

**49TH WARD ZONING AND LAND USE ADVISORY COMMITTEE**  
**REGULAR MEETING MINUTES**  
**Tuesday, April 14, 2009 7:00 pm**

**Members Present**

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

**New Business**

**DISCUSSION OF ALDERMANIC ZONING AND LAND USE DECISIONS**

In light of recent media attention regarding the alleged influence of campaign contributions on aldermanic zoning decisions, Zoning Advisory Committee Chair Kevin O'Neil asked Alderman Moore to appear before the Committee to address any potential concerns Committee members might have, and share in the review of previous decisions by this Committee.

The Committee reviewed statistics related to Alderman Moore's zoning and land use decisions since May 2007, when the minutes of Zoning and Land Use Advisory Committee meetings were first published on the web. A review of those decision revealed that the Alderman and the Committee have been asked to render a recommendation on 27 land use applications (zoning changes, special use permits, variances and the like). The statistics reveal that the Alderman accepted the Committee's recommendation 89% of the time. The statistics also reveal no indication that applicants who had contributed to the Alderman's political fund fared any better than those who had never contributed.

Leaving the non-profit applicants out of the equation, 50% of the people who received zoning or land use relief from the Alderman had never contributed to his political fund.

Nor does donating to the Alderman's campaign fund guarantee success. Fully half the people who were denied zoning or land use relief were contributors to his political fund.

In fact, the statistics show that political contributors have fared no better than those who have not contributed. Of those who at some point donated to the Alderman's political fund,

seven had their requests approved and two were denied. Of those who had never donated to his political fund, seven had their requests approved and two were denied.

Put another way, an applicant who had contributed to the Alderman's political fund had a 79% chance of getting his or her zoning or land use request approved. If the applicant had never donated to the Alderman's political fund, he or she had the same 79% chance of getting a zoning or land use request approved.

Below is a chart that sets forth the statistics in detail.

### **49<sup>TH</sup> Ward Zoning and Land Use Decisions Since May 2007**

#### **Requests Approved (19)**

Political Donors: 7  
Non-donors: 7  
Not-for-profits: 5

#### **Requests Denied (4)**

Political Donors: 2  
Non-donors 2

#### **Requests Pending (4)**

Political Donors: 2  
Non-donors 2

The Alderman noted that in those cases where the zoning or land use application was approved by the committee and him, many, if not most, were approved only after extensive changes were required to the original proposal.

While the Committee did not undertake a similar statistical analysis of the Alderman's zoning decisions prior to his posting them on the web, the Alderman expressed confidence that such an analysis would yield a very similar result.

Committee members noted that they do not review, have knowledge of or consider campaign contributions in their recommendations to the Alderman, nor do they ever wish to do so.

## REQUEST FOR RELIEF

**Address:** 6760 N. Sheridan Road

**Request:** Application for Request for a special use permit to allow a Beauty Shop. The City of Chicago Zoning code requires a special use permit from the Zoning Board of Appeals in this instance because another “personal services” facility is located within 1,000 feet of the address.

**Applicant(s):** Nezir Drabo

**Representatives Present:** Nezir Drabo

**Committee Recommendation:** The Committee voted to recommend that the Alderman support the application.

**Alderman Moore’s Decision:** The Alderman accepts the Committee’s recommendation and will **support** the application for a special use permit.

**Details of Discussion:** Mr. Drabo owns another salon at 1612 W. Devon. He has six employees. Because a nail salon is located within 1,000 feet of his proposed shop, Mr. Drago requires a special use permit. Mr. Drabo does not intend to offer nail services, and as such he states that his business will not result in competition for the nail salon. He anticipates his hours of operation will be 9am to 8pm Tuesday to Sunday and he will operate six chairs.

## REQUEST FOR RELIEF

**Address:** 1553 West Howard Street

**Request:** Application for a special use permit to allow the relocation of Howard Jewelry and Loan from its present location at 1611 W. Howard Street to 1553 W. Howard Street.

**Applicant(s):** Howard Jewelry and Loan

**Representatives Present:** Richard Rozhko

**Committee Recommendation:** The Committee voted to recommend that the Alderman oppose the application

**Alderman Moore’s Decision:** The Alderman will take the Committee’s recommendation **under advisement**.

**Details of Discussion:** Mr. Rozhko owns Howard Jewelry and Loan at 1611 W. Howard where he rents his retail space. He is under contract to purchase 1551 W. Howard pending the approval of a special use permit to allow him to relocate the shop, which the city defines as a pawn shop, to this address. All pawn shops must receive a special use permit to operate. The new shop would include a full-service jewelry and watch shop including repair services. The new shop would have no gates on the window. It would have a new

awning. The building would be tuck pointed and cleaned up. The hours are 10-6pm and 10-5pm on Saturday.

Members offered positive comments about Mr. Rozhko's current operation. While many were not thrilled at the idea of a pawn shop, as pawn shop's go, Mr. Rozhko is known for running a clean operation. They appreciated that this would be a property he would own and therefore be better able to control. They also appreciate that the business obviously meets a need in the community since Mr. Rozhko is successful and hoping to expand, and therefore hire more employees. However, committee members raised numerous concerns, including concern that the special use permit could transfer to another operator if the business were to be sold. They also voiced concern over simply approving the presence of a pawn shop on this street which they felt could hamper further redevelopment efforts for the block. Committee members voiced a willingness to reconsider this issue, were Mr. Rozhko to bring forth more specific plans and renderings of the appearance and operation of the proposed space.

#### DISCUSSION OF PORCESS FOR ZONING AND LAND USE REVIEW FOR PROPOSED DEVELOPMENTS ON COMMERCIAL STREETS

At the Alderman's request, the Committee examined whether zoning and land use applications for proposed on commercial streets should first be reviewed by DevCorp North, the business community and economic development corporation for Rogers Park, before they are reviewed by the Committee.

The Committee briefly considered this option and several forms which that might take. They had concerns that this could drag out the process for applicants and thereby deter development.

The Committee voted to table this until the next meeting and requested the Director of DevCorp North be present for the discussion.

#### **Old Business**

##### REQUEST FOR RELIEF

**Address:** 7517 N. Clark Street

**Request:** Application to amend the Planned Development Agreement for Gateway Centre to allow for a drive-thru restaurant

**Applicant(s):** Burger King

**Representatives Present:** None

**Previous Committee Recommendation:** The Committee voted at its meeting on January 13, 2009 to recommend that the Alderman support the application with some modifications, pending the outcome of a community meeting.

(Please see the January 2009 minutes for background information)

**Details of Discussion:** The committee reviewed the past minutes and a letter from DevCorp North suggesting some plan amendments (see attachment). The committee feels the plans are developed sufficiently to present to the community for public consideration. A community meeting is tentatively scheduled for Tuesday, April 28th.

A member requested a notation be made in these minutes to serve as a modification to the previous minutes to add that at the January 2009 meeting of the Committee regarding the subject parcel, some members opined that a fast food restaurant is inappropriate for the location.

**Note:** Following this meeting, Alderman Moore learned that Dominick's Finer Foods opposed Burger King's site plan because it would reduce the number of available parking spaces in the Gateway Centre parking lot. Dominick's was particularly concerned about the loss of parking spaces close to the store entrance. Dominick's lease with Gateway Centre requires Dominick's approval of any plan to reduce parking spaces in the Centre. Alderman Moore has decided to put plans for a community meeting on hold until the parties reach an agreement on the parking space issue.

## **New Business**

### REQUEST FOR RELIEF

**Address:** 1723 W. Greenleaf (site of the old Rogers Park Firehouse)

**Request:** Transfer of ownership of this parcel from the City of Chicago to the Rogers Park West Ridge Historical Society for a fee of \$1.00.

**Applicant(s):** Rogers Park West Ridge Historical Society

**Representatives Present:** Paul Bluestone, volunteer Board Member

**Committee Recommendation:** The Committee voted to recommend the Alderman support this request.

**Alderman Moore's Decision:** The Alderman will take the Committee's recommendation **under advisement** pending the outcome of negotiations with the City of Chicago and a community meeting on the issue.

**Details of Discussion:** The Historical Society has applied to the City to obtain the former Fire Station for a museum, archives and office space. This was a long-time dream of Mary Jo Doyle, the late Executive Director of the Historical Society. The Fire Station was built in 1915.

A process question was raised as to whether the availability of this facility should be made more public so that other entities can put forth a proposal.

Michael Land stated that there seems to be abundant local awareness. Other organizations have approached the Alderman, including the Cuentos Foundation and someone wishing it for a single family home, but this is the only fully developed application for the space.

Mr. Bluestone noted that the Historical Society will consider shared space as they may not need the entire space. The estimated cost of rehab is \$200,000 - \$400,000, so a rent-paying additional user would be helpful for the long-term health of the property and the organization.

The Historical Society and the City of Chicago Department of Planning and Economic Development are continuing to negotiate.

**Meeting adjourned.** The next scheduled meeting is Tuesday, May 12, 2009.