Planning & Development Committee
Minutes of September 26, 2005
Room 2200 – 7:00 p.m.
Evanston Civic Center


Presiding Official: Alderman Bernstein

DECLARATION OF QUORUM
Chairman Bernstein called the meeting to order at 7:04 p.m.

APPROVAL OF THE SEPTEMBER 12, 2005 MEETING MINUTES
Ald. Jean-Baptiste moved approval of the September 12, 2005 minutes, seconded by Ald. Moran. The minutes were approved 9-0.

ITEMS FOR CONSIDERATION
THIS ITEM WAS TRANSCRIBED BY A COURT REPORTER IN ACCORDANCE WITH THE KLAEREN RULES, THEREFORE DETAILED MINUTES ARE AVAILABLE WITHIN THE TRANSCRIPT. A SUMMARY OF THE DISCUSSION THAT TOOK PLACE FOLLOWS IN THE MINUTES PROVIDED.

(P1) Planned Development – 1567 Maple Avenue, Plan Commission’s Recommendation to Deny
Ald. Tisdahl took over as Chair the discussion and consideration of this item due to Ald. Bernstein having to recuse himself from participation in this project.

The court reporter swore in Mr. James Murray, Attorney for the applicants, who gave opening comments.

The following citizens who wished to testify were sworn in:

Mr. William Best, 1640 Maple Avenue; he distributed a typed statement.
Ms. Jeannine Martin, 1640 Maple Avenue
Ms. Susan Jacobson, 1540 Maple Avenue.
Mr. Pat Fitzgerald, Architect for the project, was sworn in and went over the structural changes from the previous plan presented at the last meeting.

Mr. Bob Horner, Principal with Winthrop Partners, was sworn in and addressed some of the comments made by citizens. He also gave additional information and presentation of the project as amended.

The hearing proceeded on to Planning & Development Committee questions and concerns addressed by the applicant. The Committee also had several questions of the condo owners at 1640 Maple who testified previously. The consensus of the Committee was that the driveway entrances should be off of Maple Avenue versus Elmwood Avenue.

Mr. Wolinski reminded the Committee members that they would have to motion to overrule the Plan Commission’s recommendation to deny and move forward to direct staff to draft an ordinance for the planned development. **Ald. Jean-Baptiste made motion as recommended by Mr. Wolinski, seconded by Ald. Rainey. The vote was 9-0 in favor of the motion.**

**Ald. Jean-Baptiste moved to direct staff to draft an ordinance for the planned development, seconded by Ald. Rainey. The vote was 9-0 in favor of the motion.**

(P2) **West Evanston Neighborhood Plan: Plan Commission Recommendation**
Chair Bernstein acknowledged Mr. Al Hunter, Chair of the Neighborhood Committee of the Plan commission, being present for any questions or further information requested by the P&D Committee.

**Ald. Rainey moved that the P&D Committee accept the recommendation of the Plan Commission to adopt the West Evanston Neighborhood Plan. Ald. Wynne seconded the motion and the vote was 9-0 supporting the motion.**

Ms. Betty Sue Ester stated that many residents in the 5th Ward appreciate the approval of this plan and acknowledged all the time and hard work contributed by many people. However, she cautioned the Committee that there has been a lot of neighborhood resident work and input that has been done that she does not want to see overlooked. Ms. Ester strongly urged the Committee to make sure that the neighborhood resident’s recommendation be considered during the entire process. She hopes the City will find a driving force other than just the Plan Commission recommendation to ensure that this plan goes forward and that this is given the highest consideration. She noted that requests that were of constant concern such as minority contractors being hired, economic and residential gain for the community by incorporating and attracting stores and businesses that will benefit and be useful for the residents of the Ward. Ms. Ester again urged the Committee and staff to please keep abreast of this revitalization project.
Ald. Wynne stated that she has been aware of this plan for some time; actually from the beginning discussions when the Neighborhood Committee first considered this as their next topic. She recalled this vividly because it was the last Neighborhood Committee meeting regarding the Chicago Avenue Corridor Study. She recognizes that any neighborhood plan has different views and from experience, knows the difficulties involved with this job. With that in mind, she commended the Planning Division staff that has worked hard for a very long time on this particular neighborhood plan. She has thoroughly read through the plan and feels it is a very good plan a good beginning for the revitalization of this neighborhood area. Ald. Holmes agreed with Ald. Wynne’s comments and also commended both the Neighborhood Committee and Planning staff on their diligent work. She further informed her fellow Committee members that Community Development staff, James Wolinski, Susan Guderley, and Dennis Marino, were present at her last neighborhood ward meeting on September 21st to give a detailed presentation of the plan again to the community to allow the opportunity for any further input or questions to be answered before going forward before Council.

Chair Bernstein concluded with response to Ms. Ester that development is going to happen on the West side inevitably. He noted that with this plan, the City has the opportunity to control that development to an extent where they can have input and be involved with the types of businesses going in, the exterior design and the store frontages and contractors being hired to do the work.

(P3) Ordinance 117-O-05 – Affordable Housing Demolition Tax
Ald. Wynne informed the P&D Committee members that she has received numerous emails from many realtors and other residents in her Ward regarding this matter. She also has several questions about this ordinance which she has discussed with other alderman. Specifically, from discussion with Ald. Bernstein, he noted an issue about exempting a homeowner from this tax and Ald. Tisdahl raised the issue of graduating the tax. Ald. Wynne said that she specifically would like to receive information on how many teardowns the City has had and an analysis of the benefits this will create for the City and ways in which we could incorporate this tax. She elaborated that with regards to incorporating she would like to figure out a way where this doesn’t penalize a property owner. She would also like to see a report on other communities that have incorporated and enforced a similar tax, such as Highland Park and how it has benefits them so far. She stated her position at this point she would be unable to make any concluding vote before having the opportunity to review the information she has requested. However, she does not want to come across that she disagrees with such a tax being enforced in Evanston because she des feel the actual purpose and goal here is justifiable when it come to developers reaping enormous benefits in our community by teardowns. She feels it is a great disruption on every block that is affected by these teardown redevelopments.

Ald. Tisdahl seconded Ald. Wynne’s views and her specific concern regarding having a graduated tax. For example, she would support starting the base tax amount of $10,000 for teardown homes of $300-400,000 with a void concept for property/homeowners that
are tearing down to rebuild a home to live in and graduating the tax amount for teardowns for replacement homes according the value of the property. She does not support a flat tax at this point because it is comes across as aggressive.

Ald. Rainey referred to staff’s report on the usage of the number of teardowns for the current year, she would also like to see the sale prices/purchase price of the teardown structure so that Council can review the profit comparison or value of the property after redevelopment. She would also like to see this comparison for homeowners who tore down and rebuilt a house to live in. Mr. Wolinski responded that the majority of the teardowns that are being replaced by new single-family housing are averaging between $900,000 and $1,000,000. He said that it is important to look at the value of the land, which drives the price higher. He recalled the property next to Ald. Moran’s property for example, where the land is in the vicinity of approximately $500,000. Ald. Moran concurred and further explained that the purchaser brought the property with the house included for approximately $390,000. The purchaser then proceeded to tear the house down and put the vacant lot on the market two weeks ago and listed the sale price at $575,000, which sold within a week. He stated that a part of supporting this tax is in consideration of making housing affordable, however this phenomena is making housing very non-affordable. He informed the Committee that the house proposed to be built next to his house, he would assume will be listed on the market for approximately $1.7 million dollars. Therefore, Ald. Moran pointed out that extreme difference in a house sold for $390,000 in a year will sell for four times that in profit. He stressed the importance of considering the implications for the City of Evanston are to this scenario. Ald. Moran acknowledged all the emails he too received from realtors in his area regarding this matter, as Ald. Wynne did and their concerns for this tax being implemented. He noted that those realtors may have a valid point, however if this trend continues, such a tax has a valid and justified position in Evanston, especially under Ald. Tisdahl’s recommendation to consider a graduated tax according to value and profit by developers.

Ald. Hansen seconded the opinions expressed by the other alderman. She noted that no other alternatives have been presented with this proposal and she would be very interested to see a report from staff on more information regarding how many teardowns the City has had over the recent years, the sale price of the property versus the value of the new construction. She is also interested in what other communities are doing and how they are benefiting from this tax. She stressed the importance of a developers profit versus a homeowner’s situation and profit level and being very different. Therefore, she strongly would support consideration of other alternatives where a homeowner is either not required to pay this tax and the graduating tax suggested by Ald. Tisdahl for profit making developers. She urged that these alternatives need to be considered before moving forward with this ordinance.

Chair Bernstein recalled that there was some conversation about this topic in the Task Force regarding Inclusionary Housing and those funds being forwarded to the City’s Housing Fund. Mr. Wolinski concurred that the Task Force took this as part of the whole Inclusionary Housing policy and this would be a way for single-family housing built for
considerable profit amounts, would also have to contribute to the affordable housing dilemma.

Ald. Wynne agreed with Ald. Hansen’s position that there is a grave difference in a developer’s profit for redevelopment of a single family rebuild versus a property owner who resides in the property and tears down to re-build a home to live in. There is a need for some alternative in this situation to be considered.

**Ald. Jean-Baptiste motioned the recommendation to hold this item at this point in view of the concerns and request for additional information by the P&D Committee members and for staff to respond back.**

Ald. Holmes stated her position that she also can not support this flat tax amount as presented and agrees with her fellow Committee members in supporting some type of graduating tax for consideration. She would like to review the information on purchase prices of teardown properties and the sell price of the new construction and also would like to see what other communities are doing with a similar tax.

Ald. Moran brought attention to wording in the proposed ordinance on page 2 regarding affordable housing. He pointed out there is a definition on this topic that pinpoints a certain dollar amount of $225,000, which may not be the best thing for use to do for a number of reasons. One of which it looks at median income without reference to a particular dollar amount. He would recommend that this specified amount be further reviewed as well as consideration in amending the wording of this paragraph.

**Ald. Rainey seconded the motion to hold this item in Committee for further information requested is provided by staff. The vote was 9-0 in favor of the motion.**

Ms. Susan Clooney, Realtor, presented a typed presentation that she distributed to the P&D Committee members representing her position on this matter. She is in opposition of this tax. There was also a written statement received from Mr. George Cyrus expressing his opposition of this tax as well.

**(P4) Ordinance 115-O-05 – Amendment to the Preservation Ordinance**

Ald. Wynne stated that she does not see this as being appropriate as presented. She informed the Committee that she originally made a reference some time ago about changing the voting and quorum requirements of the Preservation Commission. In her opinion, she thought that it is very important in regards to time line issue being considered and changing the voting time line requirements as well. However, she noted that the original reference was not made by her in consideration of the proposed amendment presented. Nevertheless, she saluted staff for having this amendment forwarded at this time. Ald. Wynne explained, in response to Ald. Wollin’s questions, that this reference that the Preservation Commission does not have the same quorum requirements as the Plan Commission or the Zoning Board does. Mr. Ruiz added that the required amount of votes needed by the Preservation Commission and the lack of
membership, make it very difficult to achieve. He agreed that it is a continual problem for the Commission. Ald. Wynne said that maybe having 11 members is not logical and is too much for the Preservation Commission. She suggested that maybe 9 members be considered versus the 11 to support a quorum status for vote.

Ald. Rainey strongly suggested that this matter be referred to the Rules Committee and put on their agenda for their next meeting. The P&D Committee members agreed.

Mr. Ruiz informed the P&D Committee that the Preservation Commission just received a copy of this ordinance a day after Council received this and has not had a chance to review this. He said that the Commission would like to have an opportunity to review and discuss this more in detail.

Ms. Mary Brugliera, Chair of the Preservation Commission, stated that after briefly reviewing this ordinance she immediately contacted Mr. Ruiz to request an extension to give the Preservation Commission an opportunity to review the ordinance further. She also noted that she requested Mr. Ruiz’s assistance to pull together any minutes and past correspondence regarding this matter for further review of the Preservation Commission. Ms. Brugliera urged the P&D Committee to allow the Commission adequate time before considering this ordinance.

Mr. Wolinski informed the Committee that the particular reference for this matter was made by former Ald. Newman.

**Ald. Wynne moved to hold this item in Committee for further review, seconded by Ald. Tisdahl. The vote was 9-0 in favor of the motion.**

**ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Jacqueline E. Brownlee