

**Planning & Development Committee Meeting  
Minutes of September 12, 2011  
City Council Chambers – 7:15 p.m.  
Lorraine H. Morton Civic Center**

ALDERMEN PRESENT: J. Fiske, D. Holmes, A. Rainey, D. Wilson, M. Wynne

STAFF PRESENT: Ald. P. Braithwaite, Ald. Burrus, G. Farrar, C. Godwin,  
Ald. Grover, S. Griffin, C. Hanawalt, D. Marino, B. Newman

PRESIDING OFFICIAL: Ald. Rainey

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**I. DECLARATION OF QUORUM**

A quorum being present, Chair Wilson called the meeting to order at 7:31 p.m.

**II. APPROVAL OF THE AUGUST 8, 2011 MEETING MINUTES**

Ald. Fiske moved approval of the minutes, seconded by Ald. Wynne.

The minutes of the August 8, 2011 meeting were approved unanimously 5-0.

**III. ITEMS FOR CONSIDERATION**

**(P1) Ordinance 75-O-11: Granting a Special Use for a Type 2 Restaurant at 1701 Sherman Avenue in the D2 Downtown Retail Core Zoning District**

Staff and the Zoning Board of Appeals (ZBA) recommend the adoption of ordinance 75-O-11, granting a special use permit for the operation of a type 2 restaurant at 1701 Sherman Avenue. Warren Johnson Architects Inc., on behalf of Pret A Manger contract lessee, applied for a special use permit to operate a type 2 restaurant, "Pret a Manger." For Introduction

Ald. Wynne moved approval, seconded by Ald. Fiske.

Yvonne Gilbert, the architect explained that the ingredients are delivered in the morning and the food is ready made for pickup, not made to order.

The Committee voted unanimously 5-0 to introduce Ordinance 75-O-11.

**(P2) Ordinance 77-O-11, Proposed Amendment to the Existing Approved Planned Development at 1100 Clark Street/1719 Ridge Avenue**

Staff and the Site Plan & Appearance Review Committee recommend approval of the proposed amendment, Ordinance 77-O-11, to the existing approved planned development for 1100 Clark Street/1719 Ridge (Ordinance 5-O-04 as amended by Ordinance 125-O-05). Focus Development has proposed constructing a 175 unit rental development on the vacant lot that is part of the approved planned development commonly known as the Sienna Development.

**Suspension of the Rules is requested for Introduction and Action at September 12, 2011 City Council meeting. For Introduction and Action**

**Chair Wilson called the public who wished to speak to the podium:**

Bob Canizaro of 1800 Ridge, Evanston, IL, said some residents of his building were concerned about

- The increase in density
- Whether the setback change would align with the existing building
- Whether decreased setback will affect visibility for traffic turning from Ridge east onto Clark
- Why they were proposing 75% 1 bedrooms and 25% 2 bedrooms

David Reifman of DLA Piper, Justin Pellai of Focus Development and George Halik, Architect of Booth Hansen presented information and the revised plans for “1717 Ridge Apartments”:

- Focus has been the developer of several residential buildings in Evanston including:
  - Sherman Plaza
  - The Reserve
  - Church St. Station
  - 811 Chicago
- Property is currently owned by an affiliate of Inland Bank
- Developer has met 7 or 8 times with the condo association and Ald. Braithwaite, who are in support of the project
- The current conditions of the property pose many issues to the community including:
  - Flooding
  - An unsightly 2-story hole in the ground
  - An ADA issue for condo owners that was not resolved before the previous developer went bankrupt
- 175 Luxury units are proposed (condo level finishes) averaging 850 sq. ft. (42” cabinets, granite counters, etc.)
- Propose to increase number of units from 256 to 286, less than the permitted 287
- Propose to reduce parking spaces from 365 to 354, but also creating more 1 bedroom units than previously proposed
- F.A.R. increase from 2.0 to 2.25 is a technical issue
- Propose decrease in setback from 12’ to 7’4” on Clark; decrease in setback from 20’ to 13’ on Ridge
- 8 stories: no modifications to height or lot coverage
- All units have balconies (recessed balconies on north and south sides)
- Pool and amenities to be accessed in plaza at 3<sup>rd</sup> level and to include a pavilion, fitness center and cyber café, also accessible and available to condo owners
- Parking: 16 on-grade level spaces accessed through alley; XX underground spaces access from Clark
- Loading dock off alley
- Materials to match existing condos: Buff-colored brick with stone on base and painted steel or natural anodized aluminum windows (matching existing)
- Glass balconies: can be frosted to hide stored items

- Top floor to be all glass
- Mr. Pellai assured Ald. Wynne that the lighting fixtures would be condo quality
- Mr. Pellai assured Ald. Fiske that there would be rules in place to prevent the building from looking unsightly and there will be an on site leasing manager and engineer
- Public Benefits:
  - LEED Silver Project
  - Project makes a contribution to the local economy
  - Generates \$500,000 in property taxes
  - Includes 9 additional affordable units
- Property is under contract
- Mr. Pellai thanked City staff for their help in progressing to this point
- Mr. Halik said as an Evanston resident and the architect, he is proud to be part of this project
- Propose to begin project in November, 2011 and being occupancy November, 2012
- In response to Ald. Fiske's inquiry, Mr. Pellai said there are no plans to convert the building to condo; the intent is to build rental units, as their market research has indicated a need for rental units.

Ald. Braithwaite confirmed that the condo residents are in support of the project. He thanked the neighbors for their passion about the project. He said Focus Development has been diligent about addressing the residents' issues and that the ADA issue has been resolved. He added that the project will generate \$55,000 in permit fees

**Ald. Rainey moved approval, seconded by Ald. Holmes.**

**The Committee voted unanimously 5-0 to recommend approval of Ordinance 77-O-11 and suspension of the rules.**

**(P3) Application for a Special Use for a Bed and Breakfast (B&B) at 300 Church Street in the R1 Single-Family Zoning District**

**The Zoning Board of Appeals recommends to the City Council to deny the application for a special use permit to operate a Bed and Breakfast at 300 Church Street. The Site Plan and Appearance Review Committee and Staff declined to make a positive recommendation due to practical concerns about parking. A draft ordinance will be provided at a future meeting if the Planning and Development Committee and City Council disagree with the ZBA's recommendation to deny.**

**For Action**

**Chair Wilson called the public who wished to speak to the podium:**

Kent Swanson of 1630 Judson and a partner in the John Buck Co., spoke in favor of the B&B:

- It is being a good neighbor
- Pritzker has done great restoration jobs
- Positive alternative to hotel lodging
- Positive impact on economic development

- Would increase home values through the appraisal process

John Henderson of 115 Dempster for 20 years spoke against the B&B:

- Commercial enterprise in a residential community
- Would add noise and traffic
- Doesn't follow the intent of the ordinance
- Sets a dangerous precedent
- Changes atmosphere of the residential area
- Reduce property values where there is no problem with property values in this area

Rick Blabolil of 2325 Forestview for 30 years spoke in favor:

- Need for creative opportunities to maintain and improve the economy
- Number of cars will not offset parking
- Noise level will not be increased by 4 units in the B&B

Candace Kuzmarski of 1430 Sheridan for 20 years spoke against:

- Neighbors have been fighting for 20 years to keep the area single family, being very close to a commercial district
- Appraisal of a commercial property wouldn't be used to compare to single family homes in the area

Barbara Janes of 802 Colfax spoke against:

- Wants to ensure housing standards are preserved
- Shocked that City allows a basement with a kitchen to be used as an apartment; once it is allowed it will be difficult to remove: concerned about starting a precedent
- Ordinance says owner-occupied, and this is not

Jeanne Lindwall, representing Bob Atkins, President of Northwestern University Neighbors, spoke against:

- They have been fighting commercial intrusions in this residential area
- Concerned about precedent this B&B would set with basement apartments in homes
- Concerned about parking and noise
- Does not think the ZBA's recommendation should be overturned unless they are in legal error

Bob Barr of 1144 Asbury, representing the Evanston History Center at 225 Greenwood spoke in favor:

- The B&B supports the History Center's deep interest in renovation and preservation of homes
- It will encourage tourism to Evanston

Jan Halperin who works at the Evanston History Center spoke in favor:

- The B&B will support historic tourism and welcome visitors to Evanston

Ted Struve of 800 Elgin spoke against:

- Referred to a nice family who bought a single family home on Washington instead of a party who wanted to open a B&B

Chris Ernst, who lives within 1 block of the proposed B&B, spoke against:

- No one involved in the proposed B&B is a home owner
- Concerned that it will set a precedent that anyone who is not a homeowner can open a B&B
- City code does not address this type of B&B
- City will lose hotel tax and won't be able to regulate this type of B&B
- This is a violation of the ordinance because it is not a B&B but a hotel

Paul Brown of 1629 Judson, whose garage is across the alley, spoke in favor:

- Not worried about property values going down, in fact in might improve them
- Not a commercialization of the neighborhood
- Not worried about parking
- Not worried about noise

Andrew Scott, representing Evergreen, LLC (the proposed B&B owner), introduced Paul Janecke, Architect and Mary Lindberger, Professional Apprasier, and argued in favor:

- There is no language giving intent within the ordinance
- The City's Corporate Counsel has said the proposed B&B meets the owner occupied requirement, as an LLC is the occupant and owner
- LLC's mitigate liability and taxes and he would advise any "Mom and Pop" to become one if they were opening a B&B; there is nothing nefarious about operating the B&B as an LLC
- Regarding the basement, only the operator will be sleeping in the basement and they will remove the kitchen, if necessary; she will live in the 1<sup>st</sup> 2 floors, with 5 guest bedrooms upstairs
- The City has regulations in place to ensure there is not a propagation of B&B's in Evanston because the cumulative effect must be reviewed by Council
- The regulation also states that the market dictates the need
- Colonel Pritzker intends to make a significant investment in this home
- Regarding Mr. Struve's comment, this is not a hotel, as the proposed use is consistent with what is already compatible with single family home use
- Regarding Ms. Lindwall's comment, they would be operating within the confines of the Evanston Municipal Code; let the City worry about the taxes
- Regarding parking, there would be 3 spaces on site and another can be leased across the alley; a parking consultant was retained and concluded that there would not be negative impact
- Mr. Brown, living 500' from the property is not concerned
- Ms. Lindberger, a professional appraiser has concluded that the B&B will not negatively impact property values

Ald. Rainey argued in favor:

- The Preservation Commission approved the project
- Commended Colonel Pritzker's magnificent preservation of his own home and added that he said he is going to make the B&B as nice.
- The fact that it is a special use means that it is an acceptable use, based on the

terms and conditions

- No one will be more impacted than Colonel Pritzker
- To say 5 cars will impact the parking situation is stretching it.
- There are hardly any B&B's in Evanston
- The issues raised against it were fake
- The clientele will be exactly who Evanston wants to visit the history museum and restaurants
- It is a perfect use for this beautiful home

Linda Cooper of 420 Church spoke against:

- Concerned that people who use the park feel welcomed
- Concerned that older, feeble people will have to manipulate their way around the B&B guests

Ald. Rainey said she would encourage Council to overturn the ZBA's recommendation.

Ald. Fiske argued:

- The issue lies in what the ZBA identified as a commercial use in a residential zone, since 98% of the ownership does not live on the site
- She is concerned with the aggressive marketing referred to by the owner

Ald. Wynne argued against:

- Of the two illegal B&B's that she knew of in Evanston (that are no longer in existence to her knowledge), they were exactly what the ordinance stipulates: owners lived there and rented out some rooms; her objection is that the owner will not live there.
- The ordinance needs to be rewritten to define ownership
- She asked for clarification as whether special uses run with the land or whether they can be applied only to the applicant
- Agrees with neighbors' concerns about basement apartments
- Neighbors have fought hard against widening Forest Avenue and keeping the neighborhood single family homes
- Requested that the Legal Dept. do a better analysis of the special use or find a way to limit this special use to the proposed operator
- She argued that Evanston is friendly to other businesses joining the community, noting the work the Economic Development Division is doing to encourage businesses to come to Evanston, so this is not a message that it is not business friendly

Chair Wilson concluded the discussion with the following points:

- The community is faced with falling victim to the original ordinance
- Both sides have legitimate concerns
- The Council must resolve the issue with what is best

**Ald. Fiske moved to uphold the ZBA's recommendation to deny the special use, seconded by Ald. Wynne.**

**The Committee voted by majority 3-2 with Ald. Wynne and Fiske voting to**

**uphold and Ald. Rainey and Holmes and Chair Wilson voting not to uphold the ZBA's recommendation to deny the special use.**

**IV. ITEMS FOR DISCUSSION**

There were no items for discussion.

**V. COMMUNICATIONS**

There were no communications.

**VI. ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,  
Bobbie Newman