

Approved

**Village of Gurnee
Planning and Zoning Board Minutes
June 15, 2022**

1. Call to Order and Roll Call

The meeting was called to order at 7:30 p.m.

Planning and Zoning Board Members Present: Chairman James Sula, R. Todd Campbell, Dane Morgan, David Nordentoft, and Liliana Ware

Planning and Zoning Members Absent: Edwin Paff and Josh Pejsach

Other Officials Present: Tracy Velkover, Planning Manager; Clara Gable, Associate Planner, and Gretchen Neddenriep, Acting Village Attorney

2. Pledge of Allegiance

3. Approval of the May 18, 2022 Planning and Zoning Board Meeting Minutes

Mr. Sula asked if there were any questions/comments regarding the May 18th meeting minutes. As there were none, he asked for a motion to approve.

Mr. Campbell motioned, seconded by Mr. Nordentoft, to approve the May 18, 2022 PZB Meeting Minutes.

Voice Vote:

All "Ayes," no "Nays," none abstaining

Motion Carried: 5-0-0

4. Public Hearing: Special Use Permit for AngelsTat2 (3701 Route 132, Unit G)

Ms. Gable introduced this item by stating that Angel Bustos is requesting a Special Use Permit to allow the establishment and operation of a body modification establishment (specifically a tattoo shop) at 3701 Route 132, Unit G. Mr. Bustos currently operates a tattoo establishment in Gurnee (AngelsTat2 at 3567 Route 132, Suite F), which was approved via the Special Use process in 2015. The subject property is zoned C-2 EGG, Community Commercial East Grand Gateway District. A body modification establishment requires a Special Use Permit in this zoning district. The applicant is in attendance to present their request. Ms. Gable stated that, on this matter, the PZB will make a recommendation that will be forwarded to the Village Board for their determination.

As this was a Public Hearing, Mr. Sula asked that anyone wishing to speak on the matter be sworn-in. Ms. Neddenriep conducted the swearing-in.

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Mr. Sula turned the floor over to the petitioner.

Angel Bustos introduced himself as the owner/artist at Angels Tat2, currently located at 3567 Grand Avenue, Suite F, which is zoned C-2 EGG. He stated that he is requesting a new Special Use Permit to relocate the business to 3701 Grand Avenue Suite G, which is also zoned C-2 EGG. Elaborating, he added that the new location is approximately one block west of the current location—within 1,000 feet of his existing tattoo studio—and, therefore, the existing shop will be closed upon open of the new location.

Describing the plans for the new location, Mr. Bustos explained that the new space is in a similar plaza storefront that would occupy one of nine units in the building, that the new space is approximately 2,100 square feet in size, and—that there would be a total of six tattoo artist stations, a front client check-in, and retail space. He also added that the site has parking spaces in front of the building, with additional parking in back, and two entrances from Grand Avenue. In practice, up to six artists will work by appointment only within the hours of 8:00 a.m. to 10:00 p.m., no walk-ins will be allowed, and each artist will only be able to service one client at a time.

As for legalities, Mr. Bustos stated that, per the Gurnee licensing ordinance, Section 22-203:

- a) No tattoo establishment may be located within 1,000 feet of a pre-existing tattoo establishment, pre-existing principal massage establishment, or pre-existing adult entertainment facility;
- b) No tattoo establishment shall be located within 300 feet of any existing establishment licensed to sell alcoholic beverages; and
- c) Tattoo facilities are permitted in any zoning district in which the business offering such services is a conforming permitted use, or for which a special use permit has been granted under the Zoning Ordinance.

Continuing, Mr. Bustos stated that, as required by the Illinois Department of Public Health (IDPH), all artists will continue their education annually, including blood borne pathogen training that meets OSHA standards. Mr. Bustos also provided a quick video slide walk-through of the new space—designed to accommodate a front store client check-in and retail space, six artist stations, a waiting area, two bathrooms, and an office/storage area. The front space is 330 square feet, and will have shelving and racking for apparel, tattoo after-care products, and other merchandise. Once clients have checked in at the counter, they will be required to pass through a door to get back to the artist area. There will be a waiting/break area with a TV, couches, and reading material. Partitions will allow for semi-private tattooing sessions for each artist and client. A sink will be provided in the artist space to be used for nothing else but the artists' hand washing as required by IDPH, and a second restroom will be accessible through the office/storage area.

Mr. Bustos asserted that Angels Tat2 aims to set itself apart from the traditional tattoo shops by putting attention into the details of every aspect of the experience while providing a relaxing, high-end, modern atmosphere. Finally, in regards to more legalities, Mr. Bustos explained that all

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clients must be 18 years of age or older, must present a valid state I.D., and must not be under the influence of alcohol. A shop manager will be present and assist with check-ins and other various duties. Wrapping up his presentation, Mr. Bustos invited any questions from the Board.

Mr. Sula then asked if there were any questions/comments from the Board.

Mr. Nordentoft asked if there was any retail space in the business' current location.

Mr. Bustos responded that there is not.

Mr. Nordentoft then asked what was planned to be sold in retail.

Mr. Bustos responded that apparel and products for the after-care of tattoos will be sold.

Mr. Nordentoft confirmed with Mr. Bustos that the retail area would likely be the only reason for walk-in traffic, which is why it is sectioned off from the artist's area.

Mr. Campbell inquired as to the nearby gas station (within 300 feet) in regards to whether or not alcohol was sold there.

Ms. Velkover responded that the subject property was reviewed preliminarily for separation requirements to places with alcohol (information provided by the Police Department) and found to meet the separation requirements. She noted, along with Ms. Gable, that they were pretty certain that liquor wasn't sold from this station, but that would be confirmed through the licensing process.

Mr. Nordentoft clarified with Mr. Bustos that it would only be tattoos offered at this location, not any other type of body modification.

Ms. Ware asked how a client's age and sobriety would be verified.

Mr. Bustos answered that clients are required to show a valid I.D., and fill out a form (per IDPH) attesting they are not under the influence of alcohol. He added that—if management were to sense that a client was, actually, under the influence—services would be denied.

Mr. Sula then opened the floor to the public. As there was no one in the audience, he then closed the floor to the public.

Mr. Sula then asked if a Special Use Permit is attached to the business or the land, and—what would be the status of the existing Special Use Permit once the business relocated.

Ms. Velkover suggested that this may be more of a legal question, but confirmed that Special Use Permits run with the land and that the existing Special Use Permit would need to be voided upon relocation of the business.

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Mr. Campbell asked if the petitioner would have to apply for a new business license.

Ms. Velkover responded that he would.

Mr. Bustos confirmed that he was informed that he would not be able to transfer his existing license, but that a new license would be needed.

Mr. Sula, expressing support for the relocation, then asked if there were any more questions or comments.

As there were no more questions or comments, Mr. Sula suggested a motion be made, and that it address the subject of the existing Special Use Permit.

Mr. Nordentoft motioned, seconded by Mr. Campbell, to forward a recommendation to the Village Board on the petition of Angel Bustos for a Special Use Permit to allow the establishment and operation of a body modification establishment (tattoo studio) at 3701 Route 132, Unit G, subject to voiding the Special Use Permit for the existing facility.

Mr. Sula then asked if there were any discussion to be had on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Campbell, Morgan, Nordentoft, Ware, and Sula

Nays: None

Abstain: None

Motion Carried: 5-0-0

Mr. Sula then thanked the petitioner for the professional presentation—wished him good luck with the expansion—and advised that Village staff would keep him abreast as to the next steps in the approval process.

5. Next Meeting Date: July 6, 2022

Mr. Sula asked if there items on the agenda for the next meeting. Ms. Velkover and Ms. Gable answered that there will likely be a Public Hearing scheduled for that meeting.

6. Public Comment

Mr. Sula opened the floor to comments regarding any issues not on this evening's agenda. As there was no one in the audience, he then closed the floor to the public.

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7. Adjournment

Mr. Nordentoft motioned, seconded by Ms. Ware, to adjourn the meeting.

Voice Vote:

All "Ayes," no "Nays," none abstaining

Motion Carried: 5-0-0

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Joann Metzger,
Recording Secretary, Planning and Zoning Board