MEETING MINUTES
PLAN COMMISSION
Saturday, December 4, 2013
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Stuart Opdycke (Associate), Terri Dubin, Jim Ford, Barbara Putta, Seth Freeman, Richard Shure, Lenny Asaro, Colby Lewis

Members Absent: David Galloway (Associate), Kwesi Steele

Staff Present: Melissa Klotz, Mark Muenzer, Michelle Masoncup

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:06 P.M.

2. APPROVAL OF OCTOBER 9, 2013 MEETING MINUTES

Commissioner Freeman motioned for approval of the October 9, 2013 meeting minutes. Commissioner Shure seconded the motion.

A voice vote was taken and the minutes were approved 6-0.

3. TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0103

Specifically consider text amendments, pursuant to City Code §6-4-7, Bed & Breakfast Establishments, to discuss the zoning regulations of Bed & Breakfast Establishments.

Melissa Klotz, Interim Zoning Administrator, explained the proposed text amendment as recommended by staff and the Zoning Committee of the Plan Commission.

Commissioner Freeman stated that Type 1 Bed and Breakfast Establishments should be permitted because a Special Use Permit is burdensome.

Commissioners Opdycke and Shure noted that people will not go through the Special Use Permit process and would instead operate Type 1 Bed and Breakfasts without a permit.

Commissioner Shure wondered if there should be a parking requirement.

The Commission heard public commentary:
David Reynolds stated the Special Use Permit requirement is supposed to stop too many bed and breakfasts from being established in one area but has not done so. All bed and breakfast establishments should require a Special Use Permit and there should be distance requirements for Type 2 Establishments.

Victor Grimm stated he supports the staff recommendation. Type 1 should have a Special Use Permit or a distance requirement because it’s a residential area. He has concerns about the incremental effect if they are permitted uses.

Ms. Klotz clarified the differences between vacation rentals and rentable rooms with reference to the definition of family.

Mary Sing testified that she likes the original suggestion of a 2 year owner requirement, as was the original intent of the ordinance approved in 1993. A Special Use Permit is needed to address the cumulative effect. She would like to see a reasonable distance requirement, not necessarily 1500’.

Lawrence Weinberg stated the ordinances are to preserve and complement the residential character of the neighborhood. Too many in one area degrades the neighborhood, even if they are Type 1’s. Propose 3 B&B’s per Ward limit and a 2 year license that may be renewed.

Linda Damasatk lived next door to a B&B for 10 years. B&B effect is that it’s a lot of people you don’t know. You lose privacy and peace of mind. It is intrusive and disruptive. She wants a distance requirement for all B&B’s and a Special Use Permit.

Commissioner Asaro wondered how it would impact the downtown if there were a proliferation of B&B’s in the residential neighborhoods.

Anna Roosevelt stated that she likes B&B’s. There are houses standing empty because no one can afford to utilize them as single family residences. Similar to during the Depression and many homes became rooming houses. But it does undermine the hotel industry. Densely clustered B&B’s are not a good idea. They should be resident-occupied, distance requirement, Special Use Permit required.

Alderman Fiske reported that at the 1st Ward meeting on December 3rd, residents shared:

- Concerns about the proliferation of B&B’s
- Concerns about the proliferation of commercial uses
- What would happen to R1 neighborhoods
- They want a Special Use Permit to run with the owner, not the land
- People who want to rent a room out to a student is allowed, that’s not a B&B
- Many people are uncomfortable speaking against a neighbor so they don’t attend ZBA or voice concerns even if they are
The Commission discussed the proposal.

Commissioner Opdycke noted that a Special Use Permit is required for Type 1 and Type 2 B&B’s but that makes it difficult for empty nesters to have a B&B and stay in their homes. Commissioner Putta stated that people already can rent rooms as that’s not a B&B. She wants a Special Use Permit for Type 1 and Type 2. Commissioner Peters said the Special Use Permit process is important because it addresses cumulative impact. Commissioner Freeman said he favors a Special Use Permit for Type 2 but not for Type 1. Commissioner Shure suggested that just because we haven’t had anyone apply in the past for a Type 1 doesn’t mean there aren’t any. Commissioner Asaro said the Special Use Permit cost is just passed on to customers and is a non-issue. He supports a Special Use Permit for Type 1 and Type 2.

The Commission discussed distance requirements:

Commissioner Peters said the Special Use Process can handle cumulative effect but a distance requirement may be necessary. He suggested no more than 660’ and thought none would be OK too. Commissioner Freeman felt a distance requirement was unfair. Commissioner Ford said the Special Use process is a distance requirement but it isn’t always enforced. If there is a distance requirement is should be linear. Commissioner Asaro suggested a radius, not a linear requirement. Commissioner Putta also suggested a radius and noted that she now supported a distance requirement based on testimony that neighbors do not want to oppose each other.

The Commission discussed owner occupancy:

Commissioner Putta asked why staff recommended 33%. Ms. Klotz responded that this percentage met the intent of the Zoning Committee discussion. Commissioner Ford suggested if 100% was not required, Type 2 could be sought with no ownership. Commissioners Opdycke and Asaro agreed with the 33%.

The Commission discussed Type 2 owner occupancy.

Commissioner Asaro suggested a majority, or 51% interest. Commissioner Putta asked why staff recommended no ownership for a Type 2 B&B. Ms. Klotz answered the current regulation is arbitrary, so it is not really a change if there is no requirement.

Alderman Fiske commented her neighborhood feels strongly that owner-occupancy should be required especially for a Type 2 Restaurant. She said Alderman Wynne feels the same way.

The Commission recessed from 9:25 to 9:30.

Upon the return of the Commission, Commissioner Opdycke commented that requiring owner-occupation would restrict Colonel Pritzker from purchasing and opening more B&B’s. Colonel Pritzker’s B&B’s feature exemplary work.
Commissioner Freeman made a motion to adopt a Type 1 B&B defined as no more than 2 bedrooms and requiring a Special Use Permit and 33% owner occupancy but no distance requirement. Commissioner Ford seconded the motion. The Commission approved the motion with a vote of 7 to 1. Commissioner Asaro voted against the motion.

A motion made by Commissioner Ford for a Type 2 B&B defined as up to 5 bedrooms and requiring a Special Use Permit, no owner occupancy and 660’ distance required failed to get a second.

Commissioner Asaro made a motion for a Type 2 B&B defined as up to 5 bedrooms requiring a Special Use Permit and 33% owner occupancy. The motion passed by a vote of 5 to 3.

Regarding distance for a Type 2 B&B, the Commission took several straw polls with required distances including: 1 block on both sides of a street, 660’, 1500’ and no distance requirement. None of the straw polls passed. During discussion, the majority of Commissioners agreed that a distance of not less than 660’ should be required.

Commissioner Ford made a motion to adopt the previous motions that had passed. This motion was seconded by Commissioner Freeman. The motion passed by a vote of 6 to 2.

Ms. Klotz asked if the Commission would like to hold its yearly elections and appointments. Commissioner Asaro deferred elections to the January meeting.

The Standards were then addressed:

1. Yes
2. Yes
3. Yes
4. Yes

Chairman Peters motioned to approve the proposed text amendment, and Commissioner Shure seconded the motion. The text amendment was recommended to City Council with unanimous approval.

4. ADJOURNMENT

Commissioner Freeman motioned to adjourn, and Commissioner Shure seconded the motion. The meeting adjourned at 7:30pm.

Respectfully Submitted,
Melissa Klotz
Interim Zoning Administrator, Community Development Department