Planning & Development Committee
Minutes of June 11, 2007 Meeting
Room 2200 – 6:30 p.m.
Evanston Civic Center

Alderman Present:  S. Bernstein, A. Hansen, D. Holmes, L. Jean-Baptiste, E. Tisdahl, C. Wollin


Presiding Official:  Alderman Tisdahl

DECLARATION OF QUORUM

Chair Tisdahl called the meeting to order at 7:15 p.m.

APPROVAL OF THE MEETING MINUTES OF MAY 14, 2007
Ald. Bernstein moved approval of the minutes of the May 14, 2007 meeting. Ald. Hansen seconded the motion. The Committee voted unanimously to approve the minutes. APPROVED

ITEMS FOR CONSIDERATION

(P1) Ordinance 45-O-07 – Planned Development Request for 1890 Maple Avenue
The Committee voted unanimously to reschedule as Ald. Wynne and Ald. Moran were not present. The Ordinance will be discussed at the end of the meeting. MOVED TO COUNCIL

(P2) Ordinance 60-O-07 – Amending Subsection 2-9-3(G) of the Evanston City Code, “Powers and Duties” of the Preservation Commission
The Committee voted unanimously that this issue should be voted upon by the Rules Committee. REFERRED TO THE RULES COMMITTEE

Mr. Wolinski presented “the recommendation from the Preservation Commission that when a Planned Development is in a historic district or a landmark itself, the Preservation Commission has joint meetings with either the Plan Commission or the Zoning Board of Appeals, whichever is the recommending body, to help expedite, as opposed to doing the linear procedure which we do now, where projects go before the Preservation Commission then the Plan Commission and/or the Zoning Board of Appeals.” He introduced the Chair of the Preservation Commission, Mr. Jordan Cramer. Ald. Rainey commented that “This matter belongs at the Rules Committee. I don’t think the Planning & Development Committee is empowered to make this decision.” Mr. Wolinski suggested, “There is language in the Preservation Ordinance and the Zoning Ordinance that addresses the issue of how meetings are held.” Ald. Rainey agreed to talk about it. Ald. Wollin asked if each group, the Plan Commission and the Zoning Board of Appeals would make their own decisions and then report at the same meeting. Mr. Jordan Cramer, Preservation Commission Chair, stated that they are trying to streamline the process. “Ideally, we could deliberate in front of each other. We want to have the ordinance reflect this and for the Chair and a few members of each group present to work through the procedure so we will have a smooth process and one that
is predictable for the applicants.” Ald. Jean-Baptiste recommended referring this matter to the Rules Committee. Ald. Bernstein stated that he thought it was a good idea that the boards communicate with one another. He doesn’t want one group to overweigh the process. He asked that Carlos Ruiz, the Planning Commission and the Zoning Board get together and talk in terms of a structure. He said he’d like them to work individually and not influence each other. Mr. Cramer responded, “We plan on meeting with the various chairs and having parallel amendments to those various provisions of the code.” Ald. Jean-Baptiste moved that the Rules Committee review the proposed Amendment to the Ordinance. The motion was seconded. The Committee voted unanimously to refer this item to the Rules Committee.

(P3) Temporary Signage Request for the American Craft Exposition
Ald. Rainey moved to approve. Ald. Bernstein seconded the motion. The Committee voted unanimously to approve the temporary signage. APPROVED

(P4) 2526 Jackson Parking Variation Request (2-3)
The Committee voted unanimously to reschedule this item. Mr. Doyle, a neighbor concerned about the trash pickup and impervious surface of the proposed parking area of 2526 Jackson, is to discuss his concerns with Mr. Murray, who is representing the owner of the 2526 Jackson project. The issue will be revisited at a future meeting. HELD IN COMMITTEE

(P5) Request for $180,000 in HOME funds from Evanston Housing Coalition
The Committee voted unanimously to reschedule this item, pending receipt of the rent roll (no names included), a delinquency report, updates or notes on the pro forma, and the last property inspection report. Mr. Wolinski added that these items, P5, P6 and P7 are stated as staff recommendations: They went in front of the Housing Commission. The Housing Commission was in favor however did not have a quorum the night it was presented. That is why it is a staff recommendation. HELD IN COMMITTEE

Mr. George Gaulthier, representing the Evanston Housing Coalition presented the request, stating, “The Evanston Housing Coalition is requesting these funds for external rehabilitation of the buildings at 2014 to 2024 Wesley. These buildings were purchased in 1986. They have been operated as affordable housing since that time. They are under restriction to rent to tenants who have no more than 60% of the median income and the rents are fixed at that level. The actual tenancy in the building is considerably lower than that. Our average is a little less than 50% of the median income and our rent is $630/month for a 2 bedroom apartment, $850/month for a three bedroom apartment. The rehabilitation is required because of the way the building was constructed and the way the rehabilitation was done in 1990, when it was first rehabbed. The building is a California style building but it is subjected to non-California treatment of salt, snow shoveling on the balconies, which had damaged the concrete surface, caused it to leak, and water to infiltrate the structure. You can see on the photos the way it’s attacked the forming pans. Those are not structural elements of the building, they are the metal piece that holds the concrete in place when they poured it. But the damage is proceeding into the building and it would behoove us to get it stopped. This program was deemed to be applicable to the Davis Bacon Act. We want to be proud of this building. We’ve had it in operation for a long time with the support of the City of Evanston, who stepped up to the plate with a lot of money back in 1986 to keep this building going. We’d like to get this work done as quickly as we can. We appreciate your consideration of this request.” Alderman Rainey asked if there is a list of code violations cited by the City. Mr. Gaulthier replied that there are none. Ald. Rainey expressed her surprise at this.
She confirmed that there are twenty four units. She said she sees a pro forma for going forward but she did not see a rent roll indicating current status of the tenants. It is fully occupied. She asked if there were any defaults, and if everyone was current, to which Mr. Gaulthier replied, “No, we have a number of tenants who are struggling to pay their rent.” Ald. Rainey requested to see the rent roll. She added that the Committee has spent a lot of time talking about affordable housing but they haven’t had an actual situation. She said she thought it would be important for the Council to see the current status/reality of affordable housing. She asked that he provide them with the rent roll (with no names). She added that on the City’s website, Aldermen are entitled to see the “U.O.” She discovered from a “U.O” report of these three properties, that there are delinquencies totaling approximately $3,000 from tenants of the building. She asked that Mr. Gaulthier encourage the tenants to pay their parking tickets and other things. She said she believes that what he is doing should encourage some responsibility on the part of the tenants.

Ald. Holmes stated that she has seen this building. She referred to an email that had been sent to the members of the Committee by Evanston citizen Judith Treadway, requesting a moratorium on the allocation and disbursements of the newly created Affordable Housing Funds for a minimum of 120 days, at which time she requested that the P&D Committee develop, establish and approve a formal process for applicant requests. Ald. Holmes moved to hold making a decision on P5, P6 and P7 until they are able to address the four points in the email. Ald. Holmes received the email at about 1:30 p.m. Ald. Holmes said she did not agree with the 120 days. The email was addressed to Chair Tisdahl, who had not gotten a chance to read it yet. Ald. Holmes related the contents of the email to the Committee: “She had previously made a request of Ald. Tisdahl to survey all of the wards to determine A) where affordable housing already exists in the wards, b) where affordable housing should be developed in all the wards and c) who has developed affordable housing in Evanston with City or federal funds and where these properties are located. As the City moves forward, we need to determine how the City’s federal funds are being used, by whom, and to increase affordable housing in Evanston. A goal of the City through P & D, should be to create a balanced development of affordable housing in all wards, not just a few.” Ald. Holmes added, “Unless I’m wrong, I tried to see if we had a defined process and I didn’t find it.”

Ms. Spicuzza clarified that this application is for Home Funds, not Affordable Housing Funds and that the applications for both are similar: a staff review, going to an ad hoc loan committee that’s made up of people outside the City of Evanston, (some lenders and community development people) and then being reviewed by the Housing Commission and then to Planning & Development, and then City Council approval, so the processes are the same, the application form is the same. She added that in terms of this project, this is already existing affordable housing. She said she would hope that we could possibly discuss trying to maintain this, rather than delaying it 120 days. Ald. Holmes said she was not suggesting that they wait 120 days. This application is for a title transfer loan and would be repaid when the building sold.

Mayor Morton requested that the process be outlined and shared with all members of the Committee. She expressed her appreciation for Mr. Gauthier’s work with affordable housing. She asked what Mr. Gaulthier does if a tenant has been indicted for selling drugs. He responded that he has evicted people for being drug dealers. Mayor Morton asked if he gives that information to the city. He said no. Mayor Morton said she thinks we need to know that, because other people that have property, and the neighborhood organization that they have in their area would like to know, and the Section 8 people have in their lease, that if tenants sell drugs they must leave. Mayor Morton stated that she supported this development and asked what caused the deterioration and whether they would be able to do a better job of repairing it this time. Mr.
Gaulthier replied that the new vendor who will supply the sealer will give a guarantee for 5 years, that it will not have to be re-applied, and if it does, it doesn’t need the same preparation. They’re recommending that they put a coat of sealer on the concrete every 5 years. They will not have to fill/grind out the cracks and prepare the material in the future. They should be able to fund the next sealing out of operations. They do not expect to come back for that money.

Ald. Bernstein asked how long a tenant is allowed to go without paying their rent. Mr. Gaulthier responded that he works with them, depending on their situation. They are not allowed to stay without paying rent at all, however. He stated that if they’ve lost their job or something has happened to them, he works with them until they get back on their feet. He makes an individual judgment on each case and tries to accommodate the people where they’re able to. If they’re making payments and coming along with it, he tries to go along and see if they can get settled up. He said that half the time it works, and half the time the termination of lease process begins. Ald. Bernstein asked if they still have sufficient operating capital to run the building without some deficit. Mr. Gaulthier responded that the Evanston Housing Coalition sold one of its single family houses and contributed money to the Wesley and Green Bay Partnership to pay off the City loan. They had a loan outstanding that they paid off so their cash flow for 2007 is now much better than it had been in 2006. There is no longer that $600 a month expense. They had always serviced the debt and paid the taxes. The building has not been self-sufficient, but it will be now because the debt service is lower.

Ald. Rainey asked Ms. Spicuzza if, as part of the approval process of Home Funds, they investigate financial condition of property they’re giving a grant to. Ms. Spicuzza answered that the Loan Committee looked at the pro forma and they decided given the incomes of the tenants, more effort could be put into collecting the rents rather than raising them. Mr. Gaulthier said that 5-7% of rent becomes uncollectible over a period of a year. Mr. Gaulthier stated that 8 of the tenants have “vouchers” and their rents are the same as Section 8 tenants, and 2 tenants are township assisted at $175 a month.

Ald. Rainey commented that their annual water and sewer bill was approximately $15,000. Mr. Gaulthier responded that the building with the laundry in it uses $7,000 and the three buildings together use $15,000 of water a year. He said they check for leaks once a month.

Ms. Sarah Diggs of the Housing Commission stated that the Housing Commission would have recommended items P5, P6 and P7 requests be granted at their last meeting but they did not have a quorum present. She stated that in addition to cosmetic, there are significant safety issues which the repairs address. Ald. Rainey asked whether the Housing Commission discussed how there are safety issues but no code violations. Ms. Diggs suggested she ask Property Standards this question. Mr. Gaulthier said they are trying to repair the balconies before they get to that level of deterioration. The building is inspected every two years.

Ald. Tisdahl stated that she would like to vote on the issues, rather than let the building deteriorate. Ald. Wollin added that this is money that’s needed to keep the building in just decent repair and we already have people living in the units. She said she feels they should vote on it tonight. Ald. Holmes stated that she wants to hold this item. Ald. Tisdahl stated that she wishes to vote on it. Ald. Holmes stated that she supports the project but needs more information. She suggested waiting two weeks to vote. Ms. Spicuzza asked the Committee to clarify what information is needed. Ald. Rainey said that they want the realistic delinquency records. Ald. Bernstein stated he would like Property Standards to go out there so that any funds that they do give, go towards correcting any violations which may have come forward since the last inspection
because he’s had constituents call him for a lot less than this. Mr. Gaulthier said that the balconies are not visible from the street. Mr. Wolinski requested a copy of Ms. Treadway’s email for staff.

Ald. Jean-Baptiste moved to postpone voting on Items P5, P6 and P7 until the next meeting, with the information requested. The motion was seconded.

(P6) Request for $15,000 in HOME CHDO Operating Funds for Citizens’ Lighthouse Community Land Trust
The Committee voted unanimously to hold. **HELD IN COMMITTEE.**

(P7) Request for a Reservation of $99,500 in HOME Funds from the Citizens’ Lighthouse Community Land Trust
The Committee voted unanimously to hold. **HELD IN COMMITTEE**

Ald. Rainey asked how this particular property was selected for purchase. Ms. Spicuzza introduced Mr. Wilfred Gadsen, Director and Jill Graham, Board Member to address Ald. Rainey’s questions. Mr. Gadsen explained that their organization has an acquisition committee that reviews properties in general to see if they are suitable for inclusion in the Land Trust. They visit properties and consider their costs, then consult with their development partner who makes an assessment of the property. If the property has a lot of work to be done they also consult with an architect to review the status of the property. Once they’ve decided it is a likely project, their committee reviews it and they do an estimate. It is then submitted on a home application to the city. Ald. Rainey asked how this particular property was selected. Mr. Gadsen responded that among those that they saw available at that time, this project seemed suitable. They do not know the name of this seller because their purchase option was submitted to the seller’s agent. Once they sign a specific purchase option with a specific number (and they believe they’re waiting for this committee’s determination), then they will put that into all the documents. They have bank financing readily available for the balance of the funds. The seller is the owner of the property, and it is in foreclosure. Ald. Rainey said that she did some research on this property showing that this property was purchased in 2005. The owners extinguished, it appears, mortgages of $200,000, $228,000 and $250,000, and that their taxes were current except for the latest tax bill, and that they appeared to be doing okay. She wondered if we are saving them from foreclosure but are they going to be paid off completely. She suggested it would be better if we had a relationship with them. She wondered if we could have helped them save their house. She said it bothered her that we were seizing upon a house in foreclosure. It was such a short-term situation. Foreclosure was filed in October of 2006. Mr. Gadsen replied that the sellers have asked to close by June 15th, 2007. He believes that their offer would do that. Mr. Gadsen replied that he said the sellers brought the property to market, did research, discussed, as a body, making a bid and they think the amount may pay off the seller’s debt. They are waiting to hear back from the sellers. Ald. Rainey said that it seems there are inefficiencies in this system. “Why not just help someone who wants to buy a house?” Mr. Gadsen responded that they did not search for foreclosures. This project was listed to sell. Ald. Bernstein asked them if they checked the amount due. “If they filed in October it’s getting closer to a Sheriff’s sale, and it was $236,000 a month ago. Mr. Gadsen said their proposal would pay that off. He added that once they come to an agreement with the seller, they will discuss it further and see if the numbers work. $281,000 is required to bring the property up to standard. Ald. Holmes asked on what terms the $181,500 financing from North Shore Community Bank is being lent. Mr. Gadsen replied that they are negotiating with them and that the interest will be comparable to a no-interest loan. They could
get the rest of the funds within a week or two. They expect to finish the work on the place and sell it to an eligible family within a month. The mortgage amount to the affordable housing purchaser would be $175,000 with a 3% down payment.

Ald. Holmes commented that $10,000 for renovation of a small kitchen sounded like a lot of money. Mr. Gadsen responded that that is the only room in which they are doing major renovation: new appliances, counters, cabinets, floors, etc. and some repairs to the utility room. Ald. Bernstein asked what the contractor process was. Mr. Gadsen responded that both they and Mr. Gaulthier walked through the property to determine what renovations were needed.

Ald. Jean-Baptiste stated that the Lighthouse Community Land Trust needs to have a community meeting regarding their affordable housing project and to talk to the adjacent neighbors. It will be sold below market rate. Mr. Gadsen responded that they have had a number of activities and that they send fliers to the whole city when they are looking at a property explaining who the organization is, what they do, etc. The family will pay a nominal amount of rent for the land. They will have an ongoing relationship with their organization. Ald. Jean-Baptiste said that he will call a neighborhood meeting.

Ald. Rainey asked that Mr. Gadsen provide for the next meeting, a written layout of the sales information: the price, how they will break down the price of land, improvements, etc. Mr. Gadsen agreed to send Ms. Rainey all the information a buyer would be looking at.

Ald. Holmes asked if they’ve had any land donated. Mr. Gadsen replied that two people have contacted them regarding potential donations. He added that their Board of Directors has developed a long term project to look at. They are also looking at working with a number of different types of groups, for example, seniors who are strongly affected by tax increases. So they might use different types of funding to support them, remaining in their property. Again, those are long term types of things and they would be case specific. It would require a great deal of work on both the organization’s and the senior’s end to make sure it’s suitable for them and that it fits them in the long term, and that their family’s agree and their heirs agree.

Ms. Jill Graham of the Citizens’ Lighthouse Community Land Trust added that they would be happy to work with any of the other CHODO’s that get land donated, because none of the others are set up as they are, to hold land in perpetuity. They would be happy to be the ones that held on to the land and have any other CHODO develop the land or build on it, or rehab on it. And resell it. They don’t insist that they be the ones that are doing the housing part on it. This is a way that other community land trusts in other communities collaborate with other affordable housing organizations or with governments, and that seems a very sensible way to go for a community land trust including this new one in Evanston. They would love to have a donation from the City as a piece of land to work on, but as of now, they have had $35,000 in private donations directly to the land trust, of which $20,000 is being held by the Evanston Community Foundation in a pass-through fund and another $15,000 is in their own accounts. So they have had an expression of support in that way in terms of donations. Ald. Rainey said to let the City know if they have a piece of land owned by the City, in mind.

Ms. Betty Sue Ester, Evanston citizen, said that one of the developers would be willing to donate $250,000 if the City would work with them (those she represents) and they are hoping to get it. Ald. Rainey asked her to clarify that for the next meeting.
Ordinance 62-O-07 – Extending the Moratorium for New Construction on Central from Ashland to 2200 Central for 95 Days
Ald. Jean Baptiste moved to approve. Ald. Wollin seconded the motion. The Committee voted unanimously to move for introduction. **MOVED FOR INTRODUCTION**

Mr. Joe Hill, Evanston resident, urged the extension be passed.

Ordinance 63-O-07 – Extending the moratorium for New Construction on Green Bay Road from Isabella to Lincoln by 94 Days
Ald. Bernstein moved to approve. The motion was seconded. The Committee voted unanimously to move for introduction. **MOVED FOR INTRODUCTION**

Discussion of 1890 Maple
Ald. Tisdahl stated that there would not be a discussion of the downtown moratorium. That discussion will take place at the City Council meeting.

Mr. David Reifman, representing 1980 Maple, presented a letter to Ald. Tisdahl from Mr. Robert C. King, President of Carroll Properties, Inc., dated June 6, 2007. The letter stated that Carroll Properties, Inc. offered a contribution of $150,000 on behalf of Maple Views to the City of Evanston, to be used for any community initiative and an update on the Carroll Place development, stating that they will initiate their marketing in the Fall of 2007, break ground in early 2008, and remove the existing foundations, structures, grading and seating, greatly improving the appearance of the site. He stated that they may have some other issues and they addressed some collateral matters relating to 1881 Oak. All was put in the correspondence.

Ald. Wollin commented that she thought the 1890 Maple project was contingent on the 1881 Oak project. She asked if they intended to build them at the same time. Mr. Reifman stated that they are two different projects. He stated that he does not know that the intent is to build them at the same time. They are to be considered separately. Ald. Wollin argued that from their letter, 1881 Oak sets the precedent for height in that area and if 1881 Oak were hypothetically not to be developed, there would be no precedent. Mr. Reifman responded that he does not agree with that statement. The City Council has already made a determination approving 1881 Oak, and the height of 1881 was determined in a separate proceeding, and that the height of 1890 stands by itself. He clarified that it notes that 1890 Maple provides additional compatibility, but 1881 already stood by itself in terms of compatibility in the downtown, and that these two cases were made separately in the 1881 matter, and were made again in the 1890 matter. He believes there is a question about the timing of construction on 1881 and the condition of the site and what may happen going forward. The developer is in for permits on 1881 and is moving forward with the rights it has under the 1881 ordinance. Based on an issue that he discussed with the City Manager, there is a potential way of making the site more attractive in the short term that they believe may merit some discussion and may involve a formal extension of that project, “but that is not before you on the 1890 matter.”

Ald. Bernstein stated that he sensed that the letter from Mr. King is a response to the City Manager’s reference to 1881 Oak, which he does not think should have been mentioned. “They are separate distinct properties, so let’s vote on the merits of this particular situation,” he said. “We’ve already hashed over the prior, and we have in fact set a height regulation at that level.”
Ald. Wollin questioned whether the City has obtained federal funds for congestion and mitigation of traffic and air quality on Emerson. She asked what the chances are of getting the funds. Mr. Burke of the Traffic Engineering Department responded that they have been successful in the past for 30% increases in traffic, but not for a 20% increase. They have increased their amount to 30%. Ald. Jean-Baptiste confirmed this. Ald. Wollin continued, "Mr. Reifman says that their project should not assume the burden of Emerson traffic problems, however the Emerson St. traffic problems are going to be there. I don’t want to do anything to aggravate the situation.” Mr. Reifman responded that he wanted to make 2 points: The record reflects that the traffic testimony denoted very clearly that this development has an extremely minor impact on Emerson and that is what the traffic facts are: that this single development has a very minor impact on Emerson and that there are some very simple recommendations of the City that could be implemented irrespective of the grant such as retiming of lights, removal of parking on the south side of Emerson, and the re-striping of Emerson to provide for four 10-foot lanes. “These simple changes will significantly improve the condition of Emerson.” “The second issue is re-signalization and major changes to the signalization in a model (which we have but we’re not going to show tonight unless you wish to see it,) showing the movement on Emerson with the new timing and the new lights was made available. If the City goes forward and the City Council would like this development to contribute $150,000 for that particular grant, the developer has indicated to you in correspondence that he is willing to do that. That is a decision of the Council. The facts are that this development is not a significant contributor to congestion on Emerson Street.” Ald. Wollin continued, “And the staff report on Page 6 says that says the civil drawings have not been received yet. Have they been received now?” Mr. Reifman asked her to clarify which development she was referring to. Mr. Burke stated that they do not have a Planned Development project approved yet, at which time civil plans would be required. Mr. Burke said that they are not due yet. They are due after Planned Development and SPAARC approval.

Ald. Wollin stated that there are bedrooms in the development that do not have windows. Mr. Pat Fitzgerald, of Fitzgerald Associates, the architect for the project, responded, “Our office presently has under design about 6,000 units in various buildings, predominantly in Chicago, but some in Iowa and elsewhere, that have this type of loft apartment. It is now extremely popular in the marketplace and is being built in many locations. In Chicago, there are probably minimally 10,000 units that are designed like this that are occupied now. We were architects for a project built in Evanston about ten years ago, that was referred to as “The New Biscuit Lofts,” which was the old Nabisco machinery works, on the south edge of town. Even ten years ago that building contained loft type apartments with the identical bedroom arrangements. That was a for sale project but proved to be very popular and I believe sold out in a matter of weeks. So there are already those types of units in Evanston and quite frankly, all of the units that contain this type of arrangement are one-bedroom units and so those bedrooms are demised with partial height walls. The building has 9’ ceilings and the walls would typically be 6, 8 or 7 feet so there is visual privacy but the wall is open at the top so light and air circulate over the top and this meets all the requirements of the international building code, so there’s nothing precedent setting about this except that I think, you haven’t had many new apartment buildings built in Evanston of late and particularly none that are aimed at this particular market, but it has been widely received elsewhere.” Ald. Wollin asked, “And the smallest apartment is 671 sq. ft?” Mr. Fitzgerald responded that he believes the smallest unit is about 650 sq. ft. “That’s a studio apartment. I believe the one-bedrooms are a little larger than that.”

Ald. Wollin asked about the contribution mentioned in the letter being used for Affordable Housing. Mr. Reifman stated that rental housing is not subject to the Inclusionary Housing Ordinance. Ald. Rainey commented that it is very difficult to get financing to build rental
housing. It has to be exempt. She is concerned that the next person who wants to build rental housing will be turned off. Ald. Wollin said she wants the ordinance to be amended so that if a rental building owner decides to convert to condominium, they will be subject to the Affordable Housing requirement. Ald. Rainey stated that the ordinance states that they would be.

Ald. Rainey asked Mr. Wolinski if City of Evanston staff is going to address the noise level of the Evanston Hospital building in the vicinity of 1890 Maple. She referred to a letter from Evanston Hospital stating that the equipment on their roof makes a lot of noise, and that the City of Evanston should do something about it. They were within the zoning requirement when their building was built. Ald. Wollin stated that the way the roofs look and sound is not our job. They had been building a research park and now it’s changing. Mr. Wolinski responded, “You do have a letter from Mr. Ivan Kane from Mayer, Brown and Platt concerning these issues and there is email correspondence which you have in front of you tonight that they have been in contact with Mr. Reifman, and have suggested language to put into the ordinance. Mr. Reifman has said the language is acceptable. I don’t believe it’s in the ordinance as it stands right now but I think for a final draft, that it would be incorporated. Regarding the noise coming from the ENH building that would be emanating towards this building, I think this is a “buyer beware” issue. That building was there first, it is there, it looks the way it looks, it met code when it was built and I think it would be unfair and I don’t know how we, as code enforcers, could say, “You’ve got to clean up the roof of that building.” I think that would be improper for us to do.” Ald. Rainey said, “I don’t think the looks, absolutely not the looks, but if it’s making noise that disturbs people around it, and I don’t know if that’s the case but it looks to me like the Fitzgerald people are going to a lot of trouble to take design measures to prevent any of that from influencing their tenants.” Mr. Wolinski added, “But I think the impetus there is for Mr. King’s building to take the steps to insulate his building as opposed to making ENH do something with their building.” Mr. Reifman said, “Yes, subject to ENH complying with code. But yes, we said we would do that, correct.”

Ald. Wollin asked Mr. Reifman if the developer is going to take advantage of the “opportunities” mentioned in their presentation at the corner plaza to either produce planters, furniture, art, etc. for that circular area. He said he believes the intent is yes. He added that they’ve worked very closely with the community and the development across the street.

Ms. Julia Carroll, City Manager, stated, “I just want to address this letter and the reason for the Part 2. Regarding the developer, I’m very pleased that they want to continue working on both projects. The reason I asked to meet with them was that they were running up against their one-year time frame for the Planned Development and when we met they indicated they probably weren’t going to be starting construction, other than a foundation, prior to July 10th so I simply asked them if, rather than putting in caissons and having a hole in the ground through the summer and fall, could we instead come to some other resolution, which is what they’re talking about doing. That was the reason for the letter. It was based upon trying to make the site look better and what I think they’ve agreed to, or they’re willing to do on 1881 Oak is to tear out the existing foundations with those ugly poles and metal pieces that stick up, seat it and make it look good until they go to construction in January.” Mr. Reifman said the developer would be willing to do that, subject to the Council formally granting an extension of the time frames. “What we won’t do is lose our rights under that Planned Development. So if that’s acceptable, we’d be prepared on the 25th, separately formally put that for Council action, but we did want to get some read from you. We don’t want to just put stuff in, cover it up, and spend money on the new stuff, but we want to get the old stuff out of there too, so that is what the City Manager and I discussed.”
Ald. Jean-Baptiste suggested they have some kind of resolution proposed so they can consider this issue. He moved that they forward it to Council for consideration at the June 25th City Council meeting. The motion was seconded.

Evanston resident, Mark Imrem, stated that he is in favor of the rental development and he would like to see Northwestern Students contribute to the Evanston tax base.

Reverend Oscar Crean of Ebenezer Church, representing some members of his congregation and residents of Ebenezer Primm Tower, stated that they are in favor of the development as it will fill in the darkness and vacancy of the site.

Evanston resident, Jane Wicklund, stated that the noise at 1720 Maple on the 17th floor is so loud that she cannot use her balcony. She also stated that the retail space in Evanston has changed. She believes the kind of parking proposed is too complicated for the proposed retail space. She suggested bringing Evmark in to let us know how visible it is, especially when it comes to downtown. She is concerned with the way the windows will look if a retailer that doesn’t dress their windows is in the space. She is also concerned about the empty lot at 1881 Maple with a building built at 1890 Maple. She does not believe having parking behind it is a good arrangement.

Evanston resident, Dr. Stamata Blanos, stated that since the developer wishes to bring 1881 Oak, they would also like to bring up the motion they had presented before the City on the legal notification to the residents within 1000 feet, since it’s going to be discussed and he wants to be included in an extension, “we would like to bring our findings at that discussion.” She confirmed with Ald. Rainey that they would be able to present at that time.

Ald. Wollin asked what level of LEED certification they are planning to attain. Mr. Fitzgerald, the architect, responded that it is the basic level.

**ADJOURNMENT**

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

Respectfully submitted,

Bobbie Newman