MEETING MINUTES
PLAN COMMISSION
Wednesday, March 14, 2012
10 minutes following the adjournment of the Joint Meeting of the Plan Commission and Zoning Board of Appeals (Joint Meeting begins at 7:00 P.M.)
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Jim Ford, Richard Shure, Seth Freeman, Kwesi Steele, Barbara Putta, David Galloway, Lenny Asaro Stuart Opdycke (Associate)

Members Absent: Patricia Ledesma

Staff Present: Craig Sklenar, Ken Cox, Melissa Klotz, Dennis Marino

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

With a quorum present, Chairman Peters called the meeting to order at 9:20 P.M.

2. APPROVAL OF FEBRUARY 08 and FEBRUARY 15, 2012 MEETING MINUTES

Commissioner Ford motioned for approval of the February 08, 2012 meeting minutes

Commissioner Shure Seconded the motion.

A voice vote was taken and the minutes were approved as written.

Commissioner Galloway motioned for approval of the February 15, 2012 meeting minutes

Commissioner Shure Seconded the motion.

A voice vote was taken and the minutes were approved as written.

3. ZONING TEXT AMENDMENT

Amendment of the Zoning Code Section 6-15-14-6 Table 2, to remove “Drive-through facility” from the list of prohibited uses in Subarea 6 of the Central Street Overlay District.

ZONING MAP AMENDMENT

A petition by Edgemark Development LLC, on behalf of JP Morgan Chase Bank, contract purchaser of the subject property, to amend the Zoning Ordinance by requesting the City Council to remove two parcels from the R2 Single Family Residential Zone and place them within the B1a Business zoning district for the purpose of commercial/retail use.

Craig Sklenar, General Planner, informed the applicant, Edgemark Development LLC, had written a request for a continuance concerning Agenda Item 3. They have requested a continuance to the April 11, 2012 meeting of the Plan Commission.
Commissioner Ford motioned to continue the matter to the April 11, 2012 meeting of the Plan Commission.

Commissioner Shure Seconded the Motion.

A voice vote was taken and the motion passed unanimously.

4. **ZONING TEXT AMENDMENT**

   11PLND-0026

   A consideration to amend portions of 6-4-7 “Bed and Breakfast Establishments” of the Zoning Ordinance of the Municipal Code, as proposed by the Bed and Breakfast Subcommittee of the Plan Commission.

Craig Sklenar, General Planner, provided an overview of the proposed zoning text amendment as it pertains to Bed and Breakfasts in the Zoning Ordinance. The current text presented represents changes made at the February 15, 2012 meeting of the Plan Commission.

Alderman Judy Fiske spoke before the Plan Commission. She urged the Plan Commission to provide a distance requirement of 900’ radius between each individual Bed and Breakfasts to help prevent clustering of B&B in a particular neighborhood.

David Reynolds, resident at 204 Davis Street reiterated that a distance requirement would alleviate potential clustering that is showing evidence of potentially happening in his neighborhood. Mr. Reynolds also recommended that the Plan Commission re-examine Part K of the proposed ordinance that defines Owner-occupant-operator.

Plan Commissioners deliberated concerning the distance requirements and all commissioners felt that the City Council who is the determining body for all special uses will have the discretion to determined whether a special use application before the Council is in fact negative concerning cumulative effect when considered on a case-by-case basis.

Commissioner Galloway motioned to not add any distance requirements to the Bed and Breakfast regulations.

Commissioner Ford Seconded the Motion.

A voice vote was take and the motion passes unanimously.

Commissioner Putta motioned to revise Item K to read as follows:

Any Bed and Breakfast Establishment shall be operated by an owner(s) who resides therein, as his/her/their primary residence.

Commissioner Ford Seconded the Motion.

A voice vote was taken – the motion passes unanimously.

Commissioner Ford motioned to continue the matter to the March 21, 2012 meeting of the Plan Commission to begin at 7:00PM.
Commissioner Shure Seconded the Motion.

A voice vote was taken – the matter will continue at the March 21, 2012 meeting of the Plan Commission.

5. ZONING TEXT AMENDMENT

   Consideration of the proposed zoning text amendment to Home Occupations as defined in Section 6-5-1 of the Zoning Ordinance.

Commissioner Ford Motioned to continue Agenda Item 5 to the March 21, 2012 Plan Commission meeting due to a lack of time at the March 14, 2012 meeting.

Commissioner Shure Seconded the Motion.

A voice vote was taken and the motion passes unanimously.

This item will be heard at the March 21, 2012 meeting of the Plan Commission.

6. ZONING TEXT AMENDMENT

   Consideration of the proposed zoning text amendment to the Zoning Ordinance defining Payday Loan Establishments and other similar establishments.

Commissioner Peters opened discussion concerning the proposed text amendment that defined Payday Loan Establishments, and allows such establishments in C2 Commercial Districts only as a special use.

Commissioner Opdycke and Shure asked why we cannot just ban such institutions outright.

City staff responded that Payday Loan Establishments are not defined currently in the Zoning Ordinance and currently are defined with lending institutions that are allowed in multiple zones. Defining the use and allowed zones is required to ensure constitutionality of restrictions as well.

Commissioner Shure wanted to know if Tax Preparers who offer refunds in advance of the actual return would be considered a Payday Loan Establishment.

Staff said that since the primary use is of tax preparations and that the refund is an advance rather than an actual loan that these types of institutions would not be considered a Payday Loan Establishment.

Commissioner Ford Motioned to recommend to the City Council the proposed text amendment establishing a definition of Payday Loan Establishments and the proposed recommendation to allow only in the C2 Commercial Districts as a Special Use.

Commissioner Galloway Seconded the Motion.

Yea: 5
Ney: 1 (Commissioner Steele opposed the motion)
Commissioner Steele would like Council to consider expanding the Special Use in B1 and B1 Business Districts in Evanston as well.

7. PLAN COMMISSION WORK PLAN

Due to time constraints this agenda item was tabled and will be addressed at the March 21, 2012 meeting of the Plan Commission.

8. COMMITTEE REPORTS

No Reports

9. ADJOURNMENT

10. ADJOURNMENT

Commissioner Ford motioned for adjournment

Commissioner Galloway Seconded the motion.

Meeting Adjourned at 11:02 PM

The next meeting of the Plan Commission held on Wednesday, March 21, 2012 at 7:00 P.M., Evanston Civic Center, 2100 Ridge Avenue, Council Chambers.

Respectfully Submitted,
Craig D. Sklenar, AICP
General Planner, Community and Economic Development Department