



## Legislation Details (With Text)

**File #:** 20-1385B      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/19/2020      **In control:** City Council  
**On agenda:** 12/1/2020      **Final action:** 12/1/2020  
**Title:** Waive the first reading and pass the ordinance amending Section 6-7E-3 to allow daycare centers, preschools, primary schools, and secondary schools as conditional uses in the B5 (Secondary Downtown) zoning district (PZC 20-1-106) (requires 6 positive votes)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Amendment Initiation Request

Date	Ver.	Action By	Action	Result
12/1/2020	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Waive the first reading and pass the ordinance amending Section 6-7E-3 to allow daycare centers, preschools, primary schools, and secondary schools as conditional uses in the B5 (Secondary Downtown) zoning district (PZC 20-1-106) (requires 6 positive votes)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered the subject B5 text amendment on November 18, 2020 and unanimously voted to recommend approval (8-0). Staff concurs.

**BACKGROUND:**

A development petition has been submitted by Quattro Twenty Four North Washington, LLC for a Montessori school to be located at 24 N. Washington Street in the B5 (Secondary Downtown) zoning district. In conjunction with this development request, the petitioner requested that a text amendment to Section 6-7E-3 be processed to allow daycare centers, preschools, and primary schools with playground facilities and other supporting uses to be permitted as conditional uses in the B5 zoning district. The PZC concurred with this request and initiated the text amendment on October 21, 2020. The PZC then considered the proposed amendment on November 18, 2020 and voted to recommend approval of the amendment (approved 8-0).

**DISCUSSION:**

The intent of the B5 zoning district is to accommodate activities which may be incompatible with the predominant retail uses permitted in the B4 district, but are required to service the downtown as well

as provide a transition to outlying residential areas. The B5 district accommodates a mix of office, service, and multi-family residential uses in a pedestrian-oriented environment with sufficient parking provided to accommodate permitted uses. Currently permitted uses include commercial services such as banks, beauty shops/salons, dry cleaning, and photography studios. Other permitted uses include offices, parks, and townhomes/multi-family developments. Conditional uses include retail, specialty food services, parking lots, hotels, and others.

The proposed text amendment seeks to modify existing Code allowances to permit daycare centers, preschools, primary schools and their supporting uses as conditional uses in the B5 zoning district. Staff is supportive of the amendment and finds the proposed uses to be an appropriate transition between the downtown core and surrounding neighborhoods. By requiring that sufficient parking be provided onsite, staff also notes that traffic and circulation impacts to the surrounding area should be minimal and that these uses may be a desirable use for both nearby residences and business establishments.

Furthermore, [Section 6-7E-4 \(Required Conditions\)](#)

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identifies required conditions for all conditional uses in the B5 zoning district (*in addition to the conditional use standards noted in Section 6-3-8:2*), stating that support for a conditional use in the B5 district must be predicated on evidence that:

1. The establishment of the conditional use will help to achieve the land use recommendations provided in *Naperville Downtown 2030*.
  - *The Downtown 2030 plan identifies the secondary downtown as office, service, and residential uses developed in a manner less intense than the downtown core, consistent with the zoning code's definition of the B5 zoning district. Downtown 2030 also recommends that community centers, cultural centers, and civic uses be conditional uses in the Secondary Downtown. Staff believes that preschools, daycare centers, and primary schools are compatible with Downtown 2030 recommendations and have comparable development and traffic patterns due to the programming community and cultural centers offer.*
2. The establishment of the conditional use is appropriate given the existing uses and improvements surrounding the subject property.

Staff finds the B5 district's existing Required Conditions to be an appropriate way of further ensuring that any daycare centers, preschools, and primary schools proposed in the B5 district be compatible with surrounding properties. Conditional uses are reviewed on a case-by-case basis and each development proposed will be reviewed for its appropriateness within its own surrounding context.

The draft ordinance reflecting the above changes is attached. The proposed code language is underlined; the deleted language is ~~stricken~~.

### ***Planning & Zoning Commission Action***

The PZC considered this matter at their meeting on November 18, 2020. One member of the public noted support for the proposed amendment. After limited discussion, the PZC closed the public hearing and voted to recommend approval of the B5 Text Amendment as proposed (approved 8-0). Staff concurs with the recommendation.

***Recommendation to Waive the First Reading***

Staff is recommending that the City Council waive the first reading and pass the ordinance (note: waiving the first reading requires 6 positive votes). This request is being made because the proposed amendment is not extensive and was unanimously supported by the PZC and staff.

***Related Files***

N/A