



## Land Use Commission

Wednesday, September 24, 2025 @ 7:00 PM

Lorraine H. Morton City Hall, James C. Lytle City Council Chambers

**COMMITTEE MEMBER  
PRESENT:**

Jeanne Lindwall, Chair  
Max Putchel,  
Myrna Arevalo,  
Loren Berlin,  
Luke Harris-Ferree,  
Darush Mabadi,  
Kiril Mirintchev

**COMMITTEE MEMBER  
ABSENT:**

Brian Johnson,  
Jameika Mangum

**STAFF PRESENT:**

Meagan Jones, Neighborhood and Land Use Planner  
Elizabeth Williams, Planning Manager  
Jeremiah Bebo, Development Services Supervisor  
Sarah Flax, Director of Community Development

**A. CALL TO ORDER/DECLARATION OF A QUORUM: JEANNE LINDWALL, CHAIR**

**B. APPROVAL OF MEETING MINUTES**

**A. Minutes of May 21, 2025**

Minutes of May 21, 2025 with edits

**Motion:** Harris-Ferree

**Second:** Putchel

**For Action**

**Motion Passed 6-0-2**

**Ayes:** Lindwall, Putchel, Arevalo, Berlin, Harris-Ferree, and Mabadi

**Nays:** None

**Absent:** Johnson and Mangum

**Abstained:** Mirintchev

B. **Minutes of May 28, 2025**

Minutes of May 28, 2025

**Motion:** Putchel

**Second:** Arevalo

**For Action**

**Motion Passed 7-0-2**

**Ayes:** Lindwall, Putchel, Arevalo, Berlin, Harris-Ferree, Mabadi, and Mirintchev

**Nays:** None

**Absent:** Johnson and Mangum

C. **Minutes of July 9, 2025**

Minutes of July 9, 2025

**Motion:** Putchel

**Second:** Mabadi

**For Action**

**Motion Passed 6-0-2**

**Ayes:** Putchel, Arevalo, Berlin, Harris-Ferree, Mabadi, and Mirintchev

**Nays:** None

**Absent:** Johnson and Mangum

**Abstained:** Lindwall

D. **Minutes of July 23, 2025**

Minutes of July 23, 2025 with edits

**Motion:** Putchel

**Second:** Harris-Ferree

**For Action**

**Motion Passed 6-0-2**

**Ayes:** Lindwall, Putchel, Berlin, Harris-Ferree, Mabadi, and Mirintchev

**Nays:** None

**Absent:** Johnson and Mangum

**Abstained:** Arevalo

E. **Minutes of August 13, 2025**

Minutes of August 13, 2025

**Motion:** Putchel

**Second:** Mabadi

**For Action**

**Motion Passed 5-0-2**

**Ayes:** Lindwall, Putchel, Arevalo, Harris-Ferree, and Mabadi

**Nays:** None

**Absent:** Johnson and Mangum

**Abstained:** Berlin and Mirintchev

F. **Minutes of August 27, 2025**

Minutes of August 27, 2025

**Motion:** Putchel

**Second:** Berlin

**For Action**

**Motion Passed 5-0-2**

**Ayes:** Lindwall, Putchel, Berlin, Harris-Ferree, and Mabadi

**Nays:** None

**Absent:** Johnson and Mangum

**Abstained:** Arevalo and Mirintchev

C. **NEW BUSINESS**

A. **Special Use | 1826-1830 Dempster Street | 25ZMJV-0041**

Karim Poonja of Amanah Holdings, applicant, requests a Special Use for a Type 2 Restaurant in order to operate a new Popeyes Louisiana Chicken within an existing building in the C1 Commercial District, (Section 6-10-2-2.5). The Land Use Commission makes a recommendation to the City Council, the determining body for this case, in accordance with Section 6-3-5 of the Evanston Zoning Ordinance. PIN: 10-24-200-001-0000.

Commissioner Puchtel asked staff why the case was deferred to the Land Use Commission rather than handled through the administrative review use process.

Development Services Supervisor Jeremiah Bebo explained that the case was deferred to the Land Use Commission via a Special Use application at the request of the applicant, and staff obliged.

Karim Poonja introduced himself and presented the proposal to occupy a vacant building at 1826-30 Dempster for a Popeyes Louisiana Chicken as a Type 2 restaurant. He provided background on his family's long history operating within the brand, emphasizing over 40 years of experience and a strong relationship with Popeyes. He explained that the location was identified in coordination with the brand as a suitable area for a new restaurant, filling a

gap in the Chicagoland region.

Karim Poonja highlighted the benefits of the proposal, including activating a vacant space, generating additional tax revenue for the city, and creating local jobs. He stressed that the restaurant would be an inline location without a drive-thru to minimize traffic impacts, noting the corridor already hosts several fast food and coffee establishments. He shared renderings of the interior, which would accommodate 8 to 10 seats with kiosks for ordering and a counter for pickup, and described the operational flow for dine-in and carry-out customers. He also reviewed compliance measures, including restricted hours of operation (until 10:00 p.m. Monday through Saturday, 9:00 p.m. Sunday), delivery management through the rear alley or parking lot outside peak hours, off-site employee parking, and signage to maintain orderly lot use. No trees would be removed, and all construction plans would be submitted and approved by the city.

Commissioner Mabadi asked about the criteria used to identify potential locations for a Popeyes restaurant.

Karim Poonja explained that site selection generally looks for locations at least a mile and a half from the nearest Popeyes, though this can vary with city density, and also considers visibility to ensure the location can sustain the business.

Commissioner Mabadi asked if factors such as traffic count, income, and demographics are considered in selecting a location.

Karim Poonja responded that he does not personally analyze traffic, income, or demographics; once he identifies a potential site based on distance, the brand conducts the detailed analysis.

Commissioner Mabadi asked about the frequency of deliveries, off-site parking for employees, and whether any Popeye's locations sell liquor.

Karim Poonja explained that deliveries from Cisco Foods occur once or twice a week depending on volume, they are exploring local options for off-site employee parking and most employees use public transportation, and no Popeye's locations sell alcohol.

Commissioner Mirintchev asked for clarification on ownership of the property and what will happen with the adjacent vacant space.

Karim Poonja explained that they plan to purchase the entire property, with one space used for Popeye's and the adjacent spaces available for lease. He noted that having Popeye's established will make leasing the other spaces easier, and shared that previous interest included a tutoring center, a drop-off dry cleaning, and a clothing donation location.

Chair Lindwall asked about parking requirements, odor control, dumpster location, delivery trucks, and how this Popeye's format differs from traditional locations.

Karim Poonja explained that parking is sufficient given the online format and small seating capacity. He described strict operational guidelines to manage odor, including hood and

grease trap maintenance, and noted no complaints at other locations. Garbage dumpsters are in the alley, serving multiple buildings. Delivery trucks vary in size depending on volume. The non-traditional Popeye's differs from standard locations mainly by having no drive-thru and a smaller dining area of 8 to 10 seats compared with 20 to 30 in typical locations.

Commissioner Puchtel asked about the types of orders supported, including dine-in, app orders, and third-party delivery.

Karim Poonja explained that the restaurant will support dine-in, pre-orders through the Popeye's app, third-party delivery services like Uber Eats and DoorDash, and catering orders. He estimated that delivery typically accounts for about 20% of sales systemwide, though it may be lower for this non-traditional location. Delivery drivers will use the same parking lot as customers, with a few dedicated short-term stalls recommended by the brand for order pickup.

Commissioner Harris-Ferree asked about the locations Mr. Poonja manages and whether he would consider partnering with a locally owned restaurant for the adjacent space.

Karim Poonja responded that he manages one location near downtown Chicago and another near the Norridge area. He said he is open to a locally owned restaurant occupying the extra space as long as the financials make sense and the city approves them through the required process.

Commissioner Harris-Ferree then asked staff if that could be made a condition.

Development Services Supervisor Jeremiah Bebo responded that the Land Use Commission could make a suggestion for a locally owned restaurant but cannot mandate it, as that is outside the commission's authority.

Assistant City Attorney, Brian George, confirmed that a suggestion would be fine, but requiring it as a condition is beyond the Land Use Commission's purview.

Commissioner Mabadi asked staff about remedies if issues arose with a special use, referencing a prior case on Central Street with a dog shelter.

Development Services Supervisor Jeremiah Bebo explained that a special use can be revoked if the approved conditions are not followed. Compliance with the conditions is required, and enforcement procedures can be used if necessary, including revocation of the special use.

Chair Lindwall asked Mr. Poonja about landscaping, noting that the existing lot and surrounding landscaping were in poor condition and asking if he would be willing to clean it up.

Karim Poonja responded that they would be willing to clean up the lot, shrubs, and weeds to make the curb and corner more appealing.

Commissioner Puchtel asked Mr. Poonja about the department's sustainability recommendations, including on-site recycling, compostable to-go containers, prohibition on styrofoam, litter pickup, and tap water availability, noting these were not in his presentation.

Karim Poonja responded that they have spoken with the brand and plan to comply with the recommendations, including not using styrofoam cups, providing paper bags for takeout, offering water upon request, and ensuring garbage and recycling are available. He noted that he would need to confirm all packaging items but expects compliance with the highlighted items.

Commissioner Arevalo asked Karim about the radius of existing Popeye's locations and the closest stores to the proposed site.

Karim Poonja explained that the closest Popeye's is on Howard Street in Chicago, with others farther away on Waukegan, Skokie, and near the corner of Devon and Lincoln. He noted that most of these locations are a significant distance from the proposed site.

### **Public Testimony**

Jason Metnik, representing the Heartwood Center at 1818 Dempster, opposed the special use for Popeye's at 1826–1830 Dempster. He emphasized that the proposal fails multiple zoning standards (B, C, D, F, I) and is inconsistent with both the current and forthcoming Envision Evanston comprehensive plans. Mr. Metnik highlighted strong community opposition, including petitions and emails, and stressed that Popeye's, as a national chain, does not support local or family-owned business goals. He argued the fast-food restaurant would create negative cumulative effects in a neighborhood already dense with special uses, lower property values, worsen traffic congestion, and present environmental and health concerns due to grease, odor, and use of non-recyclable materials. He noted the Heartwood Center provides significant community benefits, including religious, educational, workforce, housing, and healthcare services, which could be threatened by the development. Overall, he concluded that the proposal detracts from neighborhood quality of life and should be denied.

Commissioner Berlin asked Mr. Metnik to clarify what would force Heartwood to close and what kind of use could work at a busy, high-traffic intersection without being high-intensity. Mr. Metnik responded that Heartwood would likely lose members and staff due to the Popeye's presence, effectively forcing closure. Regarding suitable uses, he explained that lower-intensity developments such as retail where visitors stay longer but traffic is manageable could work if they provide adequate parking or otherwise control vehicle counts, ideally determined with input from a traffic engineer.

Commissioner Berlin asked Mr. Metnik to explain the black iron ventilation system and whether other fast-food restaurants at the intersection use it.

Jason Metnik explained that the black iron system expels grease exhaust into the air, which is an environmental concern. While he is not a fast-food expert, he emphasized that it is not desirable from an exterior environmental perspective, even if other restaurants have similar

equipment.

Department Services Supervisor Jeremiah Bebo, clarified that while there was concern about Popeye's using a black iron ventilation system, the building code actually requires a type one hood with special filters to capture grease particles before entering the exhaust system, ensuring proper ventilation and compliance.

Commissioner Mabadi asked about the effectiveness of type one hoods used by existing fast-food restaurants like McDonald's and Burger King, noting prior odor issues from neighboring businesses. Emphasized the need to balance business operations with protecting the community and property values.

Department Services Supervisor Jeremiah Bebo responded that he assumes those restaurants use type one hoods.

Nancy Floy, Director of the Heartwood Center and President of the West Village Business Association, spoke in opposition to the Popeye's special use request. She emphasized Heartwood's long-standing role in providing affordable housing, workforce training, small business incubation, free holistic healthcare, and Buddhist programs to thousands of people annually. Floyd stated that the proposed restaurant would create traffic, noise, and odor that would render Heartwood's west-side offices and studios unusable, forcing practitioners to leave and leading to Heartwood's closure after 28 years. She noted this would end housing, jobs, training, and services for the community.

Ms. Floy urged denial of the special use and explained that Heartwood has a backup agreement to purchase the property from the owner. The plan would keep the site on the tax rolls and lease it to local entrepreneurs Gabby Walker Aguilar and Byron Glapian of 4 Suns to create a healthy food hall, supported by shared parking with Heartwood. She stressed that this alternative aligns with Envision Evanston and the Thrives initiative, generates comparable or greater economic benefits than Popeye's, and sustains neighborhood vitality. Floyd concluded by thanking the Commission, community members, and Heartwood's supporters, offering her remarks "for the benefit of all beings."

Gabrielle Jean Paul Walker Aguilar, owner of 4 Suns Fresh Juice, spoke in opposition to the Popeye's proposal and in support of the alternative plan for a food hall at Dempster and Dodge. She shared her deep roots in Evanston as the descendant of Haitian immigrants and lifelong resident, noting her grandparents were local business owners. Ms. Aguilar described her own journey as a small business owner operating 4 Suns Fresh Juice, persevering through closures, setbacks, and reopening because of community support.

She stressed the need for healthier food options in the neighborhood, especially near schools and where her family lives, rather than another fast-food chain. Ms. Aguilar emphasized the proposed Choice Food Hall would offer diverse options to accommodate different diets and community needs, while maintaining high standards of cleanliness and health compliance, as demonstrated by her business's strong health inspection record. She concluded by affirming her commitment to providing nutritious and inclusive food choices for Evanston residents.

Byron Glapian of 4 Suns spoke in support of the alternative Choice Food Hall and against the Popeye's proposal. He emphasized the health risks associated with frequent consumption of Popeye's menu items, citing high calories, fat, sodium, and sugar. Glapian highlighted that 4 Suns would provide fresh, balanced, and nutritious options including juices, teas, smoothies, soups, and culturally diverse meals aligned with Evanston's community values of health, equity, and quality of life.

He stressed that 4 Suns would create a safe, welcoming environment for dining, socializing, or working. Glapian also clarified that Heartwood's purchase of the property would not remove it from tax contributions, as 4 Suns would lease-to-own the property and operate the Choice Food Hall, paying taxes consistent with other local businesses. He concluded by urging support for the alternative plan as a way to uphold the community's values.

Larry Akey spoke in opposition to the Popeye's special use on behalf of two absent West Village Business Association members, including Specs Car Wash owner Shahad Purves. He raised concerns about delivery and garbage trucks blocking access to nearby businesses, inadequate parking for employees and customers, and the inability of city staff to enforce restrictions. He noted that previous type two special uses have rarely, if ever, been rescinded, making promised mitigation unreliable. Mr. Akey emphasized that these issues could reduce property values and disrupt nearby businesses, urging the commission to deny Popeye's application.

Dickelle Fonda and partner Jevoid Simmons, long-time West Village residents, spoke against the Popeye's proposal. They highlighted the neighborhood's diversity, history of tolerance, and previous efforts to stabilize and improve the area, including Heartwood Center's role. They emphasized that the corner is already saturated with fast food and other businesses, and adding Popeye's would increase noise, traffic, congestion, and odors, reducing the quality of life for residents and local businesses. They urged the commission to deny the special use.

Osa Gezelius, a long-time West Village resident, spoke against the Popeye's proposal. She noted how the neighborhood has positively transformed over 23 years, largely due to Heartwood Center's community and arts focus. She criticized city staff for disregarding the voices of over 300 community members opposing the project and emphasized that another fast food restaurant would undermine the neighborhood's character. She urged the Land Use Commission to deny the special use.

Hanna Selekmen, a Second Ward native, opposed the Popeye's proposal. She raised concerns about the lack of community input in the process, the negative health impacts of adding another fast food restaurant, and the potential harm to small, local businesses. She also emphasized that the project would disrupt Heartwood Center's mission as a Buddhist healing center and urged the Land Use Commission to deny the special use.

Julie Fleps, a two-year member of Heartwood, spoke about the center's welcoming and supportive community and emphasized the personal and broader community loss if Heartwood were negatively impacted. She noted that such a concentration of fast food restaurants would not occur in other parts of Evanston and urged the Land Use Commission

to oppose the Popeye's proposal to protect the thriving local businesses and community environment.

Bryant Guy shared his personal perspective as a lifelong Buddhist and regular attendee at Heartwood, emphasizing the center's critical role in his spiritual life. He highlighted the lack of nearby healthy food options, noting that the Four Sons proposal would meet that need. He also raised traffic concerns at the Dempster and Dodge corner, pointing out potential congestion from a high-turnover restaurant like Popeye's. He urged the commission to consider both community health and practical impacts.

Susan Lincke spoke in support of Heartwood and the Four Sons proposal, emphasizing the importance of preserving a space for diverse health practitioners and spiritual services. She highlighted that Popeye's would interfere with Heartwood's operations, including yoga, massage, and medical services, and stressed the value of community diversity in religion, food, and health options.

Courtney Bossarte, a business owner at Heartwood, spoke about the center's sacred and healing role in the community. She emphasized its importance as a space for personal growth, wellness, and connection, and urged the commission to preserve Heartwood for its unique spiritual, cultural, and community contributions.

Jeffrey Franzen, who lives in Wilmette, spoke in strong support of Heartwood, emphasizing its role as a welcoming, healing, and spiritually enriching community. He highlighted the risk that Popeye's next door could lead to practitioner departures and ultimately Heartwood's closure, urging the commission to reject the special use for Popeye's and preserve Heartwood as a vital community resource.

Rainer Hueiyer, who lives on Sherman and works in the Second Ward, spoke about his experience developing community health and support programs in Evanston. He emphasized the importance of preventing the Dodge and Dempster area from becoming a health and opportunity "desert" like parts of West Garfield Park, highlighting concerns about small businesses, community health, and the negative impact of additional fast food establishments on local well-being.

Marides Haidari spoke as a representative of Heartwood's SA and Women of Wisdom groups, emphasizing the center's role in fostering community, compassion, and lifelong learning. She highlighted how Heartwood combats loneliness and social isolation key contributors to poor physical and mental health by providing a safe space for mindfulness, meditation, and holistic healthcare. She urged the commission to vote against Popeye's to protect the community's well-being.

Jade Forest, a Heartwood practitioner living about a mile away, spoke about the community impact across generations. She noted that local teenagers supported healthy options like Four Sons over fast food, and emphasized that Heartwood provides affordable work opportunities for older adults like herself, helping them remain active and engaged. She urged the commission to preserve Heartwood.

Alice George, who has lived three blocks from the proposed site for 35 years, spoke about the personal and community value of Heartwood. She highlighted how Heartwood supported her through her mother's decline, provides acupuncture and other health services, and serves as a hub for local art. She emphasized that Popeye's would harm the character, health, and cultural momentum of the West Village and urged the commission to vote against it.

Steve Brunton, who lives three blocks from the site and has been in the neighborhood for 15 years, spoke in favor of Popeye's. He said opposition concerns about traffic, parking, and odors were overstated, noting his own daily walks and drives past the area show little impact. He pointed out that the block has seen significant business vacancies over the past 18 years and argued that Popeye's would help fill a long-vacant space and bring more activity to a declining corridor.

David Ellzey of 838 Hinman spoke against Popeye's. He urged the Commission to consider the broader impact of allowing another fast-food chain, arguing it represents unhealthy eating habits that contribute to chronic disease and harm both physical and mental health. He contrasted this with Heartwood, which he described as a place of love and care that inspires the community. Mr. Ellzey framed the decision as one that affects the spiritual and long-term well-being of Evanston, encouraging commissioners to vote no to protect the city's health and character.

Deborah Smith of 1019 Simpson Street shared her perspective as a therapist and bodyworker who has practiced at Heartwood for the past five years. She described Heartwood as uniquely harmonious, peaceful, and supportive, unlike any other place she has worked in her 40-year career. While expressing respect for the Popeye's ownership family, she opposed the restaurant's proposed location at Dempster and Dodge, stating it would disrupt a thriving, community-oriented space that provides healing and support to many residents. She urged the Commission to vote against the proposal.

Andrea Brazavsky of 1631 Washington Street, a nutrition and dietetics professional with an office on the west side of Heartwood, stated she would be forced to relocate if Popeye's were approved. She emphasized the importance of health-focused uses that could build on Heartwood's clientele without creating additional parking or community disruptions. Drawing on her background, she suggested initiatives such as medically focused cooking classes, stressing that food is medicine. She shared that she recently lost her mother to a preventable condition worsened by fast food, and she strongly opposed the proposal.

Lisa Meyerson, a licensed acupuncturist practicing at Heartwood since 2017, said the center allowed her to build a sustainable career in Evanston and contribute to the local economy. She noted that 11 practitioners with west-facing offices would be forced to leave if Popeye's were approved, threatening the livelihoods of dozens of small business owners and potentially the future of Heartwood itself. Ms. Meyerson argued it would be shortsighted to trade multiple thriving local businesses that invest back into Evanston for a single corporate franchise. She urged the Commission to preserve Heartwood and support businesses that align with community health and well-being.

Maria Romero, a resident of the area for 20 years, stated that neighbors view the Dodge and

Dempster corner not as a business opportunity but as an extension of their homes. She urged the Commission to support Heartwood and oppose Popeye's in the best interest of the community.

Arlene Faulk, who lives near north Chicago but frequents Evanston regularly, opposed Popeye's at Dempster and Dodge. She emphasized that Heartwood generates loyal visitors who also support nearby businesses, contributing to local revenue. She argued that losing Heartwood would create a revenue drain and stressed that a sustainable, community-aligned business like Four Sons would provide tax revenue without harming neighborhood businesses.

Koran Soud, a Second Ward resident since 2004, opposed the Popeye's proposal. He compared the Dempster/Dodge area to food deserts he has seen in Chicago's North Lawndale neighborhood, noting that the intersection is already saturated with fast food and convenience stores but lacks healthy food options. He emphasized that the Second and Fifth Ward census tracts have the lowest life expectancy in Evanston and argued that adding another fried chicken restaurant would worsen health disparities. Mr. Soud highlighted that many residents, including himself, do not own cars and rely on bus routes, leaving few alternatives within walking or biking distance. He urged the Commission to support healthy local businesses and advocated for the land to go to the Heartwood Center instead of Popeye's.

Olga Gonzalez Walsh, a resident of Greenleaf for 20 years, opposed the Popeye's proposal. She shared that her family values healthy eating, and her vegetarian daughter has limited local options beyond fast food. Gonzalez Walsh also spoke as an art therapist and counselor who recently established her practice at the Heartwood Center, noting that downtown Evanston office rents had been unaffordable. She emphasized that Heartwood offered equity, inclusion, and support that allowed her to grow her practice, and warned that if Heartwood were displaced she would not be able to sustain her work. She urged the Commission not to approve the Popeye's.

Joe Ingraffia, a licensed massage therapist at the Heartwood Center and resident of 940 Asbury, opposed the Popeye's proposal. He highlighted the sense of community at Heartwood, where over 50 small business owners greet neighbors and contribute to the neighborhood's character. Mr. Ingraffia contrasted this with the absentee ownership of fast-food franchises, noting that he does not expect such businesses to engage locally in the same way. He also raised concerns about odor impacts, sharing that the smell from Popeye's locations in Chicago is noticeable blocks away and could negatively affect Heartwood businesses.

Corinne Peterson, a longtime participant at the Heartwood Center, opposed the Popeye's proposal. She shared how Heartwood has been a place of healing and spiritual growth for her, beginning 15 years ago when she joined a meditation group after supporting a grieving friend. Ms. Peterson described how the center inspired her to lead a clay art project on trauma and healing, which engaged over 500 participants. She emphasized that Heartwood continues to provide her with wisdom, compassion, and community, calling its potential loss a profound one for both herself and many others.

Michaela Lordanova, an Evanston resident, spoke in opposition to Popeye's. She noted she is neutral and not affiliated with Heartwood but became concerned after learning about the proposal. Drawing on her experience growing up in Bulgaria, she highlighted the negative health impacts of fast food, including obesity, high cholesterol, and high sodium. She compared the addictive nature of fast food to gambling and urged the Commission to consider whether adding Popeye's would truly make the community a better place.

Darlene Cannon, lifelong Second Ward resident, spoke in strong opposition to the proposed Popeye's. She emphasized that the project conflicts with the City's E-Plan, which prioritizes reducing health disparities among Black and Brown residents. She noted the Dempster-Dodge intersection is already oversaturated with fast food, contributing to diabetes, heart disease, traffic congestion, pedestrian safety risks, and sanitation issues. She criticized the lack of transparency in the process and highlighted the importance of supporting small, local businesses that promote health, equity, and sustainability. She urged the Commission to reject the proposal.

Lynn Fuller, resident near Robert Crown Center, opposed the Popeye's proposal. She expressed support for healthier dining options and small local businesses at 1826 Dempster, suggesting the space could host rotating pop-ups for emerging entrepreneurs, similar to Heartwood Center's support for local artists. She highlighted the potential benefits for Evanston High School students with entrepreneurial interests and emphasized using the space to promote community health, business growth, and youth engagement rather than another fast food franchise.

Alicja Pulit, Heartwood member and Evanston resident, spoke against Popeye's. She emphasized that Heartwood has been a vital refuge for her through spiritual practice, meditation, health services, and art events. Ms. Pulit warned that a nearby corporate fast food chain would negatively impact Heartwood's survival, harm the community's health, and undermine what makes Evanston unique. She urged the commission to protect Heartwood and consider community-proposed alternatives.

Lisa Applegate, 1210 Dewey Avenue, thanked the Commission for their time and noted the strong community interest in the proposal. She stated that traffic in the area already feels unsafe for pedestrians, particularly for her daughter who walks to high school and for residents visiting nearby businesses. She expressed concern that ten parking spaces would be insufficient given the expected volume of pickup drivers. Ms. Applegate also spoke about her long-time involvement with the Heartwood community, emphasizing its positive impact on the neighborhood through support of local businesses like Curt's Café and Zentli, and its role in creating safer, more welcoming housing. She concluded by stating that the proposed development would significantly affect the community.

Rebecca Sherekis, 1825 Crane St. said she lives near the site and is active with the Heartwood Buddhist community. She described Heartwood's role as a stabilizing, healing presence in the neighborhood and cited its response to local shootings through vigils and free trauma services. She urged the Commission to deny the Popeye's request so Heartwood can continue supporting the community and pursue a healthier, locally owned business for the space.

Tara LaDieu, an Evanston resident and co-director of Heartwood, stated that she would need to relocate her business if Popeye's occupied the adjacent building due to expected noise and odor. She said that many Heartwood practitioners would likely leave if the proposal were approved, which would have severe financial consequences for the organization and threaten her own position. Ms. LaDieu urged the Commission to deny the proposal to protect Heartwood's operations and the services it provides to the community.

William Holloway, 18800 Dempster, spoke in opposition to the Popeye's proposal, noting that his business has been part of Evanston since 1970 and that Heartwood has been a long-standing neighbor. He expressed concern about infrastructure limitations, including narrow and poorly maintained alleys, potential conflicts with deliveries, grease traps, garbage hauling, and parking congestion affecting neighboring businesses. Mr. Holloway highlighted existing traffic and safety issues in the Dempster and Dodge corridor and cautioned that additional traffic from Popeye's could exacerbate these problems. He urged the Commission to consider these impacts and vote against the proposal.

Karim Poonja, applicant for Popeye's, addressed the Commission, acknowledging the positive impact of Heartwood on the community. He stated that the intent of the Popeye's proposal was to provide an additional food option in an area with existing restaurants and that there was no intention to harm the neighborhood. Mr. Poonja noted the space had been vacant for some time and that the proposal included measures to minimize impacts, such as not using Styrofoam, reducing seating, and not adding a drive-thru. He explained that no traffic study was conducted because the site is an existing building and lot. In response to concerns, he stated that odor would be controlled with a Type 1 hood system and that deliveries would be scheduled during off-peak hours once per week to minimize conflicts with traffic and neighboring businesses.

Chair Lindwall closed the public testimony and opened Commission deliberations. She emphasized that the discussion should focus on the required special use standards rather than broader issues, such as the menu or the need for healthy food, which are not part of the criteria for review. She invited Commissioners to share their thoughts on the project while keeping the focus on relevant standards.

Commissioner Puchtel asked staff whether there is a formal West Village Business Association and if any official comment from the association had been submitted; staff confirmed no formal submission was received. He stated that while Popeye's may seem appropriate for the C1 district and could fill a vacancy, the Commission must consider the broader context, particularly safety concerns at the Dempster/Dodge intersection. Commissioner Puchtel noted existing traffic hazards, including curb cuts, lane reductions, high delivery activity, and student and cyclist traffic, and expressed concern that additional restaurant traffic could worsen safety risks. He concluded that while he supports new businesses in general, he believes this location is not appropriate for the proposed use.

Commissioner Berlin commented on the traffic concerns raised by other Commissioners and asked whether certain uses could avoid these issues. She noted that while a sit-down, locally owned restaurant might generate lower-frequency traffic, it could still rely on delivery services like GrubHub. Commissioner Berlin observed that the location's strength being at a major intersection also creates safety challenges, and she questioned what type of use could

occupy the site without raising similar concerns.

Commissioner Mabadi noted the unique challenges of the building, referencing past tenants and their low-traffic business models. He stated that it is not the Commission's role to determine what other uses might be appropriate for the space. Focusing on the special use standards, Commissioner Mabadi concluded that the proposal would have a negative cumulative impact on the area and could diminish nearby property values. He contrasted this site with freestanding fast-food buildings, noting that odor and traffic impacts are more pronounced due to proximity to neighboring properties. Commissioner Mabadi stated he would oppose the proposal.

Commissioner Mirintchev echoed concerns about traffic and parking at the site, noting that existing conditions, including the bike path and bus stop, make vehicle movements in and out of the lot particularly hazardous. He stated that even with a traffic or parking study, a high-traffic restaurant would not be appropriate for this location. Commissioner Mirintchev emphasized that the unpredictable use of the parking area adds further risk and concluded that a Type 2 restaurant is not a suitable use for this property.

Commissioner Harris-Ferree noted that left turns from the site are particularly challenging given existing traffic patterns. He observed that traffic and parking issues at the intersection are unlikely to be fully resolved regardless of the use. Commissioner Harris-Ferree suggested that restricting left turns in and out of the property could help mitigate some safety concerns raised by other Commissioners.

Chair Lindwall acknowledged that a right-in/right-out restriction could help manage traffic, but emphasized that conditions might not fully address noise, odor, and delivery impacts. She noted that even an alternate food use could produce similar issues, particularly regarding traffic and deliveries. While initially inclined to support Popeye's as an improvement over previous tenants, Chair Lindwall expressed concern that the proposed conditions may not sufficiently mitigate impacts on the Heartwood Center or surrounding area. She indicated that, based on the special use standards, she is leaning toward denying the application.

Commissioner Berlin expressed conflict over the decision, noting that the property is zoned C1 and the use is generally allowed. She emphasized that traffic concerns from delivery services would likely apply to any restaurant, including healthier or locally owned options, and the Commission must remain consistent in evaluating impacts. Commissioner Berlin also suggested exploring creative solutions to allow the Heartwood Center to remain even if another business occupies part of the site, such as rearranging studio spaces or installing enhanced ventilation, and encouraged considering broader community coexistence.

Chair Lindwall explained that Type 2 restaurants are administrative review uses, meaning standard conditions, like trash management and building-code ventilation, apply regardless of whether the business is a local or chain operation. She emphasized that any future Type 2 restaurant proposal would likely return to the Commission for review because the issues, such as odor and traffic, would remain the same. Chair Lindwall highlighted the importance of consistent application of standards for all applicants.

Department Services Supervisor Jeremiah Bebo confirmed that the Commission's direction would be followed. He explained that Type 2 restaurants are distinguished in the code by their potentially greater environmental impacts, such as litter or drive-through operations, not by whether they are chains or offer healthy food. He noted that Type 1 restaurants and other uses like brew pubs, catering, food stores, and financial institutions are permitted by right and do not require special use review by the Commission.

Commissioner Harris-Ferree expressed concern that denying the Popeye's application based on odor or traffic could set a precedent affecting any future food establishment in the area. He noted that odors are common across nearby businesses and that any restaurant would produce some odor, emphasizing the need for a balanced approach rather than assuming Heartwood would be forced to leave.

Commissioner Mabadi said that the decision shouldn't be seen as setting a broad precedent, but must consider the specific context of this location. He cited multiple challenges for a fast food restaurant here, including traffic, parking, deliveries, and proximity to neighbors like Specs and Heartwood. He emphasized that odor is significant because of how close the building is to adjacent properties, making this corner especially challenging.

Chair Lindwall asked staff if there have been any nuisance complaints for other nearby fast food restaurants, noting that while those locations aren't as close to residential areas, it's relevant to understand if similar issues have arisen.

Department Services Supervisor Jeremiah Bebo responded that he is not aware of any nuisance complaints for other fast food restaurants at this corner or elsewhere in Evanston.

Chair Lindwall asked about the best sequence for reviewing the application, whether to go through the standards first and then conditions, or review the conditions first to see if they allow the standards to be met. She asked for suggestions on the process.

Commissioner Puchtel said he plans to make a positive motion recommending approval, incorporating all department recommendations. He noted that any commissioner wanting to add a condition to support a "yes" vote should do so at this time.

### **The Commission reviewed the standards 6-3-5-10 Special Use Standards**

#### **1. It is one of the special uses specifically listed in the zoning ordinance:**

*Chair Lindwall stated that type two restaurants are listed as an administrative review use. She said the zoning administrator has the discretion to defer these to the special use process, which was done in this case, so this standard is met.*

#### **2. It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance:**

*Chair Lindwall said that a new type two restaurant will activate a previously vacant building, which aligns with the city's goals of revitalizing commercial spaces. She stated it is consistent with the zoning designation for commercial uses, so this standard is met.*

#### **3. It will not cause a negative cumulative effect:**

*Chair Lindwall stated that this standard is not met. She explained that while there are other*

*special uses in the area, the location next to the Heartwood Center and existing traffic patterns raise concerns. She emphasized that the proximity to adjacent properties could result in negative cumulative impacts, particularly in combination with the nearby special uses, which are generally farther away.*

*Commissioner Berlin asked Chair Lindwall to clarify her reasoning on this standard, particularly regarding traffic. Chair Lindwall reiterated that the negative cumulative effect is primarily due to the potential impact on the adjacent property (Heartwood) rather than just general traffic, and confirmed that this standard is not met.*

**4. It does not interfere with or diminish the value of property in the neighborhood:**

*Chair Lindwall said this standard is not met. She noted that while the proposal activates a vacant building, testimony suggests potential impacts on Heartwood, including odor and noise concerns. She stated that these impacts could negatively affect neighboring property values, although no testimony indicated that it would increase property value.*

**5. It can be adequately served by public facilities and services:**

*Chair Lindwall stated that this standard is met. She said the building is existing and already presumably connected to the necessary public utilities and services, so no additional infrastructure would be required.*

**6. It does not cause undue traffic congestion:**

*Chair Lindwall stated that this standard is met. She noted that although any use will generate traffic, this site has historically had businesses operating without extreme congestion. She said that because there is no drive-thru, which would significantly increase traffic, this standard is considered met.*

*Commissioner Mirintchev disagreed, stating that type two restaurants require significantly more traffic, and in this particular case, it would not be appropriate. Chair Lindwall acknowledged the disagreement, noting that there is a difference of opinion on whether standard six is met.*

**7. It preserves significant historical and architectural resources:**

*Chair Lindwall said this standard is not applicable. She noted that the building is not historically significant, so this standard does not apply.*

**8. It preserves significant natural and environmental features:**

*Chair Lindwall stated that this standard is not applicable. She said the site has minimal landscaping and no notable natural features, so this standard is not relevant here.*

**9. It complies with all other applicable regulations of the district:**

*Chair Lindwall said that the proposal complies with district regulations, though she noted staff recommended several conditions to ensure proper operation. She stated that these conditions include routine requirements like trash management, noise mitigation, and odor control as part of standard administrative review for type two restaurants.*

Chair Lindwall noted that in order for the Commission to recommend approval, all of the standards must be met. She reminded the Commissioners that a vote in favor requires a finding that each standard has been satisfied.

**Motion:** Putchel

**Second:** Berlin

**For Action**

**Motion Failed 0-7-2**

**Ayes:**

**Nayes:** Lindwall, Putchel, Arevalo, Berlin, Harris-Ferree, Mabadi, and Mirintchev

**Absent:** Johnson and Mangum

Chair Lindwall stated that with seven Commissioners voting against the motion, the motion fails. She noted that a negative recommendation will be forwarded to City Council and reminded the Commission that their role is advisory, they make a recommendation, but the final decision rests with the City Council. Chair Lindwall concluded that this concludes the case.

**D. COMMUNICATIONS**

Neighborhood Land Use Planner Meagan Jones stated that the City released the draft “Housing4All” strategic housing plan on Friday, September 12th. This plan is the City’s first dedicated housing strategy, serving as a guiding framework for the next ten years to meet Evanston’s housing needs. She noted that the City worked with Development Planning Partners to conduct a housing gap analysis specific to Evanston, which informed the draft plan. Meagan shared that discussion of the draft will come before the Land Use Commission at the next meeting on October 8th, and the Housing and Community Development Committee will review public feedback at its October 21st meeting. Following this review, a final version will be recommended to City Council for adoption later this year. Public feedback is being accepted through October 12th via online forms (available in English and Spanish), paper copies at community centers, and drop-in hours. For more information, she directed participants to the City’s dedicated webpage at [cityofevanston.org/backhousing4all](http://cityofevanston.org/backhousing4all) or via email at [housing@cityofevanston.org](mailto:housing@cityofevanston.org)

Chair Lindwall suggested that for the next Land Use Commission meeting, members consider providing a group response to the draft plan. She noted that while she has not read the full plan, she reviewed the background materials and found them informative. Chair Lindwall recommended that commissioners review both the “Housing4All” draft plan and the accompanying gap analysis, highlighting that the gap analysis contains particularly useful information.

Planning Manager Elizabeth Williams stated that the City will provide the Land Use Commission with links to the draft “Housing4All” plan and the gap analysis so commissioners can review them in advance. She noted that the plan is a detailed planning document with many policies and encouraged the commission to provide feedback, particularly drawing on their experience with Envision Evanston 2045.

Chair Lindwall and Planning Manager Elizabeth Williams stated that commissioners are welcome to provide individual feedback on the draft “Housing4All” plan via the feedback form, or through a discussion at the next meeting, or both. Chair Lindwall suggested that a discussion would be useful to share perspectives and mentioned the possibility of reviewing the commission’s rules and procedures to clarify votes, motions, and public hearing processes. Elizabeth Williams noted that there are no cases scheduled for the first October meeting and encouraged commissioners to focus on the strategies in the draft plan, particularly on how they might be prioritized, since the plan includes a broad suite of

strategies but not all can be implemented at once.

**E. PUBLIC COMMENT**

**F. ADJOURNMENT**