Planning & Development Committee Meeting
Minutes of February 25, 2013
City Council Chambers – 7:15 p.m.
Lorraine H. Morton Civic Center

MEMBERS PRESENT: J. Fiske, D. Holmes, A. Rainey, D. Wilson, M. Wynne

STAFF PRESENT: G. Farrar, S. Flax, S. Griffin, D. Marino, B. Newman,
M. Swentkofski, Ald. P. Braithwaite

PRESIDING OFFICIAL: Ald. Fiske

I. DECLARATION OF QUORUM
A quorum being present, Chair Fiske called the meeting to order at 7:50 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF JANUARY 28, 2013.
Ald. Holmes moved approval of the minutes, seconded by Ald. Wilson.

The minutes of the January 28th, 2013 P&D meeting were approved unanimously 5-0.

III. ITEMS FOR CONSIDERATION

(P1) Approval of Sidewalk Café for Pret A Manger, 1701 Sherman Ave.
Staff recommends consideration of a first-time application for a sidewalk café (SWC) permit for Pret A Manger, a Type 2 Restaurant located at 1701 Sherman Ave.
For Action

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

The Committee voted unanimously 5-0 to approve the sidewalk café.

(P2) Approval of Community Partners for Affordable Housing (CPAH) HOME Application
The Housing and Homelessness Commission and staff recommend the approval of a $277,685 forgivable HOME loan for the acquisition and rehabilitation of a foreclosed 2-unit building for affordable rental housing to Community Partners for Affordable Housing (CPAH). Funding is provided by the HOME fund, which currently has a balance of approximately $1.1 million.
For Action


Ald. Rainey said there is a great deal of affordable housing in Evanston that is not yet occupied. She said she is in support of giving this organization a chance but needs to know the address of the property and more details about it.
Ald. Rainey moved to hold the item until more details are provided, seconded by Ald. Wilson.

Ald. Holmes said she supports it despite her feeling about land trusts. She noted that the 2nd, 8th and 5th wards have most of the affordable housing and would like to understand why there is not more affordable housing in other parts of Evanston. She said it should be available all over the community.

Ms. Flax explained that the CPAH is using this model of scattered site acquisition because they have found it is the most efficient way of getting foreclosed property. She said that the foreclosure problem in the 2nd Ward started later than in the 5th and 8th Wards, so it was not part of the NSP2 application. CPAH is restricted only to choosing a property outside of the NSP2 census tracts. Most of the foreclosed 2-flat properties they found were in the 2nd Ward, where many of the foreclosures outside NSP2 census tracts are concentrated.

Ms. Flax explained that after the loan is approved, City staff will review CPAH’s budget and the property will be inspected to ensure that the expenses are within budget. She said CPAH has used this method before in other areas and that HOME funds may not be obligated until a property has been selected.

Ald. Rainey said there is plenty of time to locate a property and that the City can vote on the loan in one night in closed session if needed because it is a real estate transaction. She said she does not generally support land trusts. Ms. Flax explained that CPAH has taken over the CLCLT Land Trust property and that the proposed project is rental. A benefit to the City of rental in a land trust is that after the 15 years of affordability required by HOME funding, the property will remain as affordable rental for an additional 84 years.

Ald. Rainey said she would like to see a specific property selected. Ald. Holmes agreed and said she would have appreciated if more information about the benefits of a land trust and about the Evanston Advisory Board, of which Ald. Grover is a member, had been provided.

Steve Griffin, Director of the Community and Economic Development Department, clarified that the P&D Committee is asking for a specific property, which he said he would provide to the Committee as soon as he has it.

The Committee voted unanimously 5-0 to table the item until more information about the property is provided.

(P3) Approval of Housing Options for the Mentally Ill HOME Application

The Housing and Homelessness Commission and staff recommend the approval of a $458,777 forgivable HOME loan for the rehabilitation of 10 rental units to Housing Options for the Mentally Ill. Funding is provided by the HOME fund, which currently has a balance of approximately $1.1 million.

For Action
Ald. Rainey moved approval of the HOME loan, seconded by Ald. Wynne.

Ald. Holmes said she was the Director of Family Focus when this program first started and that it has been a great property. Ald. Rainey said she opposes the purchase.

The Committee voted unanimously 5-0 to approve the HOME loan.

(P4) Ordinance 22-O-13 Granting Major Zoning Relief to Eliminate Required Off-Street Parking at 1615 Oak Avenue
City staff recommends the adoption of Ordinance 22-O-13 granting major zoning relief to convert seven required off-street parking spaces into an outdoor seating area and bicycle parking at Smylie Brothers Restaurant & Brewery for a total of zero off-street parking spaces.

For Introduction


The owner of the Smylie Brothers Restaurant explained his plans for the 15’ setback and 7 existing spaces which currently pose a safety hazard to young families that may be eating at the outdoor portion of the restaurant as drivers cut across the parking spaces. He proposes to re-grade the curb, add three City parking spaces and planters and perennials in front at the outdoor dining opportunity.

Mr. Griffin noted that the plans were unanimously recommended by the ZBA and that there is ample parking with the proposed restaurant’s proximity to a City garage, on street parking and its pedestrian-oriented location. The owner plans to open the restaurant by October.

The Committee voted unanimously 5-0 to recommend introduce Ordinance 22-O-13.

(P5) Ordinance 2-O-13 Amending the Text of the Zoning Ordinance by Enacting a New Section 6-15-17, “oHR Howard-Ridge Overlay District”
City staff recommends consideration of Ordinance 2-O-13 that amends the Zoning Ordinance text to create a new overlay zoning district, which will require certain types of new retail uses such as hair salons, nail salons, beauty shops, and barber shops, to operate only by Special Use in the Howard-Ridge TIF District. The Plan Commission does not recommend approval.

For Introduction

Ald. Rainey moved to introduce Ordinance 2-O-13, seconded by Ald. Wynne.

Ald. Rainey said when the item was brought to the Zoning Committee of the Plan Commission, she heard that free market should determine uses. She said she would vote next to eliminate the Zoning Ordinance, which dictates uses and their compatibility. She explained that there are 12 personal care services in a 12 block area and that the issue is not that they create crime. She said she does not want uses to exist “because the Police can manage them” and you certainly don’t hear
about uses existing for that reason on Central Street. She said 12 beauty shops in a 12 block area are way too many and many of them don't operate; some are closed by day and are sometimes open at night. She said she does not mind the 12 existing businesses but 13 is the tipping point. She wants any new ones to be a special use and asked what is wrong with that adding that many businesses are special uses: restaurants including Starbucks and many shops are special uses too. She said she would like the next 20 beauty shops on Howard Street to be a special use, and for them to apply to the Zoning Board of Appeals to be heard and if there are 4 on that block, they may not be approved, but they be able to open one on another block.

Ald. Rainey explained that on the Chicago side of Howard Street, the Zoning Ordinance states that you may only have a second beautify shop within 1,000' of the first with a special use and that there is only one on the block immediately to the east of Ridge. She re-iterated that the existing beauty shops can stay. She argued that the market should not decide how many beauty shops should be on Howard, just as it does not dictate the number of curb cuts, Starbucks and McDonald’s. Ald. Rainey said that one of the members of the Zoning Committee said “If you can’t get development on Asbury and Oakton, how do you expect it on Howard Street?” She said she invited the Zoning Committee of the Plan Commission members to a tour of Howard Street but only one person came to the tour. She said she was surprised that the owners of the other beauty shops on Howard Street were not at the meeting to support the amendment.

Ald. Wynne asked Ald. Rainey what the zoning regulation is on the Chicago side of Howard Street, to which Ald. Rainey replied that a beauty shop, massage parlors and barber shops are permitted uses, but they must be 1,000’ away from each other.

Mr. Griffin noted that the proposed Ordinance would level the playing field. Ald. Rainey asked why special uses are okay for some businesses and not for others. Ald. Wynne said she is not necessarily opposed and the Parking Committee just matched Chicago’s parking restrictions on Howard Street. She said it would be interesting to see what gets developed there if they have the same rules on both sides of the street. Ald. Rainey commented that people say Evanston listens to them when they are trying to obtain liquor licenses whereas in Chicago it is more stringent.

At Chair Fiske’s inquiry, Mr. Marino explained that with a special use, a legal non-conforming business must be out of use for 1 year, after which a new business must apply for a special use. Chair Fiske said she is inclined to support the Ordinance as she has no problem with special uses as long as they run with the business and not the land. Ald. Rainey said there is one shop that has been there for several years and seems to be doing fine, but whenever there are vacant storefronts, there are inquiries about beauty shops.

The Committee voted by majority 4-1 with Ald. Wilson opposed, to recommend introduction of Ordinance 2-O-13.

(P6) Ordinance 3-O-13 Amending the Zoning Map to Place Certain Properties Within the oHR Howard-Ridge Overlay District
City staff recommends consideration of Ordinance 3-O-13 that amends the Zoning Map by placing properties in the Howard Ridge TIF District into the new overlay zoning district which will require certain types of new retail uses such as hair salons, nail salons, beauty shops, and barber shops, to operate only by Special Use in the Howard-Ridge TIF District. The Plan Commission does not recommend approval.

For Introduction

Ald. Rainey moved to introduce Ordinance 3-O-13, seconded by Ald. Wynne.

Mr. Griffin explained that the underlying zoning would remain but in an overlay district there is an allowance to make things stricter or more stringent. In this case, all permissible uses would remain except for the categories of new hair salons, nail salons, beauty shops, and barber shops for which a special use permit would be required.

The Committee voted by majority of 4-1 with Ald. Wilson opposed, to recommend approval of Ordinance 3-O-13.

IV. ITEMS FOR DISCUSSION
There were no items for discussion.

V. COMMUNICATIONS
There were no communications.

VI. ADJOURNMENT
The meeting was adjourned at 8:27 p.m.

Respectfully submitted,
Bobbie Newman