

**Planning & Development Committee Meeting
Minutes of July 28, 2008
Council Chambers – 7:00 p.m.
Evanston Civic Center**

Aldermen Present: D. Holmes, L. Jean-Baptiste, E. Moran, A. Rainey, E. Tisdahl, C. Wollin, M. Wynne

Staff Present: J. Chambers, K. Cox, B. Dunkley, D. Marino, B. Newman, A. Stuart

Presiding Official: Alderman Wollin

DECLARATION OF QUORUM

Chair Wollin called the meeting to order at 7:35 p.m.

APPROVAL OF THE JULY 14, 2008 MEETING MINUTES

Mr. Marino proposed changes to the July 14, 2008 P&D meeting minutes on pages 2 and 3, and other grammatical corrections.

Ald. Rainey motioned to approve the July 14, 2008 minutes, as corrected.

The Committee voted unanimously to in favor of the motion.

Chair Wollin announced that she would like the P&D Committee to make a reference to the Plan Commission for a text amendment. The text amendment would say that gun shops are not permitted uses in any retail area.

Ald. Rainey suggested that the amendment would read that gun shops are not a permitted use or special use in *any* area, the reason being that the hand gun ban did not prohibit the sale of hand guns in the City of Evanston, therefore they could be slipped in as a retail use. Ald. Rainey asked if it could be expedited by the Plan Commission.

Chair Wollin acknowledged her request and said she believes the Plan Commission is meeting in August.

ITEMS FOR CONSIDERATION

(P1) Amendment to Conditions of 1963 Special Use for 1233 Central Street
This item had been withdrawn by the applicant.

(P2) Resolution 48-R-08 – Designating the Portion of Simpson Street between Ashland Avenue and Greenbay Road with the Honorary Name, “Rev. Dr. Michael D. Curry Way”

The Committee voted unanimously to approve.

(P5) Motion to Approve a Sidewalk Café in Great Harvest Bread Co. Bakery, 2126 Central Street

The Committee voted unanimously to approve.

Ald. Wollin cautioned all the sidewalk cafés to stay within the boundaries, since Central Street is such a busy street.

(P3) Ordinance 90-O-08 – Proposed Ordinance Amending the Approved Planned Development for 1890 Maple Avenue

Ald. Jean-Baptiste moved approval of the Ordinance.

Ald. Rainey stated that the neighborhood is excited about the grocer coming to Evanston. She asked for an explanation of the conditions placed on this grocer's presence. She asked if there was another cost other than the cost of the parking meter revenue reimbursement fee applying to the conditions. Other members of the Committee said there were no other costs applying to the conditions.

Chair Wollin introduced Mr. David Reifman from the law firm of DLA Piper. He addressed Ald. Rainey's question about the conditions, saying that in Section 5 of the proposed ordinance there is also a condition that the applicant undertake various modifications to the curb, sidewalk and parkway in addition to the fee for removal of the parking meters. He does not believe there are any modifications required for Emerson Street, and the developer has already agreed to make a significant contribution to the City. The one thing that the applicant would request of City Council is that they be open to a portion of that contribution being used to undertake this improvement.

Ald. Wynne asked that he clarify. Mr. Reifman replied that Ald. Rainey asked about conditions that would be required. He again referred to the requirement in Section 5 B of the proposed ordinance that the applicant pay certain parking meter replacement fees, that the applicant pay for certain right-of-way modifications for sidewalks, curbs and so forth, and the applicant would like the City Council, in that case, to consider that it be offset against the amount that the applicant previously agreed to contribute to the City, of \$150,000.

Ald. Wynne asked if he was saying that the money that they had previously agreed to provide as a public benefit would be used to pay for the curb cut. Mr. Reifman replied that that was not what he was asking. He explained that he was referring to the various modifications in the right-of-way that are required on

University to accommodate the movement of trucks. Ald. Wynne said that it is not described very well. Mr. Reifman agreed. She read, "the applicant shall create engineering plans wherein thereafter construct any modifications to the curb, sidewalk or parkway necessary." He explained that they are only speaking about certain modifications on University Place to accommodate the trucks that will back in there. Ald. Wynne further clarified that he was saying that they are proposing to use the money that they had previously offered as a contribution to the City, to permit the loading there. Mr. Reifman replied that yes, the applicant is asking that a portion of it be used for that purpose. Ald. Wynne argued that it is because of *their* trucks that the modification must be made on University. Mr. Reifman said it is a contribution where there is no impact from the development, adding that it is simply a consideration for the Council to consider, if they so choose. He added that the applicant is trying to make the project work economically and otherwise, for the City. Ald. Wynne then asked whether the applicant would absorb the cost of the curb cut on Emerson, which Mr. Reifman confirmed.

Mr. Reifman introduced Eric Russell, Principal at Kenig, Lindgren, O'Hara, Aboona, Inc., (KLOA), retained by the developer, to make a presentation on the revised traffic analysis for the 1890 Maple project. Mr. Russell explained: The original study was done in 2006 and has since been revised with the new plan. The changes were reviewed at the last meeting and are reviewed in a July 17th 2008 memo from Staff. The previous plan was a 14 story building with 152 dwelling units, 40,000 sq. ft. of retail space, 269 parking spaces within the building and 44 to be leased from the Maple parking garage, as per the lease with the existing building on the site. The revised plan is also a 14 story building with 154 dwelling units and 15,500 sq. ft. of retail space (as opposed to 40,000 with previous plan). The vast majority of this retail space is for Trader Joe's. There will be a smaller, 2,000 sq. ft. additional unit in the building. The building will have 271 parking spaces, exceeding the City's requirements for both retail and residential, and there will be no additional parking spaces leased in the Maple garage. Trader Joe's operating hours are nationwide 9 a.m. to 9 p.m., so the traffic from Trader Joe's does not impact morning rush hour conditions. Consequently, this revised project will generate a little less impact than the previous plan. There will be about 50 more trips generated, 25 cars in, 25 cars out, during the peak evening rush hour with a supermarket on the property as opposed to general specialty retail space. Mr. Russell showed an aerial view of the property showing the access drive being proposed from Emerson Street, a little more than 200 feet to the west of Maple. It would be a two lane, one lane in, one lane out, driveway. The previous plan had all access for both the residential and the retail space from a service drive that accessed University Place into a courtyard area into the back of the building. All truck, retail access, residents, employees and patrons needed to come off of University Place. With the revised plan, the access to the retail space (Trader Joe's) is directly off of Emerson, as is access to the reserved parking spaces that serve the residents of the building. The only vehicles that would use the rear service alley would be the trucks that service Trader Joe's. The truck dock would be in the back of the building, which is important to point

out because at the last Council meetings there was a lot of concern from the residents about traffic movement on University Place, a 24' wide street with a parking lane on the south side. Staff was not favorable to the idea of removing this parking. There is a need for it to serve some of the buildings on the block. A lot of the residents pointed out that there are Federal Express trucks and a University shuttle bus that runs down University and when a truck and a bus are on that street, it makes it difficult for two cars to pass each other. Another concern was having direct access to the retail space off of an arterial street makes it easier than rear access from a way-finding perspective, making this a superior plan. It also keeps the vast majority of traffic off University Place, except for the small amount of truck activity associated with Trader Joe's: 1-3 trucks a day. They use semi-trailer trucks, 62' and 75' in length. They have committed to using only the 62' long trucks. The truck access route would be to and from the west on Emerson to East Railroad to University Place, pull forward into the driveway, and back into the loading dock with the assistance of a flagger who would come out when they arrive. A curb modification is required for the right turn of those trucks on to East Railroad. There is a 10' radius that would need to be increased to about 25'. As the trucks continue down East Railroad they will make a left turn on University. This radius needs to be improved also and two of the parking places would need to be removed with reimbursement to the City. There are also some curb modifications at the southeast corner of the driveway for the trucks to pull forward and back into the loading dock. As those trucks exit the property, they would pull forward and head to the east out to Maple, turn north on Maple and west on Emerson.

Traffic will circulate to and from the main driveway on Emerson, the vast majority of the traffic will come from the west. Most of that traffic will use Emerson to turn right into the driveway. The driveway from the service court is 17' wide. The developer has proposed to widen it to 20'. There were some street improvements that were committed to by the City as part of the previous project for this property as well as for 1881 Oak. Three, in particular, are: 1) On request of Staff, they have devised a retiming plan for the traffic signals on Emerson as a pre-cursor to the system upgrade that will eventually happen on Emerson. 2) They requested and the City agreed that parking will be removed from the south side of Emerson. Removing the parking from the south side of Emerson affects a little over 20 parking spaces, but there is enough width to create a four-lane roadway while still maintaining the parking lane on the north side. 3) The restriction of some parking spaces on the north side of Emerson, close to the retail center, to increase the stacking space of both westbound lanes as they approach Ridge on Emerson. These improvements are needed today, let alone in the future when a new development occurs. With these improvements, the intersections along Emerson, Ridge, Greenbay, Oak and Maple will operate at levels D or better, D being satisfactory. Some will be better than D. By shifting the access drive from University to Emerson except for trucks, all the traffic for 1890 Maple will be accessing directly from Emerson, so from the projection of traffic lines on Oak, it has come down considerably, and Oak will operate in a much better condition, under stop control, without the need for a signal. The

driveway to the project will also be under stop control. It does not warrant a signal. KLOA's analysis and the analysis done by Staff also shows this. KLOA also did a gap study to ensure that the driveway on Emerson would work well. They stationed someone out at that point for several hours in the evening, including rush hour, and timed the gaps that were long enough for a car to pull out into two way traffic. Between 2 p.m. and 8 p.m. there were far in excess the number of gaps as the number of left turning vehicles they projected would make a turn onto Emerson. That study, done before the construction started, was based on the current configuration of Emerson as a two lane road with parking on both sides. When the parking lane on the south side is removed, and Emerson becomes a 4-lane roadway, that increased capacity moves traffic through quicker and creates even more gaps. Mr. Russell summarized the way the roadway would function: there would be a 4-lane roadway, there would be a parking lane on the north side, there would be no turn lanes, and there would be no restrictions on the movements in or out of the driveway. It would look very much like Greenbay road in front of Dominick's. Staff reserves the right to restrict movements in the future if traffic is not operating satisfactorily or if traffic increases.

Mr. Russell showed an animated illustration of future rush hour traffic conditions reflecting traffic from their development and other developments not yet occupied. The illustration showed no backup of cars in the driveway for the project.

Ald. Wollin called John Burke, Public Works Director, and Rajeev Dahal, Senior Traffic Engineer, to offer comments. Mr. Burke stated that in analyzing the proposed changes in access, they looked at the accommodations that would be required in the form of curb modifications, parking reductions and traffic operations, to safely accommodate the trucks into the access rear access drive. They also looked at the driveway itself, the key issue being ensuring sufficient gaps for cars to pull in and out. Their analysis showed a satisfactory level of service. He introduced Mr. Dahal.

Mr. Dahal confirmed that Trader Joe's will be limited to using 62' long trucks and to make a turn for a 62' truck, the modifications have to be made at Emerson and East Railroad, and at University and the access drive. There is one parking space on East Railroad just south of Emerson that will be affected because it will be in the way of the truck making that turn, and two metered spaces on University will be affected. The memo from Mr. Dahal and Mr. Burke to Council refers to the cost revenue to the City. Besides that, with a flagger at the intersection of University and access road, this plan should operate fine. They also looked at the driveway access. Trader Joe's will add about 50 more trips during the evening peak hour. They checked the level of service for the driveway on Emerson. It operates at the level of C, which is acceptable. It relates to about 20 plus seconds of delay. The delay on Emerson may even be less than 10 seconds. Left turns from Emerson to the drive will be at level of service A. The delay is more for traffic coming out of Trader Joe's and trying to

make that left turn onto Emerson. That will be approximately a 20 second delay. Staff looked into putting in a left turn lane. They could do it, but they would lose a number of parking spaces on the north side of Emerson. They did not deem that desirable because they need to maintain some parking on the north side.

Chair Wollin called for the two citizens who signed up to speak:

Tina Paden of 1122 Emerson Street, ½ block away from 1890 Maple, distributed pictures of the area. She said that she believes she should have had some notice of significant changes, adding that one of the parking spaces proposed to be removed is one she uses regularly. She owns 4 pieces of property on her block. She has tenants and a beauty shop that requires parking for customers. The first picture she presented was of the street between 1033 and 1001 University, showing the original plan for traffic to come through University off of Maple, which she and neighbors said was not sufficient. She said the developers also realize that it is not sufficient. The second picture she presented is of the narrow street off of University. Ms. Paden showed a picture of a FedEx truck in the area behind 1890 Maple, where traffic would enter on University, and another showed the area where the developer proposes to put the entrance on Emerson, which she said is ridiculous. She said it is difficult to pass on University with buses frequently coming down East Railroad to University, and the two new developments are not even there. Ms. Paden also showed a picture of Farmer's Market, saying they start unloading their trucks at 4:30 a.m. and that they take handicap only parking spaces. The next picture showed what the developer says is not a heavy traffic area. She said she has lived there all her life and at Emerson and Ridge the traffic is outrageous and that you cannot come out on Emerson and East Railroad. She showed a picture of traffic on Emerson from Oak and Maple, saying it is backed up and it is not just during construction time, but all the time during rush hour. She said 154 residential units will mean 2 cars per family in and out. She said she lives and works in Evanston and uses her car every day. She said that it is not only the traffic from Trader Joe's, but it is the traffic from the residents and their visitors, to consider. It is supposed to be a walkable block. That is why they discussed having the entrance in the back. Now it is all different. The next picture Ms. Paden presented was of a truck accident on Emerson and East Railroad. The truck almost ran into her house. She said the developers are discussing this type of truck coming down East Railroad and she thinks it is ridiculous. Ms. Paden concluded that Emerson already needs help and they are talking about adding a store and 154 units and she thinks it is ridiculous and she thinks it is outrageous that she has not received any kind of notice of this type of change in her neighborhood.

Mr. Carliss Sutton of 1821 Darrow introduced himself, saying he has three major concerns with this development. 1) There is currently parking on both sides of the street, and he would feel more comfortable if Council would consider timed parking on the south street like they have on Ridge: 7-9a.m. in one direction and 4-6p.m. in the opposite direction during rush hour. 2) He is concerned that with the curb space being taken they should put up a blinking light or a sign asking

people not to block the driveway. He realized that this would be a problem recently since he lives in the 1700 block of Emerson where now they can cross the street any time only because the bridge is under construction. Once the bridge is completed, the traffic will again consistently block the street so residents cannot cross Darrow and Dewey. This will exacerbate that backup. 3) He asked, If they take away the parking on Emerson, where the people who come to church on Sunday will park. He asked where the patrons of Trader Joe's would park, and whether they would be sharing parking spaces with the residents.

Mr. Randy Deutsch, the architect for the project, responded that the parking for retail will be on the second floor and there are 66 spaces, as required by Trader Joe's and also meeting the City's requirements. The residents' parking is on floors above.

Chair Wollin said it appears that 4 lanes of traffic on Emerson should help move the traffic more quickly. Mr. Russell agreed, saying that was the intention of the plan. He said that he never said traffic was not congested on Emerson and that the reason for the series of improvements is to try to alleviate traffic flow on Emerson. Creating a 4 lane roadway is a major improvement over what is there today.

Ald. Rainey said she was concerned about the requirement of a payment for the removal of two parking metered spaces in the Staff memo. She said Tina Paden's pictures show several unmetered spaces. She suggested that we take some of the meters they are removing and put them at the unmetered spaces. Ald. Rainey was informed that the unmetered spaces are 2-hour spaces. Ald. Wynne responded that the Parking Committee will examine that issue.

Ald. Rainey moved that the fee for removal of 2 parking meters be deleted. The motion was seconded.

Ald. Rainey argued that this is a huge project and she feels it is nickel and diming. There have been thousands of dollars contributed for various funds.

Ald. Holmes asked whether Mr. Sutton's suggestion about peak hour timed parking is possible, knowing that it is difficult to park on Emerson and Oak on Sundays especially, or maybe not on rush hour or just in a designated area during non-peak times. Mr. Burke said Staff could look at that possibility with the Parking Committee. A lot of it depends on the certainty of the deliveries and being able to control that activity.

Ald. Wynne, addressing Ald. Rainey's motion, said that the parking meter fee is a standard procedure that the City uses with developers who have made many other contributions to the City. It indicates the income that would be produced by the meter over time. Everyone would ask to waive it if it is waived this time. Ald. Rainey said that she is suggesting moving these meters to a different area in

this case. Ald. Wynne argued that they calculate the amount that is used by each meter, and the other location may not calculate the same amount of revenue. Ald. Rainey replied that if they put 10 in those many unmetered spaces, it will generate the same amount as those two. Ald. Wynne said she does not think we should let a penny go. Mr. Burke confirmed that the fee is calculated by the lost meter's revenue. Ald. Rainey said she is suggesting this because 1) Many spaces are not metered, 2) We asked the developer to get a grocery store. The grocery store said they will not come unless the driveway is in the front. Maybe we should have Trader Joe's pay for the parking meter fee. Ald. Wynne said that we should not weigh each parking meter fee on what the development brings to the City. She feels we should maintain the policy. Ald. Rainey asked Staff what we charged Bristol Development for using the parking lot at the corner of Howard and Chicago Ave. Mr. Burke replied that it was before his time but he believes it was a negotiated amount.

Ald. Jean-Baptiste suggested Ald. Wynne meet with the Parking Committee and find out how much revenue would be generated by putting the additional parking meters in the unmetered spaces to see if it could be recouped that way.

Ald. Holmes asked Ald. Wynne whether the Parking Committee considers the revenue that the new development might be generating to offset the removal of parking meters. Ald. Wynne replied that with the developments she has been involved with the City is charging them for the parking meters that will be permanently removed from the street. She added that this development with Trader Joe's will be an enhancement, but the value of a metered parking space on the street is hard to calculate because people don't like parking in any structure. Ald. Moran agreed that the City should not refuse \$8,000 a year, saying that whether we want to put meters in all the unmetered spaces is a separate issue. Ald. Wollin clarified that it is \$4,500 per year for both meters.

Ald. Rainey argued that there are 2 parking spaces with meters, but there are 50 or 60 in the same neighborhood where people are parking for free. We have an issue to send to the Parking Committee, which is that there could be revenue generated from these unmetered spaces. Ald. Holmes agreed, about other areas of the City too. Ald. Wynne said the Parking Committee will take every suggestion. Ald. Tisdahl said that she supports having the developer pay as we have done before and she thanked Ald. Rainey for noticing the unmetered spaces.

The Committee voted 4 - 3 against removing the fee for replacing the two metered parking spaces on University Place, which is an amount of \$4,500 per year.

Ald. Moran said the traffic looked worse in the presentation. The back end traffic proceeding West at the light at Ridge was getting close to coming out at Maple Avenue. You can't get out of Oak to go west now. With two large buildings there it will be much worse. Ald. Wollin said that that is not what Staff said. Mr.

Russell said they showed the model of existing conditions at the last meeting, where traffic did extend back to Maple. This model did not show traffic extending to Maple or to the driveway to Trader Joe's. It showed traffic extending just beyond Oak.

The Committee voted 6 – 1 to approve proposed Ordinance 90-O-08, amending approved the Planned Development.

(P4) Ordinance 88-O-08 – Modification to the Special Sign District for Bravo Restaurant (formerly Wolfgang Puck's)

Consideration for improved modifications for signs at 1701 Maple. Signs are black and white signs with discreet wording on the lower portion. There was a request to suspend the rules and to pass it in City Council.

The Committee voted unanimously to approve.

ITEM FOR DISCUSSION

(PD1) Discussion of Request for a Time Extension for the 959 Dobson Street Approved Planned Development

The Planned Development expired in February 2008 and the applicant has requested a retroactive extension for one year.

Ald. Rainey recommended that the extension be granted.

Staff will bring it back to Committee at the next session for approval. Ald. Rainey suggested a tickler file system be implemented to remind developers when expiration is drawing near, which Staff has created. Mr. Dunkley suggested the expiration date be stated in the Planned Development Ordinance and noted that the Special Use Permit does not require a Planned Development to have requested and received an extension prior to the expiration date.

ADJOURNMENT

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Bobbie Newman