

**Planning & Development Committee
Minutes of July 27, 2009
Council Chambers 7:15 p.m. – 8:20 p.m.
Evanston Civic Center**

Aldermen Present: D. Holmes, L. Jean-Baptiste, R. Rainey, D. Wilson, M. Wynne

Staff Present: J. Chambers, K. Cox, B. Dunkley, D. Marino, B. Newman,

Presiding Official: Alderman Wynne

DECLARATION OF QUORUM

Chair Wynne called the meeting to order at 7:39 p.m., a quorum being present.

APPROVAL OF JULY 13, 2009 MEETING MINUTES

Ald. Rainey moved approval of the minutes. Ald. Jean-Baptiste seconded the motion.

The Committee voted unanimously 5-0 to approve the July 13, 2009 P&D meeting minutes.

ITEMS FOR CONSIDERATION

(P1) Ordinance 51-O-09 Granting a Special Use for a Child Daycare Center at 526 Davis Street in the D4 Downtown Transition Zoning District

Ald. Fiske asked that this item be held in Committee so that several issues could be resolved: the day care center proposes to take up 2 store fronts; the number of children proposed is 39, which Ald. Fiske said she thinks are too many for the space, she did not believe it had been approved by the DCFS and wanted more information about it. She said the dropoff and pickup issue has been dealt with as neighboring landlords have offered in writing to let the center use 8 parking spots in the rear of the building for picking up the children.

Lori Kaiser McCorty, the business owner, said that parking and dropoff/pickup was a major concern which had been resolved by the 8 spots being offered for pickup. She said she had understood that dropping off early in the morning did not cause a traffic problem and would be permitted in the front. She said that DCFS has already seen the space and has approved it for 39 children and that this approval is necessary to obtain a building permit, though, she said, she probably will not start out with 39 children enrolled.

Ald. Rainey asked Ms. McCorty what kind of financial commitments she had made in order to get the DCFS approval, to which she replied that DCFS approval allowed her to apply for the building permit. She said DCFS will return several times to inspect that the space is used as proposed and is in compliance with regulations.

Ald. Rainey said regarding Ald. Fiske's concern that 2 store fronts will not be used for retail, that for years there was an argument that the Evanston Dance Center space would not bring in sales tax from retail, but she said the many people who drop off their children bring a lot of business to the

shopping center where the Evanston Dance Center is and that this for-profit daycare center owner will also pay taxes. She said she does not believe this is a reason to hold the item in Committee.

Ald. Holmes clarified that DCFS has already approved the space for 39 children and asked Ald. Fiske whether that was her concern, to which Ald. Fiske replied that she is unfamiliar with the daycare licensing process and she looked at other spaces and thought that this space was too small for 39 children. She said she wondered how having this many children in this space would reflect upon the business owner. She said it is proposed for infants and toddlers up to 3 years old, who will not be shopping in the area and that her first choice is a retail store that would generate sales tax. She confirmed that the parking issue had been resolved. Ald. Holmes said she knows about children, and that the DCFS would not have approved the space if it was not adequate. Ald. Fiske asked whether there were also City requirements for daycare centers, to which Ald. Holmes replied that the City's Health Department works in conjunction with DCFS.

Ald. Wilson said the ordinance is drafted for a special use conditional on DCFS approval and he would not feel comfortable imposing rules other than those imposed by DCFS.

Ald. Fiske said she had thought the amount of children was to be 29 and it was approved for 39. She said she wants to be sure it is in compliance.

Ald. Jean-Baptiste said he got the sense that Ald. Fiske's issue is with the preferred use, not the number of children. He said since the daycare center is in compliance with DCFS, there is no reason to hold it in Committee.

Ald. Fiske asked whether the ordinance could be changed to specify 39 children.

Chair Wynne said it has been clarified that DCFS has approved it for up to 39 children.

Ms. McCorty said the daycare center will be a benefit to the community. She said DCFS recommended that she specialize in infants to 3 years because the Small Children Center has children a little older, and they will not be competing with each other, there is a demand, and they can make referrals to each other. Ms. McCorty said she currently runs the daycare center at St. Francis Hospital. Ald. Rainey said that is a wonderful daycare center. Ms. McCorty thanked her.

Mr. Dunkley said in Section 3 of the ordinance, it states that the use must be in compliance with all applicable regulations.

Ald. Rainey moved approval. Ald. Wilson seconded the motion.

The Committee voted unanimously to recommend approval of Ordinance 51-O-09 for the special use daycare center.

(P2) Ordinance 63-O-09 Granting a Major Variation and Amending a Special Use for a Religious Institution with Accessory Parking Located at 1825 Dodge Avenue (Seventh Day Adventist Church) in the R4 Residential District

Ald. Holmes moved to approval. Ald. Jean-Baptiste seconded the motion.

Mr. Dunkley clarified that the portion of the ordinance that was recommended for denial by the Zoning Board of Appeals (ZBA) is no longer applicable to the ordinance. He said the applicant

has fulfilled the ZBA's conditions for granting the special use and the variance on impervious surface coverage; onsite detention and community meetings.

Ald. Holmes said Pastor Sylvester and the president of the Community Alliance Block Club were at her last ward meeting and if they are satisfied, she is too.

Mr. Dunkley explained that it was necessary to obtain the special use because the Church has acquired several surrounding properties. He clarified that the ZBA recommends approval now that the conditions have been satisfied. The ZBA granted a variance of 59% impervious surface coverage where 55% is permitted. The applicant's original request of 61% was reduced because of changes to the project.

Ald. Jean-Baptiste moved approval. Ald. Rainey seconded the motion.

The Committee voted unanimously 5-0 to recommend approval of Ordinance 63-O-09.

Ald. Rainey suggested that a traffic study will cause the Church to incur an expense of approximately \$5,000 and she said she is sure it will generate no extra traffic. Mr. Dunkley replied that the traffic study is not a condition of the ordinance. Ald. Rainey suggested having the City's Traffic Department put a counter in the alley. Mr. Marino said he would discuss this with the Traffic Department.

Chair Wynne suggested considering the following 8 items (P3 through P10), which propose minor typographical/text amendments to the Zoning Ordinance, as a group. Mr. Cox recommended reading the titles of each. Ald. Rainey agreed with Chair Wynne that they should be considered as a group and said she would read the titles of each in the City Council meeting, to follow.

(P3) Ordinance 43-O-09 Amending the Text of Subsection 6-9-5-7(H) of the Zoning Ordinance, "Yard Requirements" for the B1a Business District

(P4) Ordinance 44-O-09 Amending the Sections of the Zoning Ordinance Relating to Office Uses in Residential Districts

(P5) Ordinance 45-O-09 Amending the Text of Section 6-16-2 and Table 16-B of the Zoning Ordinance, "General Off-Street Parking Requirements"

(P6) Ordinance 46-O-09 Amending the Text of Subsection 6-3-8-3 (A) of the Zoning Ordinance, "Minor Variations"

(P7) Ordinance 47-O-09 Amending the Text of Subsection 6-1-2 (H) of the Zoning Ordinance, "Purpose and Intent"

(P8) Ordinance 48-O-09 Amending the Text of Subsection 6-15-1-8 of the Zoning Ordinance, "Historic Preservation"

(P9) Ordinance 49-O-09 Amending the Definition of "Rooming House" in Section 6-18-3 of the Zoning Ordinance

(P10) Ordinance 50-O-09 Re-Titling Subsection of the Zoning Ordinance Relating to Access to On-Site Parking in Residential Districts

Ald. Rainey moved approval of all of the ordinances. Ald. Jean-Baptiste seconded the motion.

The Committee voted unanimously 5-0 to recommend approval of Ordinances 43-O-09 through 50-O-09, amending minor text errors/clarifications, to the City Council.

(P11) Ordinance 62-O-09 Amending the Special Use for a Sheltered Care Home/Skilled Care Home Located at 2520 Gross Point Road in the C2 Commercial Zoning District Granted and Amended by Ordinances 147-O-89 and 29-O-96.

Ald. Jean-Baptiste moved approval. Ald. Wilson seconded the motion.

Ald. Rainey asked Mr. Steve Friedland, representative of Alden, whether there was a reason for the specified number of skilled beds in the first special use ordinance. Mr. Friedland replied that he could not find anyone who was present in 1996 when Alden applied for the special use, but that similarly to the daycare center, the special use was adopted according to the license.

Mr. Dunkley said he has not read the proceedings, which are archived, from the 1996 meeting where the special use was adopted, and that it is curious that the special use was written with such detail.

Ms. Randi Schullo, President of Alden Realty, said the conditions were put in before she was there. She said the restrictions have always been complied with. Mr. Friedland said all of the conditions in the 1996 special use were in the original special use from 1989. He said the same conditions were moved over to Alden when they purchased the home in 1996. Ms. Schullo pointed out that they do not want to increase the number of beds.

The Committee voted unanimously to recommend approval of Ordinance 62-O-09 for the special use for Alden Sheltered/Skilled Care Home to City Council.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Bobbie Newman