Planning & Development Committee Meeting
Minutes of January 14, 2013
City Council Chambers – 7:15 p.m.
Lorraine H. Morton Civic Center

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


PRESIDING OFFICIAL: Ald. Fiske

I. DECLARATION OF QUORUM
A quorum being present, Chair Fiske called the meeting to order at 7:17 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF DECEMBER 10, 2012.

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

The minutes of the December 10th, 2012 P&D meeting were approved unanimously 5-0.

III. ITEMS FOR CONSIDERATION

(P1) Ordinance 5-O-13 Amending Planned Developments for 1881 Oak and 1890 Maple
Staff recommends consideration of Ordinance 5-O-13 that, if adopted, would amend the previously approved planned developments for 1881 Oak and 1890 Maple.

For Introduction


Chair Fiske said she would call staff, the developers, & the citizens to the podium.

Dennis Marino, Manager of Planning & Zoning Division, explained that the following had been distributed to the Committee: a revised version of Ordinance 5-O-13 correcting a typo, the draft minutes of the 1-9-13 SPAARC meeting, the Plan Commission meeting minutes of 2006 and the Plan Commission meeting minutes of 2007.

David Reifman of DLA Piper introduced Greg Graines of DLA Piper, Eric Russell, Transportation Engineer and Principal, at KLOA, Bob King, developer, Carroll Properties and Steve Fifield and Alan Schachtman of Fifield, developers, Fifield.

Steve Fifield, CEO of Fifield Companies, said he is pleased to present the updated version of the development. He said Fifield has done $8 billion of development in the Chicago area, and they have developments in Washington D.C., Florida, California and Nevada. He said he is excited about this development because the luxury finishes, layouts and amenities are superior to anything else he has seen in Evanston. He said he has learned what people want and the development will
provide great housing for middle aged people to young people and will attract all income groups. He urged the Committee to go to Fifieldcompanies.com to see the types of developments they do and that it will add great value to the area. He added that shorter building mitigated some of the Optima views issues.

Pat Fitzgerald, Managing Partner of Fitzgerald Associates Architects, explained that his firm had done the 2 previous plans of 2006 and 2007 and that much has happened in the market and in people's expectations since then.

He presented the plans explaining that the revision proposes to:
- Maintain the setback of the plaza entrance on the northeast corner
- Eliminate the curb cuts on Emerson St.
- A 2-story lobby at the west entrance
- Twelve 2.5-story townhomes, on Emerson
- Garage entry and loading from Oak
- 3 stories of parking
- An amenity plaza providing a lounge, theater, spa, ½ basketball court and deck with access from the east and west towers
- Shorter buildings that contain smaller units; 20% less floor area; less bedrooms and less demand on parking
- Less retail, reducing traffic from original plan
- Townhome materials: brick and limestone transitioning to the residential buildings to the north
- Apartment buildings’ materials: glass, aluminum, painted concrete with solid glass balconies
- Sustainable project per current standards of LEED Silver
- Bike racks, green roofs, energy efficient lighting, storage, etc.

Mr. Fitzgerald presented elevations.

Mr. Reifman added that the developer has re-submitted a traffic study which recommended a traffic signal timing plan and parking restrictions between Ridge and Church, striping but no widening required, and that the level of service at all intersections will be maintained by the plan. The parking ratio reduction exceeds the Downtown Plan’s parking requirements.

Mr. Reifman said the original Ordinance had time frames but for the amended Ordinance he proposes that construction commence in the fall of 2013 and be completed by the fall of 2015. At Ald. Rainey’s inquiry, Mr. Schachtman explained that in the fall of 2013, the drawings will be finished and submitted for approval, demolition, site clearing, excavation, and the building of the structure will commence.

At Ald. Rainey’s inquiry of how the traffic study related to the City’s request for $150,000 for traffic improvements. Mr. Russell explained that the City has planned to do signal upgrades for over 30 years and has been attempting to obtain CMAP funding to interconnect all the signals in the vicinity. He said the City will continue to submit applications for funding from CMAP. He explained that the Ordinance proposes to remove parking from the south side of Emerson between Maple and Ridge and that there is enough width to re-stripe Emerson to a 4-lane roadway to Asbury. The plan maintains parking on the north side where there are businesses.
Ald. Rainey asked why the City is asking for $150,000 from the developer. Mr. Marino replied that if the City accepts the study, the $150,000 will be used for traffic improvements. He said he expects that there would be improvements on Emerson even if the City does not get the CMAP grant. Ald. Rainey argued that everyone in the area is contributing to the congestion. Ald. Wynne explained that this was part of the Planned Development because this development will add significantly to the traffic at that location. She said she does not think circumstances have changed regarding the traffic issue. Ald. Rainey noted that the system is not yet being upgraded and suggested that the money come in when the City is ready to make the improvements.

Mr. Reifman clarified that the $150,000 was not related to a signal, but it was for a signal modernization in the corridor and striping is the only requirement of the Planned Development.

Ald. Holmes said she had thought from the previous approved Planned Developments that the signals from Elgin to McCormick would be synchronized.

Mr. Marino noted that on page 238, Letter E, Section 3, the Ordinance states:

The proposed planned development will not cause undue traffic congestion and the Applicant’s donation of one hundred fifty thousand dollars ($150,000.00) toward the costs of signal modernization and coordination within the Emerson corridor from Elgin to Asbury will improve traffic circulation;

Ald. Wynne asked for the Zoning analysis for the property.

Chair Fiske opened the discussion to citizen comment.

Lynn Heidt of 1211-C Central St., said there is a great deal of traffic caused by the Farmers’ Market on Saturdays and she cannot imagine that the development would cause more traffic than that. She said she owns 2 condos at 1720 Maple and she supports the development and that she would not support anything that would negatively impact her investments. She said putting the land to its highest and best use will offer higher taxes on other properties and she is hoping others will receive tax relief from the improvements. She said the City should be thankful that developers want to come to Evanston and we should help them. She explained that renters become potential buyers in Evanston and that we should welcome the traffic and the consumers. She said there are residents who resist every development such as the town homes on Church St., Roszak’s on Oak, and the development at Ridge and Emerson. She said condos produce more revenue than rentals but rentals produce more revenue than vacant lots. She said as a member of the Minority Business Consortium, she is hoping the developer will hire Evanston minority workers.

Terry Wendt of 807 Colfax said he has lived in Evanston since 2008 and has fond memories of it. He said rental property choices were minimal in 2008. He now lives at 1630 Chicago but if this building had been available in 2008, he would have rented there, so he supports the project for personal reasons: the restaurants, shops and
workout places. He believes this type of housing will enhance Evanston and add to its activity. He said he is also an architect and likes the design.

Michael Marin of 1720 Maple (Optima Views) said he believes this is the right time to invest in this development as they are investing in Evanston. He is hopeful the project will help to reduce taxes. He said it would be good for the youth of Evanston to see that Bob King, an Afro American, has been successful and he will make a good role model, so it will be good for Evanston.

Amanda Underwood of 3036 Central said she is in her mid 20's and won’t be buying a place in Evanston for at least 10 years. She does not live in the downtown but would love to live in this building.

Bob Brower of 800 Elgin who has lived in Evanston 22 years and is now retired said he loves Evanston and is interested in the appearance and quality of the neighborhood. He is against the project for 3 reasons: 1) It doesn’t fit. It is a monster in the neighborhood; across the street the building is 10 stories, the student housing building kitty corner is 10 stories, there are 2 level homes across the street and the research buildings are 2-4 stories. He said it will dwarf everything in the area. 2) Since 299 of the 368 units are studios and 1 bedrooms, he said he knows from experience that the building will attract many students, but renters are transient. He wondered how many students choose to stay in Evanston and buy property later. He said the old plan was better where one of the buildings was condo and the owners would have a stake in the community. He said the 12 townhomes are the only units likely to have school aged children living in them. 3) The amendment cuts retail from 21,000 sq. ft. to 4,000 sq. ft., which is a huge difference. He hopes if the plan is rejected that there will be a revision to require more retail space. He believes condos are a better fit for the community.

Jeff Smith of 2724 Harrison said he went to college in Evanston and decided to stay after graduation. He said when a project reduces its retail space, changes from condo to rental and reduces its parking, the law says that it is a different project. He said the rationale is defective to not send it back to the Plan Commission because the City has not sent the last 7 projects back and the City should be following the law and going through the Plan Commission process again for this project. If they do not, any developer could do a “bait and switch” if they thought they could submit plans and change them later without having to go through the process. Mr. Smith also rebutted Ms. Heidt’s comment about people that are against development, saying they should get a medal. He said the theory of democracy is that the residents understand the traffic and the “needs of the community.”

Tina Paden of 1122 Emerson has lived there for the past 42 years, and said she is very aware of the traffic in the area. She presented several photos of traffic problems in the area. She said during Farmers’ Market on Saturdays, people park in the lot of the proposed development and handicapped people park on University. She said only one car can pass on University when a Fedex truck is parked there during business hours. She said there are often accidents at the intersection of Emerson and Ridge.

Ms. Paden concluded that most of the people who will occupy the 368 units will have cars and it is important to consider the traffic problems when considering this project.
Mike McLaughlin of 1720 Maple said his unit faces south so his view is not obstructed by the proposed development but he believes it is impossible to add 1,000 people to the intersection without adding traffic. He said building the development will create short term jobs that are being traded for long term jobs created by the research center. He believes the short term decision is not as good as the long term decision.

Stamata Blanas of 1720 Maple said that she has said from the beginning that this development is driving out small businesses and that there was a lack of notice to residents about the process. She said the elevations in the presentation cut off part of the building and she cannot see where the skyline is. She said neither she nor the Committee have the expertise to judge the project and mentioned that Ivy Court will be in shadows and had the Ivy Court residents been noticed, they would have been aware.

Ms. Blanas said the Plan Commission did not approve this project but their decision was overturned by the Planning & Development Committee. She mentioned that Carolyn Brzezinski asked for models of projects and that it was helpful.

Ald. Rainey said in response to Ms. Blanas’ opinion that the Committee does not have the expertise to judge the development, that she spent her entire career in real estate. She explained that thousands of hours were spent trying to attract businesses such as Trader Joe’s, Target, a mini Walmart, and a new-concept Dominick’s, to the 21,000 sq. ft. space, and all refused. She said at 415 Howard there is a 7 story residential building with the 1st floor used as a TV room, a recreation room, a health center, a computer room and a Starbuck’s coffee area so it was a plus that the space was not used for retail. Initially there was a recommendation that 415 Howard include retail. She said the proposed 1890 Maple/1881 Oak project will generate approximately $1.2 million that will go immediately to the taxing body, which is good since 1800 Maple is no longer on the tax roles because Northwestern University bought it from under the City. Ald. Rainey explained that the Research Park was a failure and the only thing that works in that area is residential, the theater and retail.

Ald. Rainey addressed the comment that the project is an alleged monster in the neighborhood with the response that it fits perfectly. She said all these developers that got hit by the economy have remained committed to Evanston and have come back. To reject them would be to send them back to the Plan Commission and if the Committee has the votes to get the project passed, she believes they should. She said it is a beautiful building and she is all for it.

The Committee voted unanimously 5-0 to recommend introduction of Ordinance 5-O-13.

Mayor Tisdahl made a presentation of keys to the City to NorthShore University Health System for Leadership and Support of the Evanston Township High School Health Clinic. She explained that years ago a large number of students went to the Emergency Room for their health care and now the Center provides free health care for every high school student. The following people received keys to the City:

Mark R. Neaman, President and Chief Executive Officer
(P2) Ordinance 1-O-13, Enacting a New Title 5, Chapter 9 of the City Code to Prohibit Vacation Rentals

Staff requests consideration of Ordinance 1-O-13, which enacts a new Title 5, Chapter 9 of the City Code to prohibit the leasing of a dwelling unit for fewer than 30 days. This addresses the operation of what are commonly referred to as vacation rentals.

For Introduction

Ald. Rainey moved to introduce Ordinance 1-O-13, seconded by Ald. Holmes.

Chair Fiske noted that the real estate community has presented situations when it is necessary to rent for less than 30 days, such as when a contract purchaser suffices as owner interest and when a family is coming to visit Northwestern as a prospective school. Ald. Rainey agreed that they are good arguments.

Ald. Wilson said he feels there was a misunderstanding in what the Committee requested in the product. A complete spectrum of situations was to be considered and stakeholders were to have their thoughts incorporated into the Ordinance.

Chair Fiske called the public who wished to speak to the podium:

Jeff Smith of 2729 Harrison said that he had represented a home owner for short term rental and since the case is over he is at liberty to speak about it. He said a ban is a bad idea and it is "going after a bug with a bazooka." He estimated that the number of people doing short term rentals is a couple of hundred a year and of those there are a couple of property owners who have been subjected to very vocal neighbors. He said all residents have the right to rent their property with no rules or objections and if their zoning were to change, they would receive notice. He pointed out that the City does not receive complaints about most of the people that are renting their homes on a short term basis, he is not aware of a single violent crime related to a short term tenant, the owners probably screen renters who come to visit Northwestern University or go to the beach and that if an owner is going out of town, they would probably rather have their home occupied than vacant. People pay people to stay in their homes when they are gone and this also brings money into Evanston. He said the evidence shows that it is not a problem and a complete ban could potentially create problems. He suggested that the Legal Department create something kinder, gentler and fairer to citizens.

Ald. Rainey moved to hold the item. Ald. Wilson agreed and asked that citizens’ comments be sent to the Law Dept.

Grant Farrar, Corporation Counsel, said the product was prepared at the beginning of the month of December and citizens’ comments were received after the 1st of the year.

Wally Bobkiewicz, City Manager, said staff needs more precise direction and that they are trying to accommodate the will of the Committee.
Ald. Wilson clarified that the Committee does not want to put an outright ban on short term rentals and wants to address parties and weekend problems. He said this has been talked about for a month and the citizens have been making comments. He said he understands that this is challenging, to which Mr. Bobkiewicz replied that he does not want staff to come back and fail. He said he senses that there are two issues, one being the number of days, blending together.

Ald. Holmes said that it cannot be done in a vacuum. It is a longer process than deciding whether people can rent for 14 or 30 days. She suggested a committee workshop be formed and its decisions be forwarded to the P&D Committee.

Ald. Wynne said she is concerned about problems with closings and people being unable to move into new housing smoothly.

Chair Fiske commented that if the owner is at the house at the time it is rented, there is less likelihood of problems. She suggested a licensing program. Ald. Rainey agreed that it is better if the owner occupies the home at the time of the rental. Chair Fiske noted that a license can be pulled if a problem continues to occur.

Mr. Bobkiewicz said he would schedule a meeting for the workshop on a Saturday morning at which short term rentals will be discussed. Ald. Rainey suggested isolating the problems to prevent confusion of the issues. She said she does not want to add licensing. Ald. Wynne agreed with Ald. Rainey that the workshop should focus on the problems.

**Ald. Wynne moved to schedule the workshop seconded by Ald. Wilson.**

The Committee voted unanimously 5-0 to recommend a workshop meeting to discuss 1-O-13 and send its recommendations to the P&D Committee.

**IV. ITEMS FOR DISCUSSION**
There were no items for discussion.

**V. COMMUNICATIONS**
There were no communications.

**VI. ADJOURNMENT**
The meeting was adjourned at 9:04 p.m.

Respectfully submitted,
Bobbie Newman