



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING NOTICE/AGENDA**

APRIL 25, 2023 - 7:00 PM

**RICHARD T. FLICKINGER MUNICIPAL CENTER, COUNCIL CHAMBERS
6101 CAPULINA AVENUE, MORTON GROVE, IL 60053**

In accordance with the Illinois Open Meetings Act, all Village Board and Commission meetings are open to the public. This meeting can be viewed remotely via the live stream link found at: www.mortongroveil.org/stream. (If an Executive Session is placed on the agenda, the meeting shall commence at 6:00 pm and the time between 6:00 pm and 7:00 pm shall be used for the Executive Session per 1-5-7A of the Village of Morton Grove Municipal Code. If the Agenda does not include an Executive Session, the meeting will begin at 7:00 pm.)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes** – Regular Meeting – April 11, 2023
5. **Special Reports: -**
 - a. Outstanding Neighbor Recognition: Bill, James and Max Gold
Presented by Community Relations Commissioner Kristey Chalabi
 - b. Swearing-In Firefighters: Solomon Algozino & John Loper
6. **Public Hearings - None**
7. **Plan Commission Reports**
8. **Residents' Comments (agenda items only)**
9. **President's Report** – Administration, Council of Mayors, Northwest Municipal Conference, Strategic Plan Committee
 - a. Appointments to the Economic Development Commission
 1. Marc Fernandez, three-year term
 2. Lee Hardegree, three-year term
 3. Lindsey Karp, three-year term
 4. Tariq Laliwala, three-year term
 5. Tony Lundin, three-year term
 6. Polson Mathew, three-year term
 7. Devesh Pandit, three-year term
 8. Wayne Youkhana, three-year term
 - b. Appointment of Tony Lundin as Chair of the Economic Development Commission

10. **Clerk's Report** – *Family & Senior Services, Advisory Commission on Aging, Condominium Association*
11. **Staff Report**
 - a. **Village Administrator**
 - b. **Corporation Counsel**
12. **Reports by Trustees**
 - a. **Trustee Khan** – *Finance Department, Appearance Commission, Capital Projects, French Market, Lehigh/Ferris TIF (Trustee Travis)*
 - b. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire & Police Commission, Special Events Commission, RED Center, NIPSTA (Trustee Thill)*
 - c. **Trustee Shiba** – *Building Department, Environment & Natural Resources Commission, Legal Department, IT Department (Trustee Witko)*
 - d. **Trustee Thill** – *Public Works Department, SWANCC (Solid Waste Agency of Northern Cook County), MG-Niles Water Commission, Traffic Safety Commission (Trustee Minx)*
 1. **Resolution 23-22:** Authorizing a Contract with Empire Today, LLC for the 6250 Lincoln Avenue Flooring Project
 - e. **Trustee Travis** – *Police Department, Police Pension Board, Fire & Police Commission, Community Relations Commission, (Trustee Khan)*
 - f. **Trustee Witko** – *Community & Economic Development Department, Economic Development Commission, Plan Commission/ Zoning Board (Trustee Shiba)*
 1. **Ordinance 23-04:** *(Introduced April 11, Second Reading)* Approving a Text Amendment to Establish Regulations Relating to Tattoo, Body Art, and Permanent Cosmetics Services Establishments in Morton Grove, Illinois.
 2. **Ordinance 23-07:** *(Introduced April 11, Second Reading)* Approving a Special Use Permit for a Tattoo and Body Art Establishment for the Property Commonly Known as 6046 Dempster Street in Morton Grove, Illinois.
13. **Other Business**
14. **Presentation of Warrants** - \$713,866.47
15. **Residents' Comments**
16. **Adjournment**

**MINUTES OF A REGULAR MEETING OF THE PRESIDENT
AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE
RICHARD T. FLICKINGER MUNICIPAL CENTER COUNCIL CHAMBERS
APRIL 11, 2023**

CALL TO ORDER

- I. Village President Dan DiMaria convened the Regular Meeting of the Village Board at 7:00 p.m.
& II. in the Council Chambers of Village Hall.

- III. Village Clerk Eileen Harford called the roll. Present were Trustees Saba Khan, Rita Minx, Ashur Shiba, John Thill, Connie Travis, and Janine Witko.

IV. **APPROVAL OF MINUTES**

Trustee Minx moved to approve the Minutes of the March 28, 2023 Village Board Meeting as presented. Trustee Witko seconded the motion. **Motion passed unanimously (with Trustee Khan abstaining) via voice vote.**

V. **SPECIAL REPORTS**

NONE

VI. **PUBLIC HEARINGS**

NONE

VII. **PLAN COMMISSION REPORTS**

1. Plan Commission Case PC 23-03: Request by Ironwood Tattoo LLC for approval of a Text Amendment to Sections 12-4-3, 12-5-5, and 12-17-1 of the Morton Grove Unified Development Code (Title 12) to define tattoo and body art establishments, authorize the use as a Special Use in the C-1 General Commercial District, and establish use standards.
2. Plan Commission Case PC 23-04: Request by Ironwood Tattoo LLC for approval of a Special Use Permit for the operation of a tattoo and body art establishment at the property commonly known as 6046 Dempster Street.

Mayor DiMaria introduced Community Development Administrator Zoe Heidorn to report out on these two cases.

VII. **PLAN COMMISSION REPORTS** (continued)

- 1a. Ms. Heidorn said she was pleased to introduce these two cases tonight. Case PC 23-03 is a request by Ironwood Tattoo LLC for a text amendment authorizing the use of tattoo and body art establishments as a Special Use in the Commercial zoning district. The draft text amendment defines tattoo and body art establishments in “permanent cosmetics services” and classifies them as a Special Use in all Commercial Zoning Districts. Permanent cosmetic services, such as micro-blading, may be administratively approved as a permitted use if the activities occupy no more than 20% of the customer care area.
- 1b. Ms. Heidorn said, on March 21, the Plan Commission unanimously voted to recommend approval of the text amendment with some minor revisions.
- 2a. Ms. Heidorn noted that Case PC 23-04 is a request by the same Applicant for a Special Use Permit to operate a tattoo and body art establishment at 6046 Dempster, which is improved by a two-story mixed-use building. As recommended conditions of the Special Use Permit approval, the business would be limited to a maximum of three (3) employees onsite at any time; all services to be provided by appointment only; the rear parking area would be striped; the hours of operation would be limited; and snow removal, trash screening, and parking signage will be addressed. She said that the Traffic Safety Commission, on March 2, unanimously voted to recommend approval of the Special Use Permit with comments, and on March 21, the Plan Commission also voted unanimously to recommend approval, with conditions noted in the draft ordinance.

Ms. Heidorn said she would be happy to answer any questions from the Board, and pointed out that the Applicant was present as well this evening to address questions from the Board.

Mayor DiMaria asked if the Board had any questions; there were none.

VIII. **RESIDENTS’ COMMENTS** (Agenda Items Only)

NONE

IX. **PRESIDENT’S REPORT**

1. Mayor DiMaria proclaimed April 28, 2023, as “Arbor Day” in Morton Grove. He said that Arbor Day was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world. He spoke of the benefit of trees—how they can reduce erosion of precious topsoil by wind and water; how they can cut heating and cooling costs; moderate the temperature; clean the air; produce oxygen; and provide a habitat for wildlife.
- a. Mayor DiMaria said that trees are a renewable resource, giving us paper, wood for our homes, fuel for fires, and countless other wood products; and that trees in Morton Grove increase property values, enhance the economic vitality of business areas, and beautify our community.

IX. **PRESIDENT'S REPORT** (continued)

- b. Mayor DiMaria said this is the 22nd year that the Village has been recognized as a Tree City USA by the National Arbor Day Foundation, and this is the second year Morton Grove has received the foundation's "Growth Award" for demonstrating a higher level of tree care and community engagement during the calendar year. Mayor DiMaria urged all citizens to support efforts to protect our trees and woodlands and to support the Village's urban forestry program.
 - c. Trustee Thill commented that it was 22 years ago that his wife Marian came before the Board and encouraged them to have the Village become a Tree City.
2. Mayor DiMaria stated that April is "Earth Month" and hoped that everyone had a chance to review the Village's Earth Month Edition Newsletter, which was mailed out a week or so ago. It contains a variety of sustainable programs and information. He asked that residents review the newsletter and participate in these programs as they match your needs and lifestyle. Mayor DiMaria invited all residents to help protect and preserve the planet by participating in the following Village of Morton Grove Earth Month programs:
- **Mayor's Water Conservation Challenge:** Last year, we were 4th in the nation in our population category. Being #1 would be better!
 - **2023 Crayon & Marker Recycling Program:** Collection points will be at Village Hall and the Library from April 1 to June 30, 2023.
 - **50/50 Tree Planting Program:** There's only a few days left; you must apply by April 15 to participate. Application form is located on the Village's website.
 - **First "Community Clean Up Event":** May 20, 2023, from 9:00am to noon. Meeting point is the Civic Center to check-in, pick-up supplies, and a map of pre-selected clean-up site.
3. Mayor DiMaria congratulated the board members on being elected on April 4, as well as all the other candidates who successfully ran in local, county, or state elections.

X. **CLERK'S REPORT**

Clerk Harford had no formal report this evening.

XI. **STAFF REPORTS**A. Village Administrator:

Village Administrator Czerwinski had an ordinance and a resolution to present this evening:

- 1. **Ordinance 23-08, Authorizing the Village of Morton Grove to Sell Property Commonly Known as 6210 Dempster Street, Morton Grove, Illinois.**

XI. **STAFF REPORTS** (continued)

A. **Village Administrator:** (continued)

- a. Mr. Czerwinski explained that, since approximately 1980, the Village Hall and Police Department have been located at 6101 Capulina Avenue. The facilities are now functionally obsolete, energy inefficient, inaccessible, and grossly inadequate to meet the needs of a modern village hall, and especially, a police department. The Village has delayed rebuilding or relocating these facilities out of concern that the cost of such a project would overly burden Morton Grove taxpayers.
- b. However, an opportunity has come along, in that Fifth Third Bank, which owns and operates a 26,000 square foot retail banking facility on 1.67 acres of property at 6201 Dempster, has decided that this facility is larger than what it needs and now wants to sell it. They have tried, with no success, to sell the property, but then approached the Village with a plan to demolish the existing bank building and rebuild a smaller facility on the site. The Village inspected the property and determined that it could be improved and converted to a new Village Hall/Police Department campus in a cost-effective manner and proposed to purchase the property from the Bank.
- c. The Morton Grove Park District currently owns a 0.51 acre parcel of vacant land abutting Dempster Street and immediately west of the Civic Center, commonly known as 6210 Dempster Street. This land was formerly the site of the MB Bank drive-through facility. The Park District acquired this land in 2010. Fifth Third Bank indicated it would be willing to sell the 6201 Dempster property to the Village, if it could purchase the 6210 Dempster property and develop it as a 3,500 square foot retail banking and drive-through facility.
- d. On December 12, 2022, pursuant to Resolution 22-47 and Ordinance 22-26, the Village and the Morton Grove Park District agreed to exchange a 0.67 acre parcel of Village-owned land located immediately north of the Morton Grove American Legion Civic Center building and the Park District-owned property at 6210 Dempster, contingent on the Village and the Bank entering into Agreements for the purchase of the 6210 Dempster property by the Bank and the purchase of the 6201 Dempster property by the Village.
- e. Village staff and the Bank have negotiated a Real Estate Purchase and Sale Agreement for the Village to sell and the Bank to purchase the 6210 Dempster property, subject to the approval of the Village Board. The terms of the Agreement include: 1) Purchase price of \$700,000; 2) Earnest money in the amount of \$25,000 to be held by Chicago Title Insurance Company; 3) the execution of a Real Estate Purchase and Sale Agreement between the Bank and the Village for the Bank to sell and the Village to purchase the 6201 Dempster property; 4) a 120- to 150-day "due diligence" contingency; 5) the granting of a Special Use Permit for the 6210 Dempster property for a drive-through facility, after a public hearing before the MG Plan Commission, and the Board's acceptance of the Commission's recommendation; 6) the granting of an easement for the 6210 property for vehicular access to Dempster Street; 7) the removal of four (4) specified trees from the Village-owned property at 6140 Dempster Street and the Harrer Park property, at the Bank's expense, and with compensation provided to the Village and the Park District for replacement of these trees; 8) the relocation of an electrical transformer and associated electrical switching gear from the designated easement area at the Bank's expense; 9) Closing to occur within 30 days after the "due diligence" contingency period (estimated to be in the 4th quarter of 2023).

XI. **STAFF REPORTS** (continued)A. Village Administrator: (continued)

- f. Mr. Czerwinski said Village staff feels this is a proactive and appropriate contract for the sale of this property and for the moving forward of the relocation of Village Hall and the MGPD. He asked the Board to consider waiving the second reading of this Ordinance.

Mayor DiMaria asked for a motion to waive the second reading. Trustee Minx so moved, seconded by Trustee Khan.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

Mayor DiMaria then asked for a motion to adopt Ordinance 23-08. Trustee Thill moved to do so, seconded by Trustee Travis.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

Trustee Thill commented that this is a great thing for the Village.

- g. Mr. Czerwinski thanked the Board, saying that staff appreciates the Board's support, and he knew that residents would be appreciative of the final product.
2. Mr. Czerwinski next presented **Resolution 23-21, Authorizing the Village of Morton Grove to Acquire Property Commonly Known as 6201 Dempster Street, Morton Grove, Illinois.**
- a. He said this is a companion piece to Ordinance 23-08. This Resolution authorizes the Village to purchase the current Bank property at 6201 Dempster for \$2,100,000, with earnest money of \$25,000 to be increased to \$500,000 upon the sale by the Village and the purchase by the Bank of the 6210 Dempster property. It further authorizes a 120- to 150-day contingency period, and requests that closing occur after the Bank begins operating its new facility at 6210 Dempster, which is estimated to be the fourth quarter of 2024. Fifth Third Bank will be building a much smaller bank and drive-through facility, and while they are doing that, the Village will be designing an addition to the 6201 Dempster property for the Police Department.
- b. Mr. Czerwinski said this is a win-win-win situation—it's a win for the Bank, for the Village, and for the Park District.

Mayor DiMaria asked for a motion to approve Resolution 23-21.

XI. **STAFF REPORTS** (continued)

A. Village Administrator: (continued)

Trustee Minx moved to approve Resolution 23-21, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

Mayor DiMaria thanked Mr. Czerwinski and Village staff, as well as the leadership and staff of the Morton Grove Park District, saying the results of this will be good for the entire Village.

B. Corporation Counsel:

Corporation Counsel Liston had no formal report this evening.

XII. **TRUSTEES' REPORTS**

A. Trustee Khan:

Trustee Khan had no formal report this evening.

B. Trustee Minx:

Trustee Minx had no formal report this evening.

C. Trustee Shiba:

Trustee Shiba encouraged residents to participate in other upcoming Village activities:

- **Arbor Day Celebration:** April 28 t 11:00am at Park View School, 6200 Lake Street
- **Electronic Recycling & Document Destruction Event:** Saturday, May 13, from 9:00am to noon at Public Works, 7840 Nagle.
- **Morton Grove 2023 Tree Walk:** Saturday, June 10 at 10:00am, starting at Village Hall
- **Community Garage Sale:** Friday, June 9 through Sunday, June 11. Check Village website for details and to register as the date gets closer.

XII. TRUSTEES' REPORTS (continued)D. Trustee Thill:

1. Trustee Thill presented **Resolution 23-19, Authorizing a Contract With Muscat Painting and Decorating for 2023 Street Light Pole Painting Program.**
- a. Trustee Thill noted that the Village has three major streetscape business corridors. Regular maintenance is required within the Village's streetscaped corridors to preserve the operational and aesthetic value for different streetscape elements. Street lighting poles on Dempster Street, Ferris Avenue, and Lincoln Avenue need painting. A contract was bid through a public process in accordance with Village Code and one bid was received. Muscat Painting and Decorating was the lowest qualified bidder. This contract must conform to the requirements of the Prevailing Wage Act. The fiscal impact of this contract is \$58,640.20.

Trustee Thill moved to approve Resolution 23-19, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

2. Next, Trustee Thill presented **Resolution 23-20, Authorizing the Annual Memorial Day Parade Closure of Dempster Street.**
- a. The Illinois Department of Transportation (IDOT) requires the Village to adopt a resolution approving the closing of Dempster Street for the annual Memorial Day Parade. This resolution will also authorize the Village Engineer to file an application through IDOT for the closing of Dempster Street, Route 58, between 12:30 pm and 4:30 pm on Sunday, May 28, 2023, for the Parade, which is scheduled to be held at 1:30 pm on that date. The Memorial Day Parade is a Morton Grove tradition. Each year, a resolution is developed, authorizing the parade and assuming full responsibility for the direction, protection, and regulation of traffic during the time the detour is in effect, and for all liabilities for damage of any kind occasioned by the closing of this state route.
- b. Trustee Thill noted that, the last two years, the American Legion has held a Memorial Day ceremony at their facility. He wondered how sure the Village was that there would actually be a parade. Mr. Czerwinski said that, whether a parade would be held was more predicated on the weather that day than anything else. It makes sense to apply for the permit to close Dempster for a parade to be held. Trustee Thill asked if the Village would incur expenses if there was no parade. Mr. Czerwinski said no, because the permit doesn't cost us anything, and the Legion would give the Village enough advance notice that they wouldn't need to schedule personnel to put up barricades or any other parade/street closing tasks.

Mayor DiMaria called for the vote on Resolution 23-20.

XII. TRUSTEES' REPORTS (continued)D. Trustee Thill: (continued)

Trustee Thill moved, seconded by Trustee Travis, to approve Resolution 23-20.

Motion passed: 6 ayes, 0 nays.

Tr. Khan aye
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

E. Trustee Travis:

1. Trustee Travis had a short Community Relations Commission Report:
 - a. She noted that the Winter Adopt-a-Planter Program, which was very successful, had concluded. Trees had been removed from the planters and are now available for adoption by residents for planting in their yard. Contact Village Hall for pick-up instructions. The supply of trees is limited and will be on a first-come, first-served basis.
 - b. Trustee Travis asked the assemblage to watch for details regarding these upcoming community events:
 - Next **"Neighborhood Outreach"** event will be held on Thursday, May 18, at Edison School.
 - Registration for the **Summer Adopt-a-Planter Program** will begin soon and plant pick-up is scheduled for Saturday, June 3, at Village Hall.
 - The **Community Garage Sale** will be held on June 9, 10, and 11. Registration information will be announced soon. The Village is seeking sponsors for the Garage Sale signs. If interested, contact Village Hall. This is a great opportunity to advertise your business!

F. Trustee Witko:

1. Trustee Witko introduced **Ordinance 23-04, Approving a Text Amendment to Establish Regulations Relating to Tattoo, Body Art, and Permanent Cosmetics Services Establishments in Morton Grove, Illinois.**
 - a. She explained that this is pursuant to Plan Commission Case PC 23-03 which was reported out earlier this evening by Community Development Administrator Zoe Heidorn. As this is a first reading of this Ordinance, no action will be taken this evening.

XII. TRUSTEES' REPORTS (continued)

- F. Trustee Witko: (continued)
2. Next, Trustee Witko presented **Ordinance 23-07, Approving a Special Use Permit for a Tattoo and Body Art Establishment for the Property Commonly Known as 6046 Dempster Street in Morton Grove, Illinois.**
- a. She explained that this is pursuant to Plan Commission Case PC 23-04, which was reported out earlier this evening by Community Development Administrator Zoe Heidorn. As this is a first reading of this Ordinance, no action will be taken this evening.

XIII. OTHER BUSINESS

NONE

XIV. WARRANTS

Trustee Khan presented the Warrant Register for April 11, 2023 in the amount of \$1,066,879.06. She moved to approve the Warrant Register as presented, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XV. RESIDENTS' COMMENTS

Mayor DiMaria called upon resident **Rudy Vilk** to speak, but reminded him that if he is not speaking on a new topic, he will not get his allotted time.

- a. **Rudolf Vilk** said that sometimes people come to the Board meetings to thank the Board, sometimes they come to complain. He said he understands that the Board members don't like to hear complaints. He said, "I am a resident. You work for me."
- b. Mr. Vilk said he had spoken with Trustee Thill, who told him he "believes" Mr. Vilk's letter, but said he would not provide him an answer because, as he told Mr. Vilk, "you're never satisfied with our answers." Mr. Vilk said, when a Board Member doesn't want to provide answers, he should say so during the meeting using his or her microphone. He stated that he still has questions regarding the water "savings" and he's still looking for answers.
- c. Mayor DiMaria said that all of the Board members have read all of Mr. Vilk's letters and have discussed them with him. He said that he has answered Mr. Vilk's questions on numerous occasions, and so has Mr. Czerwinski.

XV. **RESIDENTS' COMMENTS** (continued)

- d. Mayor DiMaria said, unfortunately, Mr. Vilk does not like the answers he receives, so he keeps asking them. The mayor said he and the Board pride themselves on listening to residents, whether they have complaints or compliments. He said some of the best legislation the Village Board has passed or enacted has come directly from listening to residents.

XVI. **ADJOURNMENT**

Trustee Minx moved to adjourn the meeting, seconded by Trustee Witko. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:29 p.m.

PASSED this 25th day of April, 2023.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 25th day of April, 2023.

Daniel P. DiMaria, Village President
Board of Trustees, Morton Grove, Illinois

APPROVED and FILED in my office this 26th day of April, 2023.

Eileen Harford, Village Clerk
Village of Morton Grove, Cook County, Illinois

Minutes by Teresa Cousar

LEGISLATIVE SUMMARY

Resolution 23-22

AUTHORIZING A CONTRACT WITH EMPIRE TODAY, LLC FOR THE 6250 LINCOLN AVENUE FLOORING PROJECT

Introduced:	April 25, 2023
Purpose:	To authorize a contract with Empire Today, LLC. to replace the existing carpet on the first floor and basement of the administrative side of Fire Station 4 located at 6250 Lincoln Avenue.
Background:	<p>The existing carpeting on the administrative side of Fire Station 4 was installed in 1996 and has reached the end of its useful service life. A Request for Bids was advertised on March 20, 2023, and two sealed bids were received with Empire Today, LLC of 333 Northwest Avenue Northlake, IL 60164 being the low bidder at \$39,141.13. The bid tabulation is attached as (Exhibit "A")</p> <p>This resolution authorizes a contract with Empire Today, LLC based upon its base bid of \$39,141.13. This contract must conform to the requirements of the Prevailing Wage Act.</p>
Programs, Departments or Groups Affected	Public Works and Fire Station Personnel
Fiscal Impact:	\$39,141.13
Source of Funds:	2023 General Funds Account Numbers 02-80-24-57-1032 Capital Improvements to Buildings
Workload Impact:	The Public Works Department as part of their normal work activities will perform the management and implementation of the project.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Prepared by: Bill Burns, Superintendent Public Works

RESOLUTION 23-22

AUTHORIZING A CONTRACT WITH EMPIRE TODAY, LLC FOR THE 6250 LINCOLN AVENUE FLOORING PROJECT

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, the existing carpet on the administrative side of Fire Station 4 was installed in 1996 and has reached the end of its service life; and

WHEREAS, on March 20, 2023, the Public Works Department advertised a bid packet on the Village's website for the "6250 Lincoln Avenue Flooring Project" to replace this carpeting; and

WHEREAS, fourteen (14) contractors, or suppliers obtained the bidding materials; and

WHEREAS, two bids were received, publicly opened and read at the Village Hall Facility, 6101 Capulina Avenue, Morton Grove, IL 60053 at 10:00 am on Thursday April 6, 2023, with the tabulation of bids included in Exhibit "A"; and

WHEREAS, the lowest responsible bidder is Empire Today, LLC, in the amount of \$39,141.13; and

WHEREAS, the client references furnished by Empire Today, LLC were investigated and are favorable; and

WHEREAS, this contract must conform to the requirements of the Prevailing Wage Act; and

WHEREAS, funding for the above work for the lump sum amount of \$52,000.00 is available in the 2023 Adopted Budget General Funds Capital Improvements to Buildings Account Numbers 028024-571032.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Corporate Authorities accept the bid from Empire Today, LLC of Northlake, IL 60164 in the amount of \$39,141.00.

SECTION 3: The Village Administrator is hereby authorized to execute a contract with Empire Today, LLC for the 6250 Lincoln Avenue Flooring Project in the amount of \$39,141.13.

SECTION 4: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the contract.

SECTION 5: This Resolution shall be in full force and effect upon its passage and approval.

Passed this 25th day of April 2023

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Thill _____

Trustee Travis _____

Trustee Witko _____

Approved by me this 25th day of April 2023

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
26th day of April 2023

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

Exhibit A

Village of Morton Grove, Cook County, Illinois
6250 Lincoln Avenue Flooring Project

Bid Tabulation

Bid Opening: April 6, 2023 at 10:00 AM

				Engineer's Estimate		Tiles In Style LLC 16940 VinVincennes Ave South Holland, Illinois 60473		Empire Today, LLC 333 Northwest Ave. Northlake, IL 60164	
PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Total Project Base Bid A and Base Bid B	SQ YD	480		\$48,000.00		\$68,739.00		\$39,141.13
CORRECTED TOTAL PROPOSAL AMOUNT					\$48,000.00		\$68,739.00		\$39,141.13
AS-READ PROPOSAL AMOUNT							\$68,739.00		\$39,141.13

Apparent Low Bidder: Empire Today, LLC
Apparent Low Bid Amount: \$39,141.13
Engineer's Estimate of Cost: \$48,000.00
Difference: -\$8,858.87

Legislative Summary

Ordinance 23-04

APPROVING A TEXT AMENDMENT TO ESTABLISH REGULATIONS RELATING TO TATTOO, BODY ART, AND PERMANENT COSMETICS SERVICES ESTABLISHMENTS IN MORTON GROVE, ILLINOIS

Introduction:	April 11, 2023
Purpose:	To approve a Text Amendment that establishes regulations relating to tattoo and body art establishments and permanent cosmetics services to allow the uses within the Village's commercial zoning districts.
Background:	<p>Ironwood Tattoo LLC ("Applicant") submitted a complete application requesting approval of a Text Amendment to the Unified Development Code (Title 12) to allow tattoo establishments in the C-1 General Commercial District. Because the use is not listed as a Permitted Use or Special Use in any zoning district, the use is currently prohibited Village-wide. The Applicant's request is made in conjunction with a request for a Special Use Permit for a new tattoo establishment at 6046 Dempster Street, which is being reviewed under Case PC 23-04. The Village Board's approval of Case PC 23-04 will be contingent on approval of Case PC 23-03.</p> <p>As part of the Application, staff recommended that "tattoo and body art establishments" are classified as a Special Use in all commercial districts to ensure compatibility with surrounding land uses, that permanent cosmetics services such as microblading are addressed and are allowed as a Permitted or Special Use based on the extent of services provided, and that certain use provisions for are included for tattoo, body art, and permanent cosmetics facilities. Staff's recommendations were made part of the Application.</p> <p>Because the Application is for a Text Amendment to Title 12 and not in relation to any specific property or development, review by the Appearance Commission and Traffic Safety Commission was not required. On March 21, 2023, the Applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 23-03. Based on the Application, supporting staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (6-0, Chairperson Blonz absent) to recommend approval of the Text Amendment.</p>
Programs, Dept's, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Text Amendment will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	April 25, 2023
Special Considerations or Requirements:	None

ORDINANCE 23-04

APPROVING A TEXT AMENDMENT TO ESTABLISH REGULATIONS RELATING TO TATTOO, BODY ART, AND PERMANENT COSMETICS SERVICES ESTABLISHMENTS IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (the Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, tattoo establishments are neither defined nor classified as a Permitted Use or Special Use in any zoning district established by the Morton Grove Unified Development Code (Title 12), and are therefore prohibited pursuant to Section 12-4-1:E.4; and

WHEREAS, Ironwood Tattoo LLC (“Applicant”) filed a complete Text Amendment Application to the Village’s Plan Commission under Case PC 23-03 (“Application”) requesting approval of a Text Amendment to Section 12-4-3:D to allow the use of tattoo establishments as a Special Use in the C-1 General Commercial District; and

WHEREAS, Village staff recommended that the Text Amendment include modifications to Sections 12-4-3:D, 12-5-5, and 12-17-1 to define and establish certain use provisions for the uses of tattoo and body art establishments and accessory permanent cosmetics services, which were made part of the Application; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, notice of a public hearing for case PC 23-03 on March 21, 2023, was duly published in the *Pioneer Press*, a newspaper of general circulation in the Village of Morton Grove, on March 2, 2023; and

WHEREAS, as required by ordinance, the Morton Grove Plan Commission held a public hearing relative to the above referenced case on March 21, 2023, and at said public hearing, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission; and

WHEREAS, as a result of said public hearing, the Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application, and made certain recommendations through a report dated April 4, 2023, a copy of which is attached hereto and made a part hereof and marked as “**Exhibit A**”; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find the Text Amendment, when evaluated in the context of the whole Village, serves the public good; and

WHEREAS, the Village is desirous of assuring all policies are kept current and relevant.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: Title 12, Chapter 4, Section 3, Subsection D, entitled “Uses,” is hereby amended to add the following uses, to be inserted in alphabetical order:

12-4-3: COMMERCIAL DISTRICTS:

D. Uses:

	Zoning Districts		
Categories of Use	C-1	C-2	C/R
Permanent cosmetics services, accessory (less than 20% of customer floor space)	P	P	P
Permanent cosmetics services (greater than or equal to 20% of customer floor space)	S ³	S ³	S ³
Tattoo and body art establishment	S ³	S ³	S ³

3. See chapter 5, "Special Zoning Provisions", of this title.

SECTION 3: Title 12, Chapter 5, Section 5, entitled “Criteria for Specific Commercial Uses,” is hereby amended to include a new Subsection E, which shall read as follows:

12-5-5: CRITERIA FOR SPECIFIC COMMERCIAL USES:

E. Tattoo and Body Art and Permanent Cosmetics Services Establishments:

1. Description of Use Provisions: The purpose and intent of these provisions is to ensure tattoo and body art and permanent cosmetics facilities establishments are operated in a manner which is harmonious with the uses surrounding them and are consistent with the character of the neighborhoods in which they are located.
2. General Requirements

- a. The plan commission may recommend modifications to these provisions provided they meet the special use standards in subsection 12-16-4:C.5 of this title.
- b. All tattoo and body art establishments and permanent cosmetics services uses shall operate in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54), the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797) and any other applicable federal, state, and local requirements including, but not limited to, licensing, health, safety and building code requirements.

3. Use Provisions:

- a. Tattoo and body art establishments shall not operate outside the hours of 10 a.m. to 9 p.m.

SECTION 4: Title 12, Chapter 17, Section 1, entitled "Terms Defined," is hereby amended to add the following definitions, to be inserted in alphabetical order:

12-17-1: TERMS DEFINED:

PERMANENT COSMETICS SERVICES: The practice of placing ink or other pigment into the skin or mucosa by the aid of needles or any other instrument used to puncture the skin for the purpose of permanent cosmetic restoration or enhancement of the epidermis for re-pigmentation. This category of services does not include other forms of body art such as body piercing or the adornment of the body with letters, images, drawings, or other illustrations. The use includes microblading, micropigmentation, dermal implantation, microstroking, eyebrow embroidery, long-time/longlasting makeup, and similar personal care services.

TATTOO AND BODY ART ESTABLISHMENT: Any place where the act of puncturing the skin to insert jewelry, ink, or other foreign items through, into, or under the skin are performed, in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54) and the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797), except that a permanent cosmetics services establishment shall not be considered a tattoo and body art establishment for the purposes of this title. Piercing of the non-cartilage portion of the earlobe by using a piercing gun with a single-use ear piercing system shall not be considered tattoo and body art when provided as an accessory service.

SECTION 5: The terms and conditions of this ordinance shall be severable and if any section, term, provision, or condition is found to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remaining sections, terms, provisions, and conditions shall remain in full force and effect.

SECTION 6: Except as to code amendments set forth in this ordinance, all chapters and sections of the Morton Grove Village Code shall remain in full force and effect.

SECTION 7: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

Passed this 25th day of April 2023.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

Approved by me this 25th day of April 2023.

Daniel DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this 26th day of April 2023.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT A

Plan Commission Report for PC 23-03

Dated April 4, 2023

To: Village President and Board of Trustees

From: Chris Kintner, Plan Commission Vice Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: April 4, 2023

Re: Plan Commission Case PC 23-01
Request for approval of a Text Amendment to Sections 12-4-3, 12-5-5, and 12-17-1 of the Morton Grove Unified Development Code (Title 12) to define “tattoo shop,” authorize the use as a Special Use in the C-1 General Commercial District, and establish use standards. The applicant is Ironwood Tattoo LLC.

Executive Summary

Ironwood Tattoo LLC (“applicant”) submitted a complete Text Amendment Application (“application”) requesting approval of a Text Amendment to the Unified Development Code to allow the use of “tattoo shop” in the C-1 General Commercial District. Because the use is not listed as a Permitted or Special Use in any zoning district, the use is currently prohibited Village-wide. Staff recommended additional amendments to Sections 12-4-3:D, 12-5-5, and 12-17-1 to provide appropriate regulation of the proposed use and related uses, which became part of the application. The applicant’s request is made in conjunction with a request for a Special Use Permit for a new tattoo establishment at 6046 Dempster Street, to be reviewed under Case PC 23-04. The Village Board’s approval of Case PC 23-04 will be contingent on approval of Case PC 23-03.

The Text Amendment Application was considered by the Plan Commission at the regularly scheduled meeting on March 21, 2023. For the reasons set forth in this report, on March 21, 2023, the Plan Commission unanimously recommended by a vote of 6-0 (Chairperson Blonz absent) that the Village Board of Trustees should approve the Text Amendment Application with minor modifications.

Application

The applicant’s Text Amendment application requests the legalization of tattoo shops in the C-1 General Commercial District. As part of the application, staff recommended amendments to Sections 12-4-3:D, 12-5-5, and 12-17-1 to provide appropriate regulation. Because the use is not deemed to generate an extraordinary parking demand and is proposed to be classified as a Special Use, staff did not recommend adding a specific off-street parking requirement to Section 12-7-3:I. The proposed amendments are summarized as follows:

1. **12-4-3:D:** The amendment to Section 12-4-3:D modifies the commercial district use matrix to list the use “tattoo and body art establishment” as a Special Use in all commercial districts and address permanent cosmetics services uses as accessory and principal uses.
2. **12-5-5:** The amendment to Section 12-5-5 adds use requirements specific to tattoo and body art establishments and permanent cosmetics services facilities. The provisions include an explicit requirement to comply with all applicable federal, state, and local requirements.
3. **12-17-1:** The amendment to Section 12-17-1 establishes new definitions for tattoo, body art, and permanent cosmetics service uses.

Public Hearings

Appearance & Traffic Safety Commission

Because the application is for amendments to Title 12 and not specific to any particular property or development, Appearance Commission and Traffic Safety Commission reviews were not required.

Plan Commission

The Village provided Public Notice for the March 21, 2023, Plan Commission public hearing for PC 23-03 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on March 2, 2023. Notification of surrounding property owners and public notice signage was not required.

Plan Commission – March 21, 2023, Proceedings: Six members of the Plan Commission were in attendance at the public hearing for Case PC 23-03 held on March 21, 2023. Chairperson Blonz was absent.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated March 14, 2023, and attached hereto as “**Attachment A**,” was entered into the public record.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated March 14, 2023, was entered into the public record. Ms. Heidorn said the applicant is requesting the legalization of tattoo establishments in the C-1 General Commercial District with the intent of establishing a new tattoo establishment at 6046 Dempster Street. Because the use is not currently listed as a Permitted or Special Use in any zoning district, the use is effectively prohibited Village-wide. The Text Amendment Application was submitted concurrent to a Special Use Permit Application to be reviewed under Case PC 23-04 requesting authorization of the applicant’s tattoo establishment at 6046 Dempster Street. Staff is recommending amendments to Section 12-4-3:D to list the use as a Special Use in all commercial zoning districts and allow permanent cosmetics services such microblading as a Permitted Use if such activities are accessory to another Permitted Use and occupy no more than 20% of the customer floor space. Staff is recommending the addition of use standards to Section 12-5-5, including a limit on hours of operation, an explicit requirement to comply with all applicable regulations, and provisions for permanent cosmetics facilities as accessory uses. Staff is also recommending an amendment to Section 12-17-1 to define the use of “art and body establishment,” which will exclude non-cartilage ear piercing performed with a piercing gun or system. Staff surveyed surrounding municipalities and found that six of the nine communities surveyed allowed tattoo and body art establishments as Permitted or Special Uses. While tattoo establishments have traditionally been viewed as undesirable businesses, tattoo and body art has become increasingly mainstream in recent decades. Staff believes that provided the use is controlled as a Special Use, the diversification of businesses allowed in the brick-and-mortar commercial districts offers long-term benefits.

Vice Chair Kintner asked if the use was not codified but allowed. Ms. Heidorn said that tattoo establishments are prohibited. She noted that microblading has been allowed as an accessory use because it is interpreted as a cosmetic use, even though the code is silent.

Commissioner Liston asked if the term “accessory service” is defined anywhere else in the code, considering its reference in relation to ear piercing.

Ms. Heidorn explained the term accessory use is defined, and that accessory service would be interpreted to be the same. She added that the definition of “accessory service” may be added to the code. Commissioner Liston noted that the definition of accessory is most important.

Vice Chair Kintner asked how the 20% floor space provision was determined.

Ms. Heidorn said the intent is to allow microblading as an accessory use and the threshold can be determined based on the square footage provided in the business license. This is comparable with other communities.

Vice Chair Kintner asked about regulating the hours of operation, Ms. Heidorn said the hours are advisory and provide a level of comfort surrounding the use. He then asked about whether Section 12-5-5:E.3.c is redundant.

Ms. Heidorn said the language reiterates the Village authority to immediately close facilities for public safety issues, and is identical for adult day care facilities.

Commissioner Gabriel and Vice Chair Kintner discussed removing the section.

Secretary Kirchner swore in the applicant, Rinel Tabamo.

Vice Chair Kintner asked Mr. Tabamo if the 20% limitation in customer floor area on cosmetics procedures services would be applicable for his shop.

Mr. Tabamo said he proposes only a tattoo facility. There will be no permanent cosmetics services offered.

Ms. Heidorn further explained that all tattoo establishments would be Special Uses, limited microblading will be an accessory use as defined as accessory permanent cosmetics.

Further discussion ensued regarding adding microblading to the definition of permanent cosmetics.

Vice Chair Kintner asked if the limited hours of operations proposed under the text amendment would be limiting to his business. Mr. Tabamo said he has no issues with the limits.

Commissioner Liston asked if there were federal safety standards for tattoo ink. Mr. Tabamo said he was unsure, but that he sourced all ink from a large manufacturer that is common in the industry. He expects that the ink is approved by the FDA.

Commissioner Gabriel asked if tattoo artists are licensed. Mr. Tabamo said they are blood-borne pathogen certified by the Illinois Department of Public Health (IDPH). The premises must be certified for body art by IDPH. A license is not required by the Village or State of Illinois.

Vice Chair Kintner asked for clarification of cosmetic procedures and tattoo/body art. Ms. Heidorn said a separate definition for permanent cosmetics services could be added, and the use could be listed independently in the use matrix.

Commissioner Gabriel expressed that he has major concerns with allowing an industry that has no licensing procedures in place.

Ms. Heidorn noted that both the Illinois Department of Public Health and the Cook County Department of Health regulate tattoo and body art facilities, including microblading facilities. The Cook County Department of Health provides on-site inspections, and the Village Sanitarian can report concerns to either agency. While there is no license for tattoo artists, the industry is regulated and overseen at multiple government levels.

Vice Chair Kintner asked if the text amendment could be revised at this meeting and voted upon. Ms. Heidorn said modifications can be made subject to the Vice Chairperson's final approval.

Vice Chair Kintner asked for comments from the audience. No comments were made.

Commissioner Stein made a motion to recommend approval of Case PC 23-03, a request for approval of a Text Amendment to Sections 12-4-3, 12-5-5, and 12-17-1 of the Morton Grove Unified Development Code (Title 12) to define "tattoo shop," authorize the use as a Special Use in the C-1 General Commercial District, and establish use standards. This was amended by Vice Chair Kintner to include clarify and add the definition of permanent cosmetics. Commissioner Gabriel asked that 12-5-5:E.3.c be stricken from the approval. Both amendments were accepted by Commissioner Stein.

The motion was seconded by Commissioner Dorgan.

Motion passes 6-0.

Final Plans and Supporting Documents

The final text amendment recommended for approval by the Plan Commission is attached hereto as "**Attachment B**":

Attachments

- **Attachment A** – Staff Report to the Plan Commission for PC 23-03, prepared by Zoe Heidorn, Community Development Administrator, dated March 14, 2023
- **Attachment B** – Final Text Amendment proposed for PC 23-03

Attachment A

Staff Report to the Plan Commission for PC 23-03
Prepared by Zoe Heidorn, Community Development Administrator
Dated March 14, 2023



Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Pro Tem Kintner and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: March 14, 2023

Re: Case PC 23-03: Request for approval of a Text Amendment to Sections 12-4-3, 12-5-5, and 12-17-1 of the Morton Grove Unified Development Code (Title 12) to define “tattoo shop,” authorize the use as a Special Use in the C-1 General Commercial District, and establish use standards. The applicant is Ironwood Tattoo LLC.

STAFF REPORT

Public Notice

The Village of Morton Grove provided public notice for the March 21, 2023, Plan Commission public hearing for Case PC 23-03 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on March 2, 2023. Letters to surrounding property owners and a public notice sign were not required due to the application being for a Text Amendment to the Unified Development Code (Title 12) and not in relation to any particular property.

Application

On February 14, 2023, Ironwood Tattoo LLC (“applicant”) submitted a complete application requesting approval of a Text Amendment to the Unified Development Code to allow the use of “tattoo shop” in the C-1 General Commercial District. Because the use is not listed as a Permitted or Special Use in any zoning district, the use is currently prohibited Village-wide. The applicant’s request is made in conjunction with a request for a Special Use Permit for a new tattoo establishment at 6046 Dempster Street, to be reviewed under Case PC 23-04. The Village Board’s approval of Case PC 23-04 will be contingent on approval of Case PC 23-03.

To ensure the proposed land use is compatible with surrounding uses and to mitigate any negative impacts associated with the use, staff is recommending that the use is listed as a Special Use in the Village’s commercial zoning districts. Additionally, staff is recommending the adoption of certain use standards that will apply to all future tattoo shops unless otherwise modified by the Plan Commission and Village Board through a Special Use Permit. The proposed amendment language is provided in the following section.

Proposed Text Amendment

The applicant is requesting the legalization of tattoo shops in the C-1 General Commercial District. Staff recommends amendments to Sections 12-4-3:D, 12-5-5, and 12-17-1 to provide appropriate regulation. Because the use is not deemed to generate an extraordinary parking demand and is proposed to be classified as a Special Use, staff does not recommend adding a specific off-street parking requirement to Section 12-7-3:I. By default, the parking requirement for Permitted and Special Uses of one space per 250 square feet of gross floor area will serve as advisory. The proposed amendments are summarized as follows and were crafted based on language adopted by the City of Evanston in 2021:

1. **12-4-3:D:** The amendment to Section 12-4-3:D modifies the commercial district use matrix to list the use “tattoo and body art establishment” as a Special Use in all commercial districts, including the C-1, C-2, and C/R Districts, to ensure appropriate location and operation. Body piercing and other forms of body art are typically regulated in conjunction with tattoo establishments. The “Beauty Parlor” category of use is also modified to specify that accessory permanent cosmetics may be authorized under the beauty parlor use and classified as a Permitted Use pursuant to Section 12-5-5:E.3, which limits the accessory use to no more than 20% of the customer floor space of the beauty parlor establishment.

2. **12-5-5:** The amendment to Section 12-5-5 adds use requirements specific to tattoo and body art establishments. The provisions include an explicit requirement to comply with all applicable federal, state, and local requirements, an allowance for permanent cosmetics procedures as an accessory use if 20% or less of the customer floor space is devoted to said use, a limit on hours of operation, and reference to the Village Administrator's authority to immediately close a facility if an immediate threat to customers or the general public is observed.
3. **12-17-1:** The amendment to Section 12-17-1 defines "tattoo and body art establishment." Notably, the definition excludes beauty parlors that offer permanent cosmetic procedures as an accessory use and non-cartilage ear piercing using a piercing gun or single-use ear piercing system. Retailers such as Claire's, Kay Jewelers, and Target have been known to offer such services.

The proposed amendments are in red text and underlined below.

12-4-3: COMMERCIAL DISTRICTS

D. Uses

Categories Of Use	Zoning District		
	C-1	C-2	C/R
Barbershops, Beauty Parlor (excluding massage establishment, <u>including accessory permanent cosmetics pursuant to Section 12-5-5:E.3</u>)	P	P	P
<u>Tattoo and body art establishment</u>	<u>S³</u>	<u>S³</u>	<u>S³</u>

³ See chapter 5, "Special Zoning Provisions", of this title.

12-5-5: CRITERIA FOR SPECIFIC COMMERCIAL USES

E. Tattoo and Body Art Establishments:

1. Description of Use Provisions: The purpose and intent of these provisions is to ensure tattoo and body art establishments are operated in a manner which is harmonious with the uses surrounding them and are consistent with the character of the neighborhoods in which they are located.
2. General Requirements
 - a. The plan commission may recommend modifications to these provisions provided they meet the special use standards in subsection 12-16-4:C.5 of this title.
 - b. All tattoo and body art establishments and accessory permanent cosmetics uses shall operate in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54), the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797) and any other applicable federal, state, and local requirements including, but not limited to, licensing, health, safety and building code requirements.
3. Use Provisions:
 - a. For the purposes of this title, accessory permanent cosmetics shall be a permitted accessory use when less than twenty percent (20%) of the customer floor space of the establishment is devoted to said use.
 - b. Tattoo and body art establishments shall not operate outside the hours of 10 a.m. to 9 p.m.
 - c. The Village Administrator may, consistent with and in accordance with the procedure set forth in Section 4-4-9 of this Code, order immediate closure of a tattoo and body art establishment if it finds an immediate threat to health, safety, or welfare of customers or the general public.

12-17-1: TERMS DEFINED

TATTOO AND BODY ART ESTABLISHMENT: Any place where the act of puncturing the skin to insert jewelry, ink, or other foreign items through, into, or under the skin are performed, in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54) and the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797). A beauty parlor or other similar facility that engages in microblading or similar permanent cosmetic procedures as an accessory use pursuant to Section 12-5-5:E.3 shall not be considered a tattoo and body art establishment for the purposes of this title. Piercing of the non-cartilage portion of the earlobe by using a piercing gun with a single-use ear piercing system shall not be considered tattoo and body art when provided as an accessory service.

Discussion

The Morton Grove Unified Development Code (Title 12) does not define, classify, or include any provisions for tattoo and body art facilities. Pursuant to Section 12-4-1:E.4, uses not specified in the list for each district classification are prohibited. Because the Code is silent on all under-skin inking procedures, including permanent cosmetic procedures typically offered as accessory services to hair and makeup services at beauty parlors (i.e. microblading), staff has interpreted the Code to prohibit traditional tattoo and body art uses but has administratively approved permanent cosmetic procedure activities as a principal or accessory use at multiple locations as “health/beauty services” provided by a beauty parlor, which are defined by Section 12-17-1 as follows:

HEALTH/BEAUTY SERVICES (EXCLUDING MASSAGE ESTABLISHMENTS): Facilities offering services for personal grooming and appearance. Such services/facilities include, but are not limited to, barbers, beauty salons, facial and skin care treatment salons/spas, waxing and/or electrolysis services, manicure/pedicure salons, tanning salons, and other similar operations.

The proposed amendment provides staff with an opportunity to classify and regulate permanent cosmetic procedure establishments, which have quickly gained popularity in recent years. Any existing permanent cosmetic procedure uses that have been authorized by staff as a principal or accessory use will be permitted to continue.

While tattoo establishments have traditionally been viewed as undesirable businesses that negatively impact surrounding uses, tattoo and body art has become increasingly mainstream in recent decades. According to Ipsos, a global market research company, 30% of Americans have at least one tattoo, an increase from 21% in 2012. The specialized under-skin inking procedure called “microblading,” which uses needles to scratch and deposit pigments into skin beneath the eyebrows, has become a popular service in the beauty industry. As a result of changing opinion and market demand, communities in the surrounding area have amended their codes to allow and regulate tattoo and body art establishments. The chart below outlines the regulatory approach of select communities in the surrounding area:

Community	Permanent Cosmetic Procedures Permissions	Tattoo & Body Art Establishment Permissions
Morton Grove (proposed)	Special Use in select districts, Permitted Use if accessory	Special Use in select districts
Arlington Heights	Permitted Use in select districts	Allowed by Land Use Variation
Evanston	Special Use in select districts, Permitted Use if accessory	Special Use in select districts
Glenview	Special Use in select districts	Prohibited
Lincolnwood	Special Use in select districts	Special Use in select districts
Naperville	Special Use in select districts, Permitted Use if accessory	Special Use in select districts
Niles	Special Use in select districts	Prohibited
Oak Park	Permitted Use in select districts	Permitted Use in select districts
Park Ridge	Permitted Use in select districts	Prohibited
Skokie	Special Use in select districts	Special Use in select districts

Tattooing and body piercing require the same licensure and compliance with the same health safety requirements through the Illinois Department of Financial & Professional Regulation (IDFPR). Earlobe piercing with piercing guns or single-use piercers involves a lower level of state regulation than traditional piercing with needles. The proposed definition for “tattoo and body art establishment” explicitly excludes earlobe piercing activities, which is often offered where jewelry is sold.

The Illinois Department of Public Health (IDPH) requires registration and inspection of all body art establishments, including any business that offers tattoo, microblading, or permanent makeup services. The Cook County Department of Public Health (CCDPH) conducts inspections and investigates complaints of tattoo and body art establishments throughout suburban Cook County to assure required licenses are obtained and that all public health, safety, and sanitary protocols are followed and maintained.

Considering that future tattoo and body art establishments would be subject to extensive review on a case-by-case basis

through the Special Use approval process, staff views the proposed use as additive to the vibrant mix of business types supported by the Village. Allowing a greater diversity of businesses along Morton Grove's commercial corridors at a time when brick-and-mortar retail spaces are struggling with vacancy will help the long-term stability of the commercial districts.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion:

Motion to recommend the approval of Case PC 23-03, a request for approval of a Text Amendment to Sections 12-4-3, 12-5-5, and 12-17-1 of the Morton Grove Unified Development Code (Title 12) to define "tattoo shop," authorize the use as a Special Use in the C-1 General Commercial District, and establish use standards.

Attachment B
Final Text Amendment Proposed for PC 23-03

12-4-3: COMMERCIAL DISTRICTS:

D. Uses:

Categories of Use	Zoning Districts		
	C-1	C-2	C/R
<u>Permanent cosmetics services, accessory (less than 20% of customer floor space)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Permanent cosmetics services (greater than or equal to 20% of customer floor space)</u>	<u>S³</u>	<u>S³</u>	<u>S³</u>
<u>Tattoo and body art establishment</u>	<u>S³</u>	<u>S³</u>	<u>S³</u>

3. See chapter 5, "Special Zoning Provisions", of this title.

12-5-5: CRITERIA FOR SPECIFIC COMMERCIAL USES:

E. Tattoo and Body Art and Permanent Cosmetics Services Establishments:

1. Description of Use Provisions: The purpose and intent of these provisions is to ensure tattoo and body art and permanent cosmetics facilities establishments are operated in a manner which is harmonious with the uses surrounding them and are consistent with the character of the neighborhoods in which they are located.
2. General Requirements
 - a. The plan commission may recommend modifications to these provisions provided they meet the special use standards in subsection 12-16-4:C.5 of this title.
 - b. All tattoo and body art establishments and permanent cosmetics services uses shall operate in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54), the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797) and any other applicable federal, state, and local requirements including, but not limited to, licensing, health, safety and building code requirements.
3. Use Provisions:
 - a. Tattoo and body art establishments shall not operate outside the hours of 10 a.m. to 9 p.m.

12-17-1: TERMS DEFINED:

PERMANENT COSMETICS SERVICES: The practice of placing ink or other pigment into the skin or mucosa by the aid of needles or any other instrument used to puncture the skin for the purpose of permanent cosmetic restoration or enhancement of the epidermis for re-pigmentation. This category of services does not include other forms of body art such as body piercing or the adornment of the body with letters, images, drawings, or other illustrations. The use includes microblading, micropigmentation, dermal implantation, microstroking, eyebrow embroidery, long-time/longlasting makeup, and similar personal care services.

TATTOO AND BODY ART ESTABLISHMENT: Any place where the act of puncturing the skin to insert jewelry, ink, or other foreign items through, into, or under the skin are performed, in accordance with the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54) and the Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797), except that a permanent cosmetics services establishment shall not be considered a tattoo and body art establishment for the purposes of this title. Piercing of the non-cartilage portion of the earlobe by using a piercing gun with a single-use ear piercing system shall not be considered tattoo and body art when provided as an accessory service.

Legislative Summary

Ordinance 23-07

APPROVING A SPECIAL USE PERMIT FOR A TATTOO AND BODY ART ESTABLISHMENT FOR THE PROPERTY COMMONLY KNOWN AS 6046 DEMPSTER STREET IN MORTON GROVE, ILLINOIS

Introduction:	April 11, 2023
Purpose:	To approve a Special Use Permit authorizing the operation of a tattoo and body art establishment on the ground floor of a mixed-use building at 6046 Dempster Street in Morton Grove.
Background:	<p>Ironwood Tattoo LLC (“applicant”) submitted a complete application to the Department of Community and Economic Development under Case PC 23-04 requesting a Special Use Permit to operate a tattoo shop within the 1,243-square-foot commercial space at 6046 Dempster Street (“subject property”), which is zoned C-1 General Commercial. The applicant’s request is made in conjunction with a request for a Text Amendment to allow tattoo shops as a Special Use in the C-1 District, which is under review as Case PC 23-03. The use is currently prohibited Village-wide. Staff is recommending that the use of “tattoo and body art establishments” is listed as a Special Use in all commercial zoning districts. Should the Village Board vote to approve Case PC 23-04, their approval will be contingent on the approval of Case PC 23-03.</p> <p>The applicant is proposing to operate a tattoo establishment at the subject property. The tattoo establishment will offer traditional Japanese tattoos known as irezumi. All work is by appointment only and a pre-consultation is required for all services. Each session takes between three (3) and five (5) hours. The tattoo establishment’s hours of operation will be limited to between 10:00 a.m. and 8:00 p.m. Based on staff concerns with limited on-site parking, the applicant agreed to limit on-site employees to a maximum of three (3) individuals at any time. With one (1) residential unit on the second floor of the mixed-use structure, the parking demand for the combination of uses is eight (8) spaces. With three (3) on-site parking stalls to be striped in accordance with Village requirements and five (5) on-street public parking stalls adjacent to the subject property deemed to be regularly available, the submitted parking study determined that there is a sufficient combination of on-site and on-street parking capacity to support the proposed use.</p> <p>Because no exterior changes are proposed to the commercial structure and future signage will comply with the requirements of Chapter 10-10, Appearance Commission review was not required. On March 2, 2023, the Traffic Safety Commission reviewed Case PC 23-04 and voted unanimously to recommend approval of the application. On March 21, 2023, the applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 23-04. Based on the application, staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (6-0, Chairperson Blonz absent) to recommend approval of the Special Use Permit with conditions relating to business operation, parking, and snow removal.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	April 25, 2023
Special Considerations or Requirements:	None

Submitted by - Ralph Czerwinski, Village Administrator

Reviewed by - Teresa Hoffman Liston, Corporation Counsel

Prepared by - Zoe Heidorn, Community Development Administrator

ORDINANCE 23-07

APPROVING A SPECIAL USE PERMIT FOR A TATTOO AND BODY ART ESTABLISHMENT FOR THE PROPERTY COMMONLY KNOWN AS 6046 DEMPSTER STREET IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (“Village”), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, and can exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, 6046 Dempster Street, legally described in “**Exhibit A**”, attached hereto and made a part of this Ordinance, is a 3,219-square-foot property zoned C-1 General Commercial (“Subject Property”); and

WHEREAS, the Subject Property is improved with a two-story mixed-use building with 1,243 square feet of leasable floor area on the first floor, a two-bedroom residential unit on the second floor, and a paved parking area to the north of the principal structure; and

WHEREAS, Ironwood Tattoo LLC (“Applicant”) submitted a Text Amendment Application to the Village’s Plan Commission under Case PC 23-03 requesting that “tattoo and body art establishments” are classified as a Special Use in the C-1 District; and

WHEREAS, the Applicant concurrently filed a complete application to the Village’s Plan Commission under Case PC 23-04 (“Application”) requesting approval of a Special Use Permit to authorize the operation of a tattoo and body art establishment at the Subject Property; and

WHEREAS, in accordance with Section 12-7-3:B of the Village Code, the Applicant submitted a traffic and parking study, “Parking Evaluation Memorandum,” prepared by Kimley-Horn, dated February 10, 2023, and said study, in conjunction with revisions to the proposed business operations, establishes a peak parking demand of eight (8) parking spaces; and

WHEREAS, to authorize the use as presented, the Application requests a variation to Section 12-7-3:I of five (5) off-street parking spaces; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, public notice for a public hearing on the Application to be held on March 21, 2023, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on March 2, 2023, written notification was sent to property owners within 250 feet of the Subject Property on February 24, 2023, and a sign was posted on the Subject Property on February 24, 2023, as required by ordinance; and

WHEREAS, Appearance Commission review was not required because the Applicant is not proposing any exterior modifications to the Subject Property; and

WHEREAS, on March 2, 2023, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking impact study, and recommended approval of the Application with comments; and

WHEREAS, at the March 21, 2023, public hearing, the Village's Plan Commission heard the Applicant's presentation and reviewed the Application, at which time all concerned parties were given the opportunity to be present and express their views for the consideration by the Plan Commission; and

WHEREAS, the Village's Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application in light of applicable law, including the Standards for Special Use established in Section 12-16-4:C.5 of the Unified Development Code, and voted to recommend approval of the Special Use Permit, subject to conditions, restrictions, and requirements contained in the report of the Plan Commission, dated April 4, 2023, which was presented to the Village Board on April 11, 2023, and a copy of that report is contained in "**Exhibit B**", attached to and made a part of this Ordinance; and

WHEREAS, pursuant to the provisions of the Village's Unified Development Code, the Corporate Authorities have determined that the Special Use Permit should be approved, subject to the provisions, conditions, and restrictions contained in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance by this reference, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2. Approval of Special Use Permit. The Corporate Authorities hereby grant a Special Use Permit to authorize the operation of a tattoo and body art establishment select variations to requirements of the Unified Development Code, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors and assigns. The Special Use Permit approval shall include the following waiver:

- A. Waiver to Section 12-7-3:B to reduce the off-street parking requirement from eight (8) parking spaces to three (3) parking spaces.

SECTION 3. Conditions. The Special Use Permit shall be subject to the following conditions:

- A. The site, building, and interior floorplan shall be maintained and operated consistent with the plans and supporting documents, and modifications as finalized and specifically approved in writing by the Village Administrator or his/her designee, including:
 - 1. Plat of Survey, prepared by Lawrence Larsen, Illinois Professional Land Surveyor, dated December 9, 1992;
 - 2. Floor Plan, prepared by applicant, undated; and
 - 3. Parking Evaluation Memorandum, prepared by Justin Opitz, AICP and Bill Grieve, P.E.,PTOE (Kimley-Horn), dated February 10, 2023.

Any change to the site or building may subject the Applicant or subsequent owners, lessees, occupants, and users of the Subject Property to additional conditions and may serve as the basis for amendment to the Special Use Permit.

- B. This Ordinance shall not take effect until the Village Board of Trustees has passed an ordinance approving the proposed Text Amendment allowing tattoo and body art establishments as a Special Use within the C-1 General Commercial District, presented as Case PC 23-03. Should the Village Board of Trustees vote to deny the Text Amendment, this Ordinance shall be deemed null and void.
- C. The Subject Property shall be operated consistent with all representations, assertions, and testimony provided by the Applicant and their representatives at the public hearings before the Traffic Safety Commission and Plan Commission. Any inconsistencies in operation, as determined by the Village Administrator or his/her designee, may serve as the basis for amendment to or revocation of the Special Use Permit.
- D. The tattoo and body art establishment shall be limited to a maximum of three (3) employees/tattoo artists on the Subject Property at any given time.
- E. The tattoo and body art establishment's hours of operation shall be limited to between 10:00 a.m. and 8:00 p.m.
- F. Prior to issuance of a Business Compliance Certificate for the tattoo and body art establishment, the Applicant or Subject Property owner shall obtain a site improvement permit for striping of the Subject Property's rear parking area, which shall include one (1) accessible parking space. Striping shall occur and be approved by inspection by the Department of Building and Inspectional Services within thirty (30) days of permit issuance. The final striping plan shall be subject to the Village Engineer's final approval.

- G. Prior to occupancy of the second-floor residential unit, on-site parking must be designated for the residential unit based on the number of vehicles owned or leased by the tenant, up to a maximum of two (2) spaces. Said designated parking space(s) must be clearly marked by signage posted within the Subject Property's rear parking area, subject to the Community Development Administrator's review and approval.
- H. Any outdoor trash area shall be screened in accordance with Section 12-11-4.
- I. Prior to issuance of a Business Compliance Certificate for the tattoo and body art establishment, a snow removal plan shall be submitted to the Community Development Administrator and Village Engineer for review and approval. The tattoo and body art establishment and Subject Property owner shall comply with the final approved snow removal plan.
- J. The tattoo and body art establishment and Subject Property owner shall comply with all comments and recommendations set forth in the department review forms issued by the Village Engineer, dated February 23, 2023, and the Fire Prevention Bureau Coordinator, dated March 9, 2023, by strict or alternative compliance, subject to the Village Engineer's and Fire Prevention Bureau Coordinator's final approvals.
- K. The tattoo establishment shall provide services by appointment only and shall install and maintain signage on the premises communicating that services are offered by appointment only.
- L. The Subject Property owner, Applicant, and any lessees, occupants, and users of the Subject Property, their successors and assigns, shall allow employees and authorized agents of the Village access to the Subject Property at all reasonable times for the purpose of inspecting the Subject Property to verify all terms and conditions of this Ordinance have been met.

SECTION 3. Village Records. The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate the Special Use Permit as granted hereunder.

SECTION 4. Failure to Comply with Conditions. Upon failure or refusal of the Applicant to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the Corporate Authorities may initiate the revocation of the Special Use Permit granted in this Ordinance, in accordance with process and procedures established in the Unified Development Code.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

Passed this 25th day of April 2023.

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Thill _____

Trustee Travis _____

Trustee Witko _____

Approved by me this 25th day of April 2023.

Daniel DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this 26th day of April 2023.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

EXHIBIT A	Legal Description, 6046 Dempster Street
EXHIBIT B	Plan Commission Report for PC 23-04, dated April 4, 2023

EXHIBIT A

6046 DEMPSTER STREET, MORTON GROVE, ILLINOIS 60053 LEGAL DESCRIPTION:

LOT 98 EXCEPT THAT PART OF SAID LOT 98 DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOR A PLACE OF BEGINNING, THENCE WEST ON THE SOUTH LINE OF SAID LOT 7.44 FEET TO THE CENTERLINE OF AN 8-INCH CONCRETE BLOCK WALL, THENCE NORTH ALONG THE CENTERLINE OF SAID 8-INCH CONCRETE BLOCK WALL TO A POINT THAT IS 7.5 FEET WEST OF THE EAST LINE AND 54.33 FEET NORTH OF THE SOUTH LINE OF SAID LOT, SAID POINT BEING THE NORTH LINE OF CONCRETE WALL, THENCE WEST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 0.79 FEET, THENCE NORTH ON A LINE TO A POINT ALONG THE NORTH LINE OF SAID LOT THAT IS 8.29 FEET WEST OF THE EAST LINE OF SAID LOT, THENCE EAST ON THE NORTH LINE OF SAID LOT TO THE NORTHEAST CORNER OF SAID LOT, THENCE SOUTH ON THE EAST LINE OF SAID LOT TO THE PLACE OF BEGINNING, IN OLIVER SALINGER AND COMPANY'S SECOND DEMPSTER STREET SUBDIVISION IN THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PROPERTY INDEX NUMBERS:

10-17-317-042-0000

EXHIBIT B

PLAN COMMISSION REPORT FOR PC 23-04

Dated April 4, 2023

To: Village President and Board of Trustees

From: Chris Kintner, Plan Commission Vice Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: April 4, 2023

Re: Plan Commission Case PC 23-04
Request for approval of a Special Use Permit for the operation of a tattoo shop at the property commonly known as 6046 Dempster Street in Morton Grove, Illinois (PIN 10-17-317-042-0000), with a variation from Section 12-7-3:1 for off-street parking, all within a C-1 General Commercial District. The applicant is Ironwood Tattoo LLC.

Executive Summary

Ironwood Tattoo LLC ("applicant") submitted a complete application to the Department of Community and Economic Development under Case PC 23-04 requesting a Special Use Permit to operate a tattoo shop within the 1,243-square-foot commercial space at 6046 Dempster Street ("subject property"), which is zoned C-1 General Commercial. The applicant's request is made in conjunction with a request for a Text Amendment to allow tattoo shops as a Special Use in the C-1 District, which is under review as Case PC 23-03. The use is currently prohibited Village-wide. Staff is recommending that the use of "tattoo and body art establishments" is listed as a Special Use in all commercial zoning districts. Should the Village Board vote to approve Case PC 23-04, their approval will be contingent on the approval of Case PC 23-03.

The Special Use Application was considered by the Plan Commission at the regularly scheduled meeting on March 21, 2023. For the reasons set forth in this report, on March 21, 2023, the Plan Commission unanimously recommended by a vote of 6-0 (Chairperson Blonz absent) that the Village Board of Trustees should approve the requested Special Use Permit with various conditions.

Application

The subject property at 6046 Dempster Street is a 3,219-square-foot corner lot located on the north side of Dempster Street, just east of Meade Avenue and is improved with a two-story mixed-use building. The first floor includes 1,243 square feet of commercial space and a two-bedroom residential unit is on the second floor. An unstriped paved parking area is located to the north of the principal structure and is accessed by an improved public alley abutting the subject property to the north.

The applicant is proposing to operate a tattoo establishment at the subject property. The principal tattoo artist of Ironwood Tattoo, Rinel Tabamo, currently offers tattoo services under Rhyno Tattoo at a tattoo shop at 4835 N. Elston Avenue in Chicago. His specialty is the style of traditional Japanese tattoos known as irezumi. All work is by appointment only and a pre-consultation is required for all services. Each session takes between three and five hours.

Based on a maximum of five employees on site at any given time, the parking study prepared by Kimley-Horn indicates a peak parking demand of ten spaces associated with the proposed use. By reducing the maximum number of employees on-site, the peak demand is reduced to six spaces. Provided two spaces are required for the second-floor residential unit, in accordance with Section 12-7-3:1, the modified peak parking demand is estimated to be eight spaces. With three on-site parking stalls to be striped in accordance with Village requirements and five on-street public parking stalls deemed to be regularly available, there is a sufficient combination of on-site and on-street parking capacity to support the proposed use.

Departmental Review

- **Building Department:** No comments at this time.
- **Fire Department:** The Fire Prevention Bureau Coordinator issued comments dated March 9, 2023, attached hereto as "**Attachment A**." The Fire Department will require a combination manual and automatic fire alarm system throughout the building. Compliance with comments issued by the Fire Department has been included as a recommended condition of the Special Use Permit.

- **Public Works Department/Engineering:** The Village Engineer issued comments dated February 23, 2023, attached hereto as “**Attachment B**.” The Village Engineer indicates that one on-site accessible parking space is required, recommends reducing employment from the maximum of five employees cited in the submitted parking study, and discusses general parking impacts. Compliance with comments issued by the Village Engineer’s comments, whether by strict or alternative compliance, has been included as a recommended condition of the Special Use Permit.

Public Hearings

Appearance Commission

Because no exterior changes are proposed to the commercial structure and all future signage will comply with the requirements of Chapter 10-10, Appearance Commission review was not required.

Traffic Safety Commission

On March 2, 2023, the Traffic Safety Commission reviewed Case PC 23-02 and voted unanimously to recommend approval of the application. The Traffic Safety Commission forwarded one comment recommending the requirement for a snow removal plan. The comment will be incorporated into the recommended conditions of approval.

Plan Commission

The Village of Morton Grove provided public notice for the March 21, 2023, Plan Commission public hearing for Case PC 23-04 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on March 2, 2023. Letters to surrounding property owners within 250 feet of the property were mailed on February 24, 2023, and a public notice sign was placed on the property on February 24, 2023.

Plan Commission – March 21, 2023, Proceedings: Six members of the Plan Commission were in attendance at the public hearing for Case PC 23-04 held on March 21, 2023. Chairperson Blonz was absent.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated March 14, 2023 (revised March 21, 2023), and attached hereto as “**Attachment C**,” was entered into the public record.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated March 14, 2023, was entered into the public record. Ms. Heidorn explained, the applicant is requesting a Special Use Permit to operate a tattoo establishment at 6046 Dempster Street, which is improved with a two-story mixed-use building containing a two-bedroom residential unit on the second floor. As required by Village Code, the applicant submitted a parking impact study that, based on a maximum of 5 five on-site employees, projects a maximum demand of 10 spaces associated with the tattoo shop. Village Code requires an additional 2 off-street parking spaces for the second-floor residential unit. Based on parking-related concerns presented by staff, the applicant preemptively agreed to reduce on-site employment to a maximum of 3 employees, reducing the tattoo establishment’s parking demand to 6 spaces.

Ms. Heidorn explained that the submitted study indicates that 4 parking spaces can be accommodated within the rear parking lot, but comments issued by the Village Engineer indicate that only 3 spaces are feasible. 7 on-street public spaces are located adjacent to the property, and the report determined an average availability of 5 spaces. In total, the residential and commercial use will have access to an average parking capacity of 8 spaces, which satisfies the maximum demand of 8 spaces generated by the residential unit and tattoo establishment. The property owner is in discussions with the abutting property owner to the east to establish a cross-access agreement that would allow one or two additional spaces to be installed on the subject property. The final parking plan and any supporting agreement will be subject to staff review and approval. Staff also distributed a revised staff report that includes a new recommended condition of approval, that tattoo services are provided by appointment only. Fire department comments are also included.

Vice Chair Kintner asked Mr. Tabamo for additional comments. He asked if he was aware of the recommended conditions of approval. Mr. Tabamo state that he has no concerns with the conditions.

Commissioner Dorgan asked how needles are disposed. Mr. Tabamo responded that they are single-use needles collected on-site by a service provider.

Commissioner Stein asked about the floor plan. Mr. Tabamo said he would not change the floor plan, as it provides privacy and sterilization/cleaning areas. The back-entry room would be used as an entrance. Vice Chair Kintner asked if walk-ins would be accommodated. Mr. Tabamo said they will have customers make appointments using Google Calendar. The owner and artists practice traditional Japanese tattooing.

Commissioner Dorgan asked if the shop would be sprinkled. Mr. Dobrowski said it would be alarmed, not sprinkled.

Commissioner Gabriel asked if any of the tattooing supplies are combustible. Mr. Tabamo said they are not.

Commissioner Dorgan made a motion to recommend approval of Case PC 23-04, a request for approval of a Special Use Permit for the operation of a tattoo shop at the property commonly known as 6046 Dempster Street in Morton Grove, Illinois, with a variation from Section 12-7-3:1 for off-street parking, subject to the following conditions:

1. The tattoo establishment shall be limited to a maximum of three (3) employees/tattoo artists on the premises at any given time.
2. The tattoo establishment's hours of operation shall be limited to between 10:00 a.m. and 8:00 p.m.
3. Approval of the Special Use Permit shall be contingent on the Board's approval of Case PC 23-03, a Text Amendment classifying "tattoo and body art establishments" as a Special Use in the C-1 District. The tattoo establishment shall comply with all use standards set forth in Section 12-5-5.
4. Prior to issuance of a Business Compliance Certificate for the tattoo establishment, the applicant or owner shall obtain a site improvement permit for striping of the subject property's rear parking area, which shall include one (1) accessible parking space. Striping shall occur and be approved by Building Department inspection within thirty (30) days of permit issuance. The final striping plan shall be subject to the Village Engineer's final approval.
5. Prior to occupancy of the second-floor residential unit, on-site parking must be designated for the residential unit based on the number of vehicles owned or leased by the tenant, up to a maximum of two spaces. Said designated parking space(s) must be clearly marked by signage.
6. Any outdoor trash area shall be screened in accordance with Section 12-11-4.
7. Prior to issuance of a Business Compliance Certificate for the tattoo establishment, a snow removal plan shall be submitted to the Community Development Administrator and Village Engineer for review and approval. The tattoo establishment and property owner shall comply with the final approved snow removal plan.
8. The tattoo establishment and property owner shall comply with all comments and recommendations set forth in the department review forms issued by the Village Engineer, dated February 23, 2023, and the Fire Prevention Bureau Coordinator, dated March 9, 2023, by strict or alternative compliance, subject to the Village Engineer's and Fire Prevention Bureau Coordinator's final approvals.
9. The tattoo establishment shall provide services by appointment only and shall install and maintain signage on the premises communicating that services are offered by appointment only.

The motion was seconded by Commissioner Gabriel.

Motion passes 6-0.

Final Plans and Supporting Documents

The application's final plans and supporting documents recommended for approval by the Plan Commission include the following and are attached hereto as "**Attachment D**":

1. Plat of Survey, prepared by Lawrence Larsen, Illinois Professional Land Surveyor, dated December 9, 1992
2. Floor Plan, prepared by applicant, undated
3. Parking Evaluation Memorandum, prepared by Justin Opitz, AICP and Bill Grieve, P.E.,PTOE (Kimley-Horn), dated February 10, 2023

Attachments

- **Attachment A** – Plan Review Comment Form for PC 23-04, prepared by Rick Dobrowski, Fire Prevention Bureau Coordinator, dated March 9, 2023
- **Attachment B** – Plan Review Comment Form for PC 23-04, prepared by Chris Tomich, Village Engineer, dated February 23, 2023
- **Attachment C** – Staff Report to the Plan Commission for PC 23-04, prepared by Zoe Heidorn, Community Development Administrator, dated March 14, 2023 (revised March 21, 2023)
- **Attachment D** – Final Plans and Supporting Documents for PC 23-04

Attachment A

Plan Review Comment Form for PC 23-04

Prepared by Rick Dobrowski, Fire Prevention Bureau Coordinator

Dated March 9, 2023

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 2/20/23

CASE NUMBER: PC 23-04

APPLICATION: Request for approval of a Special Use Permit for a Tattoo Facility for the property commonly known as 6046 Dempster Street (PIN 10-17-317-042-0000) in Morton Grove, Illinois, all within the C-1 General Commercial District.

Special Use and Text Amendment Applications have been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Friday, March 10, 2023**.

Thank you,
Zoe Heidorn, Community Development Administrator

COMMENTS OR CONCERNS

A combination manual and automatic fire alarm monitored system including notification devices in accordance with NFPA 72 shall be provided throughout the building. However, Initiating and notification devices required by NFPA 72 may be omitted from within the dwelling unit provided that such devices located within the adjacent common areas "outside the dwelling unit" shall provide an audible level acceptable to the fire code official.

FD would like to do a walk through of the building to identify existing Fire and Life Safety Hazards.

These comments accurately represent existing Village regulations or policies.

Name (please print): Rick Dobrowski

Date: 3/9/2023

Attachment B

Plan Review Comment Form for PC 23-04
Prepared by Chris Tomich, Village Engineer
Dated February 23, 2023

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 2/20/23

CASE NUMBER: PC 23-04

APPLICATION: Request for approval of a Special Use Permit for a Tattoo Facility for the property commonly known as 6046 Dempster Street (PIN 10-17-317-042-0000) in Morton Grove, Illinois, all within the C-1 General Commercial District.

Special Use and Text Amendment Applications have been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Friday, March 10, 2023**.

Thank you,
Zoe Heidorn, Community Development Administrator

COMMENTS OR CONCERNS

1. The width of this property has a severe, limiting effect on off-street parking supply. There is a very small pool of commercial options that would be compatible with the available parking supply on this property, so this factor would be relevant to almost any proposed commercial use at this property. It is appropriate for the Village to take this factor into account when determining the required number of off-street parking spaces.
2. State, federal and local law requires one accessible parking space in the off-street parking area.
3. The Traffic Study concludes there would be a shortage of off-street parking on this property for the proposed commercial and residential uses. It offers one parking arrangement that includes a supply of 2 parking spaces and another that includes 4 parking spaces. The first option complies with the Village's dimensional requirements. The second option does not comply with dimensional requirements and staff believes only 3 parking spaces would be feasible. A third option that not discussed in the Traffic Study would be a parallel parking arrangement that would provide 3 parking spaces; it would comply with the Village's dimensional requirements. The Traffic Study includes a forecasted parking demand of 7 to 10 parking spaces for the proposed use.
4. The forecasted parking demand would be reduced if the proposed number of employees would be reduced, while recognizing doing so might result in an infeasible or unsuccessful business model.
5. The parking supply could be increased with additional off-site, off-street parking secured by the applicant.
6. The Traffic Study examines a shared parking scheme allowed by the Municipal Code. Village staff does not agree with the statement that the residential parking component does not overlap with the commercial parking component, but does agree with the conclusion of the shared parking analysis does not change the number of required parking spaces.

These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed:



Date:

2/23/23

Attachment C

Staff Report to the Plan Commission for PC 23-04
Prepared by Zoe Heidorn, Community Development Administrator
Dated March 14, 2023 (revised March 21, 2023)



Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Pro Tem Kintner and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: March 14, 2023 **(Revised March 21, 2023)**

Re: **Case PC 23-04: Request for approval of a Special Use Permit for the operation of a tattoo shop at the property commonly known as 6046 Dempster Street in Morton Grove, Illinois (PIN 10-17-317-042-0000), with a variation from Section 12-7-3:1 for off-street parking, all within a C-1 General Commercial District. The applicant is Ironwood Tattoo LLC.**

STAFF REPORT

Public Notice

The Village of Morton Grove provided public notice for the March 21, 2023, Plan Commission public hearing for Case PC 23-04 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on March 2, 2023. Letters to surrounding property owners within 250 feet of the property were mailed on February 24, 2023, and a public notice sign was placed on the property on February 24, 2023.

Application

On February 14, 2023, Ironwood Tattoo LLC (“applicant”) submitted a complete application to the Department of Community and Economic Development under Case PC 23-04 requesting a Special Use Permit to operate a tattoo shop within the 1,243-square-foot commercial space at 6046 Dempster Street (“subject property”), which is zoned C-1 General Commercial. The applicant’s request is made in conjunction with a request for a Text Amendment to allow tattoo shops as a Special Use in the C-1 District, to be reviewed under Case PC 23-03. The use is currently prohibited Village-wide. Staff is recommending that the use of “tattoo and body art establishments” is listed as a Special Use in all commercial zoning districts. Should the Village Board vote to approve Case PC 23-04, their approval will be contingent on the approval of Case PC 23-03.

Subject Property

The property at 6046 Dempster Street is a 3,219-square-foot corner lot located on the north side of Dempster Street, just east of Meade Avenue. The property is improved with a two-story mixed-use building. The first floor includes 1,243 square feet of leasable commercial space and the second floor includes a two-bedroom residential unit, which the property owner reports is currently vacant. An unstriped paved parking area is located to the north of the principal structure and is accessed by an improved public alley abutting the subject property to the north. The applicant has an agreement in place to lease the first-floor commercial space from the property owner, contingent on zoning approval. The subject property was last occupied by Children’s Dental World, which relocated to 5826 Dempster Street after obtaining a Special Use Permit for the property in 2015. Per Ordinance 15-04, Children’s Dental World previously operated three dental chairs at 6046 Dempster Street.

Properties to the east, south, and west of the subject property are zoned C-1 General Commercial. Uses include multi-tenant commercial strip centers to the east and south, and an automotive repair shop to the west. The commercial unit abutting the property to the east at 6044 Dempster Street is currently vacant. Properties to the north of the subject property, across a 16-foot-wide public alley, are zoned R-2 Single Family Residence and are improved with single-family dwellings.



Subject Property Location Map

Application Review

The applicant is proposing to operate a tattoo establishment at the subject property. The principal tattoo artist of Ironwood Tattoo, Rinel Tabamo, currently offers tattoo services under Rhyno Tattoo at a tattoo shop at 4835 N. Elston Avenue in Chicago. His specialty is the style of traditional Japanese tattoos known as irezumi. According to the Rhyno Tattoo website, all work is by appointment only and a pre-consultation is required for all services. Each session takes between three and five hours. More information on Rhyno Tattoo is available at www.rhynotattoo.com.

The applicant is seeking a Special Use Permit in conjunction with a Text Amendment to relocate his current business to Morton Grove and operate a new tattoo studio under the umbrella business of Ironwood Tattoo, which will include other tattoo artists. While the submitted parking evaluation memorandum submitted by Kimley-Horn, dated February 10, 2023, indicates that five full-time employees will work on the premises, based on concerns with limited on-site parking presented by staff, the applicant has preemptively agreed to reduce the number of employees to a maximum of three employees at any given time. As a recommended condition of Special Use Permit approval, the business will be limited to a maximum of three tattoo artists on-site at any given time, and effectively, a maximum of three clients on-site at any given time. In order to ensure a predictable customer volume, staff recommends that services are offered on an appointment-only basis.

According to the applicant, the proposed tattoo establishment will be open from 11:00 a.m. to 7:00 p.m. Tuesday through Saturday. The shop will be closed on Sunday and Monday, but the business may occasionally take appointments on Mondays. Tattoo artists will see one customer at a time and appointments may range from two to five hours in length. Therefore, each artist will see a maximum of two to four customers per day.

Based on a maximum of five employees on site at any given time, the parking study prepared by Kimley-Horn indicates a peak parking demand of ten spaces associated with the proposed use. By reducing the maximum number of employees on-site, the peak demand is reduced to six spaces. Provided two spaces are required for the second-floor residential unit, in accordance with Section 12-7-3:I, the modified peak parking demand is estimated to be **eight spaces**.

Per Section 12-7-2:E, land use changes trigger the requirement to conform to the Village's parking standards, which include requirements to provide striping and a minimum of one accessible parking stall in accordance with the Illinois Accessibility Code and Americans with Disabilities Act. The parking study prepared by Kimley-Horn includes two parking diagrams that provide between two and four parking spaces on-site, but comments issued by the Village Engineer indicate that only three

on-site spaces are physically feasible. As a condition of Special Use Permit approval, a final striping diagram should be submitted to the Village Engineer for review and approval. The property owner has discussed obtaining a cross-access agreement with the property owner to the east to provide more flexibility in parking lot design and allow for more on-site spaces. Staff would support a multi-property parking configuration provided it complies with the dimensional requirements of Section 12-7-3:J.

With only three on-site parking spaces deemed feasible at this time, a variation of five parking spaces is needed from the minimum requirement of eight parking spaces established by the peak demand projection. Kimley-Horn conducted parking spot counts of on-street angled public parking stalls adjacent to the subject property on Meade Avenue and determined that at least five of the seven public spaces were available at all times observed. With three on-site parking stalls and five on-street public parking stalls deemed to be regularly available, there is a sufficient combination of on-site and on-street parking capacity to support the proposed use.

Staff recommends as a condition of Special Use Permit approval that when the second-floor residential unit is leased, on-site parking must be designated for the residential unit based on the number of vehicles owned or leased by the tenant, up to a maximum of two spaces. Said designated parking space(s) must be clearly marked by signage.

Staff notes that because the commercial and residential units are vacant, a dumpster is not currently located on the property. As a condition of Special Use Permit approval, staff recommends a requirement that any future outdoor storage area is screened in accordance with the requirements of Section 12-11-4.

Departmental Review

- **Building Department:** No comments at this time.
- **Fire Department:** The Fire Prevention Bureau Coordinator issued comments dated March 9, 2023, which are included in the hearing packet for Case PC 23-04. The Fire Department will require a combination manual and automatic fire alarm system throughout the building. This requirement will be incorporated into the recommended conditions of approval.
- **Public Works Department/Engineering:** The Village Engineer issued comments dated February 23, 2023, which are included in the hearing packet for Case PC 23-04. The Village Engineer indicates that one on-site accessible parking space is required, recommends reducing employment from the maximum of five employees cited in the submitted parking study, and discusses general parking impacts. Compliance with the Village Engineer's comments by strict or alternative compliance will be incorporated into the recommended conditions of approval.

Public Hearings

Appearance Commission

Because no exterior changes are proposed to the commercial structure and all future signage is expected to comply with the requirements of Chapter 10-10, Appearance Commission review was not required.

Traffic Safety Commission

On March 2, 2023, the Traffic Safety Commission reviewed Case PC 23-02 and voted unanimously to recommend approval of the application. The Traffic Safety Commission forwarded one comment recommending the requirement for a snow removal plan. The comment will be incorporated into the recommended conditions of approval.

Standards for Review

The Standards for Special Uses are established in Section 12-16-4:C.5 of the Unified Development Code:

Standards For Special Uses: The following standards for evaluating special uses shall be applied in a reasonable manner, taking into consideration the restrictions and/or limitations which exist for the site being considered for development:

1. **Preservation Of Health, Safety, Morals, And Welfare:** The establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, morals or general welfare.
2. **Adjacent Properties:** The special use should not be injurious to the use and enjoyment of other property in

the immediate vicinity for the uses permitted in the zoning district.

3. Orderly Development: The establishment of the special use will not impede normal and orderly development or impede the utilization of surrounding property for uses permitted in the zoning district.
4. Adequate Facilities: Adequate utilities, access roads, drainage and other necessary facilities are in existence or are being provided.
5. Traffic Control: Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the public streets. The proposed use of the subject site should not draw substantial amounts of traffic on local residential streets.
6. Adequate Buffering: Adequate fencing and/or screening shall be provided to ensure the right of enjoyment of surrounding properties to provide for the public safety or to screen parking areas and other visually incompatible uses.
7. Conformance To Other Regulations: The special use shall, in all other respects, conform to applicable provisions of this title or amendments thereto. Variation from provisions of this title as provided for in subsection 12-16-3A, "Variations", of this chapter, may be considered by the plan commission and the Village board of trustees as a part of the special use permit.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion and conditions:'

Motion to recommend approval of Case PC 23-04, a request for approval of a Special Use Permit for the operation of a tattoo shop at the property commonly known as 6046 Dempster Street in Morton Grove, Illinois, with a variation from Section 12-7-3:1 for off-street parking, subject to the following conditions:

1. *The tattoo establishment shall be limited to a maximum of three (3) employees/tattoo artists on the premises at any given time.*
2. *The tattoo establishment's hours of operation shall be limited to between 10:00 a.m. and 8:00 p.m.*
3. *Approval of the Special Use Permit shall be contingent on the Board's approval of Case PC 23-03, a Text Amendment classifying "tattoo and body art establishments" as a Special Use in the C-1 District. The tattoo establishment shall comply with all use standards set forth in Section 12-5-5.*
4. *Prior to issuance of a Business Compliance Certificate for the tattoo establishment, the applicant or owner shall obtain a site improvement permit for striping of the subject property's rear parking area, which shall include one (1) accessible parking space. Striping shall occur and be approved by Building Department inspection within thirty (30) days of permit issuance. The final striping plan shall be subject to the Village Engineer's final approval.*
5. *Prior to occupancy of the second-floor residential unit, on-site parking must be designated for the residential unit based on the number of vehicles owned or leased by the tenant, up to a maximum of two spaces. Said designated parking space(s) must be clearly marked by signage.*
6. *Any outdoor trash area shall be screened in accordance with Section 12-11-4.*
7. *Prior to issuance of a Business Compliance Certificate for the tattoo establishment, a snow removal plan shall be submitted to the Community Development Administrator and Village Engineer for review and approval. The tattoo establishment and property owner shall comply with the final approved snow removal plan.*
8. *The tattoo establishment and property owner shall comply with all comments and recommendations set forth in the department review forms issued by the Village Engineer, dated February 23, 2023, and the Fire Prevention Bureau Coordinator, dated March 9, 2023, by strict or alternative compliance, subject to the Village Engineer's and Fire Prevention Bureau Coordinator's final approvals.*
9. *The tattoo establishment shall provide services by appointment only and shall install and maintain signage on the premises communicating that services are offered by appointment only.*

(Any other conditions recommended by the Plan Commission)

Attachment D

Final Plans and Supporting Documents for PC 23-04

1. Plat of Survey, prepared by Lawrence Larsen, Illinois Professional Land Surveyor, dated December 9, 1992
2. Floor Plan, prepared by applicant, undated
3. Parking Evaluation Memorandum, prepared by Justin Opitz, AICP and Bill Grieve, P.E.,PTOE (Kimley-Horn), dated February 10, 2023

Attachment D on file with the Department of Community and Economic Development