

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: November 26, 2024

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Map Amendment and Special Use Permit for Child Care Center at 18341 Dixie Highway



PURPOSE



The applicant, Wilnetta Robinson of “On Cloud Nine Child Care Center”, wishes to operate a child care center at 18341 Dixie Highway. The property is currently in the R-2 single-family residence district. Childcare centers are not permitted in the R-2 district. Homewood’s zoning ordinance currently allows child care centers as a special use only in the B-3 General Business district. This property is not adjacent to the B-3 district and could not be re-zoned into that district.

The following approvals are required to allow a childcare center at this location:

1. A zoning map amendment from the R-2 Single Family Residence district to the B-2 Downtown Transition district.
2. A special use permit to operate a childcare center at the subject property at 18341 Dixie Highway.

PROCESS

The building at 18341 Dixie Highway was constructed in 1972. On August 28, 1990, the Village Board approved a special use permit allowing a child care center at the subject property. This child care center (Homewood Children’s Center) operated until 2014. The building was used intermittently for child care services and events under the same business ownership until 2020. The building has been fully vacant since March 2020.

Per Section 44-07-11 of the Homewood Zoning Ordinance, special use permits automatically expire after the use has been discontinued for one year or longer. The use at the subject property has been discontinued for more than four years, therefore the previously approved special use permit is no longer in effect. Ms. Robinson has applied for a special use permit to operate the child care center at 18341 Dixie Highway.

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On November 21, 2024, the Planning and Zoning Commission considered the requests in a public hearing. All commission members were present and voted unanimously (7 to 0) to recommend approval.

OUTCOME

At the public hearing, the Planning and Zoning Commission reviewed the application, heard testimony from the applicant, and considered the applicant's response to the Standards outlined in Section 44-06-03 of the Homewood Zoning Ordinance.

Staff has prepared the *draft* findings of fact following the standards outlined in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications.

1. The subject property is a 0.48-acre site comprised of five parcels located at 18341 Dixie Highway, at the southeast corner of Dixie Highway and Evergreen Drive.
2. The subject property is owned by Geoffrey A. Gendels and Suzanne Gendels.
3. The subject property is located within the R-2 Single-Family Residence zoning district.
4. The subject property was used as a child care center, allowed via approval of a special use permit, from 1990 to 2020. The property has been vacant since 2020.
5. The current zoning designation does not allow child care centers.
6. The applicant has proposed a map amendment to change the zoning designation of the property from the R-2 district to the B-2 Downtown Transition zoning district.
7. Child care centers are proposed as a special use in a text amendment initiated by Village staff. With the text amendment, child care centers are allowed as a special use in the B-2 Downtown Transition district.
8. The proposed child care center meets all applicable standards in the proposed zoning district (B-2 Downtown Transition).
9. The proposed child care center will operate within the existing commercial building, which is adequately served by utilities, access, and on-site parking.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance approving a map amendment for the property at 18341 Dixie Highway from the R-2 Single-Family Residence zoning district to the B-2 Downtown Transition zoning district,

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and allowing a child care center as a special use permit at 18341 Dixie Highway, subject to the following conditions:

- a. The applicant must provide a revised site drawing restriping the parking lot for 16 parking spaces in the rear before the issuance of a business license or any building permit associated with the proposed use; and
- b. The applicant must provide one (1) ADA-accessible handicap space on the site before issuance of a business license or any building permit associated with the proposed use.

ATTACHMENT(S)

- Map Amendment Ordinance
- Special Use Ordinance