

**Planning & Development Committee Meeting
Minutes of November 22, 2010
City Council Chambers – 7:00 p.m.**

(or 15 minutes after the Administration & Public Works (A&PW) meeting adjourns)
Lorraine H. Morton Civic Center

ALDERMEN PRESENT: (J. Fiske), D. Holmes, L. Jean-Baptiste, A. Rainey, D. Wilson,
M. Wynne

STAFF PRESENT: B. Dunkley, G. Farrar, M. Lyons, B. Newman

PRESIDING OFFICIAL: Ald. Rainey

DECLARATION OF QUORUM

A quorum being present, Chair Rainey called the meeting to order at 7:24 p.m.

APPROVAL OF THE OCTOBER 25, 2010 MEETING MINUTES

Ald. Wynne moved approval, seconded by Ald. Holmes.

The minutes of the October 25, 2010 meeting were approved unanimously, 5-0.

ITEMS FOR CONSIDERATION

Chair Rainey called the public who wished to speak up to the podium.

Reverend Mark Dennis said he was representing the interfaith community and other religious organizations. He asked that the Committee give more time for consideration of Ordinance 77-O-10. He explained that the religious community is not opposed to economic development and that they stand with the Committee to improve the quality of life but, he said these entities are sustainable, viable and make contributions to the economy and the quality of life. He said the religious institutions should not be narrowed down to the classification of just a non-tax paying entity because their members feed the poor and clothe them and do not ask for any concessions. They pay to park and they contribute to economic development before and after worship. He said the religious institutions do not make profits; they are called to a mission whereas businesses are motivated by profit. He said they can never despise small beginnings because everyone starts small.

He asked that the committee allow the religious institutions to partake in a conversation in which they can discuss the language in the ordinance and express the good that comes from both the profit and non-profit entities on Howard Street. He is concerned about the inference and implications in the language and it singles out houses of worship. He said the ordinance would forbid gathering of people for purpose of worship which he believes is an infringement on church and state.

Reverend Dennis further explained that they understand the intent and want to help.

Ms. Muffy McCauley thanked the Committee and said the west side of Evanston by Simpson which had been a major corridor of commerce before the decline of the economy has been taken up with houses of worship also. She said businesses are leaving because there is no viable foot traffic except at certain times of the week.

Ms. McCauley concluded that there can be “too much of a good thing”, that the City needs balance and that the west side is trying to reactivate the buildings for industrial use.

(P1) Ordinance 90-O-10 Granting a Special Use for an Adult Daycare Center at 524-526 Davis Street in the D4 Downtown Transition Zoning District

The Zoning Board of Appeals by a 4 to 2 vote recommends the adoption of ordinance 90-O-10, granting a special use permit for the operation of a daycare center - adult. Staff concurs with this recommendation.

Ald. Wilson moved approval, seconded by Ald. Wynne.

Ald. Fiske said she had a meeting of 1st ward residents who would be affected and they are asking the Committee to oppose the ordinance. She said she hopes the ground floor retail space will be filled with a restaurant or other tax generating business. The residents are also concerned about the drop-off and pick-up at the site which is in a congested area and though the owners have proposed to drop off and pick up in the rear she does not believe it will happen.

Mr. Elio Montenegro, representing Omega, the company that is proposing the “adult daycare center,” thanked Ald. Fiske for the opportunity to meet with the residents. He clarified that the program participants are capable of being out and about on their own, that they pay \$60 a day to be brought to and from the center to participate in activities geared toward promoting the health and well being of people 60 and over, such as bingo, arts and crafts and weekly field trips. He explained that it is more like a club or a community center. He said this site would be different from the Village of Lincolnwood site in that the neighborhood is full of restaurants and shops, so the participants would be free to go around the neighborhood during program hours and they would be contributing to the economic growth of the community by doing so. He said breakfast, lunch and a snack are catered each day and no food is prepared on the premises. He clarified that they do have health fairs and activities geared toward health, such as a nutritional nurse visit once a month, but they are not a healthcare organization. They may help participants by providing resources for legal assistance and other services seniors may need.

They provide financial assistance if needed, subsidized by the Illinois Department on Aging. He said 90% of their participants have called them to register, 50% of which are subsidized. They have never gone after a participant who has not paid. If they find that the participant is not paying, they will simply not pick him or her up. The application asks for basic information such as their current health status and whether they have particular dietary or other needs. There is no extensive personal data collected. Their

motive is to create an environment where senior citizens can be engaged and promote their health.

Mr. Montenegro explained that the main office of Omega is in Park Ridge and they have a center in Lincolnwood, which would be the model for the Evanston center. The Evanston site is approximately 3,000 square feet and they plan to serve an average of 18-22 participants per day. He said at Lincolnwood there are 2 to 3 staff people present during the activities: an activity director, a physical therapist and the driver.

Pick-up and drop-off would be done by 2 vehicles and he is working with the landlord of the building to make sure there is proper access for them to do so in the rear, as proposed.

Ald. Fiske said that during the community meeting Mr. Montenegro had said that the participants would have to be accompanied by a staff person if they were to leave the premises. Mr. Montenegro said he had meant that they could be accompanied if they wished.

Ald. Wynne said she appreciates the nature of this center but that this section of Davis is retail and commercial and she would hope for more retail to revive there. She does not believe this is the best location for the center.

Ald. Wynne amended the motion to oppose the decision of the ZBA and recommend denial of the special use, seconded by Ald. Wilson.

The Committee voted unanimously 5-0 to recommend denial of the special use.

Mr. Ted Mavrakis, landlord of the site argued that this property has been empty for 3 years and he just received his tax bill that was huge and that he would welcome another tenant. He said he has screened them, seen their place and checked them out. He said they had a party which was attended by Secretary of State Jesse White, who was praising their good work and how much it has done for the community. He said if the site stays empty for long enough, he may not be able to pay his taxes and the property could go into foreclosure. He said the time is not right where he has the ability to pick and choose who goes into the property and that the participants will become the customers for the restaurants.

Chair Rainey advised him that there would be a full discussion at the City Council meeting and welcomed him to come to the next meeting.

(P2) Ordinance 91-O-10 Granting a Special Use for a Type 2 Restaurant at 1307 ½ Chicago Avenue in the B1 Business Zoning District

The Zoning Board of Appeals and staff recommend the adoption of ordinance 91-O-10, granting a special use permit for the operation of a type 2 restaurant at 1307 ½ Chicago Avenue.

Ald. Wynne moved introduction noting that this is an appropriate use for this location, adding that the sooner it is leased, the better. The motion was seconded by Ald. Wilson.

The Committee voted unanimously 5-0 to recommend introduction of Ordinance 91-O-10 at City Council.

(P3) Ordinance 77-O-10, Amending Various Portions of the Zoning Ordinance Relating to Religious Institutions in the Business, Commercial, and Downtown Zoning Districts

The Plan Commission and staff recommend adoption of Ordinance 77-O-10, a text amendment to the zoning ordinance to change religious institutions from a permitted use to a special use where it so appears in the Business, Commercial, and Downtown zoning districts, and to remove religious institutions from the general exemption from the re-evaluation of off-street parking requirements for changes of use (Section 6-16-1-2) in those zoning districts. This ordinance was introduced at the October 25, 2010 City Council meeting. This ordinance was held at City Council meeting on November 8, 2010 and referred back to Planning and Development Committee for further discussion.

Ald. Wynne moved introduction, seconded by Ald. Wilson.

Chair Rainey said that on the tour she conducted on Tuesday, November 16th, of Howard Street, the lethargy and quiet of Howard Street was overwhelming. Several ministers accompanied the tour, as well as City staff.

Chair Rainey explained that a special use is not a punishment: it is a process to control the intensity of uses and does not deny any applicant. She said if an alderman is in favor of a special use, the Committee will support it. She explained that the Committee must consider the cumulative effect and that 7 religious institutions in a row have a negative cumulative effect when they are closed all day almost all week. She agreed with Ms. McCauley that there is a need for balance. She added that the Chicago side of Howard Street does not have as many.

Ald. Jean-Baptiste said it was great that so many participated in the tour. He explained that the response of the religious community was an attempt to allow them to participate in the process and voice their opinions, and that the City generally does allow participation in the process and the courtesy should be extended to them to allow them to be heard at another meeting. Chair Rainey agreed to hear their opinions and asked that they have their responses to her by Monday, November 29th so the item can be voted upon at the following P&D meeting.

When asked by Chair Rainey, Mr. Farrar confirmed that making religious institutions a special use is a legitimate use of council power.

Ald. Wilson pointed out that landlords are desperate for tenants and there is no commerce coming into the locations, hence the religious entities are tenants.

Mr. Bobkiewicz suggested that since there are 3 weeks before the next P&D meeting, staff coordinate a meeting at the end of the week of November 29th and present a summary of the discussion and research of best practices of other communities to the Committee at the December 13th P&D meeting.

Chair Rainey pointed out that she distributed a survey to the religious institutions and only one had responded so she knows little or nothing about them, nor has she ever had a constituent tell her he or she belongs to any of them.

Chair Rainey moved that the item be a special order of business on the December 13th agenda, seconded by Ald. Wilson.

The Committee voted unanimously 4-1 to recommend introduction of Ordinance 78-O-10 as a special order of business on the December 13th, 2010 P&D Agenda.

ITEMS FOR DISCUSSION

(PD1) Foreclosure Update

Chair Rainey inquired about the \$800,000 property mentioned in the report as having been sold for \$53,000, to which Mr. Marino replied that he would like to provide detail on the auction purchases where there is a great disparity in values for the next report. He said most of the properties are in the 8th ward and the 5th ward west of Green Bay Road. He explained that there is often a second lien, which is why the bank chose the higher number. He said he will provide greater detail when these purchases occur. He added that the specific property mentioned will be checked to see if it is a reporting error by the foreclosure service.

COMMUNICATIONS

There were no communications.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,
Bobbie Newman