Planning & Development Committee
Minutes of July 11, 2005
Room 2200 – 6:30 p.m.
Evanston Civic Center


Presiding Official: Alderman Bernstein

DECLARATION OF QUORUM

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

APPROVAL OF THE JUNE 27, 2005 MEETING MINUTES

Ald. Tisdahl moved approval of the June 27, 2005 minutes, seconded by Ald. Wynne. The minutes were approved unanimously.

ITEMS FOR CONSIDERATION

Chairman Bernstein changed the order of the agenda to first, eradicate the items that require less time, and second to go on to the items that now require a court reporter transcript.

(P6) Temporary Signage Request for American Craft Exposition
Chairman Bernstein recognized Ms. Carol Cyrus, who has represented the Auxiliary of Evanston Northwestern Healthcare for many years now. The Committee expressed no concerns with this matter. Ald. Tisdahl moved approval, seconded by Ald. Wynne. The vote was 8-0 in favor of the motion (Ald. Jean-Baptiste was not present yet).

(P5) Sidewalk Café at 640 Church Street (Sashimi Sashimi)
Chairman Bernstein acknowledged the owner/applicant, Mr. William Na. Mr. Na informed the Committee that his business is going on two years at this location. However, this is his first year applying for a sidewalk café due to the scaffolding that existed around the building last summer. With no further discussion, Ald. Wynne moved approval, seconded by Ald. Tisdahl. The vote was 9-0 in favor of the motion. Mr. Na was made aware of the rules on litter and debris pickup, regular garbage disposal, etc.

(P2) Planned Development Kendall College, 2408 Orrington Avenue – Plan Commission Recommendation
Chairman Bernstein asked Ald. Wollin for an update on her discussions with the
developer to date. He noted that there has been a request from the applicant to continue
this matter because they have presented and applied for different project. Ald. Wollin
confirmed that and her understanding is that the project is significantly different,
therefore legally she believes the current project should be voided. **Ald. Wollin motioned that the Committee accept the Plan Commission’s rejection of the original plan.** Ald. Tisdahl seconded the motion. The Committee discussed the process that would occur with the application of the new plan if they were to approve this motion and having to go back to square one. At any rate, the applicant will have to go back before the Plan Commission. Mr. Wolinski stated that there is a request from Smithfield to go back to the Plan Commission with an amended plan. He brought attention to the legal opinion from Jack Siegel included in Council’s packet, stating that his recommendation is that the Planning & Development Committee remand this project back to the Plan Commission for open testimony again. The Committee discussed Mr. Siegel’s legal opinion further with a majority consensus in agreement with the opinion. **Ald. Wollin withdrew her original motion.** Ald. Wynne moved that the Committee remand the amended plan back to the Plan Commission, seconded by Ald. Rainey.

Mr. Tom Gemmell and Mr. Bill McClure were sworn in and spoke in favor of Ald. Wollin’s original motion. Mr. Chris Carey, Chair of the Preservation Commission, gave his opinion behalf of his Commission.

The vote was 9-0 in favor of the motion. Ald. Rainey moved that the action item on Council Floor in regards to this case be held until the Plan Commission has made a recommendation on the amended plan. Ald. Tisdahl seconded the motion and the vote was 9-0 in favor of the motion.

(PLEASE SEE ATTACHED TRANSCRIPT FOR DETAILED DISCUSSION)

(P3) Ordinance 89-O-05 – Federal Historic Districts (Text Amendment)
Ald. Rainey moved approval, seconded by Ald. Tisdahl. Ms. Szymanski advised the Committee that in order for them to adopt this ordinance, they would have to have some findings in the record. The Committee read through the standard and findings to consider in Zoning Ordinance amendments at Section 6-3-4-5. That standards reads: “Whether the proposed amendment is consistent with the Goals, objectives, and policies of the Comprehensive General Plan, as adopted and amended from time to time by the City Council.” The Committee members read the suggested findings as stated below.

- The Planning and Development Committee have considered and found that Section 6-15-11-5 presently acts as a disincentive to those seeking to initiate preservation districts at the lowest level of participation.

- The Committee has considered that while the National Register is used to “identify…cultural resources,” that “listing of private property on the National Register does not prohibit under Federal law or regulations any actions which may
otherwise be taken by the property owner with respect to the property. The National Register was designed to be and is administered as a planning tool.”

- The Committee has considered that listing of an historic district on the National Register makes property owners therein eligible for federal affirmative incentives structured to encourage owners of properties within significant areas to voluntary maintain and rehabilitate, and to discourage the destruction of such buildings.

- The Committee has considered that the City Code provides other levels of preservation protection that entail mandatory Preservation Commission review and other requirements.

Mr. Ruiz was sworn in by Chairman Bernstein. To insure that everyone is on the same page, he explained that if you are in a Federal Historic District and the property that is seeking federal incentives, they do need to be contributing structures. He noted that if the structure is contributing, then the property would be eligible and qualify. Ald. Rainey said that she would like to arrange a meeting with the Preservation Commission in his Ward so that people in the new district could hear about the advantages in greater detail regarding the tax incentive plan. She is certain that the Preservation Commission acts as an educational body as well as their duties in reviewing cases before them. Mr. Ruiz agreed and will work between Ald. Rainey and the Preservation Commission to set up that meeting.

**The vote was 9-0 in favor of Ald. Rainey’s motion.**

(P4) Ordinance 90-O-05 – Major Variation request for a Rear and Second-story Addition at 1044 Elmwood Avenue

Chairman Bernstein swore in everyone on the citizen sign-up sheet that wished to comment on this project.

The following citizens spoke in opposition:

   Al Hunter
   Andy Pigozzi
   Rebecca Dudley
   Renee Weber
   John Mohr

The following citizens spoke in support of the proposed project:

   Shellie Dixon
   Michael Tannen
   Stephanie Ruder
   Steve Doroba
   Troy & Kristin Henikoff (property owners)
   Paul Glick
After Committee deliberation, Ald. Wynne moved approval of Ordinance 90-O-05, seconded by Ald. Rainey. Further discussion followed regarding alternative plans and the need for additional living space above the garage.

The Committee addressed the standards and read the findings into the record. Ald. Wynne revised her motion to amend the ordinance to include language to provide the most effectively quiet condenser unit as discussed and agreed to by the property owners at the June 27, 2005 meeting. Chairman Bernstein further requested that additional language be provided to include that all efforts be made to preserve the oak tree on the adjoining property line with 910 Greenleaf. Ald. Rainey seconded the revised motion and the vote was 9-0 in favor of the motion. The item will be introduced and referred back to Committee for review of the amended ordinance.

(PLEASE SEE ATTACHED TRANSCRIPT FOR DETAILED DISCUSSION)

(P1) Ordinance 83-O-05 – Planned Development – 645 Custer Avenue

(P7) Housing Commission Recommendation for HOME Funds for ECDA’s 736-738 Dobson Project

The Committee discussed having a special meeting to consider items (P1) and (P7). There was a consensus to hold the special meeting next Monday, July 18, 2005 at 6 p.m.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Jacqueline E. Brownlee