

CITY OF GENEVA

SPECIAL COMMITTEE OF THE WHOLE MINUTES

APRIL 29, 2013

Aldermen present: Chuck Brown (arriving at 6:39 p.m.), Don Cummings, Dorothy Flanagan, Sam Hill (via teleconference until 7:45 p.m.), Craig Maladra, Richard Marks.

Aldermen absent: Dean Kilburg, Ron Singer, Dawn Voglesberg.

Also present: Mayor Kevin Burns, City Administrator Mary McKittrick, Asst. City Administrator/Dir. of Administrative Services Stephanie Dawkins, Economic Development Director Ellen Divita, Community Development Director Dick Untch, Business Development Specialist Paul Evans, City Planner David DeGroot.

Call to Order

Mayor Burns called the meeting to order at 6:31 p.m.

Moved by Ald. Flanagan, seconded by Ald. Cummings to suspend the rules. Carried unanimously by voice vote. MOTION CARRIED

Items of Business

Policy Discussion on B2 Business District – 1st Floor Retail

City Planner DeGroot continued the ongoing discussion of this matter by reviewing previous discussions. He then presented four options growing out of the previous discussions that would define the downtown area to be included in any B2 restrictions on first-floor business usage. Option One was the initial proposal to include an area from the river on the east to Seventh St. on the west. Option Two removed north and east fringe areas. Option Three was designed to protect only the downtown retail core, and Option Four was to make no changes from the current practice of encouraging first-floor retail use, but not restricting office/bank uses through zoning amendments.

Ald. Maladra encouraged maintaining a long-term perspective, needed to ensure and grow a vibrant downtown retail core.

Mike Bruno, 522 Fulton St., felt that retail should be encouraged between First St. and the river. Marty Swatek, who owns office property at 22 W. State St., cited the lack of parking and the difficulty visitors have reaching her location. She said that a retail store at that site would have difficulty attracting customers and that the building is not conducive to retail, adding that other properties from First St. to the river would have difficulties sustaining retail stores.

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Mayor Burns brought up the question of expanding diagonal parking further west on State St., asking as to whether that expansion would encourage retail expansion or simply satisfy more of a non-retail expansion environment.

Ald. Brown felt that expansion of diagonal parking might make the westerly blocks on State St. look more like a shopping area. He went on to say that he has seen marginal attempts to expand the shopping areas north to Hamilton St. and east on State St. to the river (ShoDeen projects), but he noted successful retail expansion south on Third St. He cited distances shoppers are willing to walk. He felt service industries will expand in the future. He did not see expansion east of First St. nor west of Fifth St. He felt the market should determine the character of the downtown area.

Noting the difficulty in predicting future trends, Ald. Maladra used as an example the growth of online purchasing, but said certain services (personal care) cannot be done online. Citing the need for a strong retail core, he favored Option Two (removing east and west fringe areas from restrictions).

After some further discussion on the makeup of the downtown area, local businessman Mike Simon presented himself as a resident, business owner and landlord. He said that one of the reasons people find Geneva a livable town is because of the diversity of its downtown businesses. Talking to Geneva residents at his place of business, he finds that people come downtown to run an errand and then stay to do some shopping. As a landlord, he said he must keep his properties filled to keep the cash flow needed to maintain his buildings. He questioned the ability to fill second floors with non-retail, saying those renters want the same first-floor exposure as do retailers.

Local commercial realtor Neil Johnson said that he has had a downtown business since 1997. In that time, he said he has placed mostly retail firms in Geneva's core downtown area. He favored letting the marketplace determine the makeup of the downtown area. He felt the "wrong" type of retail in the downtown area (e.g. appliance store) would create a shopping gap the same as a vacancy or parking lot. He agreed with Ms. Swatek that the area between First St. and River St. does not lend itself to retail and should be excluded from the proposed restrictions.

Developer Joe Stanton cited lower rents and smaller retail spaces due to the difficult economic conditions. He said he would prefer retail businesses in his properties, but has to pay his bills. He said he wants longer-term tenants and is willing to pay for customized facilities to attract them. He expounded on his having to compromise in order to attract viable tenants. He noted that when vacant spaces occur on the first floor, the rental rate between first and second floor space narrows. He felt that business restrictions at this time would do more harm than good.

Ald. Cummings suggested that maintaining a vibrant downtown retail core and increasing foot traffic might better be accomplished with additional diagonal parking, more pedestrian-friendly crosswalks and better streetscape as opposed to business-use regulations.

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Referring to Option Four ((do nothing), Mayor Burns said that he feels that by not instituting new regulations gives credence to the market finding its own level. Ald. Maladra questioned whether the City should react if the market gets out of balance, or act proactively before that happens.

Ald. Brown questioned the feasibility of expanding State St. diagonal parking given the State's previous restrictions. Dir. Divita said the City is working with IDOT in that respect. Admin. McKittrick added that the City is in ongoing discussions with IDOT regarding downtown crosswalk safety on State St.

After further discussion, Council consensus was to accept Option Four at this point, which is to encourage retail use on first-floor properties, but not restrict other uses through amendments to the Zoning Ordinance.

Policy Discussion on Temporary Outdoor Uses

Dir. Untch introduced the topic by stating that business owners look for creative ways to bring their businesses outside during the warmer months. He noted that this is most prevalent along Third St. He said temporary outdoor uses are permitted uses in all business districts in the city except the B3 District, which comprises the Third St. shopping district. Interest in outdoor uses is increasing, he said, but no clear permit requirements or standards exist at this time. Dir. Untch posed several discussion points such as should outdoor retail uses be allowed in the B3 District, should specific standards be established, what defines "temporary," should there be parameters as to size and location on private property. He placed outdoor uses into two categories: (1) small carts, wagons, stands, kiosks, etc., and (2) large tents, canopies, booths, kiosks, etc.

Mayor Burns felt that permitting temporary outdoor uses adds flavor to the downtown. He also felt outdoor uses should not be restricted to warm-weather months.

Ald. Brown asked if any standards developed for the B3 District could also be applied to the Dodson PUD and the B2 District downtown as well, with Dir. Untch answering that they could be. Ald. Flanagan felt that outdoor setups on private property should be limited to one per business, but did not have a problem with the concept. Ald. Maladra felt size parameters should be included. Ald. Cummings mentioned fire codes, especially for tents.

Jean Gaines, president of the Geneva Chamber of Commerce, called for control over who is allowed to sell at the outdoor facilities, saying that those who make money from Geneva's festivals should contribute to the cost of holding those festivals. She specifically mentioned the non-profit organizations that sponsor food stands. She also noted the possible loss of sales tax when non-local entities sell at festivals. Dir. Untch said the subject of itinerant and transient licenses will be considered in developing outdoor use requirements.

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Ald. Marks liked the idea of studying and developing outdoor use requirements but felt the process at this point needs refinement.

At Ald. Cummings' request, Mike Simon addressed the discussion by saying that the Chamber of Commerce and the merchant community should be a part of any further discussions. He said hard-surface and setback requirements would hurt his outdoor sales efforts during festivals. Dir. Untch called for additional dialog, while Dir. Divita noted that two major elements of future action will include consideration of itinerant and transient licenses under business regulations, and the impact of outdoor uses as part of the zoning regulations.

Adjournment

There being no further business, moved by Ald. Marks, seconded by Ald. Cummings to adjourn the Special Committee of the Whole. Carried by voice vote.

The meeting adjourned at 8:58 p.m.