Planning & Development Committee
Minutes of January 12, 2009
Council Chambers – 6:30 – 8:20 p.m.
Evanston Civic Center


Staff Present: K. Cox, B. Dunkley, S. Guderley, D. Marino, B. Newman

Presiding Official: Alderman Moran

DECLARATION OF QUORUM

Chair Moran called the meeting to order at 7:06 p.m., a quorum being present.

APPROVAL OF NOVEMBER 25th, DECEMBER 4th AND DECEMBER 8th 2008 MEETING MINUTES

The Committee voted unanimously to approve the November 25, December 4th and December 8th (as revised), 2008 meeting minutes.

ITEMS FOR CONSIDERATION

(P1) Consideration of Draft Downtown Plan - Recommendation for Approval from Plan Commission
Plan Commission recommendation to approve the Draft Downtown Plan as revised by the Plan Commission

Chair Moran stated that this item will not be reviewed since the special meeting to discuss the Downtown Plan will not take place until Wednesday, January 14th at 7:00 p.m. in Council Chambers.

(P2) Ordinance 127-O-08 Amending the Text of the Zoning Ordinance by Adding Section 6-15-15, “oWE West Evanston Overlay District” and Section 6-15-16, “WE1 West Evanston Transitional District”
Consideration of a Plan Commission recommendation for approval of text amendments to the Zoning Ordinance to add a new zoning district “WE1 – West Evanston Transitional District” and to add a new overlay district “oWE – West Evanston Overlay District” to Chapter 15 - Special Purpose and Overlay Districts. Held in Committee on November 24, 2008.

Chair Moran opened the floor to public comment.

Ms. Betty Ester of 2114 Darrow stated that she and some of her associates met with Ms. Guderley, Mr. Marino, Ald. Holmes & Ald. Jean-Baptiste on January 8, 2009 when they discussed some issues which she expected would be discussed by the Committee at this meeting. She asked to give her comment after the discussion by the Committee, which may negate her need to comment.

Chair Moran said he would be happy to honor Ms. Ester’s and the other citizens’ requests to speak when they wish.
Ald. Jean-Baptiste suggested staff report on the meeting.

Mr. Marino referred to a 16 page memo from staff to Interim City Manager, Ms. Rolanda Russell listing responses to Ms. Ester and her colleagues at the meeting. As a result of that discussion he and those present at the meeting went through the discussion almost line by line and questions were answered on the following topics:

**Environmental contamination** in the master plan area of various older industrial parcels: He said The Illinois Environmental Protection Agency is the governing entity in terms of environmental remediation and issues related to new construction would be governed by the City’s building code. He said the same procedures would apply anywhere in the City.

**Iconic Buildings**: Ms. Guderley addressed this issue, explaining that it is a type designated for religious, cultural or government uses. She said there are specific locations designated within the Master Plan that are designated for iconic buildings, namely intersections of streets, and there are certain standards that relate to where these buildings can be established and that they can only be constructed as the result of the Special Use process, so they are not as of right. She said there was citizen concern about an iconic building at Dewey and Foster, which she explained, is outside of the overlay adding that the nearest intersection to this area would be the extension of Ashland south, which is the opposite corner to the east from Fleetwood Jourdain. She said the property at Dewey and Foster is R4, which only permits churches by Special Use.

**Protection of adjacent buildings from construction activities**: Ms. Guderley explained that this is not covered by the zoning ordinance, but by the City’s building code, which specifies protection of buildings not only from construction activities but also from demolition activities.

**Whether the overlay could be used elsewhere in the City**: Ms. Guderley said that it is prohibited by the legislation in the CWE and in the West Evanston Transition District ordinances to use the overlay elsewhere in the City.

Mr. Marino said the meeting that occurred on January 8th was a good exchange and that staff became more aware of some of the neighbors’ special concerns about over-institutionalization of some streets and intersections and the iconic building issue, about which he emphasized that a special use would be required before an iconic use could be located.

Ald. Jean-Baptiste suggested Chair Moran open the floor to public comment. He said there were many issues that were addressed at the January 8th meeting, some which were on the topic at hand and some outside of it such as youth, job development and economic development. He explained that this item does not address these issues, but he intends to meet in the future with some residents to discuss those issues. He said he felt that the memo sent by Ms. Guderley and Mr. Marino covered the issues related to the proposed ordinance.

Ms. Ester agreed that Ms. Guderley and Mr. Marino did cover the issues but in terms of the overlay, at one of the meetings she was told that this specific overlay district can be used in other districts, but tonight she is hearing that it cannot. If that is the case, you have an overlay district that is going to be imposed on B2, R4 and R5, usually residential districts with a number of people of color and it does not take into consideration the people who live there. She said they did not come to agreement on the height. The community wants the maximum height to be 42’ because density is a concern but the plan states that there may be 126 units in the area of the Bishop Freeman site and perhaps more in the Robinson site area. She and her associates propose a maximum of 100 units.
Ms. Ester continued that a July 12th notice stated that Green Bay and Foster, an area she illustrated with a pointer on a map, would not be part of the study, but would be discussed later and that they were assured that the area would not be zoned until there is a different hearing. Ms. Ester was assured by Ald. Jean-Baptiste that the area she designated on the illustration is not part of the Master Plan.

Ms. Ester said the zoning height is the community’s main concern. They do not want tall buildings overpowering the surrounding neighborhood. She said the other issue is that they do not want buildings on the new street with towers, coach houses, apartment buildings and that having churches does not help the community gain revenue.

Ms. Ester said they were given the transcripts for 8 meetings, but there were 17 meetings that they went to. She said they did not know when the 57’ height was mentioned or when 62’ was proposed because the community discussed a maximum height of 54’. She said the proposed ‘West Side Plan does not reflect what the community wants: maximum height of 42’, a maximum of 100 units and no iconic or towering buildings on any intersection. Ms. Ester also said they learned that if an existing business leaves, the same business does not have to replace it as long as it does not have a negative impact to the neighborhood, which they were happy to hear.

Ms. Ester thanked the Committee and Staff for putting the memo together but said it would have helped to have it sooner, though they appreciate having it now. She reiterated that they want the maximum height of 42’ and the maximum number of units, 100. She said there was no density study done, but the plan would have a great impact on the flow of traffic.

Regarding the park being placed in the development on the Bishop Freeman site, the community does not think it is practical or safe. They feel the park should stay where it is, adding that they have invested in the existing park and the community is enjoying it.

Ms. Ester said the draft plan presented on June 20th of 2008, shows that people who live in 2 or 3 units rented to them by Roger Parris, will be displaced. Ald. Rainey said the item was only for introduction tonight and asked whether the passage of this plan will result in the displacement of 4 households. Mr. Marino responded that the plan does not displace anyone, explaining that the plan is contemplating different building types on different sites as part of the planning process, but it is up to the private property owners to make a decision about whether they want to retain an existing building or potentially redevelop sites in concert with others. He explained that it is not a city initiative.

Ald. Rainey clarified that if Mr. Parris’s usual practice is continued, which is to keep the buildings full of people until they fall down, there is not going to be any displacement based on this plan, so we really cannot say that this plan is going to displace anyone. She said anything can result in displacement if an owner decides to sell his building or convert it. She asked whether Mr. Parris’s building is the only place where they are claiming displacement.

Ald. Jean-Baptiste agreed with Ald. Rainey: in the absence of the plan, Mr. Parris could redevelop his property and depending on what the underlying zoning allows he might be able to do it as of right or come before the City with a proposal that may result in different usage for the location. He clarified that the concern of Ms. Ester’s is that we move very carefully and not have the plan invite speculators who will buy low and sell high and seek to remove people from the community without an alternative. He said at this point, no one is trying to move anyone out, there is no displacement going on, and there will be no loss of housing.

Ms. Roberta Hudson of 1941 Dewey said she is hoping that the Committee will seriously consider what they are hoping to do there. She said the less than 2 block area is very congested
and the City is considering putting a lot of housing in. She said Fleetwood Jourdain, Faith Temple Church and Family Focus have many programs going on and it is almost impossible to get through those areas without the danger of possibly running into someone when they make a right turn because they cannot see around the corners. She said to put this number of units there is ludicrous. She said they did a study of the community before the city decided to do anything with this part of the City. They got questionnaires from nearly 400 people and it was determined that the community wanted development that would help their community. She asked whether housing makes the people of the community wealthier, smarter, more educated or skilled and whether the neighborhood is safer, and the quality of life is noticeably improved, saying that if the answer is no, then this plan is unacceptable. She said the same old story is being carried out on the west side of Evanston: Take advantage of the disadvantaged and hope they don’t notice. She said the zoning plan stands for everything Obama campaigned against: special interests and favoritism at the expense of the natives which sums up to the benefits to the bankers, the developers and the real estate people, with all the burden on the backs of the people who live there.

Ms. Hudson said in the January 8th meeting, she had asked to identify the benefits that their community will receive from creating changes in the zoning. She said the response was, “the West Side Master Plan Sub Areas 1, 2 and 3 and its related zoning recommendations, update the city’s land use plan and zoning code for the area in west Evanston that is witnessing transition. The master planning process provided community members the opportunity to jointly craft a vision as to how this area should best be redeveloped by private market forces. The plan considers how to best integrate new development with the existing neighborhood.” Ms. Hudson asked whether that a benefit to the people. She asked whether encouraging well designed streetscapes is a benefit to their community. Regarding open space, she said the City is trying to take it away. Regarding promoting a diversity of housing types, she asked whether they need more housing types, saying that they need jobs, training programs, and a skill center for parents and youth that will help to bring about the employment they need to increase what they need in the city. She asked what economic activity they were referring to and said she has been asking what the benefits are to the community and she has not gotten an answer to her question. Ms. Hudson said a number of people went door to door in the affected area and asked whether it was something they want to see in their neighborhood and that the Committee should have documentation of their responses in their hands. She said the majority said they do not want it and that they were tired of the little respect they were getting and the City not listening to what they want to see in their neighborhood. Ms. Hudson said this development does not help their community and it does not help the City. She said the City will be bogged down with more problems such as traffic pollution in an already congested area.

Ms. Hudson concluded that she is asking the committee to take a look at what they are trying to put there that will be there for decades to come. She said it doesn’t help their community or their youth. She said there are many buildings around the city that are still vacant such as 1930 Ridge. She said they did not want to see a high rise there and that it is still empty. She asked why the Committee wants to take the little land they have left in Evanston and push it for high rise development that could be expensive. She said people are getting rid of these white elephant big buildings and housing: they can’t even sell them any more. She asked why the City is pushing for expensive housing in areas where they need to do something significant to improve the quality of life for the people and to help Evanston. She suggested they seriously consider what they are about to do here, adding that it is a real problem and it is unacceptable.

Chair Moran thanked her.

Ms. Priscilla Giles of 1829 Ashland said the Jan 8th meeting was granted to the remnant of a large community who originally met to hear the improvements that were offered to the community to
make it a better place. She said many issues were left unanswered and many were not even considered. She said she beg the Committee to really listen to what they are saying and that the large group they represent became discouraged when they saw that nothing they asked for was being considered. She said originally there was to be no displacement of businesses or residents. Parks were to stay where they were. She said she lives on a block with 22 houses and it can be crowded because there is parking only on one side and if you put houses across the alley from that point and across the street from that point, the number that are being suggested, it will be extremely dense. She added that the buildings that are being suggested are nothing like the houses that are there and the people that are there now are not going to be able to afford the kind of housing they are suggesting. People will be displaced by the kind of housing that would raise the rent and the mortgages for those who would buy them and change the face of the neighborhood and the people that will be able to live there. She said they ask that the height not be over 42’ because very few homes in that area are that high. She said they do not want the density and that they sunlight and open spaces too. She said they don’t want to replace people who can no longer afford to live there with people who are not part of that community in buildings that no-one else in the neighborhood can afford. They don’t want the density proposed that would change the face of the community. They would like the housing proposed to be affordable to people who are being displaced, which would allow the people in the community to stay there. She said they would like the City to keep its word on the original intent to ask what the community would like to see because nothing in the plan has addressed any of those desires in her view. She asked that they require the developers they are inviting to build according to what is there, considering the people. She said no survey has made of anything but the land: not of the people, not of the kind of people who live there, the number who have lost their homes, who have been replaced, who are still trying to hang on and don’t want to be displaced in other places in Evanston and in other large cities in this nation.

Chair Moran thanked Ms. Giles.

Mr. Carliss Sutton of 1821 Darrow thanked the Committee for this opportunity to express their concerns. He reemphasized that there are still some parcels on Wesley where residents are concerned about being displaced and at 1507 Emerson there is a house and a park that will be gone according to the plan. He said the infrastructure extending Florence and Lyons Street before any kind of provision has been made for a bond issue will greatly intensify their tax burden for a proposal that no one in their community can afford to live in. He thanked them for their consideration before they implement things that are detrimental to their lifestyle and community.

Chair Moran thanked him.

Ald. Jean-Baptiste explained that the January 8th meeting was to respond to concerns that had been raised that no one had yet addressed. He said these were issues the Zoning Committee of the Plan Commission handled which brought criticism from the community. He said Ald. Holmes, Mr. Marino, Ms. Guderley and Ald. Jean-Baptiste met with the citizens and discussed the questions and Ms. Guderley and Mr. Marino prepared responses. He said they had scheduled 2 meetings with Ms. Hudson, Ms. Giles and Ms. Ester and whoever they wanted to bring, and that they were able to achieve one of the meetings. He said they went over the questions one by one and Ms. Ester was able to summarize some reasonable responses, so they didn’t go over everything. He said he thought they had put to rest a couple of things: one is that all R5 areas they are talking about are not in the plan and not relevant to this item. Regarding the issue of iconic buildings at the corner of Dewey and Foster, that corner is not within the plan, so it is not relevant to this item. Ald. Jean-Baptiste emphasized that if anyone purchases that property and wants to put an iconic structure or tower there, they would have to come before the City and obtain a Special Use. Regarding an iconic building on the corner of Foster and Ashland off the alley, he said according to the Plan an iconic building not allowed there. Regarding the issue of
density at the Bishop Freeman site, he said that this plan has not been approved. He said the developers asked for a certain density and if this plan came before the City, the underlying zoning would have to be special use. It is not as of right.

Ald. Holmes said that a developer had interest in the Bishop Freeman site but it has not come before the City with a plan and that the West Evanston Plan came out of the peoples’ votes and participation before the developer had come forward with that plan.

Ald. Jean-Baptiste explained that these are ideas that the planners have suggested, not an initiative that the City has undertaken to put in place. Regarding coach houses, he said that during the discussion of affordable housing, it was suggested that coach houses might be more affordable but historically they have represented the servants’ quarters and that is why people are not encouraging or suggesting to any developers that they want them. He said regarding the concern that minutes and transcripts were not including the interventions of the activists, he believes that is a mute point because they have addressed the points one by one and have addressed their concerns.

Ald. Jean-Baptiste continued responding to the concerns: He said regarding commercial establishments, outside counsel led discussions with counsel for the commercial establishments in the designated area: Cahill, National Awards, Buffalo Joes, and Robinson’s. He said the City bent over backwards to accommodate their concerns. He said there had been criticism about Cyrus’s proposal in conjunction with Hines because home owners said if you do not plan, then any developer can come and build any size building adjacent to these buildings, so the City did some planning. He explained that at that time the residential market was hot and the trend was for residential developers to buy up and replace commercial property with high density residential buildings. When they met with the businesses, they said if you sell to residential developers they will be limited to a certain zoning, to make sure that not just anything goes up and to allay their fear that the City was going to take over their property that we would prevent them from doing business. The City has made sure that they can continue to do business forever, that they can sell to a like business that is consistent with their trade, such as carpenter, electrician, and they may not replace it with a business that was intrusive on the community, i.e. creating traffic noise, pollution, etc. He said they did not try to attack these businesses or diminish their capacity, adding again that the intent is not to displace people. Ald. Jean-Baptiste said the Committee shares Ms. Ester’s concern that the community is safe and that the Alderman of the 5th ward has worked closely with the Police Department on community policing and has held monthly meetings to raise consciousness about what is happening and what needs to be done. He said the Aldermen are continually addressing the issue of safety and share concern but, he said, this zoning district is not concerned with that issue: this is a physical plan. He said regarding the issue of jobs, that an employment ordinance has just passed with community builders on the west side of town who built Boo Coo Café and Church St. Village, the townhomes at Ashland and Lake St. He said the City authorizes and funds training of Evanston residents to ensure that the Employment Program provides job training to residents.

Ald. Jean-Baptiste further explained that the City does not have the capital to build anything: only the market will determine what is done in different parts of the City. He said the zoning restrictions are to make sure we are not letting developers do whatever they want. Regarding Ms. Giles’ intervention, the 1800 block of Ashland is not part of the Robinson property. The Tapecoat property is a manufacturing company, which someone may be interested in buying but the deal has not been consummated. He said Tapecoat is still operating. He said whoever would buy it would not be able to build a high rise. They would be subject to zoning limitations because we are not encouraging anyone to come and build just anything there. They would be subject to current market conditions, but we cannot tell them what price point they could sell their units for. Ald. Jean-Baptiste said that there are many affordable housing units available in Evanston
currently, including the 5 CHDOs and that the City has a number of affordable housing programs available to the citizens.

Ald. Jean-Baptiste said regarding the extension of streets issue that the City wants to maintain a green belt in the railroad area for people to enjoy paths. He said that in the 8 or 9 full and very engaging neighborhood charrettes, creative ideas were shared on how to make the community friendly, open and accessible to all. One solution was to open up the community with the extension of streets and proposing Lyons go through from east to west, eliminating the berm.

Ald. Jean-Baptiste said, in response to Mr. Sutton’s concern that property taxes will probably go up, that they probably will. He said that on Wesley between Foster and Emerson some of the homes have sold for up to $500,000 in the last 5 years, and as a result, some neighbors may end up paying higher taxes. He explained that the City was not involved in marketing those homes at that price and that it was the result of the demand for housing in Evanston and the quality of the homes there. He said long term evolution of any community will have impact but the City is trying to assure that people are not pushed out of the community: because of the concerns of the community, it has been a long process.

Ald. Jean-Baptiste said regarding citizens’ criticism that the City is not improving the west side of town that they are making sure they are improving the west side of town, that an affordable housing policy is in place and that those who need emergency assistance go to CEDA and get what they need or who need any other kind of assistance that the City can afford, will receive it.

In Summary, Ald. Jean-Baptiste said they are engaged in the process, they have been flexible and open and he appreciates that the activists continue to make the aldermen aware of some of the community’s priorities. He said he does not think the West Evanston process has been unfair. He moved to introduce the item.

Ms. Ester stated the following: When they talked about iconic buildings they were talking about the text in the June 20, 2008 draft and that no where in that document did it talk about placing a church or an iconic building on an alley. She said it talked about how wide the streets should be and that an iconic or tower building would anchor a street that intersects. She said they understand that the City is not in charge of selling the property but they are creating the document that will govern what is placed on this land. She said when they did the TIF, which included the area the West Side Plan was supposed to be involved in, it was designed not to include any residential area. She said when the TIF was extended to Simpson they hoped the map would be re-drawn removing the buildings on Greenbay, similarly to the way the 2 buildings at the dead end of Wesley were taken out. She said the City had said there would be no residential buildings in the TIF, but they are in it. Their owner can sell them to whoever they wish, but the buyer will be governed by what this plan dictates. She explained that the plan dictates what will happen to this land the minute they pass it and the community wants to make sure it is something that will not come back to haunt them.

Ald. Tisdahl commended Staff on the changes in the laws about the businesses. She asked whether a business can rebuild if it burns down.

Mr. Jon Furr of Holland + Knight said that a business within the proposed district can rebuild if it burns down. He said there is a specific provision in the West Evanston Transitional District Regulations that allows for the reconstruction of existing uses that would allow for the reconstruction of those uses if they were to burn down. There are specific parameters for that which would allow some potential expansion beyond what is currently there and for the use of that reconstructed facility for use that was similar to what was there before.
Ms. Lucille Prudden, owner of Buffalo Joe’s at 2000 Greenbay Road, thanked Ald. Jean-Baptiste for the recap of the meeting. She asked to clarify whether the existing businesses can continue to do business forever and whether they would be able to expand as needed to meet the demands of their market.

Mr. Furr responded that as part of the drafting process of the Transitional District Regulations, they worked closely with counsel for the owners and with all the businesses to look at their potential realistic expansion opportunities and make sure they were providing flexibility for the expansion provisions that are within this ordinance to provide for the potential expansions that they could foreseeably see as part of their business. Yes, what they have put in place is more flexible than the non-conforming regulations that would otherwise apply, that would allow expansions. They put in place provisions for height and other issues that would address what they would anticipate would be a potential expansion scenario and to make sure they have provided for that type of flexibility.

Chair Moran thanked him.

Ald. Rainey asked for clarification of the answer to Ms. Prudden’s question of whether she can expand her business based on market conditions. She asked Ms. Guderley who Mr. Furr is and asked why, based on her current issue with lawyers and consultants, we need Mr. Furr here.

Ms. Prudden replied that she thought it was because there has been some concern with this process and perhaps the City is being cautious, to which Ald. Rainey replied that we have a fabulous legal staff in house, one of whom is present.

Ald. Holmes said that when they started the process last year, they met over several months. They had outside counsel and we needed counsel to help us decide how far we could bend to make sure that the businesses could still exist and expand.

Mr. Marino added that Jon Furr is renowned regionally and nationally for form based coding work and that is part of the reason why we wanted him on the team, specifically. He added that Mr. Furr has been extraordinary in his assistance to the City.

Mr. Furr clarified regarding the Buffalo Joe’s property that since they are subject to an existing special use permit, for any business subject to special use if they wanted to expand they would have to amend that special use, but that would occur within the parameters of this current ordinance.

Ald. Jean-Baptiste clarified that regarding iconic buildings, no such institutional building can be built there unless they go through the special use process and that there is no advocacy for iconic buildings. He said this is the current process and it is just reiterated in the ordinance. They are not inviting anyone to come and do anything new and there is no new incentive for them to do anything new.

The Committee voted unanimously 8-0 to recommend introduction of the ordinance.

(P3) Ordinance 128-O-08 Amending the Zoning Map to Re-Zone Certain Properties Pursuant to the West Evanston Physical Planning and Urban Infill Design Master Plan Consideration of a Plan Commission recommendation for approval of map amendments to change the base zoning district designations for several properties within the West Evanston Plan area as specified in the West Evanston Plan Zoning Implementation document, Base Zoning District Changes map and to designate properties currently within the West Evanston Plan area to be included in the oWE West Evanston Overlay District as
specified in the West Evanston Plan Zoning Implementation document, West Evanston Zoning Overlay map. This item was held in Committee on November 24, 2008.

The Committee voted unanimously 8-0 to recommend introduction of the ordinance.

(P4) Ordinance 1-0-09, An Ordinance Amending the Zoning Map to Re-Zone the Properties at 912-946 Pitner Avenue from 12 Industrial District to MXE Mixed Use Employment District
Consideration of a Plan Commission and Staff recommendation to approve an Ordinance amending the zoning map to re-zone the properties at 912-946 Pitner Avenue from 12 Industrial District to MXE Mixed Used Employment District.

This item was not voted upon because the attorney was not present.

(P5) Ordinance 7-0-09 Former Kendall College Site – Ordinance Removing Conditions on Extension of Planned Development
Consideration of a request from Smithfield Properties XXXII, LLC, property owner and applicant, to grant amendments to the planned development (85-O-06) to be constructed on the former site of Kendall College, located between Orrington Avenue, Colfax Street, Sherman Avenue, and Lincoln Street. The approval of the amendments would remove certain conditions.

Ald. Wollin introduced Mr. Steven Friedland, counsel for Smithfield Properties. She explained that there is an automatic extension in the original ordinance with two conditions and that the first condition has been met and they are requesting exemption from the second. She asked that Mr. Friedland explain further.

Mr. Friedland of Applegate & Thorne-Thomsen on behalf of Smithfield Properties LLC, explained that the planned development ordinance currently has a termination in September of 2009 but because this is a difficult economic time to develop the housing as originally planned, the Planned Development as approved considered an automatic 2-year extension with two conditions. The two conditions were that the existing Kendall College site be demolished and the new grading and grass area be put in place. That has been done. The second condition was that common area improvements as defined under the plan as improvements on the site, not public improvements, had to be completed, such as new storm water detention, alleys and other services to the various proposed homes. He explained that to do that does not make sense right now because it is expensive and it would reduce the impervious surface on the site now and it does not make sense to build the alley until you have set the building pads and know where things are, so the developer is requesting that that condition be modified so they could be granted the extension for two years without building the site improvements now.

Ald. Wollin apologized to some of the neighbors because she was not aware that this ordinance was going to be introduced tonight until Friday afternoon. She said that even though she got Mr. Friedland’s letter after Thanksgiving, it seems to be a logical condition, adding that she would have notified them if she’d known. She said the developer has agreed to continue to mow the grass and shovel the snow and to meet their affordable housing contribution to the Mayor’s special fund. She said part of it has been paid and she understands that the balance will be paid within two weeks, by the time this ordinance is approved, adding that her approval would be contingent upon receiving that check by January 26th. She said they have also paid the demolition tax of $40,000 for removing the 4 houses that were on that property. She said she believes they have been responsible and are responsible in coming forward well before September, in the current market conditions.
Ald. Bernstein confirmed that they have paid $25,000 of the $100,000 they owe for the Affordable Housing Fund; the remainder to be paid by January 26th.

Mr. Marino added that the Public Works Department in conjunction with the Community Development Department has requested that the developer submit a bond to the city specifically in terms of covering the disconnection of the water system when the adjacent street is paved and that they have agreed to that.

Mr. Friedland confirmed that they would not expect the City to consider this for final adoption in two weeks if they have not paid the $75,000 and that they will do that in that time frame. He said regarding the bond, there is an existing bond and he believes it covers demolition and water service disconnection but they have agreed with Public Works to modify the bond to clearly cover the Colfax water service disconnections so they will make sure that it does.

Ald. Tisdahl asked whether they were planning to re-seed the area in the spring. Mr. Friedland said he will relate the request to the developer. He apologized that Mr. Rob Bono from Smithfield could not be there tonight to answer the question, due to a family issue and said he will get back to Ald. Wollin before the next meeting with their response.

Ald. Wollin said if there are any concerns in the neighborhood we have 2 weeks to present them to the attorneys for Smithfield and that she is more than happy to take them to him or the neighbors can take them to him themselves.

The Committee voted unanimously 8-0 to recommend introduction of the Ordinance.

ADJOURNMENT

The meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Bobbie Newman