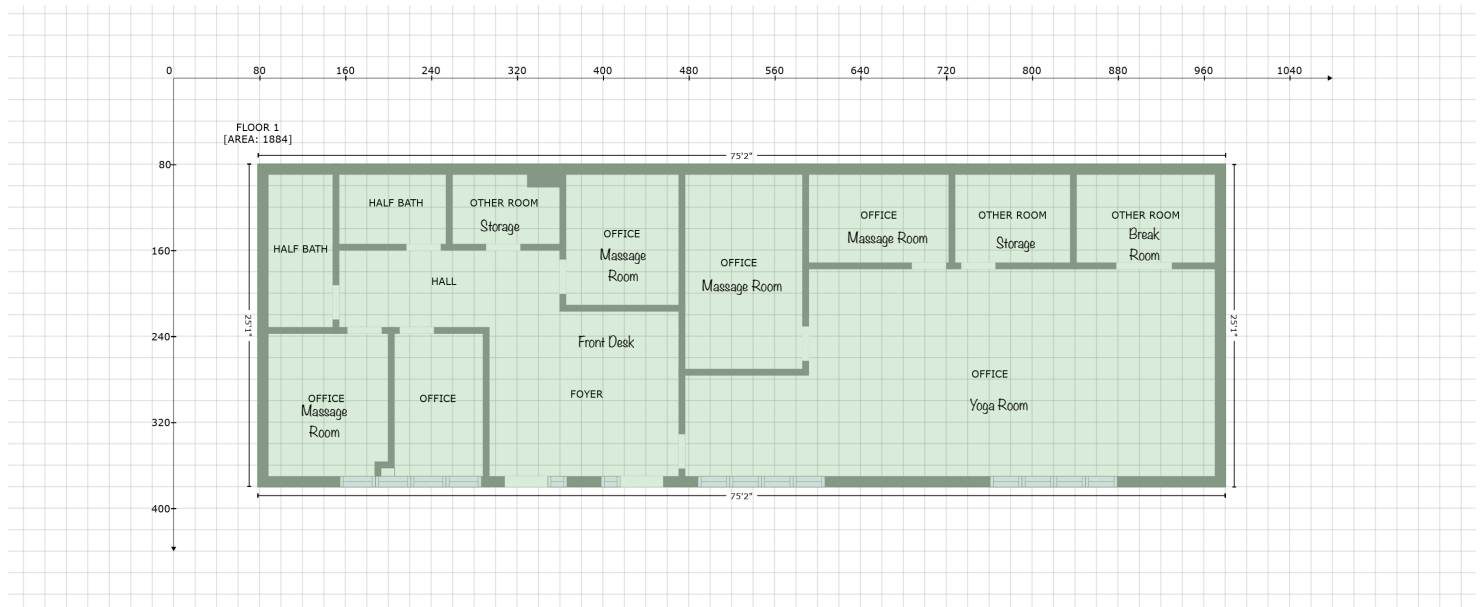
Subscribed and Sworn to me before
This 19th day of January, 2023

Vanessa Santana
Notary Public



820 820 E Terra Cotta 239-243, Crystal Lake, IL, United States, 229-243

Gross Living Area: 1884 sq. ft



Space	Area (sq. ft)	Calculation
FLOOR 1 (Living area)	1884	Coordinate Polygon Area Algorithm using inches $-((980.5 + 980.5) * (79.7 - 380.4) + (980.5 + 78.2) * (380.4 - 380.4) + (78.2 + 78.2) * (380.4 - 79.7) + (78.2 + 980.5) * (79.7 - 79.7)) * 0.5 * 0.00694$