



DRAFT

MEETING MINUTES

ZONING COMMITTEE OF THE PLAN COMMISSION

Wednesday, March 27, 2019

7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, Room 2403

Members Present: Terri Dubin, Jennifer Draper, Carol Goddard, Peter Isaac, Colby Lewis

Members Absent:

Other Plan Commission Members Present: none

Staff Present: Meagan Jones, Neighborhood and Land Use Planner
Scott Mangum, Planning and Zoning Manager

Presiding Member: Peter Isaac, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

With a quorum present, Chairman Isaac called the meeting to order at 7:02 pm.

2. MINUTES

Approval of November 15, 2017 Zoning Committee of the Plan Commission Meeting Minutes:

Commissioner Goddard made a motion to approve the minutes. Commissioner Dubin seconded the motion. A voice vote was taken and the minutes were approved, 4-0 with one abstention.

3. NEW BUSINESS

A. TEXT AMENDMENT

Residential Care Homes

18PLND-0094

A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning to modify regulations regarding Residential Care Home uses (Section 6-4-4) including potential related amendments within the Residential, Business, Commercial, Downtown, Transitional Manufacturing, Special Purpose and Overlay Zoning Districts (Sections 6-8 through 6-15).

Ms. Meagan Jones gave a review of the existing regulations, proposed text amendment referral, as well as the discussion and example cases mentioned during the November Plan Commission meeting. She clarified that staff and the Commission were also asked

to review the existing distance requirement for Residential Care Homes during that meeting as well.

Commissioner Lewis inquired as to whether or not a hypothetical situation of a 4 unit building being occupied by 2 or 3 residents each could occur. Ms. Jones stated that this is a possibility based on local regulations. Mr. Mangum added that the State regulations for this type of use would also come into consideration with regards to the distance requirements.

Carolyn Keel of Rimland Services stated that there is an 800 ft. distance requirement at the State level that is in place not just for the group home uses receiving state funding but for all group home uses that are licensed by the State of Illinois.

Ms. Jones provided more clarification on the Springfield, IL v. Valencia case and discussion followed on the reasoning behind filing the suit and the State's distance requirement of 800 ft. vs. Springfield's 600 ft. requirement.

Trudi Davis, resident, stated that she fears that the amendments would make establishing a residential care home more difficult.

Betty Ester, resident, described the differences between Residential Care Homes and Treatment Facilities and stated that the definitions could be considered a violation of the Fair Housing Act. She suggested that Skokie be looked at for examples regarding this type of use and suggested that the distance requirement be increased to 1,000 ft. as there are too many in close proximity in the 5th Ward. She also stated that the location of the Residential Care Homes could make housing sales more difficult or decrease their value.

Ms. Keel stated that she disagrees with the idea that home values will decrease based on previous studies. Some may increase in value and most homes within neighborhoods are kept in good shape.

Chairman Isaac requested and emphasized that any proposed changes be discussed with the City's Legal Department prior to being brought back to Plan Commission.

Ms. Davis stated that making the Residential Care Homes a Special Use and adjusting the distance requirement would make it harder for the homes to open and be more expensive.

Chairman Isaac stated that amending the code would increase costs and the review time for new Residential Care Homes. Commissioner Lewis stated that the Special Use would be another hurdle for agencies to get over. He added that there is a waitlist for these facilities and that the City may look as if it is against having that use.

Chairman Isaac asked if there were no Special Use or distance regulations in place if an organization could purchase most of the homes on a block and operate that way.

Commissioner Lewis responded that State regulations would still be able to prohibit too much density similar to that example. Chairman Isaac then asked if these regulations could include seniors. Ms. Jones stated that it is possible. Mr. Mangum added that there are different definitions for senior specific uses such as assisted living and independent living facilities.

Ms. Ester stated that reducing the distance requirement would increase the concentration of the homes in the West Evanston Overlay District. She added that there should be a way to alert the public of these uses, the Special Use process provides a way for that to happen.

Chairman Isaac stated that there does not appear to be that high of a concentration of the Residential Care Homes.

Commissioner Draper stated that many multi-family rentals have more residents within a space and in comparison; the Residential Care Home use does not seem as dense.

Commissioner Dubin inquired if the Committee could just decide on the Special Use aspect of the amendment.

Commissioner Lewis stated that he still feels there should be an impetus for what is proposed.

Ms. Ester stated that even with no distance requirement, the Special Use amendment should be considered in order to alert neighbors of a new home being established.

Ms. Keel stated that as an agency, Rimland makes sure to be a good neighbor to residents.

Ms. Ester expressed that the definitions for this type of use should be updated.

Commissioner Lewis stated that the Committee could decide to leave regulations as is. Commissioner Dubin stated that State regulations will still aid in regulating the use with regards to distance requirements.

Commissioner Draper stated that the business model for the agencies should also be looked at. Rehabbing a home would be contingent on zoning approval for a Special Use which would be an additional burden on an agency. Commissioner Goddard stated that the process could create NIMBYism.

Commissioner Draper also inquired as to whether or not the State distance requirement applies to all uses similar to Residential Care Homes. Chairman Isaac stated that it would not include all uses such as senior living facilities, assisted living facilities, etc.

Commissioner Goddard made a motion to recommend to the Plan Commission that the regulations relating to the use of Residential Care Homes remain the

same. Commissioner Dubin seconded the motion. The motion was approved by a voice vote, 5-0.

Ayes: Draper, Dubin, Goddard, Isaac, Lewis

Nays:

Commissioner Lewis stated that the distance requirement is a lighter control on residential care home location but it does aid in integrating those uses into the community.

Commissioner Dubin proposed to leave the distance requirement alone.

Chairman Isaac stated that we do not know what will be decided in the Springfield, IL v. Valencia case which takes issue with the distance requirement enforced in that City.

Commissioner Lewis made a motion to hold discussion on the 900 ft. distance requirement on Residential Care Homes until such time that the current case (Springfield, IL v. Valencia) is decided. Commissioner Dubin seconded the motion. The motion was approved by a voice vote, 5-0.

Ayes: Draper, Dubin, Goddard, Isaac, Lewis

Nays:

4. ADJOURNMENT

Commissioner Dubin made a motion for adjournment and Commissioner Lewis seconded the motion. With all commissioners in favor, the meeting was adjourned at 8:03 p.m.

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department