

Presiding Official: Alderman Tisdahl

DECLARATION OF QUORUM

Chair Tisdahl called the meeting to order at 6:40 p.m.

APPROVAL OF THE MEETING MINUTES OF MARCH 12, 2007 AND FEBRUARY 22, 2007 SPECIAL MEETING MINUTES

Ald. Wynne moved approval of both sets of minutes, seconded by Ald. Jean-Baptiste. The vote was 9-0 in favor of the motion.

ITEMS FOR CONSIDERATION

(P1) Ordinance 34-O-07 – Establishing a 105-day Moratorium on the Issuance of Building Permits for Construction on Green Bay Road from Isabella to Lincoln Street

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

Chair Tisdahl noticed one person signed up to speak on this matter and called on her first.

Ms. Jane Grover, noted that Council has already extended the length of time for the moratorium on Central Street and she is here to address the expansion of it to include that stretch of Green Bay Road north and south of Central Street. She believes the Central Street Planning process is focused on Central and Green Bay as a transit center and it only makes sense when considering the Transit Center and both its east/west access but also as it runs north and south. She noted that an expansion of the moratorium would include all the way from Isabella south to Lincoln Avenue; which is a total of approximately 5 or 6 blocks. Ms. Grover’s opinion on the reasons to include this stretch of Green Bay Road is because they are already witnessing development pressures from both the north and the south and several properties along this stretch are either on the market including the Domicile building and the Duxler property which has recently been sold. Recognizing that the City does not take lightly the expansion of property rights through the moratorium process, she proposes that there will be productive use of this moratorium time along the stretch of Green Bay. Ms. Grover stated that this issues she and her neighbors would like to see addressed would be:

1) Pedestrian friendliness, given that one whole side of Green Bay Road is impassable to pedestrians due to the elevated tracks.

2) Neighbors are fearful of creating a “Berlin Wall” of buildings along this stretch of Green Bay road that provides no enticement to their neighbors from Wilmette to stop and
patronize the Central Street nor does it provide any enticing view of the neighborhood for those traveling on the Metra train.

Ms. Grover gives her word that the Central Street/Green Bay moratorium, if it includes Green Bay, will include some real concrete proposals to what they can do along Green Bay Road.

Mr. Wolinski said that staff has met with Ms. Grover, Jeff Smith, and Jim Hughes last week because they had asked them to present information as far as justifying the moratorium on Green Bay Road. He reminded that the study area currently goes from Lincoln to Livingston. He noted that the area south of Central Street is zoned C1 and to the north is zoned C2; in these zones you have curb cuts, front yard parking, etc. He noted that portions of the Central Street Plan that is coming out, he believes there will be a movement to try and make the street more pedestrian friendly and to build some to lot line. Therefore, he believes the character of Green Bay Road, at least in the planning process, will probably change. Mr. Wolinski assured that staff does not take moratoriums lightly and they have concerns in the fact that there really isn’t any development activity on Green Bay Road in this area right now. He noted that only development occurring is in the small area of Residential district where there is an 8-unit condo going up just north of Lincoln which is zoned R5. Other than this small development, the City is aware of no other plans for near future development along this stretch of Green Bay Road. Mr. Wolinski said that he spoke with Ms. Grover about the Duxler property, recalling that there was a planned development for a portion of that property to build a new condominium that faces on Prairie Avenue. He added the information he has is that Duxler is staying on Green Bay Road but will reduce the number of bays and will operate a smaller facility. He said the only other activity that has been in that area is for the Domicile site which was proposed for an adult daycare center which a zoning analysis was done several months ago on it. The plan was to use the existing building however this did not comply with either permitted use or a special use so the concept diminished.

Chair Tisdahl stated, as Alderman of the Ward, that she has been made aware by the community/neighbors that if this moratorium is granted, they would feel much better about the Central Street Planning Process, especially for the reasons Ms. Grover outlines earlier. She said it is difficult to live without a transition barrier of some sort when there is residential directly next to commercial, therefore she feels this inclusion of the Green Bay Road moratorium will help the community/neighbors work through some of these critical issues of concern. Chair Tisdahl expressed her support for this moratorium and her desire that the Committee support this as well.

The vote was 9-0 in favor of the motion.

(P2) Ordinance 27-O-07 – Text Amendment to Create a Mixed Use Employment Zoning District (MUE)
Ald. Wynne moved approval, seconded by Ald. Jean-Baptiste.

Ald. Rainey stated that one of things that bother her about this is the uses and the permitted uses. She is unaware of what the legal opportunities that the Committee has to eliminate some of these uses, but given these districts especially from her experiences in the South Evanston, she thinks the City is making way to many opportunities for not-for-profits. The majority of uses would appeal to not-for-profits and she is very concerned about this in view of the enormous amount of land and buildings that are available such as the Shure Brothers property that have the possibility of being removed from the tax roles by religious institutions. Ald. Rainey feels that they need to start giving some thought to the uses they make permitted and special because she does not see
for the MUE District having residential care homes, religious institutions, educational institutions, community centers, etc. Chair Tisdahl asked Ald. Rainey what suggestions she has for some permitted uses in this district. Ald. Rainey responded that she would like to see most of the listed permitted uses eliminated that refer to not-for-profit uses with the only exception being a governmental or public use for example a recreational center.

Ald. Moran said although he recognizes Ald. Rainey’s concern for taking properties off the tax role by not-for-profits, he does not think that these uses are necessarily inimical to the mission. He recalled the controversy with the Vineyard, he remembered that one of their points was that approximately 90% of the land mass of Evanston had religious institutions as a permitted use. He said you can look at this as an invitation to take property off of the tax roles; however he does not see it that way. He sees this as opening up an opportunity for different types of uses and organizations. He can not offer a comprehensive view of this but he suspects that if they looked at the Zoning Ordinance across the board that they would find that many of these uses are permitted or special uses in the vast majority of Evanston. In conclusion, he does not see the listed uses as a radical departure from their zoning regimen in general. Ald. Rainey responded that out of 26 permitted uses, 10 are not-for-profit uses. What she is asking for is a “radical” look at the permitted uses all across the board. She reiterated her feelings that there are far too many not-for-profit, non-taxable properties on the tax role; this does not even include Northwestern University. She stated at some point and time if the City does not have some type of payment-in-lieu of taxes policy, they are going to have to do something to stop the removal of taxable property from the tax role. Ald. Rainey clarified that she is not against any religious institutions or educational facilities, her main concern is for the loss of taxable income from so many properties being owned by not-for-profit organizations.

Ald. Bernstein said that the main concern for the proposed zoned text amendment in his ward are for retail establishments in areas that now have become much nicer residential areas, therefore he would almost welcome some of the not-for-profits uses over retail. He noted that most of the properties are hybrid; half being MUE and half being residentially zoned. He said historically the City has always had difficulty when a developer came in as to what zone to categorize that particular lot in; one such is a very large property in the 1000 block of Sherman that’s been the subject of discussion because the zoning would allow more units than acceptable for that area in the opinion of many neighbors. However versus a retail use that generates a lot of traffic in this area which is across from Nichols School and an area that has made great strides to improve the quality of residential properties, he as well as many of his neighbors would almost prefer the multi-unit residential development or not-for-profit use for this location. Ald. Bernstein views this area of his ward as an interior residential area, with the exception of the lumber yard that has been an excellent neighbor for many years. He asked Mr. Cox (City Attorney) if it is possible to make everything in a zoning district a special use. Mr. Cox responded that he would have to do more research before giving a definite answer. Ald. Rainey feels there is a need to research and examine all retail service and retail establishment’s definitions; some are so extreme or the ranges are too significantly.

Ald. Holmes pointed out that there was a lot of discussion in the Plan Commission transcripts pertaining to the Hill Group area when several of the neighborhood members were present, regarding the fact that many of these uses listed are already happening in the Payne/Ashland Loft areas. She noted that different retail uses such as Peggy Robinson Jewelry, a glass blower, and other unusual and wide range of uses are operating in this district and are working fine together. Ald. Rainey responded that even these types of retail uses can also be categorized.
Mr. Wolinski told the Committee as a point of historical information; he recalled back in the early 90’s when they drafted the “M” part in the MUE districts. He said this was to ensure that manufacturing would still be a permitted use and would not become non-conforming for those existing manufacturing parcels still existing in those districts; at that time this was of great concern. However, 15 years later the question is if this is still a point of concern. He suggested that they may want to look at the whole MUE concept because certainly the people who have proposed this have done some great work in the Dr. Hill Area referring to Andy Spatz and John Leinweber as far as revitalizing the area with exciting new uses and tenants. Mr. Wolinski said that these developers are concerned about having the ability to provide retail in these areas. He concluded that maybe the whole MUE concept has become obsolete. Ms. Jackson added that this was the impetus for the Committee feeling though there was no longer a need for two separate districts and combining them into one and having one mixed use district that this would try to catch everything. She said that staff conducted a survey of land uses last summer and manufacturing uses were less than 10% with predominant residential. The community driven aspect that started this request was to add the retail and to not have a barrier to provide for a residential infill because in one of the districts, residential uses were special uses. She said this and the FAR increase were the two striving factors. Mr. Jackson pointed out that when the Committee started to look at this and found there wasn’t really a need for both; that manufacturing uses weren’t being attracted to the area at this time nor is it anticipated in the future. She said that if the Committee finds that it is not appropriate everywhere, they could look at the individual locations and choose and make the changes asked for and perhaps leave the MU or MUE as is and propose the new district only for certain locations.

Ald. Moran said that he believes that looking at the era that Mr. Wolinski referred to there was a certain hope that some of those small but still vibrant manufacturing uses would hang on. However as time goes by they are experiencing less and less of the viable of this type of business. In his opinion, these types of businesses provided good sources of jobs for people in the community, however it does seem to be less tenuous. He realizes that the area is looking for something of a change and the makeup and face of that area where some of this would be very pertinent. Ald. Moran said that he would not like to see the manufacturing use abandoned; the initiative here to take another look and revise the zoning in a way that is consistent with the reality is very important as well. Ald. Jean-Baptiste stated in his opinion it might be wise to go back and take a look at this area by area, especially since there are different thoughts and desires separate for every neighborhood that this zoning text amendment would effect. He feels it would be very worthwhile to maybe hold this in Committee to allow the opportunity to do this. Ald. Bernstein feels that Council has already made a determination with industrial zones changed on two occasions that he can recall on two substantially-sized parcels for residential uses. Therefore, he reiterates that Council has made statements on their opinion of the viability of manufacturing in this City. He personally would not like to see it go especially as Ald. Moran said, manufacturing businesses usually provide local employment for the community and they also benefit the tax base, however Evanston is not as beneficial as it used to be for a variety of reasons ranging from close proximity to the highway, the higher cost of taxes here, no freight train access, etc. The reality for Evanston is not with manufacturing businesses; it appears residential and retail or mainly the combination of both is the actual reality. Ald. Bernstein noted that movement in the Hill District area with the combination of unique retail and residential is definitely working in that area. However, in other areas where the MUE district is being proposed, this type of combination might not work and other uses would be more suffice. In conclusion, he agrees that they need to look at areas case-by-case and may result in re-zoning instead all these areas becoming MUE. They also need to review the categories and decide whether or not they are happy with the definitions for retail goods establishments.
Ald. Rainey asked if the businesses mentioned previously in the Payne/Ashland district would fall under some type of artist category. Ms. Jackson responded that there is a specific category for artist studios. Ald. Rainey pointed out that this is not one of the categories listed and what they have done here is created an MUE district that excludes as either a permitted or special use the category for artist. She feels this does not make sense since they then allow a residential care home in the same zoning district. She strongly feels the uses listed are incompatible and it is apparent that this needs more consideration and creativity of categories. Ald. Wynne agrees as well that there is a need for more time to review this proposed text amendment since it is their first time looking at this and there are so many concerns and discrepancies regarding the permitted and special uses as listed.

Mr. Andy Spatz spoke on behalf of the Hill Group, that they feel the crazy mix of uses around the Payne Street area is what makes the district so unique and what makes it all work somehow together. He pointed out there is a combination of B!, C, and MUE zoning districts in this area which creates a free market that seems to fit in this part of the neighborhood and attract such distinctive and unique business combined with the lofts; churches, and residential surroundings. He noted the entire neighborhood is non-conforming and reiterated that’s what makes it all seem to work in that community. Mr. Spatz agrees with Ald. Rainey to keep properties on the tax role, which most of these unique businesses that have come to this area or will be coming will do. He also agrees to make only retail uses and special uses that would have to be reviewed and approved by Council before allowed. Ald. Wynne reminded that this unique mix of different zoning districts, categories and non-conformancy may work well in the Dr. Hill neighborhood but may not be acceptable or work in other areas, neighborhoods and wards. Therefore, she strongly urges the need to look at these districts by area and properties affected. Mr. Spatz reminded the Committee that the Dr. Hill Group has been working on this process for over the past 3-years just to reach this point. He does not want to see it held in Committee for another 6-months to a year before any decision is made on it. The Committee members assured Mr. Spatz that they do not intend to hold this item over for more than a few meetings to give them more time for review and requested amendments to be made, since it is their first shot at this ordinance.

Ald. Bernstein moved to hold this item in Committee, seconded by Ald. Wynne. The vote was 9-0 in favor of the motion.

COMMUNICATIONS

(PD1) Staff Memorandum on Joint Meeting for Planning & Development Committee and Plan Commission on April 12, 2007

This communication was accepted without comment except to clarify starting time of meeting being 7:00 p.m.

Mr. Wolinski announced to the Committee Ms. Carolyn Brzezinski’s resignation as the Asst. Director of Community Development, Building & Zoning Division as of Friday, April 6, 2007. She has accepted a position as the Director of Community Development Services for the Village of Northbrook. The Committee thanked her for all her good work, professionalism and expertise over the years and wished her well in her new position for the Village of Northbrook. Ms. Brzezinski thanked the Committee as well for the consideration they have given her over the years and that it was pleasure working with the City of Evanston.
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**ADJOURNMENT**

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Jacqueline E. Brownlee