MEETING MINUTES
PLAN COMMISSION
Wednesday, January 8, 2020
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present:  Peter Isaac (Chair), George Halik, John Hewko, Andrew Pigozzi, Jane Sloss

Members Absent: Carol Goddard, Jennifer Draper

Staff Present: Scott Mangum, Planning and Zoning Manager
Meagan Jones, Neighborhood and Land Use Planner
Brian George, Assistant City Attorney

Presiding Member: Chair Isaac

1. CALL TO ORDER / DECLARATION OF QUORUM

Chair Isaac called the meeting to order at 7:00 P.M.

2. APPROVAL OF MEETING MINUTES: December 11, 2019

Commissioner Halik made a motion to approve the minutes from the December 11, 2019 meeting. Seconded by Commissioner Pigozzi. A voice vote was taken and the minutes were approved unanimously, 5-0.

3. NEW BUSINESS

A. Text Amendment
   Ground Floor Retail Uses in the Downtown 19PLND-0107
   A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to revise regulations related to ground floor retail uses in the D2 Downtown Retail Core Zoning District

Mr. Mangum provided an overview of the proposed amendment, explaining the existing regulations and the desire to revise regulations to have ground floor uses that encourage pedestrian traffic and a vibrant retail area.

Chair Isaac opened the hearing to questions from Commissioners.
Commissioner Halik inquired about the definition of financial institutions and stated that he believes that use does indeed generate foot traffic in retail areas. There could be distinction made between financial institutions and retail banking to separate those institutions that are more office oriented and do not generate traffic that a retail banking use would.

Chair Isaac asked for review of where D2 districts are currently located and where financial institutions currently exist within the district. Mr. Mangum responded that currently Wintrust is the only bank he is aware of within the district and is located at Sherman Ave. and Clark St.

Commissioner Halik asked what the difference in retail traffic generation would be between a restaurant and a bank. Chair Isaac then inquired if the difference would be a matter of sales tax generation. Mr. Mangum stated that that is a distinction that could made between the two uses.

Commissioner Sloss asked if there was any data on retail space demand or the vacancy rate. Mr. Mangum responded that there is no information specific to the D2 District but there has generally been a high demand for restaurant space and the retail environment is more challenging.

The Commission then reviewed the standards and largely found that they had been met or were not applicable to the text amendment.

Commissioner Halik suggested that it may make sense to replace financial institution with retail banking. If there is anything that draws people in is encouraging foot traffic. He then inquired what would happen to the existing financial institution. Chair Isaac explained that the site would be able to continue to operate and, if it were to close, another bank would be able to utilize the same space by obtaining a special use assuming the space does not sit vacant for 12 months or greater.

Commissioner Sloss asked why the D2 zoning district was singled out for the amendment. Mr. Mangum responded that the D2 has the most stringent retail regulations. He added that another distinction between financial institutions and other retail uses would be hours of operation, with financial institutions having more restrictive hours.

Chair Isaac suggested that a total size of the storefronts be looked at as part of use regulations in that a large bank might disrupt the retail environment in a way that a small bank might not.

Commissioner Halik asked if staff had considered the size of a site or separating out retail banking. Mr. Mangum replied that had not been a consideration for this amendment.
Commissioner Hewko stated that if the goal is to generate pedestrian traffic then creating a separate retail banking definition may be a good idea.

Mr. Mangum clarified that the amendment does not prohibit the use in the D2 but would require the Zoning Board of Appeals to review and City Council to approve a proposed financial institution on the ground floor of a building within the D2.

Commissioner Pigozzi stated that if the goal is to improve the pedestrian traffic he questions the traffic generated by an artist studio versus a financial institution as well. He added that the newer bank location on Main Street and Chicago Avenue has a street presence and fits in well with the area.

Chair Isaac asked to compare traffic generated by a bank to a restaurant or other businesses.

Commissioner Halik expressed that we should not encourage more Special Uses but should minimize them.

Commissioner Hewko stated that it appears that there is consensus to create a new definition. A brief discussion followed regarding the details of retail banking.

Commissioner Halik made a motion to return the amendment to staff to re-evaluate and consider discussion points with modifications to definitions. Commissioner Pigozzi seconded the motion.

A voice vote was then taken and the motion passed, 5-0.

Ayes: Isaac, Halik, Hewko, Pigozzi, Sloss
Nays: 

B. Text Amendment
Cannabis Use Regulations 19PLND-0106
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to revise the distance requirement between cannabis dispensaries and pre-existing public or private educational institutions that are elementary, middle, or high schools, as well as establish definitions and provisions for additional cannabis uses such as cannabis growers, infusers, processing organizations, transporters, etc. within the City’s zoning districts.

Ms. Jones provided an overview of the proposed amendment, providing background on legislation and City regulations recently approved and explaining the new definitions and regulations proposed.
Chair Isaac opened the hearing to questions from the Commission to staff.

Commissioner Halik asked why a reduction in the distance requirement was needed for dispensaries. Ms. Jones replied that the reduction would allow for a greater number of possible locations for dispensaries. Mr. Mangum added that the 500 ft. buffer provides parity with Chicago regulations. Along Howard Street the current 750 ft. buffer would prohibit a dispensary in Evanston on the north side of Howard Street but Chicago’s 500 ft. buffer would enable a dispensary to open on the south side of Howard Street.

Commissioner Hewko asked if the prohibition of on-site consumption would be reducing what is currently allowed at the existing dispensary. Ms. Jones responded that the regulations would not take away any existing use but codify an existing practice.

Commissioner Sloss inquired about the regulations referencing cannabis infusers within the dispensary subsection. Mr. Mangum replied that is a correction that needs to be made and will be made by staff.

Chair Isaac asked if, in the case of Cannabis Transporters, if there is no on-site cannabis storage and the business is only an office with vehicles why are there any regulations for that use. Ms. Jones responded that the intention is to have some consistency among the cannabis uses. The State regulations do not get specific regarding time limits on storing cannabis within transport vehicles so to be safe, staff placed the uses in the same areas.

Commissioner Isaac then inquired about the limitation of on-site consumption and Smoke Free Illinois regulations, stating that unlike cannabis, smoking tobacco is permitted outside but not indoors. Cannabis use would be prohibited both indoors and outdoors. He added that he thinks Evanston should consider being on the forefront with regards to permitting on-site cannabis consumption.

Commissioner Pigozzi stated he noticed the addition of the ETHS Day School on the buffer map and it taking out some possible areas for cannabis uses; he then inquired about how the distance requirements were determined. Ms. Jones confirmed that the distance requirements are based on the parcel lines and not the individual building. The schools on the map were provided from our Geographic Information Systems information. Commissioner Pigozzi then asked if the requirements apply to private institutions to which Ms. Jones replied that they do.

The Commission then entered deliberations.

Commissioner Sloss echoed Chair Isaac’s comments regarding reconsideration of on-site consumption and pointed out an article in previous information provided that
stated consumption could turn into an equity issue if lower-income residents are unable to consume cannabis within residences with restrictive smoking regulations and have no place they are able to consume the cannabis.

The Commission then reviewed the standards for text amendments and agreed that they were met or not applicable.

Commissioner Halik made a motion to recommend approval of the text amendment as presented. Seconded by Pigozzi. A roll call vote was taken and the motion was approved, 5-0.

Ayes: Isaac, Draper, Halik, Pigozzi, Sloss
Nays: 

5. OTHER BUSINESS

A. Discussion – Updates to Rules & Procedures Related to Election of Commission Chair

Chair Isaac provided a summary of staff’s memo, stating that there is a referral from Council to look into making the Chair of the Plan Commission an appointed position, as is currently done with the Zoning Board of Appeals (ZBA). He explained that the Mayor nominates a resident to be appointed to the Commission and Council then votes on that nomination, the process would be similar for appointing a Chair of the Commission from existing members. Mr. Mangum added that this would necessitate changes to the Rules & Procedures, which staff is currently reviewing and welcomes suggestions for revisions.

Commissioner Halik asked if this means the Mayor could remove the Chair. Chair Isaac responded that, similar to the appointment of members and the Chair, the City Council would need to approve that action.

No additional procedure revisions were proposed.

6. PUBLIC COMMENT

There was no public comment.

7. ADJOURNMENT

Commissioner Pigozzi made a motion to adjourn the meeting. Commissioner Draper seconded the motion.

A voice vote was taken and the motion was approved by voice vote 5-0. The meeting was adjourned at 8:12 pm.
Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department