

**Planning & Development Committee Meeting
Minutes of May 14, 2018
7:15 p.m.**

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

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

STAFF PRESENT: M. Masoncup, E. Storlie, S. Mangum, S. Flax

OTHERS PRESENT:

PRESIDING OFFICIAL: Ald. Fiske

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

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

II. **APPROVAL OF REGULAR MEETING MINUTES OF APRIL 23, 2018**

Ald. Wilson moved to approve the minutes of the April 23, 2018 meeting, seconded by Ald. Rue Simmons.

The committee voted unanimously 6-0, to approve the April 23, 2018 minutes.

III. **ITEMS FOR CONSIDERATION**

(P1) Resolution 22-R-18, Approving a Plat of Resubdivision for 1727 Oak Avenue

The Plan Commission and staff recommend adoption of Resolution 22-R-18, approving a Plat of Resubdivision for 1727 Oak Avenue. The applicant requests a subdivision to separate the development parcel from the 1007 Church parcel. The subdivision meets all requirements of the D3 Downtown District including lot size and lot width, and has been reviewed by the Public Works Agency for compliance with applicable regulations.

For Action

Ald. Wynne, noted the relationship between items P1 and P2 and suggest that they should be acted on simultaneously.

Interim City Attorney Michelle Masoncup stated that items P1 and P2 should travel together.

Ald. Wilson move to hold the item in Committee, seconded by Ald. Wynne. The item was held in Committee.

(P2) Ordinance 59-O-18, Granting a Special Use Permit for a Planned Development Located at 1727 Oak Avenue in the D3 Downtown Core Development District

The Plan Commission and staff recommend adoption of Ordinance 59-O-18, granting a Special Use Permit for a Planned Development Located at 1727 Oak Avenue. The Planned Development is for a 17-story age-restricted multi-family rental development with 169 units and 136 parking spaces in the D3 Downtown Core Development District. Four site development allowances are requested for the number of dwelling units, building height, front yard setback and number of loading berths.

For Introduction

Planning and Zoning Administrator Scott Mangum introduced the item.

Ald. Braithwaite, spoke in support of development noting that there have been 2 neighborhood meetings, a ward meeting, and a third meeting to discuss issues such as parking and traffic. The developer is proposing to put the full number of onsite affordable units.

Johnny Carlson, developer with Trammell Crow, described project location, site development allowances, active living description versus alternatives in the market, site and floor plans, revised design from Plan Commission, public benefits including affordable housing, improved crosswalk, and an increase in on-street parking. Mr. Carlson also spoke to speed data, projected traffic counts, loading movements, onsite parking compliance, bird friendly measures within facade zone 1 of the building, accessibility features, and a height comparison with surrounding buildings.

Mary Joe Crihfield, speaking for a caregiver, expressed concern with on-street parking availability during construction and safety concerns with added density within the area.

Libby Hill, Bird Friendly Evanston, spoke regarding migratory birds and noted that they have worked well with developer, however, if a bird friendly ordinance was in place there would not be the need for developers to revise plans.

Kurt Sheffer, spoke with concerns about the neighborhood impacts of the proposed development along with 1815 Ridge including a decreased level of service at Ridge and Church. The development is inconsistent with values of Evanston.

TJ Callahan, Farmhouse Tavern, spoke of the positive impact of attractive pedestrian oriented development for downtown businesses.

Philip Crihfield, who owns a unit in the Sienna Building, spoke in opposition along with 70 owners because of traffic, on-street parking concerns and the potential effects of 1815 Ridge plus the 1727 Oak developments.

Ann Sickon, with the Center for Independent Futures, expressed concern with safety of two developments under construction at once. Requested that the proposed development wait for 1815 development to complete construction and also has concerns with on-street parking availability for caretakers.

Frank Montagna, read a letter from Deborah Long, noting a complaint is being investigated by the state regarding licensure of ESG Architects and Aaron Roseth.

Ald. Wynne, expressed concerns with the traffic study indicating decreased level of service to D at the Ridge and Church intersection and the lack of public benefits.

Ald. Wilson, also expressed concerns with the traffic levels of service, driver behaviors, and construction management issues.

Javier Milan, from KLOA traffic consultants, explained that the traffic study took into account existing and proposed developments in addition to growth rate, that level of service D is adequate, and that pedestrian countdown timers would improve pedestrian safety.

Mr. Carlson, spoke regarding construction being staged onsite and coordination with the 1815 Ridge project and communication with neighbors. He also stated the belief that it is better to complete both projects simultaneously to shorten the period of interruption with construction likely to begin this Fall.

In response to Ald. Suffredin, Mr. Carlson noted that he anticipates all parking needs would be utilized by the 136 parking spaces and also noted desire to work on caretaker parking issue. The anticipated construction schedule is to begin in the Fall.

In response to traffic concerns from Ald. Fiske, Mr. Milan believes there are other intersections within Evanston at level of service D. Addressing traffic safety concerns with the tight street and number of loading berths, Mr. Milan explained the use is less intense than apartments or other uses regarding trip generation, especially during peak times.

At the request of Ald. Rue Simmons, Mr. Mangum summarized the requested site development allowances and the alternative equivalent plan proposed to meet the Inclusionary Housing Ordinance.

In response to Ald. Wynne, Mr. Carlson explained the need for less loading berths because of the average length of stay for residents and procedures for scheduling move-ins and deliveries with onsite management.

Ald. Braithwaite, noted the low vehicle speeds in data collected by the City.

Ald. Wilson moved to recommend introduction of Ordinance 59-O-18, seconded by Ald. Rue Simmons. The Committee voted 5-1 to Introduce Ordinance 59-O-18.

(P3) Ordinance 61-O-18, Map Amendment, Planned Development and Special Use for Open Sales Lot at 128-132 Chicago Avenue

The Plan Commission and staff recommend adoption of Ordinance 61-O-18 for approval of a Map Amendment to rezone the northern portion of the property from the C1 Commercial District to the B3 Business District, a special use for an open sales yard in the B3 Business District and a Planned Development in the B3 Business District to construct a 5-story mixed-use building with approximately 4,999 square feet of indoor ground floor commercial space, approximately 7,000 square feet of outdoor garden/open sales lot, 26 dwelling units and 30 parking spaces. Three site development allowances are requested for the number of parking spaces, fence location, and parking setbacks.

For Introduction

David Brown, developer for Evanston Gateway, explained the development concept, proposed public benefits, and development plans.

Ald. Fiske, noted that it would be better if building pushed back with some greenery in front.

Ald. Wilson, expressed reservations about providing additional street parking, but no bike lane on Chicago Avenue.

Ald. Rainey, noted there is parking on both sides of the street on Clark Street in Chicago and that there are bike lanes on Howard Street. The only complaints have been about the loss of the permitted parking lot at Chicago Ave and Howard St. The developer is improving a contaminated site and should be relieved of the requirement to provide a parking pay box.

Ald. Rainey moved to recommend introduction of Ordinance 61-O-18, seconded by Ald. Wynne with removal of Condition G regarding the parking pay box. The Committee voted 7-0 to Introduce Ordinance 61-O-18.

IV. _____ **ITEMS FOR DISCUSSION**

(PD1) Three Unrelated Rule: Definition of Family and Regulations Regarding Occupancy of Dwelling Units

Staff requests direction on next steps relating to the Zoning Code definition of "Family" and related regulations on occupancy of dwelling units, commonly known as the three-unrelated rule. City Council referred discussion of this

subject to the Planning and Development Committee at its meeting on April 30, 2018.

For Discussion – Provide Direction

David Shoenfeld, 2039 Orrington Ave, spoke in opposition to removing the 3-unrelated rule as a whole. The groups in the memo are already protected by definition of family, some others could be added.

Michael Deneroff, stated that the current rule allows for landlord extortion due to fear of eviction. Noise, nuisance, and property standards ordinances already address those issues. The status quo leaves students vulnerable.

Jeanne Lindwall, spoke in support of retaining existing definition of family. The neighborhood enjoys certainty and consistency of current regulations. Informal rooming houses without inspections could be result of the proposed change. It is important to have high housing standards.

Noreen Edwards, stated that landlords currently break rules to rent to more than allowed at around \$800 per month. Inspections are scheduled and tenants may remove items to appear to comply. There are high profits for investors with the onus on residents to report violations. This results in increases housing costs for single families. The change would create more dormitories without proper inspections.

Mark Metz, 2125 Sherman Ave, spoke against removal of 3-unrelated rule due to potential degradation of the area. Rents will not decrease in University neighborhood, ownership costs will be higher for families with students packed in creating a student ghetto. This would not be beneficial to the image of NU or the City. There are other fixes to affordable housing issues.

Craig Snyder, neighbor of Metz's, lived in area as NU as student and moved back to neighborhood. The neighborhood has changed with overcrowding and lack of upkeep. A neighbor sold to investor who rented to baseball team and the 3-unrelated rule is leverage to help control situation and provide protection to homeowners.

Diane Korling, Orrington Ave, operated rooming house since 1978 with student tenants. She described the rewarding experience and requested to consider ramifications of decisions regarding Family definition.

Cameel Halim, stated that he owns a number of properties and has revitalized areas. NU students work hard and do not create many issues in neighborhood. The current rule is difficult to enforce. He requests more notice of meetings to students and suggested limiting square footage is a better solution.

Jackie Prince, noted that NU students are kids and \$800-\$900 per month is a high housing cost. Students are welcome here and the elitist comments not

part of Evanston character. Concerned that students are not making complaints due to fear of retaliation. Affordable housing is large problem and an important issue for community.

Ald. Wilson, noted 1974 Supreme Court opinion concerned with zoning regulations limiting who people are who can live in an area. Should consider the values of Evanston. The nuisance ordinance is not being fully utilized and it is time to rethink the antiquated 3-unrelated principle. Prefer to repeal ordinance.

Ald. Rainey, stated that the nuisance premises ordinance could be used in some of these instances.

Ald. Fiske, stated that the community meeting brought up affordability issues for students, and the speakers tonight representative of those who have dealt with problems. There could be other ways to revise regulations. Neighbors are concerned with neighborhood change.

Ald. Rue Simmons, concerned with quality of life for residents, students, and seeking additional information about resources available to students and impact of NU's new tuition commitment. Other possibilities are non-owner occupied rooming houses and better enforcement of ordinances.

Ald. Wynne, seeking information regarding rooming houses that are well-maintained. This Fall NU regulations for sophomores to live on campus will remove 2,000 students from rental market and want to wait to see impact of change. Additional information should be given to parents of NU students regarding housing conditions and rules regarding 3-unrelated. Explore why nuisance ordinance is not working and other ways to enforce 3-unrelated.

Ald. Rainey believes more properties will be on Airbnb as result of NU housing requirement. City should establish licensing of owner for properties of a certain size and agrees there are other ways to regulate problems.

Ald. Rue Simmons, stated that NU has housing fair where landlords and students are present. As a member of a National University-City Committee is aware that other communities deal with this issue, although 4-unrelated may be a more common number.

Assistant City Manager Storlie noted that currently approximately 7,200 students live off campus in Evanston.

Ald. Wilson, believes the current rule is a discriminatory ordinance and is not the only tool to address issues. The City is responsible for not enforcing ordinances.

Ald. Rue Simmons, stated that there are a handful of properties that could fall under nuisance property ordinance which could be revisited to include other standards.

Ald. Wilson suggests staff prepare ordinance to repeal current regulations and a plan to deal with enforcement at same time.

Ald. Fiske, noted that more information is needed including conversations with NU, inspections, and licensing.

Ald. Rainey suggest nuisance premise as topic for future Ward meeting.

Ald. Fiske ended discussion on the item for the night.

V. **COMMUNICATIONS**

Ald. Fiske stated that it has been requested to untable the front porch Text Amendment and return the item to the Plan Commission for discussion. The item was unanimously returned to the Plan Commission.

VI. **ADJOURNMENT**

Ald. Rainey moved to adjourn, seconded by Ald. Rue Simmons. The meeting adjourned at 10:56 p.m.

Respectfully submitted,
Scott Mangum
Planning and Zoning Administrator