

TO: Sycamore Plan Commission

FROM: Bill Nicklas
City Manager

DATE: April 8, 2009

RE: April 13, 2009 Plan Commission Meeting

The Plan Commission has two action items.

I. Action Items

A. Consideration of a Petition from the City of Sycamore to Annex Property Owned by Jerome Johnson at 401 N. Main Street and to Rezone the Property to “C-3,” Highway Business District.

Consideration of this petition has been continued since the December Plan Commission meeting. Since that time, the parties have discussed the prospect of a subdivision of the Johnson parcel to provide for commercial zoning along the N. Main Street frontage and M-1 zoning on the western portion of the parcel. Generally speaking, the multiple zoning is mutually agreeable to both parties.

The review of drafts of zoning and annexation plats by both parties in early March revealed an odd angle at the southwest corner of the Johnson property that represented a portion of street right-of-way that was purchased many years ago to provide for a reverse curve that would remedy the odd configuration of the intersection at W. Page Street and N. Maple Street. It is possible for the City to vacate a portion of that slice to offer more usable land in the “M-1”-zoned area, while maintaining sufficient right-of-way to construct a realigned street in the future, and the City staff have been willing to support this prospect. However, the parties are not in agreement about the limits of such a vacation. At a meeting between the parties on April 7, it was agreed that the City’s contractual engineer, John Brady, would consult with a civil engineer working with Mr. Johnson, to see if the differences could be resolved.

A further and final continuance of this matter until the May 11 Plan Commission meeting is recommended.

B. Consideration of a Petition from Rick and Gloria Kramer to Revise Table 5.3.1 of the Unified Development Ordinance to Allow Tattoo Parlors by Special Use Within the “C-2” Central Business District and “C-3” Highway Business Districts in the City of Sycamore, Illinois.

At the last regular Plan Commission meeting of March 9, the Commission considered the petition of the Kramers who wish to open a tattoo parlor in the City of Sycamore’s downtown business district. Table 5.3.1 of the City’s Unified Development Ordinance (UDO) does not identify tattoo parlors as an allowable use in any City zoning district. The Kramers are petitioning the Commission to revise the UDO table so tattoo parlors could be a special use in either the “C-2” Central Business District or the “C-3” Highway Business districts within the corporate limits.

As reported at the March meeting, in the public reviews and hearings leading up to the adoption of the 2008 Comprehensive Plan, no one appeared before the Commission or the Council to press for such a use, and no one argued that Sycamore’s quality of life was diminished by their absence. The Kramers present themselves as serious business people and are residents of a Sycamore neighborhood where they are known as good and responsible neighbors. However, the Kramers admit that tattoo parlors have earned a stigma in our culture that they must battle every day. That stigma rests largely on a lack of information, and anxieties about health and safety arising from anecdotes and stories about other practitioners. In his testimony before the Commission, Mr. Kramer noted that he had been involved in the drafting of related guidelines for “best practices” in the field of body art. Mr. Kramer volunteered to work with the City staff to draft local guidelines. In light of this worthwhile suggestion, the Commission continued further consideration of the Kramer petition until the April meeting.

The Kramers and City Attorney Kevin Buick have drafted a detailed set of guidelines that have been reviewed and supported by the city manager. A copy of those guidelines is attached. The guidelines, if approved, would become a part of the business licensing provisions of the Sycamore City Code. As the Commission will see, the proposed regulations address the health and safety concerns in detail, and require the ongoing licensing and inspection of such uses. These regulations would be put before the City Council for review if the Commission and the Council approve the amendment of the UDO to permit tattoo parlors or body art establishments in any of the City’s zoning districts.

The questions before the Plan Commission at this time are as follows:

1. Shall tattoo parlors or body art establishments be allowed, by special use permit, in the “C-2” Central Business District? If the majority of the Commission answer “yes,” then the Commission should recommend the appropriate amendment to Table 5.3.1 of the UDO.
2. Shall tattoo parlors or body art establishments be allowed, by special use permit, in “C-3” Highway Business Districts? If the majority of the Commission answer “yes,” then the Commission should recommend the appropriate amendment to Table 5.3.1 of the UDO.

Plan Commission direction is requested. If the Council approves a revision of Table 5.3.1 of the UDO to allow, by special use permit, tattoo or body art establishments then the Kramers would be in a position to file a special use permit application for such a use.