

APPROVED

**Planning & Development Committee Meeting
Minutes of January 11, 2010
City Council Chambers – 7:00 p.m.
Lorraine H. Morton Civic Center**

Alderman Present: D. Holmes, L. Jean-Baptiste, A. Rainey, D. Wilson, M. Wynne

STAFF PRESENT: L. Walker, D. Marino, J. Chambers, B. Dunkley, D. Spicuzza, G. Farrar

PRESIDING OFFICIAL: Ald. Wynne, Chair

DECLARATION OF QUORUM

Chair Wynne called the meeting to order at 7:05 p.m.

APPROVAL OF THE DECEMBER 14, 2009 MEETING MINUTES

Ald. Rainey moved approval, seconded by Ald. Wilson. The vote was unanimous in favor of approval of the December 14, 2009 minutes.

ITEMS FOR CONSIDERATION

(P1) Ordinance 122-O-09 Amending Various Portions of the Zoning Ordinance Relating to the Creation of the “Resale Establishment” Use

Chair Wynne recalled that this item was introduced at the December 14, 2009 meeting and referred back to Committee in order to allow staff to make recommended amendments to the ordinance and make an analysis report of all the resale shops in Evanston. She requested for any Committee questions are comments at this time.

Ald. Rainey stated that she concurred with the proposed amendment and feels it is very important to clarify this definition and use. However, she does support and agree with Ald. Holmes initial concern expressed regarding the size (square footage) of resale shops stated in the ordinance in order for it to be considered as a special use. She pointed out 2 consignment/resale shops in her ward on Howard Street where she has witnessed mattresses being laid out on the sidewalk in front on the stores many times. Both of these shops are approximately 700 square feet in size. Her point being that the majority of resale shops in Evanston, and in general, are less than 5,000 square feet. In conclusion, she urged the fact that there should be no limit or requirement on square footage or size of the resale shop. In addition, she is also concerned with the business definition between

consignment and resale shops. In her opinion, both businesses allow drop off services and similar operations that should be considered in close similarity. Chair Wynne agreed with the size requirement in consideration of the list of Evanston resale shops provided by staff.

Ald. Rainey moved to amend the proposed ordinance to state that there should be no limit on square footage or size of the resale shop in consideration as a permitted use. In addition, she would like to amend that all wording be eliminated defining any difference between consignment and resale shop business operation. Ald. Holmes seconded the motion.

Ald. Wilson expressed his concern with all other existing resale shops in good standing and business ethics being affected by the undesirable operations of a minimal number of similar shops who are not. He stated for the record that any existing stores in good standing would be grandfathered in. Chair Wynne agreed and noted that the majority of resale shops in the 3rd ward have no problems except for the Salvation Army store. She stated that even so in the defense of the Salvation Army resale store, that they have made many noticeable efforts to improve their business operations. Ald. Rainey informed the Committee that she has received constituent complaints regarding the Salvation Army coming to the resale shops in her ward and selling items off their truck to these stores. She stated that this type of business operation is unacceptable and should be looked further into.

The vote was 5-0 in favor of the amended motion.

Ald. Rainey moved approval of Ordinance 122-O-09 as amended, seconded by Ald. Jean-Baptiste. The vote was 5-0 in favor of the motion.

(P2) Major Variance Application for 2433 Cowper Avenue

The Committee requested staff to give an overview of this case. Mr. Dunkley summarized in chronology explaining that this case was heard before SPAARC on November 25, 2009 resulting in their recommendation to approve the proposed variance with the condition that it be limited in effect to a reasonable amount of time based on the applicant's family hardship, after which it would expire. In addition, SPAARC also recommended that such expiration be eligible for extension upon application of the property owner. This case was subsequently forwarded to the Zoning Board of Appeals who voted in favor of the recommendation to deny the proposed variance to establish an open parking space in the front yard of said property. This recommendation by the ZBA reversed the SPAARC's preceding recommendation. Mr. Dunkley informed the Committee that new information was received today with regards to the official application that should be recorded for the record. Specifically, the original applicant is listed as Mr. Charles Kapraun, which should be changed to the actual property owner of Mr. Carter Klein. The Committee so noted and accepted this change. Mr. Dunkley called on Mr. Klein to further explain the family hardship.

Mr. Carter Klein introduced himself to the Committee and verified his ownership of said property. He explained in detail the family hardship which essentially involves around his elderly mother who resides in the retirement home in close proximity to this property, which was a deciding factor in purchasing the said property. He bought the property in August 2009 and was prepared to make all structural modifications to accommodate his elderly mother, when he was told the final Certificate of Occupancy could not be issued due to the existing zoning violation regarding the open parking space considered in the front yard. Mr. Klein recalled that the previous owner of this property made modifications to the garage in the rear of the property to provide access from the alley instead of from Cowper Avenue due to maneuvering hardships because of the narrowness of this street. He further noted that he his daughter lives with him at this property and they both currently use the alley access for their own vehicles. However, it is impossible to use this access for his elderly mother due to her accessibility hardships for ingress and egress into the property. Mr. Klein assured that he is totally agreeable with the termination of this variance in time with the need to accommodate his elderly mother. In addition, he informed the Committee that he has written consent from his neighbors who would be immediately affected by this requested variance.

Ald. Tandem spoke in support of the applicant and his requested proposed variance. He assured that there is a notable hardship in this specific block due to the narrowness of the street, the flooding issues problems in this area which consequently result in many of the property owners the inability to access their own garages. He also supports the addition of handicap signage in front of this property in duration of the variance timeframe.

Ald. Rainey moved approval to reverse the Zoning Board of Appeals recommendation for denial of the proposed variance and direct staff to prepare an ordinance in accordance as such with the inclusion that there be a life estate with the variance. Ald. Jean-Baptiste seconded the motion and the vote was 5-0 in favor of the motion.

(P3) Request from SHORE Services for up to \$37,000 in HOME funds to Rehab their “Community Integrated Living Arrangement” Property on Brown Avenue

Chair Wynne called on Ms. Mary Matz, Development Officer for SHORE. Ms. Matz gave an overview of the proposed repairs and rehab improvements for SHORE’s Community Integrated Living Arrangement (CILA) property located at 727 Brown Avenue. The home is currently occupied by 2 autistic males with severe developmental disabilities and staff support on a 24-hour basis. She detailed the scope of work that the requested funds would cover which includes remodeling the original kitchen that is completely outdated and replacing the roof, gutters, soffits, fascia, and downspouts on the house and garage. She noted that the roofs are in a condition that requires complete tear off and replacement at this point. Ms. Matz informed the Committee that the proposed kitchen remodeling cost is estimated at approximately \$17,000 and the roof replacement work at an approximate cost of \$13,560. Additional soft costs and contingencies bring

the estimated total to the requested funding of \$37,000 at a maximum, which would be used on an as-needed basis. She clarified that the requested amount is an estimated maximum cost and assured that only the total expenditures would be drawn from any HOME funds.

Ald. Rainey noted that this property is owned by a not-for-profit organization which entitles it tax-exempt. She also noted that this organization owns several other properties in Evanston that are tax-exempt. In consideration of the amount of tax exemptions this single not-for-profit organization does not pay, is quite a large amount, which is why she has a problem with giving such funding to these businesses. She especially questions the use of the use of the garage and paying the cost of repairs for the structure.

Ald. Jean-Baptiste raised questions on the size of the property in lieu of the estimated cost for the roof repairs. Ms. Matz informed that the approximate interior of the home is 1,000 square feet that is occupied by the residents. She noted that the second floor is used for storage and the only basement use is for laundry facilities. Ald. Jean-Baptiste expressed his concern with the estimated cost stated by the applicant, which was only projected from one contractor's estimate. He feels the required policy of obtaining and presenting at least 3 bids should be obligatory in this case as well.

Ald. Holmes recalled that SHORE also presented this same proposal for CDBG funding and was referred at that time to request for HOME funds to execute this rehab work.

Ald. Wilson agreed with Ald. Jean-Baptiste's suggestion on obtaining more bid requests. However, in his analysis of the work scope proposed, the estimates given by the applicant seems pretty accurate and reasonable. Chair Wynne also agreed, but nevertheless, she respects Ald. Jean-Baptiste's request and requirement that at least 3 bids be obtained before final approval of funding is permitted.

In conclusion, the Committee agreed to hold this item in Committee to allow the applicant to obtain at least 2 more bids on the proposed rehabilitation work scope as presented.

Ald. Rainey asked if staff has inspected the property to look at the work being proposed in this case. Ms. Spicuzza responded that the City's Housing Rehab Specialist, Mr. Ted Partika, along with herself, did a complete inspection of the property and agree that the work proposed is in dire need at this time.

Ald. Jean-Baptiste strongly urged that any Evanston based businesses be considered for this job if possible.

(P4) Request from Interfaith Housing Center of the Northern Suburbs for \$25,000 in Affordable Housing Funds for Foreclosure Prevention Counseling

Ald. Jean-Baptiste moved approved, seconded by Ald. Holmes.

Ms. Gail Schechter gave an update on what the Center has been doing lately. She explained Interfaith's purpose and expertise in assisting people with housing counseling, especially in the area of foreclosure and prevention assistance. She pointed out that their application explains in detail the impact of the foreclosure crisis in Evanston that has occurred within the past several years. She said that the Center has helped over 300 people and their general outcome concludes with assisting approximately 1/3 of that number. When asked why just 1/3 percentage, Ms. Schechter said that there are a number of reasons including language barriers, insufficient or incompleteness of required paperwork, denial of problem, etc. Ald. Holmes noted that she personally made several referrals to Jasmine Brewer for assistance to constituents in her ward. She agrees that there is a national problem with denial on the seriousness of the foreclosure problem until it is too late to get any help. In response to a question on fraud, Ms. Schechter said that there are seeing less of this situation lately and more reasons do to loss of jobs, various reasons in being unable to make payments, etc.

Ald. Jean-Baptiste asked if there is a list of Evanston residents that Interfaith has helped and other agencies with foreclosure victims. Ald. Rainey informed that Jeff Murphy subscribes to a listing organization of foreclosed properties. She also suggested that the water bill listing might be a good place to look for shutoff cases, which are usually a sign or indication of a property owner being in trouble.

The vote was 5-0 in favor of the motion.

Request from Connections for the Homeless for \$11,000 in matching funds for the Homeless Management Information system (HMIS)

Mr. Paul Selden, Executive Director, was called on to give a brief explanation of this request. Ald. Rainey noticed in the application that Connections is so highly funded by HUD and other organizations, so why the need for additional matching funds from the City. She also noticed that Connection's staff salaries are up by 16% and they have also hired new staff. Mr. Selden responded that the raises are being honored to employees that have been working underpaid for years and the added staff is for new programming. The matching funds requested are to administer the Homeless Management Information System for a one-year period, which Connections manages for Evanston. Ald. Rainey still raised several questions on the progress that Connection's has made with the homeless population in Evanston, have the current services been successful? Mr. Selden expressed his difference of opinion that those questions have nothing to do with the proposed funding request before the Committee at this time. However, he would be glad to provide that information at Committee's request. Ald. Rainey stated that she does not totally disapprove of this request, but does disapprove of allocating funds to an organization when the representative has a problem answering questions on the operation of their business.

Ald. Wilson moved approval, seconded by Chair Wynne. Ald. Rainey requested that an evaluation be provided to staff and forwarded to Council. Ald. Holmes also requested that information be provided on how many Evanston residents are currently using services provided by Connections for the Homeless.

The vote was 5-0 in favor of the motion.

ADJOURNMENT

The meeting was adjourned at 8:13 p.m.

Respectfully submitted,

Jacqueline E. Brownlee

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