

**Planning & Development Committee Meeting
Minutes of February 12, 2018
7:15 p.m.**

James C. Lytle Council Chambers - Lorraine H. Morton Civic Center

MEMBERS PRESENT: M. Wynne, A. Rainey, T. Suffredin, J. Fiske, E. Revelle, R. Rue Simmons, D. Wilson

STAFF PRESENT: M. Masoncup, S. Mangum, G. Gerdes

OTHERS PRESENT:

PRESIDING OFFICIAL: Ald. Wynne

I. **CALL TO ORDER/DECLARATION OF QUORUM: ALDERMAN WYNNE, CHAIR**

A quorum being present, Ald. Wynne called the meeting to order at 8:00 p.m.

II. **APPROVAL OF REGULAR MEETING MINUTES OF JANUARY 22, 2018**

Ald. Revelle moved to approve the minutes of the January 22, 2018 meeting, seconded by Ald. Rue Simmons.

The committee voted unanimously 7-0, to approve the January 22, 2018 minutes.

III. **ITEMS FOR CONSIDERATION**

(P1) Resolution 10-R-18, Granting Municipal Use Exemption for Public Utility (Water Pump Station) at 2525 Church Street

Staff and the Design and Project Review Committee (DAPR) recommend approval of Resolution 10-R-18 granting a Municipal Use Exception for the location of a Public Utility at 2525 Church Street in the OS Open Space District, where Public Utilities are neither a permitted or special use.

For Action

Betty Ester, inquired about the overall plan and timing of improvements for the facility including whether showers would be included.

Ald. Rue Simmons explained that showers are not part of the plan and explained that the property would be developed in phases and there would be the opportunity for input for future improvements.

Ald. Revelle moved to recommend approval of Resolution 10-R-18, seconded by Ald. Rue Simmons. The Committee voted unanimously, 7-0 to recommend approval of the item.

(P2) Ordinance 21-O-18, Special Use Permit for a Special Educational Institution – Public in the I2 General Industrial Zoning District

The Zoning Board of Appeals and City staff recommend adoption of Ordinance 21-O-18 granting special use approval for a Special Educational Institution- Public in the I2 General Industrial Zoning District in order to operate a high-school for students with behavioral and emotional needs. The applicant has complied with all zoning requirements and meets all of the standards for a special use for this district.

For Introduction

Darlene Cannon, 1300 block of Pitner, stated opposition to the project noting that mostly black students would be attending the school in a mostly black neighborhood and that black neighborhoods are not given same consideration as white neighborhoods.

Ald. Rue Simmons moved to recommend introduction of Ordinance 21-O-18, seconded by Ald. Fiske. The Committee voted 6-1 to Introduce Ordinance 21-O-18.

(P3) Ordinance 14-O-18, Granting a Special Use for a Type 2 Restaurant, Rubie's, at 1723 Simpson Street

The Zoning Board of Appeals and City staff recommend adoption of Ordinance 14-O-18 granting special use approval for a Type 2 Restaurant, Rubies, at 1723 Simpson Street in the B1 Business District. This recommendation is conditional on the replacement of the building's glass block windows with unobstructed transparent glass and removal of iron bars on windows and doors. The applicant has complied with all zoning requirements and meets all of the standards for a special use in this district. This Ordinance was held at committee for Introduction on January 22, 2018 until February 12, 2018.

For Introduction

Betty Ester, stated that she is not opposed, but concerned given the history of the previous restaurant, grocery, and now proposed restaurant. She questioned the removal of block windows since there is no city ordinance that prohibits block windows and the reason for two ADA restrooms.

In response to an inquire by Ald. Wilson, Planning and Zoning Administrator Mangum distributed hard copies of a 5-year lease received the prior Friday afternoon.

Ald. Wynne stated a special use is a privilege granted by the City Council based on high standards and that the applicant has not earned the privilege based on the status of legal proceedings.

Ald. Wilson moved to recommend introduction of Ordinance 14-O-18, seconded by Ald. Rue Simmons. The Committee voted 0-7. The motion failed and Ordinance 14-O-18 was not Introduced.

IV. _____ **ITEMS FOR DISCUSSION**

(PD1) Lakefront Policy for Private Land

Staff recommends that the City Council review, discuss and provide guidance in creating potential code amendments to the City's Floodplain Ordinance ([Title 4, Chapter 13](#)) on private shoreline protection work and the potential expansion of private lakeshore property via fill of the public waters of Lake Michigan.

For Discussion

Mike Vasilko inquired about the City's interest in issue, whether it is a floodplain issue or based on property lines of private versus public. Believes there is no natural lakefront remaining and questioned the language regarding property lines.

Bill McGrath, 943 Edgemere Court, applauds City for looking at issue and noted that the sand and lake lines shifts based on conditions. The lot line is defined as riparian lot line as it moves from time to time. Should use the floodplain line for purposes of setback, lot coverage and other regulations.

Doreen Price, noted that the Floodplain Ordinance impacts her property even though she is not riparian. The City allowed impact to her property by fence construction, where judgement should be used. Access to property and sharing is important.

Building and Inspection Services Manager Gary Gerdes made a presentation that noted previous meetings, provided suggested changes to the Floodplain Ordinance and requested guidance from the Committee.

In response to an inquiry by Ald. Wilson inquired about typical improvements and the impact on neighbors, Mr. Gerdes noted that it depends on the situation.

Ald. Wynne stated that neighbors should be aware of construction because of impacts to others. In response, Mr. Gerdes stated that concurrent review with other agencies was important. Ald. Wynne noted that the suggested changes are to everyone's benefit.

Ald. Revelle noted that not only do property owners need to repair, but to create new revetments due to conditions and the reasonable need to protect property. In response to an inquiry about the definition of the East property line, Mr. Gerdes stated that 35 of 42 properties have some type of seawall or sheet piling, for others the City would look at historic plats of survey.

Mr. McGrath noted that his property has beachfront which is constant on a macro level despite day to day changes. Does not believe that it is necessary to project into lake to protect property and urged the City to define the shoreline and not allow projections. The City should use existing Floodplain

Ordinance definition or create a new one. The City should protect the shoreline, not the riparian owners line.

Ald. Revelle stated that although shoreline is limited, it is different at north versus south ends of Evanston and language should address both areas. Potential language could use more restrictive of seawall or rear lot line by historic surveys.

Ald. Wynne summarized that direction has been given and staff will return with proposed changes to the Floodplain Ordinance.

V. **COMMUNICATIONS**

There were no communications.

VI. **ADJOURNMENT**

Ald. Wilson moved to adjourn, seconded by Ald. Rue Simmons. The meeting adjourned at 8:42 p.m.

Respectfully submitted,
Scott Mangum
Planning and Zoning Administrator