



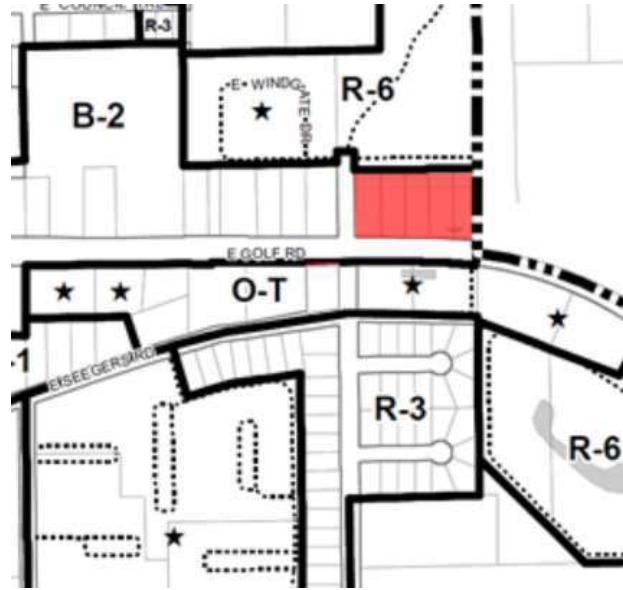
**VILLAGE OF ARLINGTON HEIGHTS**  
**STAFF DEVELOPMENT**  
**COMMITTEE REPORT**

**PC Number:** 20-014  
**Project Title:** Space Cat Tattoo LUV  
**Location:** 630 E. Golf Rd.  
**PIN:** 08-10-302-041-0000

**To:** Plan Commission  
**Prepared By:** Jake Schmidt, Assistant Planner  
**Meeting Date:** October 14, 2020  
**Date Prepared:** October 9, 2020

**Petitioner:** Sean Kim  
**Address:** 51 S. Spring St. Unit 106  
 Elgin, IL 60120

**Existing Zoning:** B-2: General Business District  
**Comprehensive Plan:** Commercial



**SURROUNDING LAND USES**

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-6: Multiple Family Dwelling District	Linden Place Apartments	Moderate Density Multi-Family
South	O-T: Office-Transitional	Office Uses	Offices Only
East	Village of Mt. Prospect	Single Family Uses	Village of Mt. Prospect
West	B-2: General Business District	Aldi Grocery	Commercial

**Requested Action:**  
 1. Land Use Variation to allow a Tattoo Parlor use within the B-2 Zoning District.

**Variations Required:**  
 1. None

### **Project Background:**

The subject unit is approximately 1,050 square feet in size, and part of the multi-tenant Go-Go Shopping Center. The subject unit is one of several vacant commercial units within the building. Parking for this building is provided in front of the tenant space, in a 147 space lot.

The proposed action, if approved, would allow Sean Kim Tattoo to convert the vacant tenant space into a tattoo parlor with 3 stations. The petitioner, Sean Kim, has 13 years of experience and has performed work at a number of area tattoo shops. At peak times, it is anticipated that 1 artist and 2 apprentices will be working at the facility, with the ability to serve 3 clients. Guest artists may also operate out of the facility for a few months out of the year, however the number of stations would not change. Work would be performed on an appointment basis only.

Currently, the site is accessible via two driveways, one along Golf Road, and one along Goebbert Road. The anticipated hours of operations would be Monday through Saturday, 11am to 9pm, and closed on Sunday.

### **Zoning and Comprehensive Plan**

The subject property is zoned B-2, General Business District. The proposed use is classified as a tattoo parlor, which is not expressly permitted in any zoning district. As such, a Land Use Variation is required. As part of any formal application to the Plan Commission, the petitioner was required to provide a written response to each of the four hardship criteria necessary for Land Use Variation approval, noted below for reference:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The petitioner has provided a comprehensive written response to Land Use Variation criteria as part of this project justifying the proposed use, which is attached as **Appendix I** at the end of this report. Staff has reviewed this written response and concurs with the petitioner that the criteria for Land Use Variation Approval have been met.

With respect to the first criteria, the character and nature the proposed business is such that its use of the space will not alter the essential character of the locality, and will be compatible with existing uses in the shopping center. From the exterior, it will look and function in a similar manner as its neighbors.

With respect to the second criteria, the subject shopping center has multiple vacancies, and per the petitioner has had two to three vacant units at all times during the last several years. The proposed use would increase foot traffic in the center, and alleviate the plight of the owner caused by consistent vacancies.

In respect to the third criteria, the variance requested is the minimum variance necessary to allow reasonable use of the property, as aside from the proposed use not being expressly permitted, the proposal complies with zoning code with respect to parking requirements.

Regarding the fourth criteria, the proposal is in harmony with the general purpose and intent of zoning code. As the proposed use is state regulated, it will not be injurious to the health, safety, or morals of the area. Additionally, the proposed use would be similar in appearance and function to adjacent businesses within the center, and requires no additional variations from zoning code aside from the Land Use Variation.

The Comprehensive Plan classifies this property as appropriate for “Commercial” uses. Bearing in mind the petitioner’s aforementioned written response to Land Use Variation criteria, Staff believes that the proposed use is compatible with this designation.

**Building, Site and Landscaping:**

The petitioner is not proposing any changes to the site or building. During the formal Plan Commission review process, Staff determined that existing on-site screening does not conform to code requirements, specifically with respect to screening along the north property line, where the existing arborvitae do not provide a full 6-foot tall screen. Staff has been in contact with the property owner regarding this non-conformity, and is working with the property owner to bring the site up to code. If left unaddressed by the property owner, screening requirements will be enforced via the Code Enforcement process.

**Parking, Traffic, and Circulation:**

According to Code, beauty shops (the most similar permitted use) require one parking space for every 250 square-feet of floor area. As previously mentioned, the proposed gross floor area is approximately 1,050 square feet, which would require a total of 4 parking stalls. This equates to the same parking requirement as general retail for the tenant space. As the proposed change of use does not result in an increase in required vehicular parking spaces, the addition of bicycle parking spaces is not required as part of this petition.

Per the mix of uses in the shopping center (detailed in **Table I** on the next page), a total of 118 parking spaces are required. As there are 147 parking spaces on site, this results in a code required parking surplus of 29 spaces. As part of the Plan Commission process, the petitioner provided an updated tenant list from the property manager verifying current uses and occupancy. A plat of survey was also provided in order to verify the count of existing on-site parking spaces.

**Table I: Required Parking**

SPACE	SPACE	CODE USE	SF	PARKING RATIO (1:X)	PARKING REQUIRED
606	Golf Liquors	Retail	3,250	300	11.0
608	Nehal's Beauty Studio	Beauty	1,050	250	4.0
612	VACANT	Vacant	1,610	300	5.0
614	Michael Seong - Cleaners	Retail	1,050	300	4.0
618	Minuteman Press	Retail	1,610	300	5.0
620-622	Golf Laundromat	Retail	3,000	300	10.0
624-626	Salon Centric	Retail	3,000	300	10.0
628	Be On Point (clothing and shoes)	Retail	1,500	300	5.0
630	Sean Kim Tattoo	Beauty	1,050	250	4.0
632	VACANT	Vacant	1,050	300	4.0
634	Bella's Hair Salon	Beauty	1,050	250	4.0
636	VACANT	Vacant	1,050	300	4.0
638-640	VACANT	Vacant	2,100	300	7.0
644	VACANT	Vacant	1,400	300	5.0
648	VACANT	Vacant	1,400	300	5.0
650	Becker Family Dental	Medical	1,050	200	5.0
652-654	VACANT	Vacant	3,000	300	10.0
656-658	Hairlines (product sales)	Retail	3,000	300	10.0
660	AH School of Martial Arts	Health Club	1,450	250	6.0
	<b>TOTALS</b>		33,670		<b>118.0</b>
				<b>TOTAL PARKING REQUIRED</b>	<b>118.0</b>
				<b>TOTAL PARKING PROVIDED</b>	<b>147.0</b>
				<b>SURPLUS (DEFICIT)</b>	<b>29.0</b>

Section 6.12-1 of the Zoning Code states that projects requiring a Plan Commission review do not need to provide a full traffic study if the project:

1. Comprises less than 5,000 square feet in floor area, and;
2. Is located along a major or secondary arterial street as defined by the Village's Thoroughfare Plan.

As the property is located along Golf Road (designated a major arterial in the Village's Thoroughfare Plan), and the petitioner is proposing no changes to the site or building, the scope of this project falls under the 5,000 square foot threshold outlined in the Zoning Code, and a traffic and parking study is not required.

**RECOMMENDATION**

The Staff Development Committee (SDC) reviewed the proposed Land Use Variation to allow a tattoo parlor use within the B-2 District, and recommends **approval** of the requested Land Use Variation, subject to the following:

1. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

\_\_\_\_\_October 9, 2020

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads  
PC File 20-014

Appendix I: Written Response to Land Use Variation Criteria

**Patrick Dudzinski**

ATTORNEY AT LAW

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September 3, 2020

VIA PERSONAL DELIVERY

Bill Enright  
Deputy Director of Planning and Community Development  
Village of Arlington Heights  
33 S. Arlington Heights Road  
Arlington Heights, Illinois 60005

**Re: APPLICATION FOR VARIANCE / WRITTEN JUSTIFICATION  
Property: 630 E. Golf Road, Arlington Heights, Illinois 60005**

Dear Mr. Enright,

Please be advised that I have been retained to represent Sean Kim Tattoo with respect to the above referenced application for zoning variance. Sean Kim Tattoo is applying for a Land Use Variation to allow a tattoo parlor use within the B-2 zoning district. In response to Staff Development Committee Report, Sean Kim Tattoo submits the following:

The structure, Go-Go Shopping Center, is a strip mall located in a commercial area with plenty of parking space. The mall contains businesses such as a liquor store, a dry cleaner, and a grocery, among others. All businesses at this location have a similar exterior, with red letter signs above their entrance. Some businesses have neon lighting and window signs displayed. The Petitioner submits that the character and nature his business is such that its use or the space will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property. From the outside, it will look similar to its neighbors. The Petitioner is not proposing any changes to the site or building other than signage, which will require a separate permit.

The subject unit is one of several vacant commercial units within the building. The Petitioner submits that Go-Go Shopping center has had two to three vacant units at all times during the last several years. From the lessor's standpoint, Go-Go Shopping center and its other lessee's would benefit from the increased foot traffic the Petitioner's business would bring. In this instance, the plight of the owner is due to difficulty renting the subject unit and keeping all units in the building rented.

The variance requested is the minimum variance necessary to allow reasonable use of the property. The most similar permitted use, beauty shops, require one parking space for every 250 square feet of floor area. The subject unit is approximately 1,050 square feet requiring 4 parking

spaces. The Staff Report provides that this equates to the same parking requirement as general retail for the tenant space as the proposed variance would not increase the amount of required parking spaces. The Staff Report suggests that a traffic and parking study is not required in this instance. As such, the proposed variance will allow for reasonable use with of the property with minimal impact.

For the foregoing reasons, Petitioner submits that the proposed variation is in harmony with the general purpose and intent of this chapter and preserves its spirit. The business will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. The character of the use will be in harmony with the area, the parking lot has adequate space, and the streets and driveways currently provide adequate circulation of vehicle movement. Lastly, the proposed use will help the landlord with vacancies as well as increase foot traffic to neighboring businesses. As such, Petitioner respectfully requests that Planning Commission grant his Petition for a Variance.

Respectfully,

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