PLAN COMMISSION
Wednesday, September 10, 2014
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2404

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES: August 13, 2014

3. OLD BUSINESS

A. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0102
   Section 6-15-14-10 Site Development Allowances in oCSC
   Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, regarding
   Section 6-15-14-10 Site Development Allowances of the City Code for Central Street Corridor
   Overlay District.
   Staff requests continuance to November 12, 2014 Plan Commission meeting.

B. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0045
   Office and Financial Institution Uses in B1 and B2 Districts
   Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to amend the list
   of permitted and special uses in the B1, Business and B2, Business Districts.
   Staff requests continuance to November 12, 2014 Plan Commission meeting.

4. NEW BUSINESS

A. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0106
   Daycare Center-Child and Daycare Center-Adult in C1 and C2 Districts
   Specifically consider a text amendment, pursuant to City Code Title 6 – Zoning, regarding § 6-10-2-3 Special Uses in C1 Commercial District and § 6-10-4-3, Special Uses in C2 Commercial
   District, to add Daycare Center – Adult (subject to the general requirements of Section 6-4-3 of
   this Title) and Daycare Center – Child (subject to the general requirements of Section 6-4-2 of
   this Title).

5. ADJOURNMENT

The next regular Plan Commission meeting is scheduled for WEDNESDAY, October 8, 2014 at
7:00 P.M. in COUNCIL CHAMBERS of the Lorraine H. Morton Civic Center.

Order of agenda items are subject to change. Information about the Plan Commission is available online at:
http://www.cityofevanston.org/plancommission. Questions can be directed to Damir Latinovic, Neighborhood and Land Use
Planner, at 847-448-8675 or via e-mail at dlatinovic@cityofevanston.org.

The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing
mobility or communications access assistance should contact the Community Development Department 48 hours in advance
of the scheduled meeting so that accommodations can be made at 847-448-8683 (Voice) or 847-448-8064 (TTY).
MEETING MINUTES
PLAN COMMISSION
Wednesday, August 13, 2014
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Jim Ford, Terri Dubin, Carol Goddard, Lenny Asaro, Richard Shure, Colby Lewis

Members Absent: Kwesi Steele, Andrew Pigozzi,

Associate Members Present: Seth Freeman, Stuart Opdycke,

Associate Members Absent: David Galloway

Staff Present: Damir Latinovic, Neighborhood and Land Use Planner
Lorrie Pearson, Planning and Zoning Administrator
Mario Treto, Assistant City Attorney

Presiding Member: Scott Peters, Chairman

A. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:00 P.M and explained the general meeting procedure, schedule, agenda items, time limits on public testimony and opportunities for cross examination of witnesses. Chairman Peters concluded the opening statement by saying that the Plan Commission forwards a recommendation to the City Council which makes the final determination on any matters discussed by the Plan Commission.

B. NEW BUSINESS

TEXT AMENDMENT TO THE ZONING ORDINANCE

Section 6-15-14-10 Site Development Allowances in oCSC

Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, regarding Section 6-15-14-10 Site Development Allowances of the City Code for Central Street Corridor Overlay District.

Mr. Damir Latinovic, Neighborhood and Land Use Planner stated that Staff is recommending the case be continued to the next regularly scheduled Plan Commission meeting on September 10, 2014. Staff is requesting continuance of the case to meet and present the proposed text amendment to the Central Street Neighborhood Association first.

Commissioner Ford made a motion to continue the case to September 10, 2014.
Commissioner Lewis seconded the motion.

At this time John Walsh, president of the Central Street Neighborhood Association, stated the request to continue the case also stems from his conversation with Ald. Grover and based on Ald. Grover's discussion with Mr. Latinovic.

Commissioner Ford stated that staff should assure those who are interested in this case are notified of the next hearing date. Commissioner Opdycke added that a formal notification should be provided to the Central Street Neighborhood Association.

With no further discussion, a voice vote was taken and the motion was approved by voice call 7-0.

C. APPROVAL OF MEETING MINUTES: July 23, 2014

Commissioner Ford made a motion to approve the minutes with the following corrections:

He noted that on page one under Call to Order/Declaration of Quorum it should read that Chairman Peters “…read aloud recommended changes to the Plan Commission procedures. Commissioners were asked to send comments on these recommended changes to staff. Staff will bring revised procedures to the Commission for adoption at a future meeting.

Commissioner Dubin seconded the motion.

A voice vote was taken and the minutes were approved by voice call 7-0.

Chairman Peters stated that Staff will collect comments through end of next week. Comments received by Staff would be reviewed by the Rules Committee, which consists of Commissioner Asaro and himself, which will be noticed. The revised Rules and Procedures would then be reviewed by City’s legal counsel and then brought to the Plan Commission for review and approval. He noted that he expects this to take place by September 10.

Mr. Latinovic reminded everyone to submit comments directly to him. If comments are sent via email they should be submitted directly to him rather than to the whole Board to avoid violation of the Open Meetings Act.

Mr. Latinovic also reminded everyone about the APA-IL Conference to be held in Evanston Oct 1-3 and asked any member of the Commission interested in attending to let him know. He would register the Commissioners with cost of attendance for the Oct. 2 Plan Commission track covered by the City.

D. ADJOURNMENT

There being no further discussion, Commissioner Shure made a motion to adjourn the meeting. Commissioner Goddard seconded the motion.

A voice vote was taken and the motion was approved by voice call 7-0.
The meeting was adjourned at 7:12 pm.

Respectfully Submitted,
Damir Latinovic
Neighborhood and Land Use Planner
Community Development Department
PLAN COMMISSION

CASE # 13PLND-0102

Zoning Ordinance Text Amendment

Site Development Allowances
in
oCSC District
To: Chair and Members of the Plan Commission

From: Mark Muenzer, Community Development Director
Lorrie Pearson, Planning and Zoning Administrator
Damir Latinovic, Neighborhood and Land Use Planner

Subject: Zoning Ordinance Text Amendment
Section 6-15-14-10 Site Development Allowances in oCSC Central Street Overlay District - 14PLND-0102

Date: September 4, 2014

Request

At its August 13, 2014 meeting, the Plan Commission continued the case, Zoning Ordinance Text Amendment regarding Section 6-15-14-10 Site Development Allowances in oCSC to September 10, 2014 Plan Commission meeting. Staff requested the continuance to present the proposed text amendment to the Central Street Neighbors Association before the case is presented to the Plan Commission.

On August 26, 2014, City staff met with representatives of the Central Street Neighbors Association, the representatives for the proposed Planned Development at 1620 Central Street, Ald. Mark Tendam, 6th Ward Alderman and Ald. Jane Grover, 7th Ward Alderman to discuss the proposed text amendment. Based on the discussion at the meeting, staff is investigating possible modifications to the proposed text amendment. The results of the research will again be presented to the same group before the proposal is presented to the Plan Commission.

As a result, staff recommends Plan Commission continue the case, Zoning Ordinance Text Amendment regarding Section 6-15-14-10 Site Development Allowances in oCSC to November 12, 2014.
PLAN COMMISSION

CASE # 13PLND-0045

Zoning Ordinance Text Amendment

Office and Financial Institution Uses in
B1 and B2 Districts
Plan Commission

CASE # 14PLND-0106

Zoning Ordinance Text Amendment

Daycare Center - Child and Daycare Center - Adult in C1 and C2 Districts
Memorandum

To: Chair and Members of the Plan Commission

From: Mark Muenzer, Community Development Director
Lorrie Pearson, Planning and Zoning Administrator
Damir Latinovic, Neighborhood and Land Use Planner

Subject: Zoning Ordinance Text Amendment
Daycare Center – Child & Daycare Center – Adult in C1 and C2 Districts
14PLND-0106

Date: September 4, 2014

Request
Staff recommends adding Daycare Center – Child and Daycare Center – Adult as Special Use in C1- and C2- Commercial Districts.

Notice
The Application has been filed in conformance with applicable procedural and public notice requirements.

Analysis
On June 23, 2014 staff received an application for a daycare center for children to be located at 1909-1911 Howard Street. The property, commonly known as 1909-1911 Howard Street, is zoned C1-Commercial. Daycare centers for children are not currently allowed as Permitted or Special Uses in the C1 District.

Upon further investigation, staff found that a Daycare Center – Child is allowed as a Special Use in the C1a District but not in C1 and C2 Districts. The same is the case for Daycare Center – Adult, which is allowed as a Special Use in the C1a District but not in C1 and C2 Districts. In fact, Daycare Center – Child and Daycare Center – Adult are allowed in the same manner either as Permitted Use or Special Use across all zoning districts, except in the D2-Downtown Transition District where the Daycare Center – Child is allowed as a Special Use but Daycare Center – Adult is not permitted at all.

The table below summarizes the existing and proposed zoning regulations for Daycare Centers- Child and Daycare Center - Adult:
<table>
<thead>
<tr>
<th>Daycare Center – Child</th>
<th>Current Regulations</th>
<th>Proposed Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Use in:</strong> RP</td>
<td><strong>Special Use in:</strong> R1, R2, R3, R4, R4a, R5, R6, C1a, B1, B1a, B2, B3, D1, D2, D3, D4, O1, T2, U1, U1a, oH</td>
<td>Special Use: in C1 and C2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Daycare Center - Adult</th>
<th>Current Regulations</th>
<th>Proposed Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Use in:</strong> RP</td>
<td><strong>Special Use:</strong> R1, R2, R3, R4, R4a, R5, R6, C1a, B1, B1a, B2, B3, D1, D3, D4, O1, T2, U1, U1a, oH</td>
<td>Special Use: in C1 and C2</td>
</tr>
</tbody>
</table>

Both uses are not permitted in all M, all I, U2, U3 and T1 districts. Daycare Center – Adult is not allowed in the D2 District.

Additionally, all Daycare Centers – Child are subject to the general requirements of Section 6-4-2 “Child Day Care Homes”, while all Daycare Centers – Adult are subject to the general requirements of Section 6-4-3. Both sections require that all daycare centers apply for and obtain a license from the City Department of Health and Human Services. Staff’s proposal to allow Daycare Centers – Child and Daycare Centers – Adult as Special Use in C1 and C2 Districts will also include the same requirement that the uses must comply with Sections 6-4-2 or 6-4-3 respectively.

Per the Zoning Ordinance, the C1-Commercial District is intended to provide appropriate locations for contemporary shopping developments. Uses such as commercial strips and shopping centers characterized by large parking areas and multiple tenants are encouraged. Dempster/Dodge shopping area and Target/Best Buy shopping center on Howard Street are typical examples of C1 districts, but smaller C1 districts are found throughout the City.

The C2-Commercial District is intended to provide suitable locations for general business and commercial activities including automobile vehicle sales and services and other similar establishments that due to their nature may have larger impacts on surrounding properties. As a result, C2 areas are concentrated along railroad lines or heavily travelled commercial arterial roadways such as Green Bay Road north of Central Street.

There is only one C1a-Commercial District in the City located along Chicago Avenue between South Boulevard and Lee Street. The intent of the C1a district is to allow development of multiple family residential buildings or mixed use buildings consisting of retail and office uses on the ground level and office uses and/or residential dwellings located above. Higher FAR and height allowances are permitted within the C1a district.

Based on the locations of the commercial districts and the typical layout and operation of daycare centers (child or adult), staff believes C1 and C2 districts are equally suitable if not more appropriate to accommodate daycare centers when compared to the C1a district. Due to the nature of the business operation, adequate parking and pick-up/drop-off areas are very important for daycare centers. Properties and shopping centers in C1 and C2 Districts along busy arterials typically do have large parking areas where drop-
off areas can be designed or parking spaces can be devoted to short term pick-up/drop-off use. Those properties also tend to be larger and may accommodate outside play areas for children.

Allowing daycare centers for children or adults in all commercial districts will increase the amount of commercial space eligible for such uses. This is particularly important considering that Evanston is a popular destination for young families and millennials. It is also important to recognize the need for adult daycare centers will increase with the aging baby boomer population.

It is worth noting that both C1 and C2 districts allow Daycare center – Domestic animal (such as doggy daycare facilities) as a Special Use, but do not allow daycare centers for children or adults. It is fair to assume that a daycare center for children or adults would likely cause less negative impact to the surrounding uses than a use such as doggy daycare.

Standards of Approval
The proposed Zoning Ordinance Text Amendment to allow Daycare Centers – Child and Daycare Centers – Adult as Special Uses in C1 and C2 Districts meets the standards for approval of amendments outlined in Section 6-3-4-5 of the City Code. The proposal is consistent with the Comprehensive General Plan. The proposal will increase the number of potential commercial properties where daycare centers for children or adults could locate which is consistent with the goal of the Plan to maintain a diverse range of businesses and commercial areas. Daycare centers for children or adults are compatible with other uses and businesses typically found within shopping centers along busy arterials where C1 and C2 districts are located.

The proposal will not have a negative effect on property values in C1 and C2 districts. In fact, the proposed text amendment increases the number of potential businesses that could locate in C1 and C2 areas which may result in lower vacancy rates and have a positive effect on property values in their immediate vicinities. By allowing the uses as Special Use, any application for a daycare center must be reviewed by the Plan Commission and is approved by the City Council whereby staff assures adequate public facilities and services exist for the proposed use.

Recommendation
Based on the analysis above, staff believes the proposed text amendment to allow Daycare Center – Child and Daycare Center – Adult as Special Uses in C1 and C2 districts is appropriate and meets the standards of approval. Staff recommends the Plan Commission make a positive recommendation to the City Council regarding the proposed Zoning Ordinance Text Amendment.

Attachments
Ordinance 110-O-14
Map of C1, C1a and C2 Commercial Districts
Section 6-4-2 Child Daycare Homes
Section 6-4-3 Adult Daycare Homes
110-O-14

AN ORDINANCE

Amending Portions of the Zoning Ordinance
to Include “Daycare Center–Child” and “Daycare Center–Adult” as
Special Uses in the C1 and C2 Commercial Districts

WHEREAS, on September 10, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0106 to consider various amendments to the text of Title 6 of the Evanston City Code of 2012, as amended (the “Zoning Ordinance”), relating to the addition of the Special Uses known as “Daycare Center–Child” and “Daycare Center–Adult” to the C1 and C2 Commercial Districts; and

WHEREAS, the Plan Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 13, 2014, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 14PLND-0106 and recommended City Council approval thereof; and

WHEREAS, at its meetings of October 13, 2014 and October 27, 2014, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Subsection 6-10-2-3 of the Zoning Ordinance, “Special Uses” in the C1 District, is hereby amended to include “Daycare Center–Child (subject to the general requirements of Section 6-4-2 of this Title)” and “Daycare Center–Adult (subject to the general requirements of Section 6-4-3 of this Title).”

SECTION 3: Subsection 6-10-4-3 of the Zoning Ordinance, “Special Uses” in the C2 District, is hereby amended to include “Daycare Center–Child (subject to the general requirements of Section 6-4-2 of this Title)” and “Daycare Center–Adult (subject to the general requirements of Section 6-4-3 of this Title).”

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.
SECTION 7: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced:___________________, 2014
Adopted:___________________, 2014
Approved:___________________, 2014

_______________________________
Elizabeth B. Tisdahl, Mayor

Attest:
Approved as to form:

_______________________________
Rodney Greene, City Clerk

_______________________________
W. Grant Farrar, Corporation Counsel
Commercial Zoning Districts C1, C1a and C2
6-4-2. CHILD DAYCARE HOMES. 

6-4-2-1. DISTRICTS AUTHORIZED. 

A child daycare home shall be a permitted use in all residential districts.

(Order 43-0-83)

6-4-2-2. ACCESSORY USE STATUS. 

Such child daycare homes shall be accessory uses to dwelling structures, churches, and schools.

(Order 43-0-83)

6-4-2-3. LICENSE APPLICATION. 

Applications for a license to operate a child daycare home shall be made to, and permits issued by, the City department of health and human services.

(Order 43-0-83)

6-4-2-4. APPEALS. 

Appeals from a decision made by the department of health and human services to suspend, revoke, or refuse to issue a permit for a child daycare home shall be made to the City Manager or his designee. The decision of the City Manager shall be final.

(Order 43-0-83)
6-4-3. ADULT DAYCARE HOMES.

6-4-3-1. DISTRICTS AUTHORIZED: An adult daycare home shall be a permitted use in all residential districts.

(Ord. 43-3-93)

6-4-3-2. ACCESSORY USE STATUS. Such adult daycare homes shall be accessory uses to dwelling structures and churches.

(Ord. 43-0-93)

6-4-3-3. LICENSE APPLICATION. Applications for a license to operate an adult daycare home shall be made to, and permits issued by, the City department of health and human services.

(Ord. 43-0-93)

6-4-3-4. APPEALS. Appeals from a decision made by the department of health and human services to suspend, revoke, or refuse to issue a permit for an adult daycare home shall be made to the City Manager or his designee. The decision of the City Manager shall be final.

(Ord. 43-0-93)