Planning & Development Committee Meeting
Minutes of January 27, 2014 – 7:15 p.m.
Council Chambers - Lorraine H. Morton Civic Center


STAFF PRESENT: W. Bobkiewicz, M. Masoncup, M. Muenzer, B. Newman, C. Plante, C. Ruiz

PRESIDING OFFICIAL: Ald. Wynne

I. DECLARATION OF QUORUM
A quorum being present, Chair Wynne called the meeting to order at 7:25 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF January 13, 2014


The Committee voted unanimously 6-0 to approve the January 13, 2014 minutes. (Ald. Fiske had not yet arrived.)

III. ITEMS FOR CONSIDERATION

(P1) Ordinance 15-O-14 Amending the Zoning Ordinance with Regards to Distance of Air Conditioning Equipment from Lot Lines
The Plan Commission and City staff recommend adoption of Ordinance 15-O-14 amending the Zoning Ordinance to reduce the required setback for air conditioning equipment to 8’ for most property lines, 6’ for interior side yards when the equipment is located within 2’ of the principal structure and appropriately screened, and 4’ for street side yards when the equipment is located within 2’ of the principal structure and appropriately screened.

For Introduction


Mark Muenzer, Director of Community Development, explained that staff initiated this amendment because the ZBA has been receiving several requests for variations to allow stand-alone HVAC units to be placed between 8’ and 10’ from the property line and that every one of these variations has been approved except one. Currently, most HVAC units are required to be 10’ from the property line. Staff analyzed that the City’s new code has changed the ambient noise level to 65 decibels, the decibel level is 65 or under at the 8’ mark and newer HVAC units are about 10 decibels quieter. For side yards, 6’ would be allowed but the unit would have to be screened and buffered. The
required screening also diminishes the noise and addresses the issue of aesthetics.

At Ald. Grover’s inquiry, Mr. Muenzer said typically they are pertaining to additions, but sometimes the resident is just adding a unit.

At Ald. Tendam’s inquiry, Mr. Muenzer said that if a resident requests a variation just because they don’t want the unit in their back yard, the ZBA takes into account whether there is a compliant location for the unit and may reject the request for a variation.

The Committee voted by unanimously 6-0 to recommend introduction of Ordinance 15-O-14.

Ald. Fiske arrived at the meeting.

(P2) **Ordinance 3-O-14 Amending the Zoning Ordinance to Create Business or Vocational School Use and Amend the Definition of College/University Institution**

The Plan Commission and City staff recommend adoption of Ordinance 3-O-14 amending the Zoning Ordinance to establish a use category for Business or Vocational Schools with land use regulations as permitted uses in all Commercial, Mixed Use, and University Districts, and special uses in all other zoning districts, and amending the existing definition of College/University Institution to clarify the distinction between the two use categories.

**For Introduction**


Mr. Muenzer explained that the business and vocational school use had been treated as an office use in the past. He said a special use request will be coming before the Committee shortly for a larger vocational school. Mr. Muenzer said staff researched other communities with ordinances related to business or vocational schools and they are distinguished from colleges or universities and are usually regarded as special uses that need to be regulated because of possible noise. The definition of a college or university is also redefined in the Ordinance to distinguish them from vocational institutions. They are special uses in most districts because often times there are other ramifications to their operations, such as later hours or noise.

At Ald. Fiske’s inquiry, Mr. Muenzer said he would find out whether parking would be required for these special uses.

At Ald. Holmes’ inquiry, Mr. Muenzer said Pivot Point would be grandfathered.

Ald. Rainey said she was concerned about a special use in any residential district and said she is not sure it should even be a special use in an R district and she does not want to subject residents to a hearing/debate about the
disruption in their neighborhoods, and it should be revisited. At Ald. Rainey’s inquiry, Mr. Muenzer said many of them are for-profit. He explained that the reasoning for the special use in an R district is that private educational institutions are a special use in R districts and public schools are permitted uses in R districts. He agreed to revisit it. Ald. Rainey maintained that they should not be allowed in any residential districts.

At Ald. Rainey’s inquiry, Mr. Muenzer said the new Neighborhood and Land Use Planner will be reviewing the RP district and submitting an amendment to the Zoning Ordinance in the next few months.

Ald. Fiske agreed with Ald. Rainey and noted that Kendall College was morphing into a culinary arts school in an R district and it worked out okay but she does not imagine there will be another one of that nature. She said parking could become a problem so she supports keeping it as a special use to give the neighbors a chance to weigh in on it.

Ald. Rainey moved to amend the Ordinance to state that all business or vocational schools are special uses and are not allowed in R districts, seconded by Ald. Grover. Ald. Rainey said that now that the City has an opportunity to distinguish them from public schools she would like to make certain they don’t intrude on residential neighborhoods.

Chair Wynne noted that as staff stated, they are akin to an office building with additional issues including parking. She said she agrees with Ald. Rainey because even in an R6, which is a fairly dense residential neighborhood, she cannot imagine where all of the people who attend would park. She said there are many locations that would work well, but she believes it would degrade the value of living in an R district. She agreed with Ald. Rainey about engaging neighbors in a long zoning battle. Ald. Rainey noted that every other zoning district allows a special use of vocational schools.

The Committee voted unanimously 7-0 to recommend introduction of Ordinance 3-O-14 as amended.

IV. ITEMS FOR DISCUSSION

(PD1) Disclosure of Landmark Properties and Historic District Properties

Mr. Muenzer explained that Council had directed staff to find a way to make sure property owners are aware of the status of their properties as landmarks or in historical districts and the requirements and advantages of such status. He and Carlos Ruiz, Senior Planner and Historic Preservation Coordinator, have met with three members of the Historic Preservation Commission several times and have determined three levels of action to proceed:

Immediate:
- Currently working with community engagement staff to make historical status information more visible on the main home page and the
department’s web page
  • Currently making residents’ property information easier to research
  • Have City Clerk alert purchaser of historical status when purchasing transfer stamp

Intermediate:
  • Continue process of obtaining new statements of significance for the historic districts (will require intern staff support to complete this process)
  • Conduct workshops with annual reminders to historic district and landmark property owners
  • Commissioners to attend ward meetings to educate residents
  • Engage real estate companies to become aware and provide this information to their clients

Long term:
  • Record all landmark properties (fairly cost prohibitive)
  • Currently investigating obtaining grant funding from the Illinois Historic Preservation Agency (IHPA) to record all subject properties

Gary Shumaker, Chair of the Historic Preservation Commission, reminded the Committee that about a year ago, at the City Manager’s request, the Preservation Commission came before the Committee to explain what they do. Staff and the Commission have met several times and have carefully considered the process. They are reviewing each property and district and plan to document every property in every district. The Lake Shore District has been completed with statements of significance for each property. The goal is to continue that work. The statements of significance are outdated on some of the older properties and some of the lesser surveyed properties and they feel it is important to continue this process. He asked for the Committee’s support and asked the Council members to invite a Commissioner to their ward meetings. They want to answer residents’ questions and become a resource for the City. He said they will reach out to the IHPA again and continue to secure grants to continue the review process and to record the deeds. The grant will go a long way to record and identify the properties and educate the community on the value of their properties.

At Ald. Wilson’s inquiry, Mr. Ruiz clarified that 1,900-2,000 properties are subject to review, including 250 landmark properties outside the historic districts. There are approximately 900 designated landmark properties and the number of properties in local historic districts is approximately 1,200. Ald. Fiske added that the northeast Evanston area is a national landmark and not subject to local review.

Ald. Wilson said it is the 1,900 that are subject to review that are not in the district but are landmarks, that he is concerned about. It is $40 for the first 2 pages and the rest are a couple of dollars for each additional page.

Ald. Grover asked whether there is a way to slowly begin recording the status
on the deed, as properties are sold, of those properties that are of landmark status but not in a historic district. She said the standard for her will be the recording on the deed. She said she appreciates the Preservation Commission's work and their effort to get notice out. She asked how Council members could lobby for funds to record the properties. Mr. Muenzer agreed with the idea of beginning the process with the outlying properties.

Ald. Fiske said they should be dealing with the historic lists in their entirety rather than piecemeal. She said there are landmarks and there are contributing structures that are important and define the character of the district, and why an area is important. She said it has been about 15 years since the City started working on the northeast Evanston district. Part of that is not local, but only nationally registered and asked whether they come before the Commission. She said she feels it is important to note if it is national and requested the number of those properties as well. She asked Mr. Muenzer to research a Hyde Park case where a resident challenged the fact that their property's landmark status was not recorded on the deed or title. She asked that the Commission make appointments with local real estate companies and the North Shore Barrington Association of Realtors (NSBAR) to add zoning designation and landmark status to their purchase forms.

Ald. Rainey said she does not feel the City is responsible for recording landmark properties. She suggested requiring that homeowners have their landmark status recorded. Ald. Fiske argued that it is the City who designated the properties as landmarks and asking the homeowners to bear the cost of something that was, in most cases, designated before they may have purchased their home, is unfair.

Ald. Tendam said he feels strongly that the real estate broker is the key. A broker should know about the property his client is selling or buying and educate his client about it. He believes contacting NSBAR is a good idea and that legislation, ultimately, should require that it is on a purchase agreement.

Mr. Muenzer said staff will report back to the Committee.

V. COMMUNICATIONS
There were no communications.

VI. ADJOURNMENT

Ald. Grover moved to adjourn, seconded by Ald. Tendam.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Bobbie Newman