



Legislation Details (With Text)

**File #:** 23-0549      **Version:** 1

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 4/27/2023      **In control:** Planning and Zoning Commission

**On agenda:** 5/3/2023      **Final action:** 5/3/2023

**Title:** Conduct the public hearing to consider a variance to Section 6-7D-4 to allow a general service use below the second floor for the property located at 133 S. Washington Street (Skinovatio) - PZC 23-1-025

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Variance Petition, 2. Legal Description, 3. Request Letter, 4. Response to Standards, 5. Skin Image 1, 6. Skin Image 2, 7. Retail Display, 8. Retail Display 2, 9. Skinovatio Bookletmenu, 10. Floor Plan with Retail Space Mark Up, 11. Plat of Survey, 12. NDP and DNA Letter, 13. Public Comment

Date	Ver.	Action By	Action	Result
5/3/2023	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider a variance to Section 6-7D-4 to allow a general service use below the second floor for the property located at 133 S. Washington Street (Skinovatio) - PZC 23-1-025

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP, Community Planner

**ENTITLEMENTS REQUESTED:**

A variance to Section 6-7D-4 to allow a general service use on the first floor.

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 23-1-025 was published in the Naperville Sun on Sunday, April 16, 2023.

**BACKGROUND:**

The property is located on the west side of Washington Street, just north of Jefferson Avenue with a common street address of 131-133 S. Washington Street. The property is zoned B4 (Downtown Core District) and has been improved with a two-story commercial building. Skinovatio Medical Spa is requesting to be located on the first floor of the building. The tenant space is approximately 1,500 square feet in size.

**DISCUSSION:**

The Petitioner, Skinovatio, seeks to operate a medical spa on the first floor of the two-story building.

Per Municipal Code Section 6-7D-4 (B4: Required Conditions), a variance is required to permit a health spa, which is classified as a general service, on the first floor in the B4 District. The B4 District permits retail, eating and drinking establishments and commercial services (which includes banks, beauty shops/salons, and dry cleaning) on any floor of a building. It also allows general services, such as a health spa, but restricts their location to the second floor.

Skinovatio Medical Spa offers services which include but are not limited to: injectables - neurotoxins, dermal fillers, botox, PDO lifting threads, platelet-rich plasma (PRP) injections, microneedling, hydrafacials, forma innovative facial contouring, dermaplaning, chemical peels, laser hair removal, and i-Lipo laser. The Petitioner has indicated that patients are encouraged to walk-in to receive services, but they are able to schedule appointments in advance for most patients. Additionally, the Petitioner has indicated that approximately 450 square feet of retail will be dedicated at the front of the tenant space and throughout the treatment rooms. The Petitioner has also noted that 25-35% of sales are retail sales.

The objective of the B4 District is to provide opportunities for retail type businesses on the street level that create a shopping destination for pedestrian traffic within a concentrated commercial area. While staff is supportive of a medical spa tenant within the downtown, staff does not find the use is appropriate on the first floor as it does not contribute to a retail environment. Due to the medical component of the use, staff believes most customers will schedule appointments in advance and may not linger downtown after receiving the medical procedures offered.

The proposed use has been reviewed by the Naperville Development Partnership (NDP) and the Downtown Naperville Alliance (DNA). Both the NDP and the DNA are not in support of the requested variance to allow the medical spa to be located on the first floor (see attachments). The Petitioner's responses to the Standards for Granting a Variance are included in the attachments. Staff concurs with the concerns raised by the NDP and the DNA and recommends the Planning and Zoning Commission deny the variance request.

### ***Key Takeaways***

- The petitioner requests a variance in the B4 district to operate a medical spa on the 1<sup>st</sup> floor at the subject property. Staff, the NDP, and the DNA are not supportive of the variance request.