Planning & Development Committee  
Minutes of June 13, 2005  
Room 2200 – 6:30 p.m.  
Evanston Civic Center


Staff Present: J. Wolinski, J. Aiello, A. Alterson, J. Carroll, G. Morgan, E. Szymanski, J. Brownlee

Presiding Official: Alderman Bernstein

DECLARATION OF QUORUM

Chairman Bernstein called the meeting to order at 6:50 p.m.

APPROVAL OF THE MAY 23, 2005 MEETING MINUTES

Ald. Rainey moved approval of the May 23, 2005 minutes, seconded by Ald. Wynne. The minutes were approved with a vote of 9-0.

ITEMS FOR CONSIDERATION

Chairman Bernstein changed the order of the agenda.

(P5) Sidewalk Cafes for Type 1 and Type 2 Restaurants at Various Locations

Chairman Bernstein acknowledged the manager of Starbucks at 528 Dempster. Ms. Natalie White. Ms. White stood and introduced herself. The Committee had no questions or concerns regarding this sidewalk café request.

Ald. Wynne moved approval, seconded by Ald. Tisdahl. The vote was 9-0 in favor of the motion. Chairman Bernstein advised Ms. White of the sidewalk café ordinance rules and regulations and the requirements on maintenance and litter and debris pickup. Ms. White assured that she was aware of all regulations and litter plan.

(P1) Planned Development Kendall College, 2408 Orrington Avenue – Plan Commission Recommendation

Chairman Bernstein noted that there has been another request by the applicant via letter for a continuance. He is aware of the on-going discussion between the applicant and the Ward Alderman and that there was a meeting with the neighbors over the weekend. He said that the developer has proposed a different process that will require some time before they can bring it back before the P&D Committee.
Ald. Wynne moved approval of the applicant’s request for continuance, seconded by Ald. Wollin. Ms. Szymanski advised the Committee that it would be preferable to have a date certain that is parallel with the matter at the Council level regarding this same development. Ald. Wollin informed everyone that she is not sure that they can give a date certain at this time and that there has been a very productive discussion and dialogue thus far. However, she realizes that what has been discussed needs to be presented before the larger interested group before the proposal is ready to come before the P&D Committee. Chairman Bernstein asked if it would be sufficient time to hold this item over the next two regularly scheduled meetings. Ald. Wollin, Mr. Malarkey, and the other P&D Committee members agreed.

The motion by Ald. Wynne was amended for approval to hold this item until the July 11, 2005 P&D Committee meeting. The vote was 9-0 in favor of the amended motion.

Chairman Bernstein asked the will of the Committee with regard to the companion case on the land marking issue at the Council level. Ald. Rainey moved that the Appeal of the Preservation Commission Decision on the land marking case on Council Agenda be recommended for continuance and held over until the July 11, 2005 meeting as well. Ald. Tisdahl seconded the motion and the vote was 9-0 in favor.

Chairman Bernstein brought attention to the memorandum received by Council from Corporation Counsel Jack Siegel regarding the Clarin case and he is unsure of what the Committee’s posture should be in this case. He requested guidance from Ms. Szymanski at this point. Ms. Szymanski responded that she has discussed this further with Mr. Siegel and evidence in the record does not require change in the findings. Although it is preferable to take sworn testimony, that there is some latitude there, it is always a concern that a discussion can lead over to something where a Clarin consideration is needed. Chairman Bernstein clarified his understanding that they don’t accept new information other than what was contained in the transcript and they consider the findings given by the Plan Commission, and only those findings that would be in the perimeters of the new case. Ald. Jean-Baptiste stated that often the discussion on these projects, by the time it gets to the Committee; there is also the presence of residents and neighbors who may bring new information to the table. Therefore, it seems in his mind that a clear and definite guidance from that case has not been obtained or is sufficient. He concluded that his opinion is that the Committee needs to treat each on of these situations on-by-one. With regards to this case, he pointed out that there are no residents and businesses and some of the testimony will be consistent for what is there, however he would not generalize it. Ms. Szymanski concurred. Chairman Bernstein recalled from the transcript that there were no proponents other than the applicant, therefore this case would be a good one to start with.

(P2) Ordinance 57-O-05 – Planned Development – 1603 Orrington Avenue
Chairman Bernstein called attention to the memorandum from the City Manager and attached correspondence distributed this evening by staff with regards to a request from this developer. He realized that the Committee members have not had the opportunity to
review the information, but informed that it involves the forgiveness and request for some assistance from the City in the amount of $750,000 that was not included in the package presented before the P&D Committee this evening. However, it is obvious that this is part and parcel of what is being considered this evening. Chairman Bernstein turned discussion over to the applicant for presentation before the Committee.

Mr. Paul Shadle, with the Law Firm of DLA Piper Rudnick Gray Cary in Chicago, introduced himself and that he is representing the applicant and owner of 1603-1629 Orrington, CFRI/Golub Evanston, L.L.C. Along with him, He introduced Mr. John Ferguson from Golub, the project architect Mr. Steve Yas, and Mr. Tim Doran from KLOA Inc. Traffic Consultants. He stated that the 21-story building currently located at 1603 Orrington and the 2-story building currently located at 1629 Orrington were constructed in the late 1960’s pursuant to a planned development that was approved in 1969. He said the 1629 building was once the location of a Walgreen’s Drugstore and a Border’s Book store but is now vacant. He said the 1603 building contains in addition to the 21-story tower, a Bank One branch, which fronts on Davis Street. He noted as stated in the transcript from the Plan Commission, that the applicant proposes to amend this planned development to permit an addition of approximately 11,000 square feet of retail space in the plaza area of the 1603 building at the south end and approximately 2600 square feet of retail space in the 1629 building. The applicant is also proposing an enclosed link between those two buildings and also to construct 20 parking spaces on a surface lot located between the two buildings at the east end of the property which would be shielded from Orrington by the proposed enclosed link. Mr. Shadle pointed out that the proposal contemplates relocating an existing entrance ramp for the underground parking garage, which serves the property out of the public right-of-way into the 1629 building. He noted that the removal of that ramp would add approximately 12 parking spaces to the street along Orrington. He said the architect, Mr. Yas, will elaborate further on the design of the proposal and its compatibility with existing improvements on the property and the surrounding area. He said they believe this proposal will add no adverse impact on traffic and parking in the downtown area and will actually enhance the existing condition.

Mr. Shadle pointed out some of the project benefits include the 12 parking spaces, the addition of new retail shopping destination in downtown Evanston, and the re-energizing of this prominent corner. He said that the project was approved by the Site Plan and Appearance Review Committee on July 28, 2004 and the Plan Commission gave their recommendation of approval following a hearing on May 4, 2005. He turned discussion over to the architect.

Mr. Steven Yas addressed the P&D Committee. He noted that his architect firm is here in Evanston, actually in the 1603 Orrington building. He gave his background history and involvement in Evanston. He said that there are three topics of discussion that he would like to talk about this evening: 1) Urban design, 2) Context, and 3) Site Design and Architecture.
Mr. Yas used a slide presentation to give an overview of the current site and the proposal planned development. He used numerous slides showing the existing site and location of the buildings and renderings of the proposed project with additions and also the area surrounding the building. He elaborated in-depth on each slide; however, in general, the slides consisted of:

- **Important Points relating to Urban Context.**
  This slide listed Contribution to Fountain Square character, promotes pedestrian retail, double-loaded retail/economic and environmental vitality, unique corner/building enclosure, retail strengthens consumer base, sensate scale and massing, all the important factors on Orrington Avenue, and service – access to loading dock and trash pick-up improvement.

- **Context:** Figure – Ground Relationship (footprint of buildings).

- **Site Design:** Plaza known today, proposed retail at south east corner of Davis and Orrington.

- **Important Points of Site Design.** This slide listed intimate, sheltered landscaped plazas, listed important points of both the south plaza and north plaza.

- **Proposed Site Plan:** 1) demonstrates footprint of proposed new retail campus, 2) area where widening of Orrington Avenue.

- **Demonstration of the 1629 building second floor plan**

- **Demonstration of the proposed new ramp east entrance off of Orrington.**

- **Architecture:** demonstrating the South Plaza, North Plaza, and Signage program.

- **Birds-eye view sketching of proposed development and several other related renderings.**

- **Elevations from Orrington showing new retail space, lobby, and signage.**

- **Demonstration of parking levels below.**

- **Elevation from Davis Street.**

- **Additional views using model.**

Mr. Yas gave closing remarks on his presentation and invited the P&D Committee for questions and concerns they would like to address.

Ald. Wynne asked about ownership of the open property. Mr. Yas responded that Bank One owns the drive-in portion and the management from the University building owns the vacant lot. He said that there are no plans to change those areas at this time. She asked for further explanation of the parking deficiency. Chairman Bernstein extended that question for a list of all the deficiencies and variations needed for this proposal. Mr. Alterson stated that the deficiencies in the zoning analysis are with the ziggurat setback because they are building one-story straight up at the lot line. With the parking requirement they are required to have is 319 spaces and the perception that there should be 340 spaces required would be if the building were built new today with the project as proposed. He said that if the building as it is today were built today, 303 spaces would be required, however it is legal for the number of spaces that it has under the planned development that it was built under. Mr. Shadle added that it was also court ordered that
provided the building should provide 280 parking spaces; the building currently provides 290 parking spaces. With the additional 13,600 square feet of retail, the applicant would be required to provide a total of 319 parking spaces. They are proposing 305 parking spaces, which results in a shortage of 14 spaces. However, he feels it is worth pointing out that the owner also leases 80 spaces for practical purposes, in the city-owned garage and the proposal is to add 12 parking spaces on Orrington. Chairman Bernstein noted that there is also a requirement that the City overrules a decision of the prior Council with respect to the maintenance of open space, which is now purported to be covered.

Ald. Tisdahl said that she is concerned with the open space currently that is available to the public. She recalled conversation about a restaurant in that area, which she assumed would take away from that open space. Mr. Yas responded that any open space existing will still be open to the public and if there were a restaurant that were allowed a sidewalk café similar to many popular restaurants throughout Evanston, if would not take away from the open space either. His business has been in that building since 1996 and from his experience, the primary users of that open space at the corner of Davis and Orrington are the landscape architects from his office. He explained how during the summer months it is very hot in that plaza area and most of the people sit on the walls or the stairs, which is also part of the plan and will not actually change. He said in their analysis of the area and according to Teska and Associates, the conclusion was that this space is not being utilized as it was presumed to be. Mr. Yas also pointed out that another important factor why this area is not being utilized is because the plaza is extremely windy and by creating a alcove, it will reduce a substantial amount of the wind and become a more intimate and hospitable area. Chairman Bernstein recalled that there was some discussion analogy to the Wolfgang Puck outdoor area and that that setting would be undesirable for the plaza area. Ald. Tisdahl agreed. Mr. Yas assured that setting is not the intention for the plaza and that it will remain open to the public as it is now.

Ald. Moran stated that from the Chandler Building standpoint, he said that one of the things that made the project work was the vision to take the two “L” building setup and remove the inner “L” and replace it with an open plaza. He said from his perspective, this setting has added a very positive element to that space and the overall Fountain Square area. With regards to the Fountain Square building, in his opinion, this building is not benefiting the downtown and he foresees that building being redeveloped at some point in the future. He agrees that the area surrounding the Bank Plaza is vapid, however he feels the answer is not to take up more space with additional retail and buildings. He pointed out the current open space between the Chandler plaza and the Bank building plaza and feels this space should be maintained instead of building out closer to Davis and destroying that open space between those two buildings at that corner. Ald. Moran realizes the problem in the area from a commercial standpoint, however he does not feel this particular project is the answer to the problem. He feels there is a need for the applicant to go back and refigure a plan that will maintain the open space on that corner. Ald. Wynne responded to Ald. Moran’s comments on the open space. She assured that there is a definite wind tunnel effect that is terrible at all times because of the configuration on that corner and the open space. She said that type of wind tunnel effect
is very undesirable and makes the plaza space virtually impossible to enjoy in an open atmosphere. With that in mind, building blockage is very much needed to lesson the windy atmosphere that surrounds that Bank building and corner.

Ald. Wynne asked the applicant who they are contemplating for retail in the added space. She especially was interested in the 1-story addition because of the unusual space. Ald. Rainey also questioned what the configuration of the interior retail space is supposed to be because it is not in any diagram in their packet material nor was it covered in the presentation. Mr. Yas responded that the 5,000 square foot addition is adding another bay and they are only envisioning one tenant on the first floor and one tenant on the second floor. Mr. Ferguson added that the target tenants that they are looking for are those that are going to continue with the quality of Orrington Avenue but will also add some significant tax dollars. For example, some of the tenants that they have talked with are Trader Joe’s, who have expressed much interest, and Staples who are also very interested in that location. They feel these types of retail tenants would be supported by the residents, the office tenants, and other business owners in downtown Evanston. He said the second floor tenancy of that building will probably be geared towards some type of office/business tenants such as an architect firm, etc., because retail is difficult on a second floor level. Mr. Ferguson further explained that the retail components that will be added on the south portion of the site on Davis Street are again going to be higher caliber type retail and they also envision the addition of a restaurant that they feel will add some level of intrigue with the rotunda. In response to Ald. Rainey’s question, they only anticipate two tenants in the addition portion she was referring to.

Ald. Jean-Baptiste commented on the general concept, which he is not sure as a municipality they can dictate that always and he feels this is driven by developers and whether as project is suitable for the area. He said the downtown fountain square area, most would desire to see being utilized as one large vibrant plaza area that would be suitable for many functions, however the area is not being utilized as such. He questions how the space in the bank plaza area can assist in that vision for the fountain square area. Mr. Yas responded that if you look at the history of great urban spaces around the world such as St. Mark’s in Venice, Daley Plaza, etc., even the First Bank Plaza in downtown Evanston where he has an office in that building overlooking the plaza area; all of these spaces are defined by building edges and walls. He said that in no great City are there sort of an amorphous bleeding spaces like they have here in Evanston, which he pointed out from one of the slides as an example. He said their intent is to further define Fountain Square by putting up some street walls. It is obvious that too much height for the proposed addition at the corner would be blasphemous next to the rotunda and office building, but the experience for pedestrians of the height proposed will be much more conducive to the scale of a human than a complete open space. Ald. Moran responded that he has experienced many open plaza areas in Spain and Madrid and they define a space from a public standpoint, within a commercial and architectural built structure standpoint and are really beautiful. He said it strikes him that people are concerned about what they are doing in the downtown area. He does not know where else they can go to find a place for relief in the downtown area other than this Bank Plaza space. He does not like the open space at the bank but he believes that between Fountain Square, this
space and other space that might be created north of Fountain Square, that they can do something significant. Ald. Moran recalled that when the City was doing the downtown streetscape, some of the things that they lost in that conceptual framework were a potential public performance area in the Fountain Square plaza. He said perhaps one of the reasons that this conception was not capitalized on was because the area is just not big enough. He said the sense of openness could ultimately promote such a scheme included with the space south of Davis Street across from Fountain Square. In all, he feels that there are other alternatives that they can consider to contextualize both the preservation of open space with the addition of some commercial/retail development for this Bank plaza area.

Chairman Bernstein raised a couple of questions. First, he asked if there will be room for Kiosks in the area where the pass-through will be located. Mr. Yas assured that the area will be wide enough. Secondly, he asked if the 20-space parking lot will be used for the 1629 building. Mr. Ferguson responded that is their expectation and they do intend to monitor the parking lot as much possible, especially if they have a tenant like Trader Joe’s, however it is going to be difficult to make sure that the lot is used only by customers. Mr. Yas said there will be timed parking in this lot. Discussion of the ramp relocation proceeded. Chairman Bernstein compared the location of the proposed parking garage ramp to that of the Great Bank driveway at Main and Chicago Avenue. He finds that exiting out of that driveway onto to Chicago Avenue is very difficult and could visualize this same occurrence with this proposed ramp location. He did compliment the level driveway compared to a ramp-up design that creates visual impairment. However, he is concerned with the proposed tree and island area and pedestrian safety. Mr. Ferguson responded that the architectural aspect of what Mr. Yas and his firm are doing here is in reality that one tree will potentially be relocated or minimized to address safety concerns. Mr. Yas added that the proposed tree canopy will be 9’ in the air and above compared to a car that is 6’ in height; this is common and works functionally. He said it can be moved if their client prefers. He pointed out another difference from the Great Bank exit is that the driveway onto Orrington leads out onto a one-way going north and is located further from the corner than the exit at Great Bank.

Chairman Bernstein stated that he is pleased that the applicant is proposing only the two stories at the Border’s location and only the one story on the Davis Street front. He asked the applicant if they every considered flipping the project around so that the open space remained on the corner and asked Ald. Moran if this would be more aesthetically pleasing to him. Ald. Moran agreed that concept would be more acceptable. He compared this alternative with the Chandler Building site and that he feels the owner of the Chandler building contributed to that corner when he opened up the plaza. In his opinion, this planned development proposal seems to take away from the area. Mr. Yas responded that their opinion is just the opposite because they believe this proposed project is giving to the community by promoting utilization of a currently insipid plaza area and creating a blockage to the current wind tunnel effect that makes the area very undesirable in its current state. Ald. Wollin agreed with Mr. Yas’s comments and also feels that the proposal is very attractive in terms of economics and aesthetics. Ald.
Wynne asked the dimension from the building to the curb. Mr. Yas responded that the dimension varies from 50’ to 32’, therefore offering and maintaining plenty of open space.

Ald. Wynne brought attention to the memorandum that was handed out this evening from the City Manager’s Office regarding the applicant’s request for financial assistance regarding the relocation of the garage access. Ms. Aiello addressed the Committee. She apologized for this information not being included in Council’s packet material. She explained that what they are requesting is the opportunity to negotiate this matter further with the developer as it relates to the relocation of the access. As stated in the memorandum, Mr. Jennings and herself believe that it is beneficial to the City for several reasons most of which has been mentioned this evening. The most important being the addition of 12 parking spaces and they believe that in looking at this design that the developer may have given themselves an over-generous drop-off. She said that they would like to take a second look at that issue and maybe pull this back and get even more spaces on the street. Ms. Aiello pointed out that in some original drawings, the possibility of 22 parking spaces was discussed, however, as the developer proceeded further into their design the parking spaces were reduced. She believes there is the opportunity to increase this number of parking spaces. She noted that this has been in the talking stages in early planning and what staff would like to do is get the Council’s sense that if they could negotiate something with the developer, they will bring it back before the Council. Ms. Aiello stated that they believe it is a benefit to the City; maybe not assuming the entire amount requested, nevertheless would like to go back to the negotiating table to obtain a mutual agreement. She believes there is a revenue stream from the TIF that they could but obviously not until they have a good revenue stream which they would be looking at and discussing this with the developer.

Ald. Wynne stated that moving that parking ramp is essential to the developer’s design of the building and to make the retail more alive. She agrees that it is a benefit to the City but is also a huge benefit to the developer. She would be willing to agree to staff discussing this further with the developer but in her view, she feels the relocation of the parking ramp is more crucial to the development. Mr. Yas responded that actually this is essential to improving the entire block. He said from a design standpoint, the relocation of the ramp is not crucial because everything that they are doing is on their property.

Ald. Moran asked for clarification of Ms. Aiello’s perspective that the $750,000 is to compensate for the 12 parking spaces as a public benefit. Ms. Aiello responded that the additional parking spaces are not the only benefit; they also think that by having the 12 spaces this will also provide a greater turn-over in spaces. She explained that there is a mathematical formula that they use for every one parking space and the number of turnovers in a day, and they believe that approximately $20,000 per year in revenue is possible. Staff also believes that by having the relocation of the ramp there would be added pedestrian traffic, which promotes retail revenue. Ald. Moran understood Ms. Aiello’s perception; however he feels that at $750,000, the 12 parking spaces are very expensive. He does not understand why the City should do this anyways because this is a private developer and he is also disturbed that Council just received this information this
evening. He is also disturbed that the City is being asked for the better part of 1 million dollars in financing assistance.

Chairman Bernstein asked the developer if the City does not support this financing request, will they still go forward with the project. He too is bothered by the fact that Council just received this information by memorandum this evening. In his opinion, the City should give consideration to the project on its merits as a development, whether or not they are going to give any assistance, is another consideration. Ms. Aiello reiterated that what staff is requesting at this time is for the approval or not to approve going forward with discussions for negotiation and if an agreement is achieved, then bring this back before the A&PW Committee. If no agreement is made, then at that time the developer can decide whether they want to proceed with their project.

Ald. Rainey stated that she is very much in favor of the project; however she is not convinced that the relocation of the ramp is worth $750,000 as a benefit to the City. She noted that the architect stated that the relocation of the ramp has no effect on the design of this project, then she would recommend to forget about moving the ramp. She said that if they can find a way to use some TIF revenue, which the City does not have at this time, then she might support that concept. Ald. Jean-Baptiste agreed with Ald. Rainey’s view. Chairman Bernstein also concurred with Ald. Rainey’s view and that he honestly believes that the omission of that ramp given the developer far more marketability for first floor retail space. If he were erecting those retail spaces he would want that parking ramp relocated.

Ald. Rainey pointed out that the P&D Committee is also being asked to consider the duration of the construction permit time. Discussion ensued between the Committee and the applicant. Mr. Ferguson explained that the time extension is being requested because they have already missed this year’s construction season and elaborated further on the reasons they need the time including the conclusion of the drawings, contractor bids, etc. There was a consensus to an extension of 2 ½ years instead of the 18 months time period.

Ald. Wynne moved approval of Ordinance 57-O-05 for introduction, seconded by Ald. Tisdahl. The vote was 8 in favor and 1 voting nay (Moran). Ald. Wynne moved approval to amend the construction time frame from 18 months to 2 ½ years, seconded by Ald. Rainey. The vote was 8 in favor and 1 voting nay (Moran).

(P3) Ordinance 61-O-03 – Special Use Request for Three Type 2 Restaurants at 2209 Howard
Ald. Rainey moved approval, seconded by Ald. Wynne. Ald. Rainey said that she is very supportive of this proposal for a food court with no need for expansion. She feels it will be an improvement over what is currently there now. The vote was 9-0 in favor of the motion.

(P4) Ordinance 60-O-05 – Special use request for a Type 2 Restaurant at 1740 Sherman
Ald. Wollin informed the other Committee members that the application stated the request for beer and wine to be served is not correct. The applicant is not requesting
liquor this time but is considering it in the future. There was a question raised on why this restaurant is considered a type 2. The applicant explained that customers have to come to the counter to order their food and it is delivered by wait service to their table, therefore making this restaurant considered as a type 2. **Ald. Wollin moved approval of Ordinance 60-O-05 and requested that the rules by suspended this evening for introduction and action to provide the applicant to proceed with the interior renovation. Ald. Rainey seconded the motion and the vote was 9-0 in favor for both the approval of Ordinance 60-O-05 and the request for suspension of the rules.**

**ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,