

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS  
FINDINGS OF FACT AND RECOMMENDATION REGARDING  
APPLICATION FOR A SPECIAL USE FOR A CHILD DAYCARE CENTER IN THE C-3  
COMMERCIAL DISTRICT—7777 LAKE STREET**

**WHEREAS**, petitioner Mosaic Montessori Academy (“Petitioner”), currently the operator of a Child Daycare Center at 7970 Lake Street, and proposed operator of a Child Daycare Center located at 7777 Lake Street in the Village of River Forest (“Property”), applied for a Special Use Permit as provided by Chapter 18 (“Special Use Permits”) of Title 10 of the Code of Ordinances of the Village of River Forest (“Zoning Ordinance”), to allow the operation of a Child Daycare Center in the C-3 Commercial District at 7777 Lake Street; and

**WHEREAS**, the Village of River Forest Zoning Board of Appeals (“ZBA”) held a public hearing on the question of whether the requested Special Use should be granted on May 9, 2024, and the hearing was held in accordance with Section 10-18-4(B) of the Zoning Ordinance. At the public hearing, all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the Board; and

**WHEREAS**, public notice in the form required by law was given of the public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was mailed to surrounding property owners; and

**WHEREAS**, seven (7) members of the Board were present for the public hearing, which constituted a quorum of the entire Board that is required to convene a meeting of the Board, and allow for the public hearing to proceed; and

**WHEREAS**, after the Petitioner’s presentation and close of public comment, the Board discussed and deliberated the application for this Special Use; and

**WHEREAS**, at the public hearing on May 9, 2024, following discussion, the Board, having considered the criteria set forth in Section 10-18-3 of the Zoning Ordinance, voted four (4) to three (3) against recommending approval of the Special Use;

**NOW, THEREFORE**, the Board makes the following findings of fact and recommendations pursuant to Section 10-18-4(B)(5) of the Zoning Ordinance:

**FINDINGS OF FACT**

- A. **The proposed use or combination of uses is consistent with the goals and policies of the comprehensive plan.**

The Property is located in the C-3 Zoning District. Overall, the Project is consistent with the goals and objectives of the Comprehensive Plan. Specifically, the ZBA finds that the Special Use is consistent with the Comprehensive Plan’s desire that the central commercial district provide

services to meet the daily living needs of residents and to be a draw from neighboring communities; although some ZBA members expressed concern about the use being non-commercial. The ZBA finds that this standard has been met.

- B. The establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the Village.**

Testimony at the Hearing from the Petitioner was that the Special Use would not result in any condition that would be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of residents in the Village. However, Village Staff presented memoranda from the Chiefs of both the River Forest Police Department and the River Forest Fire Department that expressed concern about the impact of traffic and parking from the proposed facility on emergency operations. The ZBA finds that this standard has not been met.

- C. The proposed use or combination of uses will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this Zoning Title.**

The presentation from the Petitioner established that the Special Use would not diminish the use or enjoyment of properties in its vicinity. No evidence was presented to the contrary. For these reasons, the ZBA finds that this standard has been met.

- D. The establishment of the proposed use or combination of uses will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district.**

The proposed Special Use is consistent with other improvements and uses in the C-3 Commercial Zoning District. The Special Use would not impede the development or improvement of surrounding properties. Based on this evidence, the ZBA finds that this standard has been met.

- E. The proposed use or combination of uses will not diminish property values in the vicinity.**

Evidence presented by the Petitioner suggested that there would be no diminishment of property values in the vicinity of the Special Use, and no testimony or evidence to the contrary was presented to the ZBA. For this reason, the ZBA finds that this standard has been met.

- F. Adequate measures already exist or will be taken to provide ingress and egress to the proposed use or combination of uses in a manner that minimizes traffic congestion in the public streets.**

The Petitioner failed to establish or suggest an adequate plan that would address traffic congestion, especially during peak drop-off and pick-up times. The memoranda presented by

the police and fire departments highlighted those concerns. The ZBA finds that this standard has not been met.

**G. The proposed use or combination of uses will be consistent with the character of the Village.**

The Special Use is consistent with the character of the Village, and the Village's desire for improvements and investment in community services. Based on the evidence presented, the ZBA finds that this standard has been met.

**H. Development of the proposed use or combination of uses will not materially affect a known historical or cultural resource.**

There are no historic or cultural resources affected by the Special Use. Based on the evidence presented, the ZBA finds that this standard has been met.

**I. The design of the proposed use or combination of uses considers the relationship of the proposed use or combination of uses to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use or combination of uses on adjacent property.**

The Petitioner presented evidence that the proposed Special Use was needed in the area and would occupy a currently vacant space. No evidence to the contrary was presented. Based on the evidence presented, the ZBA finds that this standard has been met.

**J. The design of the proposed use or combination of uses promotes a safe and comfortable pedestrian environment.**

The input from the River Forest Police Department and River Forest Fire Department specifically cited the risks of pedestrian-involved accidents created by the main-thoroughfare drop-off and pick-up design of the Special Use. Based on the evidence presented, the ZBA finds that this standard has not been met.

**K. The proposed use has included adequate consideration consistent with these standards for buffers, landscaping, fencing, lighting, building materials, public open space, and other improvements associated with the proposed use.**

Evidence presented in the Application demonstrates no apparent adverse impacts on buffers, landscaping, public open space, and other improvements associated with the Application. Based on the evidence presented, the ZBA finds that this standard has been met.

**L. The off-site impacts of the proposed use such as vehicular traffic, noise, hours of operation, etc., have been shown to be compatible with the surrounding area.**

The Special Use is a use that may be particularly exacerbated by a closely neighboring school, that will produce stress on the ingress/egress of the property and surrounding streets during the

same time periods that the proposed Special Use would be utilizing them. ZBA members expressed concern that there was not adequate planning regarding parking or drop-off and pick-up. Based on the evidence presented, the ZBA finds that this standard has not been met.

### RECOMMENDATION

The Board, by a vote of four (4) to three (3) found that the standards for granting of the Special Use were not met. Therefore, the Board recommends to the Village President and Board of Trustees that the Special Use to operate a Child Care Center in the C-3 Commercial District at 7777 Lake Street be **DENIED**.

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Frank Martin  
Chairman

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Date

