

49TH WARD ZONING AND LAND USE ADVISORY COMMITTEE
REGULAR MEETING MINUTES
Tuesday, March 11, 2008 7:00 pm

Members Present

X	Kevin O'Neil (Chair)	X	Wanda Jackson
X	Rich Aronson	X	Michael James
	Paul Bluestone	X	Kenneth Johnson
X	Rene Camargo		Charese Jordan
X	Denis Detzel	X	Andrew Kerr
	David Fagus		Marty Max
X	John Fitzgerald	X	Richard Moran
X	Jim Ginderske	X	Rev. Marilyn Pagan
	Gustavo Giraldo		Jonathan Rivera
X	Dorothy Gregory	X	Jack Swenson
X	Michael Land (Non-Voting Staff)	X	Barbara Sepanik (Non-Voting Secretary)

General Committee Business

Alderman Moore's staff assistant, Michael Land, reported the sad news that Committee member, Robin Archia, passed away suddenly and unexpectedly last December. The Committee members extend their sympathy to Robin's family, and will miss her thoughtful contributions to the Committee.

New Business

REQUEST FOR RELIEF

Address: 7235 and 7241 N. Bell

Request: Application for a zoning change from RS3 to RT3.5.

Applicant(s): Juan Martinez

Representatives Present: Juan Martinez

Committee Recommendation: The Committee voted to recommend that the Alderman support the application for a zoning change. The Committee also voted to recommend that the Alderman consider rezoning the entire block RT3.5 after holding a community meeting.

Alderman Moore's Decision: The Alderman will take the Committee's recommendation that he support the zoning change under advisement. The Alderman accepts the Committee's recommendation that he hold a community meeting to discuss the possibility of rezoning the entire block RT3.5.

Details of Discussion: Juan Martinez, the owner of 7235 N. Bell and 7241 N. Bell presented a proposal to amend the zoning on these buildings from an RS3 to an RT3.5 to

allow him to legalize a finished garden unit. The buildings are functioning as three-unit buildings, but the zoning provides for only two units per lot. There are apparently a number of buildings on this block with this configuration that have been operating this way for a long time. Mr. Martinez stated that he purchased the property in 2004 and the property was sold to him as a three flat. He believes that of the 11 two-flats on the block, at least six operate as this type of three flat. Juan's mother lives in the garden unit at 7235 N. Bell. The committee entertained a motion to approve Mr. Martinez' request. The motion passed.

The committee then entered into a discussion as to whether the entire block should be re-zoned in light of the fact that so many properties are not in compliance. Some committee members expressed the view that these types of owner-occupied three flat are desirable properties because the garden units offer generally affordable rents and, as in this situation, can provide for "mother-in-law" type housing. There was discussion that the committee prefers to avoid "spot-zoning" whenever possible and would prefer to see the full block zoned the same way. Also, by bringing these properties into compliance with zoning, the owners are more likely to pull permits when they do work in the units, which can lead to safer living conditions. The committee entertained a motion to recommend that the Alderman consider rezoning the entire 7200 block of North Bell Avenue to an RT3.5 after conducting a community meeting. The motion passed.

REQUEST FOR RELIEF

Address: 7301 N. Sheridan Rd.

Request: Application for a zoning change from RT4 to B3-5.

Applicant(s): Ayman Khalil

Representatives Present: Ayman Khalil and Kareem

Committee Recommendation: The Committee voted to recommend that the Alderman support the application for a zoning change with the stipulation that the owner re-zones the property to RT4 after the business owner receives his building permits and business license.

Alderman Moore's Decision: The Alderman accepts the Committee's recommendation and will **support** the application for a zoning change, provided that the owner agree to re-zone the property to RT4 after the business owner receives his building permits and business license.

Details of Discussion: Ayman Khalil, the owner of 7301 N. Sheridan Road requests that his building be re-zoned from an RT4 to a B3-5 to allow him to rent retail space to Geneva Kayak, a business that would sell and rent kayaks and related sporting goods. Mr. Khalil stipulated that he would make no other changes to the property. The Committee discussed the benefits of this type of business near the lakefront and believed this would be a positive addition to the community, but there were also concerns raised that increasing the zoning could lead to other less desirable uses. The committee entertained a motion to approve the

B3-5 zoning with the stipulation that the owners would re-zone the property back to an RT-4 after the Kayak store receives its permits and business license.

REQUEST FOR RELIEF

Address: 7517 North Clark Street

Request: Application to amend the Planned Development Agreement to allow for the construction of a drive-thru restaurant in Gateway Centre.

Applicant(s): Panda Express

Representatives Present: Peggy Hart (Real Estate Manager, Panda Express) and Jerry Patrillo (Jacobs Engineering)

Committee Recommendation: The Committee voted to recommend that the Alderman support the application to amend the Planned Development Agreement to allow for the construction of a drive-thru restaurant at the Gateway Centre out-lot subject to a community meeting.

Alderman Moore's Decision: The Alderman will take the Committee's recommendation under advisement and will hold a community meeting on the matter.

Details of Discussion: Representatives from Panda Express were present to propose a Panda Express Restaurant and Drive-Thru at the undeveloped out-lot at Gateway Centre. This lot sits along Clark Street, south of the Amphora Restaurant. Gateway Centre falls within a Planned Development. The agreement for this Planned Development permits a restaurant, but a drive-thru requires an amendment.

Panda Express anticipates being open from 11:00 a.m. to 9:00 p.m. daily. The building façade would be brick veneer and renaissance stone. The restaurant would provide for twelve full-time jobs and approximately ten part-time jobs. The jobs generally pay about \$1 per hour more than McDonald's. In terms of environmental design, a reflective roof was all they were considering at the time of the presentation.

The committee raised numerous concerns about the site plan which would have the drive-thru lane along Clark Street, rather than bringing the restaurant to the sidewalk as is desired in urban planning and design. The front entry was from the parking lot, rather than from Clark Street. This type of "street wall" was important in the configuration of Gateway Plaza, and many committee members believed this should be continued at this out-lot. A motion was entertained to recommend that the Alderman reject this particular site plan. The motion failed. Another motion was entertained to recommend that the Alderman approve the plan subject to a community meeting. The motion passed.

Old Business

REQUEST FOR RELIEF

Address: 7525 N. Wolcott**Request:** Application for a zoning change from C1-2 to RM 4-5.**Applicant(s):** Dan Schwegel, owner of Amber Automotive

(Please see the September 2007, November 2007 and December 2007 minutes for background information)

Alderman Moore's staff assistant, Michael Land, reported the results of a community meeting on the proposed project held on February 11th at Jordan School. Approximately 30 community residents attended the meeting, which ended shortly after it began when Mr. Schwegel indicated he did not intend to start the project for the foreseeable future. Alderman Moore stated he would not support a zoning change for an uncertain project, and that there was no reason to go ahead with the meeting.

Accordingly, Alderman Moore will **oppose** the application for a zoning change.

Meeting adjourned. Next scheduled meeting is Tuesday, April 8, 2008.