Planning & Development Committee Meeting
Minutes of June 10, 2013
City Council Chambers – 7:15 p.m.
Lorraine H. Morton Civic Center


PRESIDING OFFICIAL: Ald. Wynne

I. DECLARATION OF QUORUM
A quorum being present, Chair Fiske called the meeting to order at 7:20 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF MAY 28, 2013

Ald. Fiske moved approval of the minutes of the May 28, 2013 meeting seconded by Ald. Rainey.

The minutes of the May 28, 2013 P&D meeting were approved unanimously 7-0.

III. ITEMS FOR CONSIDERATION

(P1) Approval of Sidewalk Café for Carmen’s

Staff recommends approval of a first-time application for a sidewalk café permit for Carmen’s of Evanston, a Type #1 Restaurant (1241 Chicago Ave).

For Action

Ald. Rainey moved to recommend approval, seconded by Ald. Wilson.

The Committee voted unanimously 7-0 to recommend approval of the sidewalk café.

(P2) Approval of Sidewalk Café for Forever Yogurt

Staff recommends approval of a first-time application for a sidewalk café permit for Forever Yogurt, a Type #2 Restaurant (1739 Sherman Ave).

For Action

Ald. Fiske moved to recommend approval, seconded by Ald. Wilson.

The Committee voted unanimously 7-0 to recommend the approval of the sidewalk café.
(P3) Approval of Sidewalk Café for Starbucks
Staff recommends approval of a first-time application for a sidewalk café permit for Starbucks Coffee, a Type #2 Restaurant (1734 Sherman Ave).

For Action

Ald. Grover moved to recommend approval, seconded by Ald. Wilson.

The Committee voted unanimously 7-0 to recommend the approval of the sidewalk café.

(P4) Approval of One Year Extension of Approved Planned Development for 1915-1919 Grey Avenue
Staff recommends approval a one year extension of the adopted Planned Development for the construction of a four unit building by Brinshore Development at 1915-1919 Grey Avenue. The Planned Development was adopted on June 12, 2011 and was previously extended for a one year period expiring on June 13, 2013. The applicant now requests an additional one year extension until June 13, 2014 to secure additional financing for the four unit development. Brinshore is seeking to leverage additional financing from non-City sources for the development.

For Action

Ald. Fiske moved to recommend approval, seconded by Ald. Rainey.

The Committee voted unanimously 7-0 to recommend approval of the one year extension for the planned development.

(P5) Approval of Request for a Two Year Time Extension for the Planned Development Approved for 318-20 Dempster Street
Staff recommends approval of the two year time extension request by the owner of 318-20 Dempster for the planned development approved in 2008. The project and planned development are consistent with the goals of the Comprehensive Plan and the Historic Preservation Ordinance, each having special emphasis on adaptive reuse.

For Action

Ald. Rainey moved to recommend approval, seconded by Ald. Tendam.

The Committee voted unanimously 7-0 to recommend approval of the two year extension for the planned development.

(P6) Ordinance 59-O-13, Granting a Special Use for a Type 2 Restaurant at 749 Chicago Avenue
Staff recommends adoption of Ordinance 59-O-13, granting a special use permit for a Type 2 Restaurant (749 Chicago Avenue) called Dollop Coffee Co. & Hoosier Mama Pie Co. The applicant has complied with all zoning requirements and meets all of the standards of a Special Use in this District. The Zoning Board of Appeals also recommends adoption of Ordinance 59-O-13 with conditions related to litter control, hours of operation and employee parking.

For Introduction
Ald. Rainey moved to recommend introduction, seconded by Ald. Grover.

The Committee voted unanimously 7-0 to recommend introduction of Ordinance 59-O-13 granting a special use for a Type 2 restaurant.

(P7) Ordinance 60-O-13, Granting a Special Use for a Bed & Breakfast Establishment at 1622 Forest Avenue
Staff recommends adoption of Ordinance 60-O-13, granting a special use permit for the operation of a Bed and Breakfast Establishment at 1622 Forest Avenue. The applicant has complied with all zoning requirements and meets all of the standards of a Special Use in this District. The Zoning Board of Appeals recommends denial of this request. The Evanston Preservation Commission recommends approval of the Special Use and has also approved the issuance of a Certificate of Appropriateness for the restoration of the principal house, the demolition of the existing coach house and construction of the new coach house.

For Introduction

Ald. Rainey moved to recommend introduction, seconded by Ald. Grover.

Mr. Bobkiewicz noted that staff recommends consideration of the Ordinance while the ZBA recommends denial.

Dennis Marino, Manager of Planning & Zoning, explained that the Site Plan and Appearance Review (SPAARC) Committee recommended approval of the special use. He introduced Andrew Scott, attorney representing the Bed & Breakfast (B&B) applicant.

Mr. Scott of Dykema, introduced Paul Janicki, Architect, Mary Linberger, and Dawn Overend, the proposed operator of the B&B. He noted that the B&B was issued a Certificate of Appropriateness by the Preservation Commission and that the ZBA found that the B&B met 7 of 9 standards for a special use, one being the concern that it will have a negative cumulative affect due to the proximity of the 300 Church B&B. Regarding the ZBA’s concern for its consistency with the Comprehensive Plan and Zoning Ordinance, he said it is an investment in this home as the budget for restoration is approximately $5.5 million and the staff report agrees that it will meet the purpose of the Comprehensive Plan’s goal to “maintain and enhance the perception of housing.”

He said the B&B meets the ownership criteria of the B&B Ordinance passed in 1990, wherein there is no reference to ownership. He said the intensive study done by an expert of the impact on surrounding property, revealed that it would not cause traffic congestion because parking is self-contained for 5 guest rooms and an owner with 6 off street parking spaces in the coach house and 2 service spaces in the rear. He said that homes over 100 years of age are difficult to maintain and this project will invite and entice others to maintain their homes.

At Ald. Wilson's inquiry, Mr. Scott said rooms will cost from $150-$300 a night, depending on demand. Ald. Wilson asked how they expect a return on their investment at that rate, to which Mr. Scott explained the return is expected in 20-25
years and the B&B is intended to be passed down from the owner, Mr. Pritzker, to his family. The cash flow will help to pay for the renovations, similar to the Emil Bach house in Chicago, another B&B project of Mr. Pritzker's.

Mary Linberger, commercial real estate appraiser, said she focused her study on the value impact the B&B would have, since it is the second B&B in a small area. She said it is difficult to find B&B's in Chicago compared to New England, where they are very common. She found a relevant “comp” on Cedar Street, an elegant side street, surrounded by single family homes, two of which had sold for $2.5 million in 2007 and $3.1 million in April of 2013. She said she cannot see evidence of a negative impact as she asked the brokers of these sales whether the B&B had any impact on the sales, to which they answered that “they did not know it was there.” She said there is a small plaque on the property denoting it is a B&B. She concluded that she found no evidence of a negative impact caused by the B&B. She said she studied other uses in residential districts that would bring traffic such as churches at Lake and Greenwood and Oak and Maple and she found 2 sales of $672,000 in 2012 and over $1.5 million in January of 2008.

Ald. Fiske argued that churches are not special uses, to which Mr. Linberger replied that for the purpose of the study, the do generate traffic and a single family home owner might not want to be next to one. Ald. Grover asked why she used churches as a comp, to which she replied that it was very difficult to find data related to B&B’s or other special uses that might generate traffic in a residential neighborhood.

Mr. Scott stressed that the home will be indistinguishable from other single family homes and will look and function like a single family home, and that in 1990 City Council decided B&B’s are a permitted use in a residential neighborhood.

Ald. Fiske noted that Mr. Scott had said at the ZBA meeting when he applied for the B&B special use at 300 Church, that Mr. Pritzker was not going to be applying for another B&B special use and he owns 4 homes on that block and is now buying one more nearby. Mr. Scott replied that he is renting those as single family homes and that to his knowledge he has been truthful. Ald. Fiske said she is concerned that yet another B&B will pop up and asked what assurance he could give that it would not. Mr. Scott said the homes she had referenced are intended to be single family homes.

Chair Wynne said that even though the B&B appears to be a single family home, the function is still different and it does have some potential negative impact. The ZBA does not only address appearance, but function as well. Mr. Scott argued that the former occupants had 14 people living in the home as well as a couple living in the coach house, to which Chair Wynne replied that it was still functioning as a family home.

Chair Wynne called the public who wished to speak, to the podium.

Bethany Collins of 1629 Judson who is a cardiac nurse and whose husband is an attorney and colonel in the U.S. Reserve said she has known Mr. Pritzker for over 15 years, she lives behind 1622 Forest and she has no objection to the B&B as it will
help restore Evanston and add value to the surrounding properties. She said they are exemplary neighbors and they appreciate them.

Jan Halperin, Director of Development at Dawes House, 225 Greenwood, said the B&B brings value historically and tourism and that Mr. Pritzker is a philanthropic consultant. She read an article from August of 1883 about the home at 1622 Forest. She said there is an economic benefit to Evanston for those seeking a distinctive experience and the City is fortunate that historical preservation is a part of Evanston. She commended Mr. Pritzker for his support of the arts and children’s activities and his matches to grants to the Evanston History Center.

Brian Kettlekamp of 1126 Brummel, owner of Kettlekamp & Kettlekamp, landscape architects, said he has been hired to work on this project and he looks forward to participating in the Evanston Garden Walk. He said he is impressed with Mr. Pritzker’s commitment to local professionals and said as a resident, he would like to have his mother-in-law stay in a place like this B&B.

Peter Beal-DelVecchio of 1127 Hinman said he works for Boys Hope Girls Hope and that Mr. Pritzker has supported their organization and he is in support of the B&B.

Paul Janicki, the architect for the project said he also lives 2 blocks away and he has stayed in many B&B’s in residential neighborhoods in New England where there were several on the same block and he sees no reason why Evanston shouldn’t have the same opportunities.

Kinga Legg of 1608 Forest Place, 2 doors south of the proposed B&B said she and her husband, who has lived there 60 years, are strongly in support of the B&B. She is an architect and CEO of Arch Studio, and her European background allows her to understand the value of restoring this home using superb contractors. She thanked Mr. Pritzker for his appreciation of history.

Kent Swanson, a real estate developer who lives at 1630 Judson, equal distance from each of the B&B’s said he is strongly in favor of them. He said economic development and historic preservation maintain home values and have a low impact on neighbors as there has been no disturbance and no change in traffic because the lake front is a very active neighborhood. He said 2 homes in the immediate area sold in less than 30 days above their asking price and one is scheduled to close in 2 weeks. He stressed that this economic development is un-subsidized and other businesses will benefit from it. He advised the Committee to make the decision on future proposals when the time comes.

Chris Ernst of 1639 Hinman, one block from the properties, said he agrees with the ZBA not to approve the B&B. He said he would like to think the City follows the rules it has set and the ZBA decided that the proposal does not meet all the standards for a special use. He said the intent of the Zoning Ordinance implies that B&B’s would be “Ma and Pa” businesses which sounds reasonable but this is a commercial venture and both B&B’s are owned by the same person. He said he is not concerned about his own property but wonders about the one between the two B&B’s as he can’t see someone buying one next to 2 mini-hotels. He said also that the proposal implies
that it will pay hotel taxes but he asked that this be clarified because hotels under 10 units do not have to pay hotel taxes.

Jean Linwald of 625 Library Place asked the Committee to consider the ZBA's recommendation to deny the proposal. She said she is troubled by a situation where the ZBA denies but staff recommends adoption. She believes staff overstepped and overreached. She said most residents look to the City Council and the Committees to take the Comprehensive Plan and the Lake Front Plan seriously.

Mary Singh of 1711 Hinman said she was there when the Zoning Ordinance was written and she remembers that the City was concerned that there were existing B&B’s that should be licensed. They thought it would be a great way to help the B&B owners pay taxes and no one mentioned an LLC at the time. She said she lives two blocks away and homes are selling rapidly in the area but they need to protect the Historic District and homes in the R1 and R2 Districts. She said the B&B would change the neighborhood a great deal and she would like to keep it the way it is.

David Reynolds of 204 Davis said he lives very close to the proposed B&B and asked that the Committee deny the Ordinance in accordance with the ZBA’s recommendation. He said having another special use and two B&B’s two doors apart will have a negative impact and commercialize one of the block, preventing families from building a neighborhood. He said the Plan Commission spent months defining how frequent B&B’s could occur in a neighborhood quoting: “standards would provide adequate protection for neighborhoods.” Though B&B’s are not governed like Home Occupations, each is a business has employees and customers that interfere with normal living in a residential neighborhood. Home Occupations are not allowed clients between 9p.m. and 7a.m. and not allowed more than 2 non-resident employees. He asked why there is such a discrepancy between the two types of uses in a residential neighborhood. He said this B&B goes beyond everything that was envisioned in the 1990 Ordinance defining B&B’s. He believes the home between the two B&B’s will diminish in value.

Thomas “Gunny” Harbo, a restoration architect who lives at 2114 N. Dayton, Chicago, said he has worked on both of Mr. Pritzker’s projects in Chicago. He sees the value of this property and believes this B&B is giving back to the community. He believes Mr. Pritzker is creating something for someone beyond himself and for the community and that Evanston is lucky to have someone like him investing in the community.

Mr. Scott said many people who came to the meeting in support of the project had forgone the opportunity to speak. They were asked to stand. The vast majority of those in the audience stood.

Chair Wynne opened the discussion to the Committee.

Ald. Fiske moved to uphold the recommendation of the ZBA and deny the special use, seconded by Chair Wynne.
Ald. Grover pointed out that there has been additional legislative history since 1993, when amendments were discussed, that City Council did not agree upon. She noted that the ZBA determined that the B&B would not diminish property values by a vote of 4-2 and the two standards not met related to the cumulative affect and Comprehensive Plan and that City Council is the final authority to make the decision and the ZBA and Plan Commission only make recommendations. She said looking at the bigger picture she believes it is important to add this type of option to the hospitality landscape of Evanston.

Ald. Rainey said she attended the ZBA meeting and she believes that if these supporters had been there, there might have been a different vote.

Ald. Wilson acknowledged the concerns of the neighbors and said the possibility of four or five B&B’s is a legitimate concern, as he also thought there would only be one and now there is a request for a second. He noted that it is a business that will be competing with other businesses and will impact those who need to make a profit.

Ald. Fiske stressed that land banking in a single family neighborhood justifies the neighbors’ caution and the area between the beach and the park is barely one half block long. She wondered if the corridor between downtown and the lake was Mr. Pritzker’s consideration for the future. She said there is a large institution of land banks in her ward. She said no one is questioning that Mr. Pritzker uses Evanston businesses to do the work; others might do the same. She agrees with the ZBA that it will have a negative cumulative affect with two of the five houses on the block being used commercially. She said putting $5.5 million into a house that cost $2.5 million, creates an artificial value, she is concerned for the residents of the neighborhood and will be voting against it.

Ald. Holmes said she will vote to introduce the Ordinance. She said no one knows what Mr. Pritzker’s plans are for the other homes and he will have to apply for a special use if he wants them to be B&B’s. She said sometimes people on the Committees just have different views from the ZBA. She watched the ZBA meeting where the proposal met 7 of the 9 points on the application.

Ald. Rainey said she is not supporting the ZBA’s recommendation and that it is not outrageous to disagree with them and not a fault of Council to consider their recommendation and disagree with it.

Chair Wynne said she supports the ZBA recommendation as a special use must meet all 9 requirements. She believes that one single family home between two B&B’s is too dense and it denies the single family home the opportunity to have another family living next door. She said she appreciates Mr. Prizker’s commitment to preservation and recognizes that the distance requirement has already been debated, but the City needs to be cautious about the next B&B. She said one of the ZBA members had said these large old homes are difficult to maintain and sell but they are being snatched up and restored. Ald. Rainey commented that Chair Wynne’s argument just supported that B&B’s can co-exist with single family homes.
Ald. Tendam said regarding property values that in his ward, large homes are selling quickly but lower than their purchase price, which does not do much for the comps. He added that when the Committees or City Council sometimes have different views than the recommendations, it does not reflect negatively on either. Chair Wynne commented that the market is finding itself again and values are not the same in 2013 as in 2008.

The Committee voted 2-5 with 5 opposed, to support the ZBA’s decision to deny introduction of Ordinance 60-O-13.


The Committee voted 5-2 with Chair Wynne and Ald. Fiske opposed, to recommend introduction of Ordinance 60-O-13 granting a special use for a bed & breakfast.

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

V. COMMUNICATIONS
There were no communications.

VI. ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,
Bobbie Newman