Planning & Development Committee Meeting
Minutes of November 24, 2008
Council Chambers – 6:30 p.m.
Evanston Civic Center


Presiding Official: Alderman Wollin

DECLARATION OF QUORUM

Chair Moran called the meeting to order at 7:03 p.m., a quorum being present.

APPROVAL OF THE OCTOBER 27th AND NOVEMBER 10th 2008 MINUTES

Ald. Wollin corrected the November 10, 2008 meeting notes at the bottom of Page 2 to say that “the University Campus Plan for the next “fifty” years includes opening Orrington and adding street level shops on Clark, possibly with student housing above.”

Ald. Rainey corrected the recording of her comment in the November 10th meeting notes on Page 4 to correctly say her ward is greatly impacted by low income households (not low income housing). She also asked that Mr. Andrew McGonigle’s response to her request for Kellogg School of Business to come forward with a consultant, be added.

Chair Moran corrected the November 10th meeting notes on Page 3 to say “The Committee agreed to continue the Downtown Plan until the November 24th meeting.”

The Committee unanimously approved the November 10th, 2008 meeting notes as amended.

The Committee unanimously approved the October 27th meeting notes.

Chair Moran announced that he will request that the Administration and Public Works Committee finish their meetings by 6:30 so that the Planning and Development Committee can begin on time.

Ald. Bernstein announced a Special Planning & Development Committee meeting to be held on November 25th, 2008, to discuss the proposed Traditional Districts of the Downtown Plan.

ITEMS FOR CONSIDERATION

(P1) Draft Downtown Plan - Recommendation for Approval from Plan Commission
Consideration of Plan Commission recommendation to approve the Draft Downtown Plan as revised by the Plan Commission.
Chair Moran requested that citizens commenting on the Draft Downtown Plan limit their comments to 3 minutes, as the December 4th meeting will be devoted exclusively to the Draft Downtown Plan. He called the speakers to the podium.

Mr. Doug Geyer of 811 Chicago Ave. and on behalf of the Southeast Evanston Association (SEA) board said after careful review and attendance of the downtown plan meetings, the SEA supports the creation of additional open public spaces and inclusion of sustainability building practices in the zoning code. He said they also support requiring proposed developments to require height in feet, not in stories, keeping major streets one way, limiting maximum building height, putting in approved bonuses, and the core height of between 270’ or 25 stories. He said they agree that the core can take on more height but did not approve of the 42 story maximum proposed in the 2007 plan. He said they approve the specific public benefits that developers must meet. He said the SEA has serious concerns about the following: 1) Base height designations in the various zones are by right, so no public review is required if development is below limit. Limits range from 3-6 stories. They recommend that SPAARC or another agency be given authority to require architectural adjustments, as they do not believe form based zoning should be a substitute for public involvement in community development. 2) Transitional Zones: They question the 15 story limit for the north edge. They feel that recently approved projects, rather than the context of the area serve as the model for height and density. They feel the 10 story height for the east edge is not acceptable as it is immediately adjacent to 8-story housing transitioning to single family homes and it is closest to the lake shore. 3) Parking and land use: The SEA feels the proposed building requirements for residential development are reasonable, but that parking for small business and retail development has not been adequately addressed. They would like to see the City propose business development incentives. They would like to see a decrease in parking requirements for office and professional space and the encouragement of employees to use existing garages. 4) Bonuses: They believe there will be pressure on City Council to make exceptions to design standards and they hope the Council will be vigilant of the plan’s requirements for sustainable height, high quality urban design and other features that improve Evanston’s quality of life. Mr. Geyer concluded that the Downtown Plan is a good start.

Mr. Jim Corirossi, President of the Downtown Residents’ Association, requested to have more time to speak at the December 4th meeting.

Mr. Fred Tannenbaum of 807 Davis said he is a relatively new to Evanston and that he appreciates the downtown the way it is and not the way they are trying to make it. He said downtown Evanston has everything everyone wants without the dangers of making the streets two lanes and too wide. He also said the density the City is considering will create a hazard to pedestrians at rush hour.

Mr. Carl Bova of 1322 Rosalie Street said he stands by every one of his 43 transportation comments reflected in his letter of November 6th, 2008 and hopes the City will seriously consider them. In response to some of the questions raised at the November 10th meeting, he said he did a random check of other communities’ parking ratios and it suggests that Evanston’s ratios are a bit high for the 3 bedroom units, but overall not as high for the ratios for smaller units as they are in other communities. The 3 bedroom units are only a small fraction of any development, so the impact of reducing that is slight. In response to Ald. Tisdahl’s question about the ratios being slashed for all bedroom units, transit ridership, in particular CTA ridership has been decreasing since 1994. Davis St. Metra is up by 500 riders per day from 1999 to 2006 (roughly the development framework for downtown). If all 500 riders originate from the 1,753 additional units that are downtown, 3,500 people, the increase of 500 represents only 15% of downtown residents. This is no better than the rest of Evanston, so downtown is only transit-oriented because the buildings are close to transit. Use of the transit by larger numbers of people would
suggest true transit oriented development. He explained that CTA ridership is still down about 500 riders per day since 1980 through 1985 and no-one lived downtown at that time. He said the plan questionnaire states that people own 1.38 cars per household but the flawed Table 5A survey showed between .83 and 1.18 cars per household, adding that this discrepancy is not explained in the plan, but that he explains it in his comment letter, citing 10 reasons as well as his own survey of 68 cars at the Sherman Plaza parking garage parked outside of the cordoned area. He said the Plan did not address the discrepancy or the City Manager’s directive to explore the issue. He said that federal study indicates that there is a direct relationship between the increase in cars owned per household and increased income. Downtown is relatively high income and residents’ ownership of 1.83 per household is consistent with this relationship to income. He said downtown is an economic engine for the city, it is not transit oriented. He said Ald. Rainey correctly observes few vehicles at multi-unit developments in her ward, which is truly transit oriented development since this part of town is lower income households, who take transit and own fewer cars. As for appendix B, he said, it computes required parking on the basis of unit areas yet no check of the unit sizes was included even with the available plans showing unit sizes: all one bedrooms were considered 800 square feet, all two bedrooms were between 800 and 1,500 and all three bedrooms were assumed over 500 square feet, saying this gross assumption negates the value of any formulation of parking ratios based on square footage of area. He said he checked the scope of work for the multimodal transportation plan relative to parking and there is virtually no overlap of scope with the downtown plan, saying the multimodal plan is not looking at individual buildings form a policy standpoint, but rather parking and traffic generation and movement on the whole through the downtown area and parking on streets and within surface and municipal garages, not for private parking ratios. He said the plan does not address Ald. Wynne’s question regarding guest spaces, yet some communities do. He concluded that his overall response to the Draft Downtown Plan would be to strike most of the content on transportation: parking, traffic, closure of streets, one way street conversions and removal of surface lots. He does not think it is very usable in the near future. He said the economic conditions favor consideration of other improvements, rather than the ones considered in the downtown plan, such as redevelopment of our lake front parks before they do parks in the downtown area, per the plan.

Chair Moran thanked Mr. Bova for his comments.

Mr. Jim Woods, Chair of the Plan Commission, voiced his support for the plan in its completeness, adding that it has been worked on very hard by the consultants and the Plan Commission. He said that as an individual an architect and an urbanist, he believes the central block of the downtown is a special block and that a project that brought everything the City would want including underground parking, ground level retail, maintaining affordable office space on the site and major public improvements to Fountain Square, would be a win-win situation, and that it ought to be considered, but in the framework of the downtown plan as it is presented, that opportunity does not exist. He asked the Committee to consider it.

Chair Moran thanked Mr. Woods and thanked the Plan Commissioners for all the work they have done. He stated that December 4th, the discussion would continue.

(P2) Ordinance 127-O-08, An Ordinance Amending the Text of the Zoning Ordinance by Adding Section 6-15-15, “oWE West Evanston Overlay District” and Section 6-15-16, “WE1 West Evanston Transitional District”

Consideration of a Plan Commission recommendation for approval of text amendments to the Zoning Ordinance to add a new zoning district “WE1 – West Evanston Transitional District” and to add a new overlay district “oWE – West Evanston Overlay District” to Chapter 15 - Special Purpose and Overlay Districts.
AND

(P3) Ordinance 128-O-08, An Ordinance Amending the Zoning Map to Re-Zone Certain Properties Pursuant to the West Evanston Physical Planning and Urban Infill Design Master Plan

Consideration of a Plan Commission recommendation for approval of map amendments to change the base zoning district designations for several properties within the West Evanston area as specified in the West Evanston Plan Zoning Implementation document, Base Zoning District Changes map and to designate properties currently within the West Evanston Plan area to be included in the oWE West Evanston Overlay District as specified in the West Evanston Plan Zoning Implementation document, West Evanston Zoning Overlay map.

Ald. Holmes said the West Side has been discussed since 2000. She commended the community and staff for their hard work. She said the West Side Canal/Greenbay/Church Street Plan covered a number of broad issues: unemployment, transportation, public safety, youth, social services, and economics which all still need to be addressed. She explained that the presentation tonight is simply the zoning amendments needed to make the West Side Master Plan, which was adopted in May of 2007, in compliance. She added that despite all the efforts to educate everyone, there remain some misunderstandings. She said they will continue to work to eliminate those and that she and Ald. Jean-Baptiste will sponsor another community meeting on December 2nd. She said they have spent several months working with the business owners on Church Street and did reach an agreement, adding that of course not every one got everything they wanted but that the presentation tonight will reflect the majority views of the physical plan including setbacks, streetscapes and building heights. She said they will continue to work on the unresolved issues.

Ald. Jean-Baptiste said the west side of town has had its own unique character in that the Afro-American community has historically been congregated there and that at this point the highest concentration of Afro-Americans are in West Evanston, and they do not perceive it as a stigma. He explained that in the City’s history, it has not concentrated a significant amount of resources on improving the West Side, so it is a natural response that when there are initiatives on the part of the city to set up a TIF, talk about planning, and discuss the zoning overlay, there would be concerns about gentrification and the implication of whatever changes the City is proposing to the long term stability of that community, adding that those questions will continue to color the kind of interaction between the activists on the West Side and the City. He said criticism existed two years ago when market analysts projected that new condos built on the west side of town would sell for between $200,000 and $300,000, town homes would sell for between $350,000 and $500,000, and single family homes from $355,000 and up. He explained that in any neighborhood, what happens depends on what the market will bear and it cannot always be controlled but, he said, the City needs to pay close attention to how to maintain an equitable perspective on the best interest of the development of the entire city and make sure the kind of attention that is paid to downtown, is also paid to the neighborhoods and that they listen to the concerns of the residents. He said that sometimes people mix their concerns about zoning with concerns about jobs or other matters of economic development that may or may not mesh together, and that they have to assure everyone that the Committee is concerned about everyone, not just the downtown. He reminded the public of the upcoming meeting.

Ms. Susan Guderley, Neighborhood Planner and Staff Lead on the West Evanston planning process, said that the Canal/Greenbay Road/Church Street planning effort that ran from 2000 to 2003, was led by the Neighborhood Committee of the Plan Commission. It involved over 30 public meetings the first year and a half, which all took place in West Evanston, either at
Fleetwood Jourdain or Family Focus. She said the process was documented in the Canal/Greenbay Road/Church Street Neighborhood Planning Study that was adopted by City Council in September of 2005. She said the plan documents the fact that neighborhood discussions resulted in identifying six priority areas for West Evanston economic development, urban design and zoning, public infrastructure services, streets, housing, public safety and youth. She said the report also contains 21 goals and 119 action recommendations, saying that since the last time Staff updated the progress towards implementation, the City has taken steps towards addressing 10 of these goals and 37 action recommendations. She said the West Evanston Master planning process and tonight’s zoning overlay alone, implement 8 of the goals and 11 of the action recommendations, as detailed in her memo that was part of the packet.

Ms. Guderley explained that the next step in the process was the adoption of the West Evanston Tax Increment Financing (TIF) area # 6, which was intended to stimulate economic development in West Evanston and attempt to address the need for private investment business and job attraction. The TIF proceeds were estimated to be $25 million over 23 years or the life of the TIF. TIF proceeds can be used to finance eligible activities, expenses and improvements within the TIF. One of the first projects that took place once the TIF had been approved was the redevelopment of the Hines Lumber site, which today is Church Street Village, which stimulated much discussion in the community because most of the properties within the TIF are zoned as industrial. The community’s concerns with new development in the TIF were that there are no community-vetted public documents giving guidance to both developers and citizens as they evaluate new development within the TIF, and the community did not want to see developments that were enclaves unto themselves and did not relate to the rest of the community. On the basis of these issues, Aldermen Holmes and Jean-Baptiste worked with staff to develop the West Evanston Master Plan with emphasis on a high level of community involvement in developing the plans and good urban design. The request for proposals (RFP) asked that particular attention be paid to creatively integrating new developments with existing neighborhoods, encouraging sustainable, well-designed streetscapes and architecture promoting walkable neighborhood centers for economic and community activity, and creating opportunities for public and private green spaces. She said they explored the use of form based codes, explaining that they are different from conventional codes in that conventional codes put emphasis on defining and segregating various uses, where form based codes are based on a specific physical plan for an area that is achieved through community process with residents and other stake-holders, reflecting their input. She explained that form based codes also implement the plan with an overlay that includes regulations that will achieve the development of the plan. She summed up the difference by saying conventional codes say what can’t happen, while form based code encourages the combination of uses, walkable communities and mixed uses and provides a vision of what can happen.

Ms. Guderley introduced the consultants, Ms. Leslie Overholtzer, the Director of Planning for Farr Associates, who worked on Sub Areas 1 and 2 of the Master Plan and completed the form based code for all three of the Sub Areas, and Mr. Jonathan Furr, Senior Legal Counsel with Holland and Knight, the City’s land use experts, who would talk about the outcome of four businesses who had concerns about non conforming status as their base zoning was changed to be consistent with the plan.

Ms. Guderley explained that there are two steps form based code calls for: the change of the base zoning of the affected properties to be consistent with the uses and the overall design shown in the Master Plan; and the application of the zoning overlay which contains specific design standards for how buildings relate to the street and to each other, as well as landscape and street standards.
Ms. Leslie Overholtzer presented slides of the Master Plan for Areas 1 and 2 and consultant JJR’s Master Plan for Area 3 that was adopted in May of 2007. She explained the proposed original boundaries. Area 1: Simpson north to Emerson including the Bishop Freeman site and the corner of Greenbay and Simpson. Area 2: Emerson to Church including Church Street Village and Area 3: Church Street down to Greenwood including the area fronting the High School and some of the parking lots that are currently serving the high school (one at the corner of Church and Dodge and others that are integrated into the neighborhood). She showed the areas not included in the overlay: In areas 1 and 2 existing family homes just north of Foster, and the Com Ed Facility, which is hidden behind other parcels and buildings; Area 3 only includes the areas that will be redeveloped. She explained that much of the area is currently zoned industrial, especially the ones within I2, that there is a mixture of commercial (C2) on Emerson, which is still industrial, and B2 at the corner of Church and Dodge. The proposal was to apply base districts that the City already had within the existing zoning code within these areas. They maintained the B2 at Church and Dodge and applied the B2 to the neighborhood-serving commercial area at the corner and the existing commercial area. She said there was a lot of discussion about the appropriate base districts for all the residential areas, based on the Master Plan.

Ms. Overholtzer pointed out a sliver of R5 zoning within the neighborhood that they did not address, but the remainder is R4 base zoning, with building types applied to it. They felt that that was the guiding zoning district to apply, so they recommend rezoning all of the locations shown to R4 base district zoning. She said the form based code they suggest to apply over all the base districts uses existing uses and parking. They recommend that planned developments (PDs) are not permitted in the overlay, and they have a suggestion as to how to make those publicly viewed, that is a revision recommended by the Plan Commission. She said all the plans within the overlay would be presented to the Plan Commission in exchange for not having the planned development process. She said the reasoning behind this is that PDs are time consuming for the neighbors and the developers and City officials.

Ms. Overholtzer said the form based code was based on a combination of the demands of the planners and the developers on what they would like to have happen in this location. Form based code attempts to show what you can expect to happen in this location, with some public display of what is to happen. The building blocks for the form based code are the building types. She showed in the guide how each of these three building types are defined in the code: Mixed use, to be used in the B2 zoning district, and all their requirements; where on the site the building and the parking are located and the setbacks. A section through the building illustrates the height and use requirements. An elevation shows the pieces expected to see on the building type, such as façade requirements. The mixed use form based code is very consistent with many of the current buildings at Church and Dodge, built closer to the street, with a narrow landscaped area and teaser parking in some locations such as Emerson and Greenbay and Simpson, and one bay of parking to be added to the interior of the lot. They required location of the front entrance to be on a major street, a mixed use building must have a store front base with a significant amount of clear and open glass and a basic requirement for fenestration above the first floor to make sure there is light and air in and out of the building and there aren’t any blank walls. They’ve allowed for parking to be in the rear of a mixed use building but they have not allowed it to continue to the front of the building. The front must be occupied by people space, not car space.

Ms. Overholtzer explained the code for apartment buildings: layout is similar to mixed use but does not require store front façade. It has either a stoop or a porch and parking can be underground. They’ve required a setback on ground level and the extra floor must match the surrounding buildings. The one on Emerson does not have to have that setback because it is adjacent to the senior building that is very tall and it doesn’t have to have as much of a setback to match it.
For townhouses, there are a lot of parcels that would end up being fairly shallow so they developed 3 different townhouse types. The most common is Townhouse Type 2, similar to the Church Street Village townhouses with some modifications. They realized it needs to be a certain size in order for it to be saleable. Using standard townhouse dimensions, the townhouse must be 2.5 or 3 stories tall, so they required that the front façade be held to a particular height but the back can be a little bit taller so that along the street you have the sense of a little lower height, even though they have allowed for the garage to be inserted into the rear.

They put the building types and street types into regulating plans: She presented maps showing areas with their proposed building types, which are closely related to the Master Plan. She showed the different townhouse types and the areas they are proposed for. She showed in Area 2 the Regulation Plan in comparison to the Master Plan and the locations of all the types of buildings, explaining that is was all derived from the community charrette process and that the regulating plans were based on the Master Plan. She said flex building allows for either retail or residential buildings, and that special use parking lots could occur with a special use permit.

Ms. Overholtzer showed the street types and their locations which were determined by working with developers and the Public Works Department. All the streets are connected. They incorporated a landscape requirement so that any of the parking lots adjacent to the street would have a landscape buffer and parking lot trees that were not previously included in the code.

Ms. Overholtzer explained how the existing rail right of way areas would be landscaped and maintained and there would be a continuous trail that would go through Area 1 down to Foster and then be on a street on the Bishop Freeman site, through Areas 2 and 3, and would follow the rail right of way down to Greenwood.

Mr. Jonathan Furr of Holland and Knight gave an explanation of the West Evanston Transitional District (WE1) explaining that the discussions around this district came about from talking with the property owners that already are within the planning area and their concern about how the vision that applied for the overlay district would impact the existing commercial district. He said they worked with the City to find a way to allow the existing businesses to continue to operate without being non-conforming and would also have the opportunity to expand within the general framework for expansion the business owners thought feasible, but if there were to be a total redevelopment of the sites, they would be redeveloped in accordance with the Master Plan, saying that is what WE1 District regulations provide for. The permitted uses that are already permitted within the district are those that are already operating on these current sites or operate uses that are consistent with the overlay district. He explained further that the other provisions of these regulations generally provide that to the extent that the current uses are discontinued for 12 months if they are not trying to market or 18 months if they are trying to market the sites, that any future development on the sites would have to be in accordance with the overlay district regulations. It also includes some specific provisions about the permitted expansions for the sites as long as they are continuing on with the same use as before, which is a change from typical non-conforming zoning provisions, which do not allow expansion of non-conforming uses in structures. They have also put in place regulations which adhere to the landscaping and streetscape in relation to the expansion.

Chair Moran opened the floor to the citizens wishing to speak. Ald. Holmes said she thought that citizen comment was not to be heard until December 8th on the West Evanston Plan. Chair Moran assured her that citizens will have the opportunity to comment on December 8th also.
Ms. Tina Payden of 1122 Emerson Street said she wished to read something from the internet regarding the West Evanston Plan zoning implementation. She said in general after public notice is made, the proposed changes are reviewed by the Plan Commission, which holds a public hearing before making a recommendation to the City Council. She said that on Oct 15th, the Plan Commission had a meeting and that no-one was notified of the meeting. She asked what public notice was sent out and she said the public was not allowed to speak at that meeting. She said they had 40 people there to speak and she felt it was unfair that a decision had been made and the City did not follow procedure by not notifying the public and not giving them an opportunity to speak at that meeting. She said the City should give the citizens an opportunity to speak about the changes to the Plan. She also said she is against form based code and the public not being allowed to be heard once the overlay is passed. She believes the overlay should stipulate who is paying for infrastructure, asking whether it is the taxpayers or the developer, adding that she believes the developer should be made to pay for the infrastructure.

Chair Moran thanked Ms. Payden for her comment.

Mr. Dennis Marino, Community Development Director, stated that over the past year the Plan Commission as well as the Zoning Committee of the Plan Commission have followed all proper procedure in handling this matter. There have been very extensive meetings, well attended by the public and properly noticed as well. Ms. Guderley said the original notice for the public hearing was published in August of 2007, therefore every meeting, as it was continued to a date certain, was announced at the end of each meeting. She explained that typically, they don’t send out notices each time a hearing is continued, though they have made sure that it is on the City’s website and there has been outreach to the aldermen as well.

Ms. Amy Stewart of 1606 Wesley said she got involved in the project during the Church Street Village process. Her community urged the City to adhere to the West Side Master Plan for the development of that area. She said she believes it is a good process that has taken place. She feared that Church Street Village would turn into a closed community but she believes the plan addresses that issue. She thinks the plan has been an example of good government working well. She urged passage of the plan.

Ms. Betty Ester of 2114 Darrow said the question of notices to the community has been raised at every meeting. She said that some people say they get notices, some do not, but they were not mailed certified so there is no confirmation of whether the notices were received. She said sometimes notices of cancellations were not posted on the web, or email notices of cancellations were late. On the website she said she is concerned that the CD that was included in the packet sent to Council members included the documentation submitted by Ms. Ester. She said she has received the transcripts of meetings that she requested in paper form and she would like to have them in electronic form, so they can be more readily shared. She said the documents she is concerned about were given to the Zoning Committee and the Plan Commission and if the Committee members do not have them, she does not see how they can continue the process.

Chair Moran suggested that Mr. Marino make the CD that was in the Committee’s packet available to Betty Ester and if they were not included, he assured her that he will make sure that they are made available to the Committee for their review.

Mr. Carliss Sutton of 1821 Darrow expressed his concerns about the accessibility of the plans and the possible outcome of the plans. He said he went to the library to look at the West Evanston Plans on two different occasions and did not find them there. When he finally found the plan, there were several revisions in the zoning area that represented R5 and completely new zoning classifications. He was concerned about this because the form based code should be compatible
with the existing structures in the community and he was assured that there would always be an opportunity for citizens’ input, but they had been denied it. He said he is not saying they deliberately did not want them to become involved in the planning process, but through a couple of missed cues, cancelled meetings and no quotas, there has been very little opportunity for any valid citizen participation and it seems that it is very difficult for this process to go on and be recommended for adoption when there are very serious concerns about the process to this point. He said he is also concerned that this is a way of adopting zoning and using spot zoning that may frustrate the community’s effort to maintain a certain life quality in their own community. He concluded that he is asking that they have an open discussion finally about this and that there are really serious concerns about gentrification, bait and switch, height, density and especially the cost of the buildings as the members of the community will never be able to afford to stay in these communities that they are planning. He thanked the Committee for listening to him.

Chair Moran assured Mr. Sutton that the Committee would do everything possible to make sure that all current proposals are completely available. He told him that if for any reason he finds that that is not the case, to please feel free to call him or staff and they will make sure that it is done.

Chair Moran repeated that the discussion will continue on December 8th. Ald. Jean-Baptiste announced that there will be a joint meeting of the 2nd and 5th Wards on December 2nd at 7:00 p.m. at the Civic Center, and that the citizens also have one on one access to the aldermen.

Ald. Jean-Baptiste clarified that the meeting on December 8th will be a Council meeting. He said that mailings would go out to the appropriate ward residents of the meeting on December 2nd and that notice of the 5th Ward meeting was posted on the City’s website. Ald. Holmes said that these meetings have been announced already and that they will send out an email to block club leaders who have email access, and they will be asked to share the information with members of their block club who do not. Ald. Jean-Baptiste also explained that when Plan Commission items are continued, they stay on the agenda until the Plan Commission refers it to the Planning & Development Committee. When meetings are continued, it is announced at the meeting. Those who were not in attendance can refer to agendas posted on the website.

Ald. Bernstein suggested the citizens not dwell on the notice system, but move forward, come to the next two meetings on December 2nd and December 8th and if it takes more time than that, it will be taken.

The Committee voted unanimously to hold the item in Committee.

**P4 Ordinance 126-O-08 An Ordinance Amending Section 6-18-3 of the Zoning Ordinance to Exclude Firearms-Related Businesses from the Definitions of “Retail Goods Establishment” and “Retail Services Establishment”**

Consideration of a Plan Commission recommendation for approval of a text amendment to the Zoning Ordinance to update the definitions of Retail Goods Establishment and Retail Services Establishment in Chapter 18 “Definitions” for the purpose of prohibiting the sale of firearms and ammunition.

Ald. Tisdahl asked whether gun services of cleaning and manufacturing were included in the ban, because it was not in this ordinance.

Mr. Ken Cox of the City’s Legal Dept. said the Committee could make an amendment to the ordinance now to include it. The current ordinance was based upon recommendations that did not include the entire scope discussed at Plan Commission.
Ald. Tisdahl moved to amend the ordinance to exclude gun services of cleaning and manufacturing along with gun sales as permissible.

Ald. Wynne agreed and suggested the amended language to be changed from, “shall not include businesses that exchange, loan, rent or otherwise transfer for consideration firearms handguns or ammunition.” to “shall not include businesses that exchange, loan, manufacture or service, or otherwise transfer for consideration firearms handguns or ammunition.” Ald. Tisdahl agreed.

Ald. Rainey asked if Ald. Wynne would accept the amendment to include the words “alter and repair.” Ald. Wynne accepted the amendment. She said that the transcript reflected the desire of one of the members of the Plan Commission to seek guidance from the Legal Dept. and she asked Mr. Cox to confirm that he has given his guidance and it is okay to include the conditions to the ordinance as amended. He confirmed that it is.

Mr. Cox said the notice that was published on November 21st regarding the ordinance said that these types of businesses are actually already precluded by a separate section of the code. This is merely an amendment to the zoning ordinance in order to make sure that businesses who may wish to engage in these types of things would be able to find it within the zoning ordinance and would not have to look through separate laws of the City government.

The Committee voted unanimously to approve the ordinance as amended.

ITEMS FOR DISCUSSION

(PD1) Discussion of Foreclosure Activities
Update on the foreclosure situation in Evanston and remedial activities.

Mr. Marino stated that the updates regarding foreclosure are in the memo included in the packet materials, indicating a plan by the Federal Deposit Insurance Corporation (FDIC) to move forward with modified loans. The plan has not been fully approved, but there is material explaining it and the FDIC website has greater detail on it. Secondly there is a summary of the Illinois and Cook County Draft Neighborhood Stabilization Program plans. These two government entities have received considerable funding from the U.S. Dept. of Housing and Urban Development to assist municipalities with the acquisition of either foreclosed or abandoned property. He said that they are currently setting up a process for municipalities such as Evanston to apply for grant money and that we are pursuing that funding in both cases. Neither agency at this point has released a request for proposals. He said he expects that to happen in the first quarter of next year.

Ald. Rainey said regarding foreclosure and pending foreclosures, shared a conversation she had with a constituent who is the president of an 18 unit condo association that has 6 units currently in foreclosure. At least one has been completely abandoned. The units have separate heating sources and the residents are desperate for assessment money which they are not getting of course, and he warned her that next year the City will probably be handing out notices for tall weeds because they are going to have to cut back their lawn service to twice a month as opposed to every week. More importantly, she said, as the winter approaches, they are unable to get responses from the banks that now own these properties in some cases and the private heating sources in each of these locked units are going to start having pipes bursting and the residents are terrified of the conditions that they are going to face. She said she is trying to bring to the Council different situations that they might be able to address. She is not sure about the Property
Standards Dept. going into units that are locked and left to the devices of the banks who are not responding. She said all these situations that have to do with foreclosure especially in multi-family buildings, are very serious. The residents are considering getting into the units to turn on the heat or turn off the water to prevent pipes from bursting.

Ald. Holmes added that Jeff Murphy, the Assistant Director for Property Standards, was at her last ward meeting, where he talked about cleaning of the sidewalks outside of foreclosed homes and that once the banks get involved you are up against a stone wall. It is very difficult and she has many in her ward.

Ald. Jean-Baptiste complimented Betty Sue and the Citizen’s Lighthouse and other CHDOs who presented the workshop on affordable housing and foreclosure prevention. He said a great deal of information was shared with those who attended. He addressed the public, saying that if anyone has a need for these agencies, if they are facing foreclosure or know someone who is, to please call CEDA Neighbors at work. CEDA and Interfaith Housing do counseling in this area. He said to call the City and ask for Donna Spicuzza, who will refer citizens to the correct agency. He suggested that people having problems call the City and make requests for help because there is emergency assistance available through CEDA.

**ADJOURNMENT**

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

Respectfully submitted,

Bobbie Newman