RE: CONTINUATION OF PROPOSED ZONING ORDINANCE TEXT AMENDMENT PUBLIC HEARING. 08PLND-0098, Definitions: Retail Goods Establishment and Retail Services Establishment.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held October 15, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:02 p.m. and presided over by J. Woods, Chair.

PRESENT:
J. WOODS, Chair     J. NYDEN
R. SCHULDENFREI     C. BURRUS
S. FREEMAN         L. WIDMAYER
C. STALEY         D. GALLOWAY
S. OPDYCKE

STAFF:
T. NORFLEET         D. MARINO
B. DUNKLEY         C. RUIZ
S. GUDERLEY
CHAIRMAN WOODS: I'd like to call to order the Evanston Plan Commission meeting of Wednesday, October 15th, 2008 at 7:00 p.m. I understand we're having some technical difficulties with video but that they do have audio, so we're going to start anyhow. We have a very full agenda this evening, and so we want to get right into it.

First of all, we definitely have a quorum this evening. So, the first order of business is the approval of the August 13th meeting minutes.

COMMISSIONER SCHULDENFREI: Motion to approve.

COMMISSIONER FREEMAN: Second.

CHAIRMAN WOODS: Any discussion? Clarifications, questions? Okay. All in favor of approving the minutes of a August 13th, say aye.

(Chorus of ayes.)

CHAIRMAN WOODS: Okay. The rest of the agenda we're going to reorder. And hopefully this will benefit those in attendance and those at home who are watching and may want to attend something at some point this evening.

Anyway, the next agenda item will be what was Agenda Item VII, Continuation of Proposed Zoning Ordinance Text Amendment Public Hearing, 08PLND-0098
which is Definitions: Retail Goods Establishments and Retail Services Establishments. And just again for everybody's benefit, the anticipation is that that item will take 15 minutes or less. Item IV will be what was Item VI, Continuation of Zoning Ordinance Map Amendment Public Hearing ZPC 08-02-M, 912-946 Pitner Avenue. Again, the anticipation is that that item will take 15 minutes or less.

The next agenda item will be V which is V, Continuation of Proposed Zoning Ordinance Text & Map Amendment Public Hearing ZPC 07-03-M&T, West Evanston Zoning Changes. And the anticipation is that that will take 30 minutes or less. Item VI will be the Continuation-Draft Downtown Plan and Zoning Recommendations which was Item III. And the seventh agenda item will be the Continuation of Proposed Planned Development Public Hearing 08PLND-0083, 631-749 Chicago Avenue. And we'll try to equally divide time that remains between Items VI and VII.

And just so that everybody understands what the rationale for this is that the first two agenda items that we're going to address are very brief in nature. The next one is something that we have been kicking around here for a year or more, West Evanston.
And then we're going to take on the Draft Downtown Plan with Chicago Avenue coming up last just because it is the most recent issue that has come before us. And these other things are definitely things that we've been working on for a very long time.

So, with that, we will get to the next agenda item which is Continuation of Proposed Zoning Ordinance Text Amendment Public Hearing 08PLND-0098, Definitions: Retail Goods Establishment. And I will turn it to our Zoning Administrator, Bill Dunkley, to give a briefing on this.

MR. DUNKLEY: This is Bill Dunkley, your Zoning Administrator. As you remember, the last time we had this matter before us which is, to reiterate is a reference from the Planning & Development Committee of the City Council to place into the Zoning Ordinance a ban on the retail sale of guns and ammunition to mirror existing language that is in the public safety title of our City Code. We considered means of doing that similar to what has been affected in the past for excluding certain categories of goods and services, and that is by specifically defining the existing definitions or updating the existing definitions for retail goods establishment and retail services.
establishment to exclude those items which are to be banned. And then to not include uses, either permitted or special uses, for the excluded items in any zoning district, thereby prohibiting them from being allowed anywhere in the City.

And you have the text before you. I believe the text was left as is in our last meeting. I don't believe there were any discussions to actually change the specifics of the text. However, there was a reference to --

CHAIRMAN WOODS: I thought we amended it to include servicing as well?

MR. DUNKLEY: I'm sorry, yes, that's true. As per the transcript, we did include gun services, of cleaning and manufacturing. But there was a reference to examine the feasibility of expanding that ban, fairly straightforward, I'll give you a verbal report on that.

There is no problem with expanding that legally or procedurally. The discussion last time concerned really whether it's wise to go beyond the specific reference from the Planning & Development Committee as part of this legislative paper, or whether to tackle that in a subsequent --

CHAIRMAN WOODS: Bill, do you have a copy of
the exact language?

MR. DUNKLEY: Yes, that should, I've got the language here, that should be in your materials. Yes.

CHAIRMAN WOODS: It was in the September materials and some of us don't have it.

MR. DUNKLEY: Yes, I will make sure, I'll get that to you in just a few minutes.

CHAIRMAN WOODS: Yes, that's fine.

MR. DUNKLEY: The other consideration was that time was really of the essence and speed was urged upon this Commission.

COMMISSIONER STALEY: Jim?

CHAIRMAN WOODS: Yes?

COMMISSIONER STALEY: This language has been approved as being legally permissible by the City's attorneys, is that right?

CHAIRMAN WOODS: Yes. My understanding is that the City Attorney has approved this language.

COMMISSIONER STALEY: Thank you.

CHAIRMAN WOODS: And I guess the recommendation is for other things that we'll take that up at a future date.

MR. DUNKLEY: That's right, yes

CHAIRMAN WOODS: Okay. So, I guess I need a
motion. And, or yes, I need a motion.

COMMISSIONER GALLOWAY: Motion to approve.

COMMISSIONER SCHULDENFREI: Second.


Seeing that there is no reason for discussion, I'll take a vote starting with Colleen.

COMMISSIONER BURRUS: Aye.

COMMISSIONER NYDEN: Aye.

COMMISSIONER OPDYCKE: Aye.

COMMISSIONER SCHULDENFREI: Aye

COMMISSIONER FREEMAN: Yes.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: Yes.

CHAIRMAN WOODS: And the Chair votes aye. We do need a reading of the findings of fact.

COMMISSIONER GALLOWAY: I'd be happy to do that.

Standard No. 1. The proposed amendment must be consistent with the goals, objectives, and policies of the Comprehensive General Plan. Finding. The text amendment is not inconsistent with the goals of the Comprehensive General Plan.

Standard No. 2. The proposed amendment must be compatible with the overall character of the existing
development in the immediate vicinity of the subject property. **Finding.** This standard is not applicable.

**Standard No. 3.** The proposed amendment will not have an adverse impact on the value of adjacent properties. **Finding.** The proposed amendment should not have any significant impact on property values.

The last, **Standard No. 4.** There are adequate public facilities and services. **Finding.** This standard is not applicable.

CHAIRMAN WOODS: Okay.

MR. DUNKLEY: Just a note on these draft findings, I searched through the Comprehensive General Plan for any references that is applicable to the substance of this ordinance and there is not much. However, I didn't find anything that was inconsistent with the goals of this particular paper.

CHAIRMAN WOODS: And I think that's characterized by the vote of the Plan Commission. This is something that quite clearly is something that all of us are not only in favor of but I would imagine that by far the majority of the Committee is in favor of, and therefore, let's move that on.

Okay. The next agenda item is Continuation of Zoning Ordinance Map Amendment Public Hearing --
MR. DUNKLEY: Excuse me. Mr. Chair?

CHAIRMAN WOODS: Yes?

MR. DUNKLEY: I believe, do you want to formally vote on the findings of fact?

CHAIRMAN WOODS: Okay, all right. We need to, I guess I should have just waited until we read the findings of fact. So, let's vote on the findings of fact.

COMMISSIONER BURRUS: Aye.

COMMISSIONER NYDEN: Aye.

COMMISSIONER OPDYCKE: Aye.

COMMISSIONER SCHULDENFREI: Aye.

COMMISSIONER FREEMAN: Aye.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: Yes.

CHAIRMAN WOODS: And the Chair votes aye.

(Whereupon, the hearing on the above-entitled cause was concluded.)
CITY OF EVANSTON
PLAN COMMISSION

RE: CONTINUATION OF ZONING ORDINANCE MAP AMENDMENT PUBLIC HEARING. ZPC 08-02-M, 912-946 Pitner Avenue.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held October 15, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:02 p.m. and presided over by J. Woods, Chair.

PRESENT:
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B. DUNKLEY C. RUIZ
S. GUDERLEY

LeGRAND REPORTING & VIDEO SERVICES (630) 894-9389
CHAIRMAN WOODS: Okay. So, the next item of business is the Continuation of Zoning Ordinance Map Amendment Public Hearing ZPC 08-02-M, 912-946 Pitner Avenue which was just concluded at the Zoning Committee. Colleen, yes?

COMMISSIONER BURRUS: I should probably go on record saying I've read the transcripts of this and have attended a few of the Zoning meetings so I am eligible to vote on this. Okay.

CHAIRMAN WOODS: Okay. I think it's also fair to say that we had the reading of findings of fact at the Zoning Committee hearing so we're not going to repeat that. So, the next question is, is there a motion to approve?

COMMISSIONER FREEMAN: Motion to approve.

COMMISSIONER STALEY: Second.

CHAIRMAN WOODS: Any discussion? Hearing none, let's vote. We'll start at this end.

COMMISSIONER STALEY: Yes.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER FREEMAN: Aye.

COMMISSIONER SCHULDENFREI: Aye.

COMMISSIONER OPDYCKE: Aye.

COMMISSIONER NYDEN: No.
COMMISSIONER BURRUS: No.

CHAIRMAN WOODS: The Chair votes aye. The

next -- yes, Bill?

MR. DUNKLEY: Sorry. Can we get a recap of

the voting? Were there two No votes or was there -- two

No votes, okay.

(Whereupon, the hearing on the

above-entitled cause was

concluded.)
CONTINUATION OF PROPOSED ZONING ORDINANCE TEXT
& MAP AMENDMENT PUBLIC HEARING. ZPC 07-03-M&T West
Evanson Zoning Changes

Transcribed Report of Proceedings of a public
hearing on the above captioned matter, held October 15,
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2nd Floor, Evanston, Illinois, at 7:02 p.m. and presided
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STAFF:

T. NORFLEET           D. MARINO
B. DUNKLEY           C. RUIZ
S. GUDERLEY
CHAIRMAN WOODS: Okay. The next item of business is the Continuation of Proposed Zoning Ordinance Text & Map Amendment Public Hearing ZPC 07-03-M&T, West Evanston Zoning Changes. And Mr. Dunkley or Susan? Or both.

MR. DUNKLEY: I believe you have before you perhaps the longest running show here at the Zoning Committee.

COMMISSIONER STALEY: There's a lot of competition I think.

MR. DUNKLEY: That is true. And regarding developments since our last discussion, we have provided the transcripts for all the 2008 Zoning Committee meetings on West Evanston. And as of, other than that there have been no other developments in this particular case. You have still before you the recommendations as of our last meeting. They haven't changed. We've made no updates to those recommendations so the matter still stands before you as it has been.

CHAIRMAN WOODS: Thanks.

MR. DUNKLEY: I don't believe there are any other outstanding issues.

CHAIRMAN WOODS: Okay. Yes, Susan, do you want to come forward?
MS. GUDERLEY: Sure.

CHAIRMAN WOODS: And talk a little bit about the flyer?

MS. GUDERLEY: Susan Guderley, Neighborhood Planner. It may have come to your attention, it did to me today, there was an item in the Evanston Now blog that there have been flyers distributed through portions of West Evanston that surround the study area for this. For those present who maybe are here pursuant to that memo, I just wanted to stipulate that these proposed amendments apply to the industrial properties and some commercial properties located within the West Evanston TIF.

The zoning that is being proposed and voted on tonight would effect and implement the recommendations of the West Evanston Master Plan which was adopted last May, actually May 2006. The recommendations apply almost exclusively to industrial and some commercially zoned properties. It doesn't apply to any residential properties.

The plan is on the website for viewing and I think that was referenced also in the blog. There have been no changes to the master plan since it was adopted by the Council. The zoning amendments have been
discussed by the Zoning Committee since, well, in terms of hearing has been for over a year. There were some study sessions prior to that.

And there have been some changes which basically apply to existing businesses for existing businesses which allows them to, which grants them the rights they had wanted with regards to some limited expansion and acknowledges the fact that they are to remain and operate, even sell to a similar business, but that when they would change to some other use, that they would revert to the recommended uses contained in the master plan.

CHAIRMAN WOODS: Thank you, Susan. I want to explain for everybody's benefit that there was a vote taken on this in Committee. This is a public meeting which is to move this item forward to the Planning & Development Committee of City Council. So, those of you who have concerns, continuing concerns, your next opportunity really to comment is at the Planning & Development Committee of City Council. This has to go through them, and then ultimately to the Council for a final vote to be enacted. So, I would urge you, for those people who are interested and concerned about things, that you attend Planning & Development
Committee's. Talk to Susan, talk to anybody on the City Staff.

So, I want to -- yes, Betty?

MS. ESTHER: Will there be an opportunity for citizen comment on this?

CHAIRMAN WOODS: No, there is no opportunity for citizen comment tonight.

MS. ETHER: Well, my name is Betty Esther. I stay at 2114 Darrell.

CHAIRMAN WOODS: Betty, depending on what you're saying here, there is really no opportunity for citizen comment tonight.

MS. ESTHER: I'm not going to make a comment. Since we cannot make a comment, I would like to give you these documents that you can submit in your packet that goes forth to the City Council.

CHAIRMAN WOODS: That's fine.

MS. ESTHER: Thank you.

CHAIRMAN WOODS: Thank you.

COMMISSIONER STALEY: Jim?

CHAIRMAN WOODS: Yes?

COMMISSIONER STALEY: Either you or, there are a lot more people here tonight than usual. I'm not advocating for, I realize there's no comment but I think
it needs to be explained. Susan did a good job but I think it needs to be reiterated exactly what we're doing, that the plan was passed, you know, long before I got on the Commission and long before most of us got on the Commission. And it's been approved by the City Council. And what we're doing and have been doing really for almost a year is implementing the zoning consistent with that plan.

CHAIRMAN WOODS: Correct.

COMMISSIONER STALEY: That's basically what we're doing. The plan itself has been in place. There were hearings I guess in the community. I wasn't a part of all that. But we've gone on now for several years, and now in order for the plan to work, there has to be zoning implemented. They'll go into zoning ordinance to fit into the plan and we're basically approving that and sending it on to Planning & Development.

There will be an opportunity, as they've just said, at Planning & Development to come in and argue the point again, but really not here. I mean, we've been through meeting after meeting on this.

AUDIENCE MEMBER: We've had opportunities to speak at Plan Commissions many times before. Why is it -- that we're not allowed to speak --
CHAIRMAN WOODS: You have had many opportunities --

AUDIENCE MEMBER: -- Plan Commission, this is the first time at the Plan Commission -- there's a lot of people here.

CHAIRMAN WOODS: But the Zoning Committee acts as a body of the Plan Commission. It's a committee of the Plan Commission to take testimony and to make a recommendation to the Plan Commission. That is not how we're proceeding this evening.

I will take motion.

COMMISSIONER NYDEN: I would like to make a motion to recommend the zoning map amendment and text amendment for the West Evanston plan implementation.

COMMISSIONER STALEY: I'll second that.

CHAIRMAN WOODS: Discussion? Seth, you had, I think, wanted to make some comments last time?

COMMISSIONER FREEMAN: You know, I just, I'm concerned about the community that appears to not agree with the plan for West Evanston. And is this thing on? Are you saying you can't hear it? I'm sorry, ma'am?

AUDIENCE MEMBER: No, I'm saying it's not how it --

CHAIRMAN WOODS: Okay. We're not going to be
getting into debate now.

COMMISSIONER FREEMAN: So, I'm concerned about a very vocal portion of the community and --

CHAIRMAN WOODS: It doesn't seem to be on.

COMMISSIONER FREEMAN: Ah, you unplugged me, didn't you?

CHAIRMAN WOODS: There we go.

COMMISSIONER FREEMAN: I'm concerned about a very vocal portion of the community. And I was not involved in the early stages of this. I came on like, I think this was going on before most of us, as has been discussed. But I am concerned that there is such resistance to the plan.

Now, I understand the process and I don't know if the community then, if they were better educated about the process, whether they would feel better about it moving on so that it could be then addressed in the next phase.

CHAIRMAN WOODS: Robin?

COMMISSIONER SCHULDENFREI: I, too, share concerns with the plan and am in the unfortunate position of it having been approved in the plan and then I came on and it's part of Zoning. And to see such dedicated citizens come albeit a certain number of them,
but certain number of citizens come week after week,
time after time, it concerns me that we haven't had 
quorums on multiple occasions in part because we're 
still missing one more Plan Commissioner. And I would 
really hope that the Mayor would be able to find someone 
because I think it's unfortunate in both Zoning meetings 
and in the case of the September 10th Plan Commission 
meeting when we have lawyers, citizens, consultants 
depending on meetings happening once a month.

In fact, we have a very full Plan Commission 
agenda tonight and I don't want to belabor the point. 
But in part we have a very full one because we didn't 
have the September 10th meeting. And in part, I think 
this needs to move out of this Committee because we've 
come to such, we haven't been able to adequate address 
community concerns ourselves or city concerns in a way. 
We've been sort of deadlocked week after week. We've 
heard different things from different citizens and 
there's a lot of points of view.

And I think it's really important, because the 
City Council makes the ultimate decision, that it move 
to that body because I think we've done as much as we 
can. I don't feel satisfied with what I've been able to 
do given where it's fallen and how things have evolved
in terms of the plan and what's already been approved. We are sort of, there's only so much we could do. So, I hope to move this on tonight, in part to help the community change things where change might actually be able to happen. And yes, I do hope that the community and the City can work something out between them because I feel like we've, I'm not totally satisfied with my part in it at any rate.

COMMISSIONER FREEMAN: You know, I am afraid that I don't quite understand all the issues or the changes that the community wants in this plan. Nor am I sure whether or not they have been presented adequately. So, I've heard and I've sat through Zoning meetings where the community has come and they have complained. But I have not heard what type of changes or what are the changes then the community wants the plan.

I've heard about community centers and other outreach programs. But that type of thing is not addressable in the plan itself.

AUDIENCE MEMBER: They don't want to hear us. They told, just like tonight, we have no option to speak. And I've been to several of the meetings and I've never really gotten a chance to --

CHAIRMAN WOODS: As I said, we're not taking
public comment this evening. There have been how many
meetings associated with the West Evanston Zoning Plan,
Susan?

AUDIENCE MEMBER: Wait a minute, wait a
minute. There's a lot of people here that don't know
what you said in Zoning or the overlay, and that these
citizens will not have an opportunity to speak ever
again --

CHAIRMAN WOODS: Yes, they will at Planning &
Development.

AUDIENCE MEMBER: No, I'm saying if this
overlay is passed through, that they won't have an
opportunity to speak about what goes on in the
community. And that's the whole thing with the zoning
overlay, that they won't have any more citizen
participation. If this is --

CHAIRMAN WOODS: There will be citizen
participation at Planning & Development. Does anybody
else on the Commission wish to speak? David?

AUDIENCE MEMBER: Could you at least tell us
when the Planning meeting will be? Or you don't know?

CHAIRMAN WOODS: I don't know because until
this item is moved forward to Planning & Development, it
can't be scheduled.
MR. DUNKLEY: If there is a --

AUDIENCE MEMBER: -- of Evanston, Illinois, you don't need the aldermen, you don't need the Mayor.

Long ago, the City of Evanston, I was 19 years old, the City of Evanston tried to pass a zoning law where if you had a -- left and it burned down, you could not rebuild it --

CHAIRMAN WOODS: Ma'am, ma'am, this is not the time or the place. This is not the time or the place.

AUDIENCE MEMBER: -- we need an attorney.

CHAIRMAN WOODS: This is not the time or the place.

AUDIENCE MEMBER: Well, they couldn't do that.

So, what the City of Evanston did, they just told the attorney -- since you pointed out to us that this is unconstitutional, we want you to sit down with us and --

CHAIRMAN WOODS: I'm going to call the question.

AUDIENCE MEMBER: And so, when that attorney -- out here to represent a group of people --

CHAIRMAN WOODS: Chuck?

COMMISSIONER STALEY: Yes.

CHAIRMAN WOODS: Actually, we have findings of fact. Let's do findings of fact.
COMMISSIONER STALEY: Okay.

COMMISSIONER NYDEN: Jim, shall I read it?

CHAIRMAN WOODS: Go ahead.

COMMISSIONER NYDEN: Okay. I will read the findings of fact.

**Standard.** The proposed amendment must be consistent with the goals, objectives and policies of the Comprehensive General Plan. **Finding.** The Comprehensive General Plan identifies the West Evanston Industrial Corridor as appropriate for adaptive reuse including mixed use, residential and commercial uses. The map amendments indicated are from industrial districts to either residential or commercial districts which is in keeping with the general plans, goals and objectives. The plan also states a policy of retaining manufacturing uses. The creation of a new district WE-1 is targeted to implement this policy.

**Standard 2.** The proposed amendment must be compatible with the overall character of the existing development in the immediate vicinity of the subject property. **Finding.** The proposed map amendments from industrial to residential and commercial will allow development to match much more closely the land uses that immediately surround the industrial corridor which
are low to moderate density residential and neighborhood
oriented commercial uses. The recommended overlay
district will ensure that the forms of development and
the access patterns are those that were identified by
the adapted plan and that they integrate with the
surrounding neighborhoods and traffic patterns as
closely as possible.

Standard 3. The proposed amendment will not
have an adverse impact on the value of adjacent
properties. Finding. The map and text amendments
proposed will ensure that development proceeds in a
manner that is predictable and as anticipated by the
West Evanston Plan. Such development should have a
supportive impact on the values of surrounding
properties.

Standard 4. There are adequate public
facilities and services. Finding. This standard has
been incorporated throughout the planning effort. Much
of the effort of the corridor planning study has been to
ensure that adequate public facilities in terms of
transportation, water and sewer, schools, et cetera, can
be provided for the anticipated development.

CHAIRMAN WOODS: Okay. Any discussion on
findings of fact? Hearing none --
COMMISSIONER OPDYCKE: Well, I do have a short comment.

CHAIRMAN WOODS: Okay. Okay, Stu.

COMMISSIONER OPDYCKE: This is a good plan. It's a very, very good plan. And I know there are some people who disagree with it, but that's vintage Evanston. So the public understands, this property in question extends from Simpson Street on the north to some place around Dempster Street on the south. The actual property is for the most part under-utilized industrial property and vacant land. Not a single person is going to be displaced as a consequence of this.

This represents a hope. So, if developers come in the future and want to put something up, they have a plan here that's been thoroughly considered for month after month after month, where public comment has been entertained ad nauseam. I am very much in favor of this plan.

CHAIRMAN WOODS: Okay. Let's vote.

COMMISSIONER OPDYCKE: And I vote yes as a matter of fact.

CHAIRMAN WOODS: Okay.

COMMISSIONER BURRUS: Yea.
COMMISSIONER NYDEN: Yes.

COMMISSIONER OPDYCKE: Yes.

COMMISSIONER SCHULDENFREI: Aye.

COMMISSIONER FREEMAN: No. I think that something needs to be done so that community feels like they're being heard.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: Yes.

CHAIRMAN WOODS: And the Chair votes aye.

Larry, you had some comments you'd like to make?

COMMISSIONER WIDMAYER: Yes, I do. This goes back to 2001. From 2001 to 2003, I believe, isn't that about right, Sue? We spent a lot of time in the west side working on a comprehensive plan, not this little area, but I think most of the things that you are talking about and were concerned about, not just zoning but development, community centers, policing, economic development, a great variety of things. And out of that came a general west side, a global west side plan.

One of the items that continually was brought up was what's going to happen where the railroad used to be, that on the north end was just, you know, it's an empty lot with garbage and as we go down farther south, it's being abandoned by industrial areas, and what's
going to happen? And we need that developed. We need that to clean up with, to help clean up our neighborhood.

So, the plan that this zoning matches tonight is really a secondary plan to address that specific area of the old Mayfair line. But it really came out of the initial plan where we spent three years working with everybody in the community.

AUDIENCE MEMBER: No.

COMMISSIONER WIDMAYER: Yes, ma'am, because I was there almost every meeting. And we started, you know, the first were held, about the first year and a half were held in various buildings right in the middle of the community, and then we moved some of them over to the City Hall. But everybody in the community who wanted a chance to speak and talk and participate got that chance and was there.

So, what you're seeing tonight is step 3, not step 1, step 3 which is the zoning details to match the plan now. The point is that the plan was passed in 2006. If what you're concerned about is the plan, then addressing the zoning details isn't going to help one way or another. If you are concerned about the plan, then you've got to go back and talk about modifying the
plan itself.

Now, if you're going to develop a board of directors on the future of the west side, then that's fine. And out of that may come requests for modification to the plan. And that's a process that could evolve. But this zoning is a minor part of it really. It's just the last step.

The things that you don't think you like now are the things that came out of the first plan and the second plan. And this is just, you know, this is not that going to be, there would be no more, not make any major changes to what's been presented here because it has to match the plan.

So, I would hope you would look to the future and I hope that you would, if you want to change the plan, come up with ideas and then come back and talk about changing the plan. And I hope that that then would work for everyone. Thank you.

COMMISSIONER FREEMAN: I'd like to add one thing. And I, too, think it's a good plan. I voted no to make sure that the community feels that they can impact where necessary. So, I do want the community to know that I believe it's a good plan. I just want to make sure that you guys have an opportunity or continue
to have an opportunity to voice your opinion and to make changes.

(Whereupon, the hearing on the above-entitled cause was concluded)
CITY OF EVANSTON

PLAN COMMISSION

RE: CONTINUATION - DRAFT DOWNTOWN PLAN AND ZONING RECOMMENDATIONS. The Downtown Plan Committee of the Plan Commission has been leading a downtown planning process. A draft downtown plan has been prepared by the consultants with citizen input.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held October 15, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:02 p.m. and presided over by J. Woods, Chair.

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D. GALLOWAY
S. OPDYCKE

STAFF:

T. NORFLEET
D. MARINO
B. DUNKLEY
C. RUIZ
S. GUDERLEY
CHAIRMAN WOODS: The next item on the agenda is the Continuation-Draft Downtown Plan and Zoning Recommendations. Mr. Smith?

MR. SMITH: Mr. Chairman, I think that Tracy and Staff have done a good summary of where we've been and where we've gotten to. It summarizes the things, the major changes that were made in the document.

I was forwarded today a memo I think that you prepared on a couple of things that we would change as an errata on our errata sheet toward an addendum to it. There was a mistake on one of the maps. The maps don't show that the Marshall Fields building actually bends around to the back on Benson there I think it is. And there was also Provision 6.1.2 that --

CHAIRMAN WOODS: Can you explain that one to me?

MR. SMITH: Well, that was a --

COMMISSIONER BURRUS: Could we have a page number please?

MR. SMITH: Okay. 107. It was a provision discussed by this group when we were going to have a central core area. Okay, what it said was that if you're in the central core and you go above 165 feet or a 5 FAR, that you have to be a planned development.
Irrespective of whether you are taking bonuses or not, the central core allowed a 7 FAR in its original proposal.

COMMISSIONER SCHULDENFREI: Hold on a second. I think we should use the red lined copy in which we are talking about page 110. Is that possible this evening for us all to be on the same literal page?

MR. SMITH: Yes.

COMMISSIONER SCHULDENFREI: So, red lined copy, page 110, item 6.1.

MR. SMITH: Thanks. So, it was a provision that was very relevant to the central core district. It was a provision in that central core that said that if you had a fairly substantial FAR of 5, you were going to be a planned development no matter what. It allowed an FAR of 7 as of right as originally proposed, so this was a gap between those two.

And so, in the synthesis of the document there is no central core now, so this provision is not needed any longer. This provision can be struck entirely.

CHAIRMAN WOODS: Robin?

MR. SMITH: And those are the two changes.

COMMISSIONER SCHULDENFREI: In its place, what would trigger planned review? Because obviously we need
planned review for our bigger buildings. Now, the existing planned review threshold is 24 dwelling units or 20,000 square feet. That came out of the result, I believe, of some buildings being built by right that were not felicitous to the aesthetics, the urban planning, and say citizen participation.

And so, we never, in the discussions here, my understanding is that we've never come to a conclusion in terms of what would trigger some sort of public review. I feel quite strongly that that threshold is a good one, 21 dwelling units or 20,000 square feet. I expect that because we'll have more form-based zoning and much tighter zoning qualifications for building, that there will be a better understanding of what's an acceptable, you know, facade treatment and things like that, what we hope the form-based zoning will achieve.

However, I'm now of the opinion that we can -- our way into felicitous buildings, and that buildings of a certain size do need public review and Plan Commission review just to make sure that we are on the right page, particularly because this form-based zoning is new to the community. And it would be a shame if some large buildings were built as a result of oversights in our Committee. I'm not sure that in Zoning we're going to
be able to catch everything that will be of importance
to the built environment with the buildings that we
approve.

And so, in terms of by right buildings, I
think the threshold that currently exists downtown is a
good one, again 24 dwelling units or 20,000 square feet.

CHAIRMAN WOODS: First of all, 6.1.3 says that
any project that seeks a floor area bonus must be
reviewed.

MR. SMITH: Any bonus whatsoever requires --
CHAIRMAN WOODS: Second of all, it would have
been my understanding that part of the desire in the
Downtown Plan was to simplify the process. And by doing
that, we were essentially eliminating planned
development review for projects that did conform to the
zoning. I know that there has been lots of discussion
back and forth about various aesthetic things, but the
truth of the matter is Plan Commission review as is
evidenced by some of the buildings that have been built
does not ensure that an attractive building is in fact
built. It may help a process, you know, I don't doubt
that, but certainly since there is, we do not have a
Board of Architectural Review or any such requirement,
that I don't know how we can in fact enforce aesthetics
other than through the guidelines that are --

COMMISSIONER SCHULDENFREI: Can I just respond
to that?
CHAIRMAN WOODS: Sure.
COMMISSIONER SCHULDENFREI: I'm not suggesting
that we can enforce aesthetics. I have seen even in my
short time in the Commission the ability of the
community to bring items forward that I personally have
overlooked, and many of us have had this experience.
And so, these extra set of eyes of people who are
particularly concerned about a particular property in a
particular building then become important.

When we decided or when the Plan Commission
and the subcommittee, the Downtown Plan Subcommittee,
made the decision, again a decision that I wasn't privy
to because it was before my time, when they made that
decision, I don't think, well, I would hope that they
weren't writing the Plan Commission out of the process
in trying to streamline the process. You can streamline
the process and we have done that because I think so
many thresholds will have to be met. But that doesn't
alleviate the need to have citizens and to some extent
Plan Commission review especially if we're going to go
to form-based coding elsewhere in the community.
COMMISSIONER FREEMAN: Absolutely.

COMMISSIONER SCHULDENFREI: I'd like to see if it's working. And I think that, again, I'm sure for the bonus we absolutely need to review. But even the building, you know, by right in the course 15 stories, that means somebody could come with a 14-story building and build it by right with no community impact --

MR. SMITH: What we discussed and it's in the ordinance is that all buildings have to go to the Site Plan and Appearance Review Committee. And what we discussed was maybe that committee needs to be broadened and maybe the opportunities that that community need to be more public or more open.

COMMISSIONER SCHULDENFREI: That committee meets during the day and it's mainly made up of City workers.

MR. SMITH: That's the way it is now.

COMMISSIONER SCHULDENFREI: Yes. I'm of the opinion we can discuss whether SPARC would be the place for this. I'm personally of the opinion that we should not reinvent the wheel, that we wrote as Plan Commissioners, have worked very hard and know this plan inside and out, and that we are in fact the body to do
it. And eliminating our role in the downtown I think
doesn't make sense from my, it's my personal opinion.
COMMISSIONER FREEMAN: And I agree with you.
And to me, form-based code streamlines the process by
letting the developers get close when they come in so
that there is structure that guides them to developing
so when they bring us a plan for development, then they
are close so we don't have to say, no, no, no, go back
and redo the whole thing. But you know, there are some
concepts that they need to build plans around. So, I
think it does streamline the process specifically for
developers. It cuts their costs so they know what the
City of Evanston expects. But I do agree that there
should still be oversight on anything that's built.
CHAIRMAN WOODS: Larry?
COMMISSIONER WIDMAYER: Too many switches.
Pick a button. A couple of things. First of all, we
refer to these as major developments, not planned
developments, because if you call them planned
developments, if they go as planned developments,
there's a whole another body of ordinance that will
direct, you know, any size, anything, anywhere with a
super majority vote. So, then it goes down to if
they're not asking for anything special outside of, you
know, bringing a builder in for a week or two of public
crucifixion, at the end of the day, you can't say no to
anything. You have no No vote in this the way it's set
up and the way you're talking. It's just merely a
public review.

So, that's fine, I guess. But to what end?
Other than hopefully maybe some, if you think there
would be some public pressure that might be of some
value. But beyond that, to what end would you, you
know, a by right come before the Plan Commission rather
than going before a body that does architectural review
or some form of architectural review and consistency
review that could just as easily be Staff?

COMMISSIONER SCHULDENFREI: Because I think
we've seen from this procedure, for instance, or recent
planned developments, and I'm not talking about planned
developments with the Downtown Plan obviously because
you make a good point, where opinions are subjective. I
mean, again, Staff in a memo to us told us that -- tower
could be considered public art. And there are some
subjective opinions with buildings and it's really hard
to say for certain that they can follow, that the code
is being exactly followed because there's areas for
subjectivity there, and I would go so far in terms of
public art vis-a-vis the tower opinion.

And so, I'm concerned that there wouldn't be a public process and a public review to say whether it actually conforms to the standards we have. And if we found that it didn't conform, then we would have the ability to veto it. Again, as much as we want to regulate and make rules, the reason we have so many lawyers I think is because things aren't as straightforward as we want them to be. They're not as black and white. And so, I'm glad that Staff would have review and that the developers would know what they're coming in for. I think it would be a quick meeting, but I'd like to see before I voted in a 14 or 15-story, or before a 15 or 14-story building was built literally by right downtown.

COMMISSIONER WIDMAYER: I think what I'm saying, the question I'm asking is if it's by right and if Zoning comes in and says we have reviewed it and it meets the standards in the Zoning, then there is really no veto power available in our current code. Now, there can be a public review which is just like going to a neighborhood public meeting, and you know, that's fine. You can have a formal chance for them to present and people to comment and then off you go. But if it's by
right, you know, they're not asking for anything special
and Zoning looks at it, remember this is zoning code
now, and Zoning looks at it and says yes, it meets the
form base, has everything that you put into the final
zoning code to do it, then it's very hard to find a
basis, a legal basis to reject that.

Once they go and ask for additional, you know,
additional things, now it becomes much more subjective.
You can say was this thing worth that or, you know, now
you get to evaluate more like you do in a current
planned development. But if it's by right, somebody,
you know, it's okay to say there is an architectural
review process, but if that's what you're looking for,
then you've got to call in an architectural review
process. And you've got to then say that what you're
doing is evaluating the architecture.

And that's all I'm asking. Right now it's,
just to say we'd like to review it based on a number I
think it's confusing. And if there is a specific thing
you want to review and if it's architectural review,
then I think somewhere in here you've got to put in an
architectural review process and then that would work.
I mean that's legal according to the state legislature
beginning this year.
COMMISSIONER SCHULDENFREI: Yes. No, let me be fair. I was using an architectural example in the example of whether a building can be seen as public art as per a Staff review. But let me be clear. I mean the overall package, whether it conforms to zoning, because again if zoning were completely black and white, we wouldn't have zoning lawyers and we wouldn't have zoning lawsuits. Let me pass this to someone else because I am not making headway with this argument, but I just feel that there is some subjectivity and having one zoning lawyer on City Staff say whether this conforms or not doesn't seem to be enough for me, for a 14 or 15-story building which would greatly impact, you know, the community in many ways, not just aesthetically or architecturally.

I think Johanna was next after me.

COMMISSIONER NYDEN: Okay. I think, Larry -- I mean, Robin, I think Larry is right. If we create an active zoning law that says as of right this can be built, we can't say no. I mean it's like if the zoning works, they can build the building. But I do think that there is sort of a, it doesn't quite totally feel right to say, okay, here we can go really big and really high and it's almost like taking the training wheels off, you
know, what is it going to look like all of a sudden when we start saying you can build as big as you want when we haven't had that. I mean, downtown has been D2 or D3, and anybody who has wanted to go higher than that has to come before the Plan Commission or City Council.

So, I think that there is a bit of a, I mean, I'm a little bit fearful of what happens when this is on the book and people have to go with this. But I do think that having a review board or something that is appointed by the Mayor that are people who live in the community to review it, maybe not necessarily to approve it but to provide -- and I don't know what the mechanism is to get, yes, and I don't know if we wait a couple of years to see how this works out and then look at it -- well, no.

But I guess what I'm saying is there has to be something here where people can look at the building, see what the building looks like, make comments. I mean there's, some of the developers don't necessarily live in this community so they don't know things about how downtown works or how certain streets work. And that public comment could prove to be useful to the developer.

CHAIRMAN WOODS: Can I make a suggestion?
What if 6.1.2 was changed to say projects in the DC District that exceed an FAR of 3 or of a height of 110 feet or more but did not use any public benefit bonuses require approval of an architectural review board per section something, something, something, and it obviously has to be fleshed out? Given the change in sort of the way that some of the legislation regarding architectural review has manifested itself in the last year or two, maybe it's time to resurrect that issue.

COMMISSIONER NYDEN: I also think that you should have, I mean, architectural review but there should be somebody that is similar to us that includes some planners, includes some lawyers --

CHAIRMAN WOODS: Well, I mean, flesh it out.

COMMISSIONER NYDEN: Yes. Right.

CHAIRMAN WOODS: I mean, obviously, an architectural review board will have to consider professionals within the fields and other public members.

COMMISSIONER SCHULDENFREI: Maybe a subcommittee of this group? Sorry. The question is could it be a subcommittee of this group or would you think of that, in that again we have the expertise because we've worked so closely with this? And also --
CHAIRMAN WOODS: They could be an entity of the Plan Commission, it could be the Plan Commission. I don't really know or care at this point what it constitutes, but that there would be a public review process that looks at the issues of architecture.

COMMISSIONER WIDMAYER: I think if there is something we've found is at the end of the day, it is in fact the architecture which deems whether a project, you know, is liked or not liked, architecture including placement obviously on the property and things of that nature. I mean, you find that something that's good architecture and has the right setbacks and everything that we've already looked at in here, it tends to get a majority of people saying that's great.

I think the biggest problem with the tower has simply been there have been two groups. Those that say I don't care and those that don't like it. Nobody said golly gee, that's great architecture and people will come to Evanston to see it. Therefore, there's never been any group that stands out and says wow, we need this. And again, it gets back in a large degree to what does it look like, what makes it special. And architectural review is a perfectly legal entity to allow your concern I think to be covered but to be
covered in a way that fits zoning code.

CHAIRMAN WOODS: So, maybe it would just simply, let's phrase it at this point, the end of the sentence is require architectural review by the Plan Commission, and we can flesh out exactly what the definition of that is and the zoning requirements.

COMMISSIONER SCHULDENFREI: That would be great, yes.

COMMISSIONER BURRUS: Yes, that's what I was, the architectural part of it seems so narrow and that's the only thing. And I know what you're getting into and I agree with you. I don't know exactly what --

CHAIRMAN WOODS: Okay. The planning and architectural review.

COMMISSIONER BURRUS: That would be much, I think much more encompassing. I mean, it's things that, sorry, my throat hurts, it's things that have come before, when citizens come talk about where driveways are going and, you know, the setbacks and how things look. It's not just about the architecture. And I think we've gotten a lot of great comments from citizens over, you know, the years that I've been on the Commission and that have changed developments. So, I think we need to look at that overall.
And also, could you reiterate what you said were the thresholds? I'm sorry, I didn't write it down quick enough.

CHAIRMAN WOODS: FAR of 3 or a height of 110 feet or more.

COMMISSIONER BURRUS: Thank you.

CHAIRMAN WOODS: And the reason I chose those was that those were the bases for the RD2.

COMMISSIONER GALLOWAY: Jim, could I make a few comments?

CHAIRMAN WOODS: Sure, David.

COMMISSIONER GALLOWAY: What the last Commissioners have been talking about has been an issue which has come before the City and come before the Commission innumerable times. And it has taken on various different names. Architectural review, design and review, appearance review and so forth. Many years ago, there was a movement to establish some kind of appearance review for projects which would address the site planning and the architectural appearance of buildings regardless of their zoning.

At that time, the political climate and the legal climate was reticent at best to adopt anything like that. And as Jim has said, that climate has
changed. And if there's anything, any project in Evanston needs right now, it's early design review. My only concern about having the Plan Commission provide an architectural or site plan appearance review to these projects is that, in my opinion, that kind of input may be too late, and that SPARC needs to have more teeth, more staff, more citizen representation and more professional representation. Either that or the City has to somehow, you know, develop the gumption and the professional expertise to steer projects early on in the direction which better ensure the quality of the project to save developers' time, address citizen's issues, and produce the best possible projects.

So, how we do that, I don't know. I believe we're all looking for the same thing. But I too often, and I think I speak for many of us here, we have seen projects come before us that should have been nipped in the bud and steered in other direction three months ago, four months ago, maybe six months ago. Time is money for developers. And I cannot see how, you know, a person on the other side of this dais wouldn't appreciate that kind of input, credible input as early as possible.
CHAIRMAN WOODS: Dennis, clarify for me.
SPARC, does SPARC have the ability to reject projects?
And the reason I'm asking is based on my observation, I
would say that many of the projects that have come
before us, the same things that get set up here have
already been said at SPARC. And we are merely a body
that has an ability to vote up or down in terms of a
recommendation to Planning & Development and do it often
on the same basis that SPARC has already told the
applicant.

MR. MARINO: Site Plan does have the ability
to basically deny an application based on site plan
issues, but not based on design or materials issues.
Should Site Plan deny a proposal, it's appealable to the
City Manager.

CHAIRMAN WOODS: Okay.
COMMISSIONER SCHULDENFREI: Quick question
there. SPARC stands for Site Plan --

CHAIRMAN WOODS: And Appearance Review.

MR. MARINO: And Appearance Review.
COMMISSIONER SCHULDENFREI: What's the
appearance review part of the SPARC then?

MR. MARINO: There is a fairly elaborate
process that involves looking at the design as well as
materials. There are a number of other issues that are
looked at as part of that. There are three architects
on Site Plan, all staff. There is one public member,
currently someone who is a realtor. But in the past, it
also has been an architect. Hans Freedman, for example,
served for a long time.

So, there is a possibility for there to be one
or more architects who could be public members as well.

COMMISSIONER SCHULDENFREI: But didn't you
just say they can reject it on site plan?
MR. MARINO: Site plan, yes.
COMMISSIONER SCHULDENFREI: They can reject it
on the site plan provision but not the appearance
review?
MR. MARINO: That's correct. That's correct.
So, they're advisory on design and materials and
sometimes persuasive, but certainly not always.
CHAIRMAN WOODS: And the reason that they
can't reject on appearance has to do with the fact that
we have no appearance board.
MR. MARINO: The ordinance has not called for
that, does not allow that. As someone said earlier,
David I think, this debate has been going on for a long
time.
CHAIRMAN WOODS: Absolutely. But I'm personally hopeful that this is an item that, well, maybe we can refer to ourselves, I don't know. I don't know if it's the purview of the Plan Commission to make judgments on those kinds of issues, but that we should re-raise this issue and deal with it and make a recommendation to Planning & Development Committee about, the appearance issues and perhaps how SPARC is constituted and acts and all that kind of stuff.

COMMISSIONER OPDYCKE: Jim, that seems --

COMMISSIONER WIDMAYER: 30 second of history. We proposed, when these guidelines came out, we proposed an appearance review committee with that. Mr. Segal at that point suggested that we could be, that it wasn't in the law and therefore we had left ourselves vulnerable, so that was dropped. But as of the first of this year, the legislature said no, cities have the right to implement that. So, it's a new day.

CHAIRMAN WOODS: It's a new day. The only caution I would give everybody is that one of the things that many of us love about the City of Evanston is the eclectic nature of the architecture. And anything that sort of jammed us into a single style I think would be a huge misfortune for the City. Yes, we want to get
quality, not necessarily everything being the same.  

COMMISSIONER OPDYCKE: Jim, I agree with many of the things that have been said about some kind of professional review early in the process. That aside, I still think there is a role for public comment. And I like the footnote number 2 here that talks as Mr. Widmayer mentioned major development review. I think some limited public comment may be of some value. And I think buildings or projects that exceed the 110 feet that you mentioned and the FAR of 3 might be appropriate for presentation before the Plan Commission.

I agree we don't have a veto and we can't turn something down. But I think there may be some value that comes from public comment, and I'm not talking about public comment that goes on for weeks or months. I'm talking about a couple of hours where citizens have the ability to make their thoughts known. And who knows, maybe it will result at a beneficial change to the project. And I don't see the downside at all.

COMMISSIONER FREEMAN: So, right now, I'm a layman here, so right now if by right, if you conform to the form-based zoning code ordinance, I could build a 14-story structure that's hot pink and purple stripes across it. And the City can't say no?
MR. SMITH: Hang on. Let's go through this a little bit more then, okay?

COMMISSIONER OPDYCKE: That's where early professional review comes into place.

COMMISSIONER FREEMAN: But right now what you're all saying here is that you can't turn it down, you can't say no based on the look of the building if it conforms to --

MR. SMITH: Let's just do some fact-checking here, okay? In the traditional districts, if you go to 39 feet, okay, you have to come before this body because you're asking for a bonus. The height limit is 38 feet, I want to go to 39, go see the Plan Commission, okay?

In the RD Districts, the transition districts, in most of them if you go above 66 feet, you come to the Plan Commission, okay? You're right in the central core, you can go to that 14-story.

COMMISSIONER FREEMAN: That's right. So, 14-story building.

MR. SMITH: But remember in the other districts that's not the case.

COMMISSIONER FREEMAN: Well, okay, but it still is the case, you can in Evanston build a 15-story building then that's hot pink with purple stripes --
MR. SMITH: No, I want to be very careful about that also. The way the draft is written is that the Site Plan and Appearance Review Commission reviews all new buildings, all new buildings.

COMMISSIONER FREEMAN: But we can't --

MR. SMITH: And they have standards that relate to the aesthetics of the buildings also.

COMMISSIONER STALEY: And there also was a concept, it was touched on, the only reason I think that -- I haven't said anything but my light was on a long time, I've listened to a lot here. As I -- you would expect really kind of more for the form-based code than maybe, and some people to say, well, that's he's representing developers and that may be. You know, I'm an old guy and I am formed by what I've seen. But you know, developing in Evanston is a nightmare really. I mean, you come in and you battle for months and months before us and then this, we make a recommendation and then you go to the City Council and you battle and battle again. It takes a lot of fortitude to come in here and to try to do it.

I think if we can come up with something that gives some predictability, you know, to the citizens but also to the developers, that would make a lot of sense.
And what I -- you want me to present it or you? Okay, thank you. The reason I think the form-based zoning would work is because of the second part. As I understood, you were going to expand SPARC or something and you were going to bring on, I think there were going to be a couple of members from this Commission, there were going to be a couple of outside architects, a couple, I mean, some people who really know what they're talking about. We have some people up here who know what they're talking about so far as looking at and reviewing, and we have a lot of others including myself who don't really have a clue on that and shouldn't be making the decision.

So, I think really what you need is you need a committee, a design, something to cover all aspects of what needs to be looked at. And if the problem is they're meeting in the afternoon, well, then they can meet in the evening. If they're employees, you know, pay them something. That can be handled. But I think a form-based code where you had the predictability and you also had another committee, you know, not necessarily us reviewing it, reviewing it would make a lot of sense.

MR. SMITH: Well, I want to reinforce what you said and what Commissioner Galloway said is that this is
only really effective if like the first day they come in to City Hall somebody talks to them about urban design. Generally, if it's in the normal process of a planned development, so many decisions are already made. So many commitments are already made. So many man-hours, so much expense has gone into the design of the building, by the time you get in that forum. So, those cities that are really successful in influencing urban design and the appearance of the building, they do it the first day you come in virtually. It's a very early step in the process if you want to do it effectively.

COMMISSIONER SCHULDENFREI: I just want to reiterate, since I brought it up in the first place, I think Jim's proposal is a good one. I would be for it. I think the proposal for SPARC to be improved with teeth would also be good. So, I personally am in favor of a reconstituted and stronger SPARC for the initial review including surprisingly appearance review also having teeth as well as site plan because I was not aware that the latter half of that acronym had less value than the former half of the acronym. So, a SPARC with teeth I think is really important. Secondly, I think that the Plan Commission review remains important for the reasons outlined by
many people up here which I would then not repeat. But
one of the reasons I think that Plan Commission still
needs a role as outlined by Jim is because of the
process that people in Evanston have already come to
expect. In order to get in on the ground with SPARC,
you would have to know that it's coming up, you would
have to know what it looks like ahead of time, you would
have to know to come that evening or during the day.

The reality of how things work is that luckily
our wonderful media covers these things. People read
about it on Evanston Now and in the Round Table and the
Review, and then they learn about what's happening and
then they come to Plan Commission. And so, I think this
two-pronged process with a new and improved SPARC and
also Plan Commission review that is triggered by that
threshold is crucial. Thanks.

CHAIRMAN WOODS: David? I see David's light
has been on for a while.

COMMISSIONER GALLOWAY: By the same token, I
don't want our review to be one that is belated,
cumbersome, and then attempts to reinvent the wheel when
the project gets here.

COMMISSIONER SCHULDENFREI: No, and I'm not
envisioning that at all.
COMMISSIONER GALLOWAY: Because that would --

COMMISSIONER SCHULDENFREI: Right.

COMMISSIONER GALLOWAY: We might as well just shoot ourselves now.

COMMISSIONER SCHULDENFREI: No, just to clarify, I foresee a very quick, almost perfunctory review by the Plan Commission. However, if there is something important that has been missed along the lines and that somebody has not realized at the one initial SPARC meeting, or they only read about it and then, you know, downloaded some documents online and then would bring that issue to us, I image a Plan Commission because of what Commissioner Staley also said with so much being taken care of with the form-based zoning, I really envision a quick Plan Commission meeting on that item.

CHAIRMAN WOODS: Johanna, one second. Dennis, just again for information. The typical planned development that we have seen over the last several years that comes before us, how many times has it gone before SPARC?

MR. MARINO: Multiple times. There is a concept phase of SPARC, then there is also a preliminary phase, and then there is the pre-development application
process as well. Some of those can be combined, so I'd say usually at least two times, maybe three in some cases.

CHAIRMAN WOODS: So, if we do have this reconstituted or re-toothed or newly toothed SPARC committee, that they will have actually seen it more than once before it would come here anyhow?

MR. MARINO: Yes. It would be a very rare case where it's only seen once. But that could occur under the current rules.

CHAIRMAN WOODS: Okay. Johanna?

COMMISSIONER NYDEN: I guess I just wanted to say one thing about what I think, what my opinion is of development in Evanston going forward. And I think it's very different than what it would have been a year ago.

CHAIRMAN WOODS: I was going to say it's asleep right now.

COMMISSIONER NYDEN: Yes. And I think it's going to be, I mean, as I've said before, I have worked in this business where I work with developers, work with other municipalities in dealing with these things, and I don't think we're going to see development sort of be able to occur overnight the way it has in the past years in Evanston. I think you can't necessarily slap a
bunch, I mean this is not necessarily in Evanston but I
don't think you can slap a bunch of, you know, sort of
faux brick and cinder blocks up and, you know, put some
granite countertops in it and sell it for, you know,
$200 a square foot.

So, I really think that we have to think
carefully. We're going to see a very different
development pattern going forward. I think that if
somebody is going to try to build a pink building 14
stories tall with purple stripes, they're going to have
to be very careful because that's going to be a very
hard building to sell in Evanston.

COMMISSIONER FREEMAN: But there could be a
very real demand for that type of property. That just
doesn't go and conform to the vision for Evanston.

COMMISSIONER NYDEN: Right. But I think that
anything that comes down in, not necessarily in the next
two years because I don't think much is going to get
built in the next few years, but I think that there is
going to be like real changes in what is proposed and
what people think can come into Evanston. It's going to
be very, very different.

COMMISSIONER SCHULDENFREI: So, do you think
the market is going to take care of this and we
shouldn't worry about --

COMMISSIONER NYDEN: No, no. I'm just saying I think that, I mean the difference between how I felt, I mean this is again me, I felt very differently about development even two months ago than I do now. I think that there is much less sense of urgency towards trying to curtail a developer and to rein him in because I don't think that we're going to see this sort of, you know, a line out the door to come before Plan Commission to come review developments. I just don't think that that's necessarily going to happen.

But I guess what I'm saying is there is not necessarily a sense of urgency and I think the market will correct some of this because you can't just start building boxes of space for people to live in.

CHAIRMAN WOODS: David?

COMMISSIONER GALLOWAY: Nevertheless, well, I agree with you. I think the level of sophistication, the level of quality of design, both those bars have been raised significantly I think in the last year if for no other reason by virtue of the emphasis on sustainable design. And also, the present economic situation, you know, I think we can all rest assured that we will probably be getting a little more sleep as
Plan Commissioners as a result of this and that City Staff hopefully will also have a few more restful moments.

But nevertheless, I think we should use this lull, temporary lull to get our act together administratively and review-wise, when the economy does turn around and the projects do start to pour in.

COMMISSIONER FREEMAN: So, we're going to touch on a similar thing. This is a long term plan. It's just not over the next couple of years. The economy will turn around and I would think it's going to turn around quicker in Evanston because of its desirable location and all the other things we know about Evanston. So, you know, purple and pink may be en vogue in a couple of years, so I think we do need to take this into account. This is my son's and my other son's favorite color is, right now he is seven, purple and pink and so I picked it.

CHAIRMAN WOODS: Hold on a second. Tom, do you have anything else?

MR. SMITH: No, I don't.

CHAIRMAN WOODS: Okay. What I would like to do now is to go Commissioner by Commissioner in terms of comments on the memo and/or the document. Okay. Does
anybody have any comments before page 39?

COMMISSIONER NYDEN: I do.

CHAIRMAN WOODS: And we are talking about the red-marked copy, right?

COMMISSIONER NYDEN: Can I go?

CHAIRMAN WOODS: Yes.

COMMISSIONER NYDEN: Okay. I had made a comment maybe last year or earlier this year on page 7 under, in Downtown Context in the third paragraph. We referenced 1990 Census data. And I would just like to see that changed to update to 2000 Census data because I think that earlier in the plans we say, there's something that says like, well, the 1989 plan is old and that's why we really need to update it, but then the first beginning of describing that context we're talking about 1990 data and we've had a census since then and even an update. So, I just think that that really needs to read 2000. And unfortunately, the transit ridership has gone down since between '90 and 2000.

CHAIRMAN WOODS: It's gone up again.

COMMISSIONER NYDEN: Right. And additionally, the way it reads right now, the 21 percent of Evanstonians use public transportation for their trip to work, but it's only 21 percent of Evanstonians that are
employed or eligible to be in the employment. So, it doesn't, it makes it sound like there is, you know, like 14,000 people getting on the train everyday but it's much smaller, I'm thinking about 20 percent of Evanston.

MR. SMITH: Absolutely. It needs to be the most up to date. I don't know how that survived.

CHAIRMAN WOODS: Okay. Anybody else?

Anything before page 39? Robin?

COMMISSIONER SCHULDENFREI: On page 39, the second red bullet point says that it's the enhance commercial activity. It says it's been moved to Objective 5 but I didn't see it under Objective 5. It was "enhance commercial activity by studying the feasibility and cost benefit of converting Sherman Avenue to two-way commercial line." I mean, this isn't a big bullet point for me. I just, we're trying to catch all the typos because I think the document that we ultimately sends to the City Council needs to be error free.

MR. SMITH: I think actually it's the reference moved to Objective 5 that needs to be deleted. I think that was --

COMMISSIONER SCHULDENFREI: Did we get rid of this point or is this point going to stay in?
MR. SMITH: This was about changing some of the directions of the streets from one-ways to two-ways, and there was not a consensus here about that.

COMMISSIONER SCHULDENFREI: Okay. So, we just eliminate that entirely. Okay.

(Audience member spoke.)

MR. SMITH: Okay, that's the way we changed it. We said just consider it rather than recommending it.

COMMISSIONER SCHULDENFREI: I stand corrected.

MR. SMITH: Okay, thank you.

COMMISSIONER SCHULDENFREI: See what citizen impact to the plan makes a difference.

CHAIRMAN WOODS: Clearly.

COMMISSIONER SCHULDENFREI: Yes, could you give that to him during the break actually? Thank you.


COMMISSIONER SCHULDENFREI: Well, this is just the development review, planned development review findings. "Current zoning relies too heavily on planned development review,' et cetera. Sorry, page 70. 70 of
the red-lined copy. "Planned Development Review Findings. Current zoning relies too heavily on planned development review. Requiring such review for buildings with as few as 24 units and as little as 20,000 square feet is too strict.' And these thresholds may discourage investors from building smaller projects in the downtown and that the requirement of all planned developments conduct a market study and traffic impact study is too costly for smaller projects in the downtown.

Where we put in what we discussed earlier, I don't know where we stand on, I think we should insert that to this section so that we're eliminating something but we make clear that we're putting something else in. So, this would be the place to put SPARC with teeth plus Plan Commission review of 110 feet and FAR of 3.

CHAIRMAN WOODS: Although, Tom, this is strictly a narrative discussion of current situation, not any recommendations for the future.

COMMISSIONER SCHULDENFREI: Oh.

MR. SMITH: Current situation, not really any recommendations in it.

CHAIRMAN WOODS: Really that starts with --

COMMISSIONER SCHULDENFREI: Yes, but it says
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on page 60 now Downtown Parking Recommendations.

CHAIRMAN WOODS: Well, yes. Okay.

COMMISSIONER SCHULDENFREI: So, planned development review findings and recommendations, it seems like an apt place to put it but --

MR. SMITH: Well, I think if we're changing the text, then maybe we do need to include it.

CHAIRMAN WOODS: Okay.

COMMISSIONER STALEY: Jim, I had a point. Well, are you done? Go ahead, I'm sorry.

MR. SMITH: Well, have we, of the proposal that the Chairman has made, is that part of the recommendation now?

CHAIRMAN WOODS: I think it is.

MR. SMITH: Okay.

COMMISSIONER BURRUS: I have a question about that. Then, who will be developing the narrative on that? Will you be developing the narrative on --

MR. SMITH: We're just going to do an addendum sheet to this then is what we're going to do. When we have the map, it's going to be amended to include all the Marshall Fields property and we'll add this language. These are the two addendums, and then the clarification on page 37 also.
COMMISSIONER BURRUS: I would, you know, I would feel comfortable seeing that narrative clearly defined before making a final recommendation on it. I don't know how anybody else feels. I mean, I know we've talked about it. I think we're all in agreement in general principle, but to really have that narrative nailed down about how this review process will work I believe is an important step because it's something that we're all a little nervous about going forward, I think from everyone, from Chuck all the way down.

So, to make a vote on something that we can't really see the exact text is a little disconcerting. Anybody else have a comment on that?

CHAIRMAN WOODS: Well, my only comment on that is that the actual mechanisms are really part of the zoning process, and that this document is only to have intent in it.

MR. SMITH: Absolutely. We're using terms in here that don't appear on the current zoning code. We're talking about major development to review and that does not appear on the current code. So, these kind of recommendations and language will force other changes in the code, okay. This concept of an enhanced SPARC review, okay, that's something that really needs to be
worked on in the second phase of this.

COMMISSIONER NYDEN: I think, I guess I think it should be in here, not necessarily in an addenda because I know we've produced a tremendous volume of paper. And I wouldn't want an addenda to come across as like something that was an afterthought, I mean, because I think we're still trying to consider the entire package and get it right then get it to the next body.

COMMISSIONER SCHULDENFREI: I'm definitely not ready to vote on passing along this Downtown Plan if it's not the complete document. We've gone through the minutia of everything at this point. To not add in this kind of language both with vis-a-vis review process however we're going to term it, I think that needs to be in the language in the actual book that we pass to City Council. And so, in terms of that item, but also one would hope that what we vote on is the finalized document.

I mean, if we were starting to do addenda, this is not the time to start with addenda, we're not done yet. Once we're done, if there is then a typo that somebody finds out, it would be an addenda. But I don't think the things we're talking about tonight are necessarily addenda material.
CHAIRMAN WOODS: Actually, in the past, the practice has been to review things in a not yet quite final state and to produce an errata sheet that explains comments and differences that is forwarded to the Council on a regular, that's been a regular part of our process.

COMMISSIONER SCHULDENFREI: Yes, but it hasn't been a part of this process and we've just been so meticulous about it, it would just give different weight to the things that we happened to talk about tonight because we happened to have a red-lined copy in front of us. So, though I completely agree with you and I can, you know, of course refer to other plans we've passed, but I think this one we've spent so much time and we're so close there, I just don't feel comfortable.

CHAIRMAN WOODS: I think there may be a technical issue here.

COMMISSIONER NYDEN: Jim, I know that we're now under tremendous pressure by Council to get this moving forward to them and I know they want to see it. And frankly --

CHAIRMAN WOODS: Well, I think it's more than just Council. I think there's dollars and cents issues and those kinds of things.
COMMISSIONER NYDEN: Sure, absolutely.

CHAIRMAN WOODS: In terms of the contract with the consultant.

COMMISSIONER NYDEN: Absolutely.

CHAIRMAN WOODS: Reimbursable costs, et cetera, et cetera.

COMMISSIONER NYDEN: Right. And so, I think, I mean if there is, I think we're like 95 percent of the way there and I just, I'm more than willing to, you know, meet again without the consultants on good faith that this is going to be what we can vote on. But I think this is the first time that we all got to see this in one document together instead of this sort of black and white clipped copies that we got every month in our packet. I think from the get go it was like, okay, we're going to see this all together in one and then we can really review it and then we can make a decision. And I feel pretty good about this but there were a few handful of things. And I think this has been such a good collaborative effort by all of us, I'd hate to just sort of rush it along at the end because of dollars and cents and because we're under pressure to move it forward.

CHAIRMAN WOODS: Is that the feeling of the
Commission in general?

COMMISSIONER FREEMAN: Is this a straw poll?

CHAIRMAN WOODS: Well, yes, it's a straw poll,

I guess.

COMMISSIONER STALEY: I think so, yes.

COMMISSIONER FREEMAN: Yes.

COMMISSIONER STALEY: I agree with that, yes.

COMMISSIONER OPDYCKE: I'd like to move it

forward and I think a memorandum, an addenda, whatever

form it takes is sufficient to advise the Council as to

what our thoughts are on given aspects of this plan. We

haven't rushed anything. This has been three years and

let's move on.

CHAIRMAN WOODS: Unfortunately, Stuart, I

think we're in the minority.

COMMISSIONER BURRUS: Yes, I would feel more

comfortable if we had particularly the, I think there

are some other things that I don't mind as addendum but

this part about the review, I mean, it's one of the

things that all of us on this Commission have agreed on

and I think we spoke pretty eloquently, don't laugh,

David, but -- so, it's something that I think is key to

all of us feeling good about moving this forward. And

so, I'd feel very strongly about it being in here.
COMMISSIONER STALEY: Can I make my point? And particularly since there is going to be a delay anyway, you know, I might have just swallowed this, this is really your point, Den, but I kind of brought it along by switching my vote on one of the votes. Your point was you were surprised that when you saw the revised plan there was no central core anymore. You know, actually I was, too, but then I saw it was the logical conclusion from going from 5 to 3. But I'm not sure that that's correct because we are, as we've been told many, many times, an advisory group.

This is going to go to the City Council and we specifically had four votes and the agreement was that those four votes would all go to the City Council so that the City Council would know how we felt on parks and traditional and big buildings and not quite so big buildings. So, they're going to get all of that. But it seems to me it kind of stacks the deck somewhat when you take the central core out. I mean, they obviously know what's happened and they can put it back in. But it seems to me it would be a fairer presentation if the central core were still there and then the vote would be shown as to how it, you know, how it went and the four possibilities.
COMMISSIONER BURRUS: Chuck -- oh, I'm sorry, Dennis' memo does outline that pretty clearly about how that went through and the four different votes. I mean, I think he actually went through from the very beginning, you know, he went back like a decade or something on our votes. And so that memo from Dennis going forward to the Council outlines perfectly what you just illustrated.

COMMISSIONER STALEY: Then maybe we could cover the other -- in an addendum to Dennis' memo, then we could save a month.

CHAIRMAN WOODS: I guess my only, my real reaction to it came about the fact that obviously we had disagreement about the southeast corner of Chicago and Davis. And although it is still shown generally within what I would consider a boundary of RD2, it also got a line essentially around that half block or quarter block or whatever it is that sort of singles that property out as something. And it's never clear obviously in the document exactly what that reason that there's a line around that specific pieces of property. But in the memorandum, clearly the discussion is presented and the attitudes of various members were presented.

And personally, I don't even care if the DC3
designation went away, but even if the line simply around what was DC3 remained, that then somebody could immediately identify the discussion in the memorandum to a specific area. I think everybody knows in general what that is but it would just make me feel better if it was treated equally.

COMMISSIONER SCHULDENFREI: Yes. That was my corner. That was my corner and there isn't a line denoting the vote that was Dave's corner. So, vis a vis what I'm talking about is the corner of Chicago and Davis where I thought that should be included in the traditional zone because it to me, to my mind, conformed to the tradition. The vote, that one -- so, we lost or I lost that vote, the vote that one is actually included in the F zone and doesn't have a dotted line, I would actually be more comfortable taking out my striped line because basically we're putting forth our votes and so it's not really, it's marked as to be determined on page, what would be page 44, but it's not really to be determined based on that.

So, we could, either we put all the stripes in or we take them out. I think it's probably easier just to take them out.

CHAIRMAN WOODS: Personally, I would leave all
the stripes in because I also believe that probably if
the question was placed to the group in a different way,
I mean we voted on four independent proposals four
different times, if people were asked simply what do you
think the best proposal is for this, there might be a
different vote. And I really don't want to get into
that, I'd just like to keep that area designated as up
for discussion by Council.

MR. MARINO: Jim, if I could?

CHAIRMAN WOODS: Yes?

MR. MARINO: I just want to give credit where
credit is due. Tracy Norfleet is the author of the
memorandum. Sue and I played an editing role. I think
she did a very thorough job and she's an excellent
writer.

CHAIRMAN WOODS: Yes, congrats to Tracy for
that effort because embodying the discussion that
actually occurred, the history and everything else is a
daunting task.

Anyway, so let's go from page 70 -- did
somebody have something before page 70? Okay. 71, 72,
73? 73, Robin.

COMMISSIONER SCHULDENFREI: My question on
page 73 was the sentence that says "180 Degree Design
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has prepared simulation testing of the proposed zoning
approach for edge traditional courtyards at the
downtown. And I just wondered what constituted
simulation testing because I don't remember any.

CHAIRMAN WOODS: Is that essentially referring
to the sketches that were prepared for various
development sites?

MR. SMITH: Yes, it is.

COMMISSIONER SCHULDENFREI: Okay.

MR. SMITH: Should we remove testing?

COMMISSIONER NYDEN: Maybe, this is a minute
point but maybe not call it, is it called simulation
testing? Is that a technical, I mean is that an
architect's thing? Because that seems like computers
and impact and traffic generation. I mean, it seems
sort of, maybe just say, yes, sketched and provided
massing. I don't know, maybe a little bit more --

COMMISSIONER SCHULDENFREI: Right. Someone
who is inheriting, you know, comes on to the Plan
Commission in five years time looks for the simulated
testing to see the impact, and in fact the data doesn't
exist.

COMMISSIONER WIDMAYER: You want a softer
definition?
COMMISSIONER SCHULDENFREI: Something closer to what they actually produced.

CHAIRMAN WOODS: Would, well, massing/architectural analysis?

COMMISSIONER NYDEN: Yes, that's fine.

CHAIRMAN WOODS: Before we get to page 82, I have a question. Tom? Where, this whole thing -- okay, we're going to take a five-minute break.

(Off the record.)

CHAIRMAN WOODS: We're going to continue here. Robin, you were on page 73, so after page 73 does anybody have any other edits?

COMMISSIONER SCHULDENFREI: I have 82.

CHAIRMAN WOODS: Anything before page 82?

Robin.

COMMISSIONER SCHULDENFREI: Page 82, item D. The last sentence reads, "The maximum total parking reduction for providing car sharing parking spaces may not exceed five spaces." I just had a quick question about that for clarification from the consultants. I didn't want to limit the number of car sharing parking spaces because I think car sharing is going to be the way of the future and this is a 20-year plan or so.

And so, I just wondered if we could leave that
question open; in other words, just eradicate the
maximum total parking reduction for car sharing spaces
because as I read it, it means you can only have five
car sharing spaces. But I'm not sure we wouldn't see a
future where we want 20 spaces for car sharing. Do you
see what I'm saying?

And I just wondered, instead of getting into
the numbers right now, whether we could either do that
in zoning or just leave that question open.

MR. SMITH: I think we could certainly leave
it open. I think the idea is you always have a maximum,
that it's not a complete --

COMMISSIONER SCHULDENFREI: Yes, then that
maximum is insufficient but I think we probably don't
want to get into that numbers right now. So, can I hear
from Commissioners?

COMMISSIONER NYDEN: Yes, I think, if I can
speak, I think that several of these things would
probably over, maybe not next year but maybe five-ten
years might have to be revisited as our economy evolves
through this current climate. And I think like all
zoning ordinances, there's map amendments and text
amendments over time to address issues that are
relevant.
CHAIRMAN WOODS: So, I just want to make sure I understand this for starters. So, if a project required ten off-street parking spaces and you provided one car sharing parking space, you could have only nine spaces required? Is that the idea?

MR. SMITH: That's the idea.

CHAIRMAN WOODS: Okay. I just wanted to make sure I understood.

MR. SMITH: And there is not a limit on how many of the car sharing spaces you can provide. There's a limit on what benefit you get from it.

COMMISSIONER SCHULDENFREI: Right, which would be a reduction in five other spaces.

MR. SMITH: Yes.

COMMISSIONER SCHULDENFREI: But that in effect becomes, because why would you, that in effect becomes it which is why I wanted to strike that last sentence.

COMMISSIONER WIDMAYER: Jim?

CHAIRMAN WOODS: Yes?

COMMISSIONER WIDMAYER: Yes, I agree. And the reason I agree, some of the things we're putting in here are going into brave new world, if you will. You know, we talk about car sharing today because a few people do a few things. Car sharing very well could be a plan in
the future. It requires more than just saying though
we're going to have car sharing in five spaces and
therefore we only need 80 or 90 instead of 95. It
requires the mechanism to ensure that if it's a
condominium, for example, that whoever is responsible
for providing car sharing does it in perpetuity,
forever.

Anyway, I think by emphasizing that there is
an interest in utilizing car sharing as an alternative
but without restriction at this five minutes in time,
since it is really a new concept and one that we want to
be forward looking with, it makes a lot of sense.

CHAIRMAN WOODS: I guess the issue here in my
mind is if you have no maximum and all of a sudden you
provide five car-sharing spaces, then technically you
could only have to provide those five spaces.

COMMISSIONER WIDMAYER: Well, again, you
talked about, you know, cleaning things up in zoning
which is easier to change than the plan.

CHAIRMAN WOODS: Yes, I understand that.

COMMISSIONER WIDMAYER: Because again, if you
were providing it, there's got to be mechanisms in place
to ensure its ongoing existence. There's a lot more
than just saying we realize that car sharing may be a
very desirable substitute in the future. And I think in
the plan level, plan level not the zoning meet level,
that's probably a good thing to keep kind of open ended.

MR. SMITH: Strike that last sentence?
CHAIRMAN WOODS: Strike the last sentence.

Next page, anybody who's got any comments on?

COMMISSIONER FREEMAN: I have.

CHAIRMAN WOODS: Seth?

COMMISSIONER FREEMAN: I have a question on point C.

CHAIRMAN WOODS: Same page?

COMMISSIONER FREEMAN: Oh, I thought you said next on 85.

CHAIRMAN WOODS: No, that's fine.

COMMISSIONER FREEMAN: I'm on 85. 3.2(C) -- for a minimum of 15-foot sidewalk and parkway.

Generally the width of the sidewalks and parkways must be consistent with adjoining properties.

So, if the property adjoining them only has ten feet, does that mean you have to be consistent with that ten feet or you still have to give the 15 feet?

MR. SMITH: We tried to look at all the sidewalks downtown, okay, I don't think in a planning district there are ten-foot sidewalks.
COMMISSIONER FREEMAN: It's just an example.

If there was or this is --

MR. SMITH: Well, you'd have to provide the, the one place where the sidewalks do narrow is under the train tracks, okay. And, but you -- over the tracks.

If they do, they'd have to provide the 15 feet.

COMMISSIONER FREEMAN: Okay. So, the minimum is 15 feet regardless of what is next door to the property.

MR. SMITH: But I don't believe there's a lot of circumstances where you'd have really narrow sidewalks. You have some narrower sidewalks but then the parkway is really big.

CHAIRMAN WOODS: And just to clarify, in an instance where for example it turned out there was 13 feet, you know, from one building to the next and this was like filling in the tooth kind of thing, there would be a mechanism for somebody to get a variance that said that they could do it 13 feet?

MR. SMITH: Yes.

CHAIRMAN WOODS: Okay, I just wanted --

COMMISSIONER FREEMAN: Okay. I just, I thought that should be worded differently.

CHAIRMAN WOODS: Well, just that there is a
process that would be a normal zoning process for a variance from the zoning ordinance.

COMMISSIONER FREEMAN: Okay.

CHAIRMAN WOODS: It has to go in front of the ZBA and all that stuff.

COMMISSIONER FREEMAN: There you go. That would make it.

COMMISSIONER SCHULDENFREI: Here's a clause. So, the sentence that says "Generally, the width of sidewalks and parkways must be consistent with adjoining properties, but not less than the 15 feet, provided that the total combined parkway/sidewalk would not exceed 20 feet in width." That way, if the adjoining property is 13 feet, you understand you have to go to 15. But if the adjoining property was 17 feet, it would be 17 feet.

MR. SMITH: So, you're saying the average no matter what?

COMMISSIONER SCHULDENFREI: No, not an average. You've got a 13, weirdly enough in one corner of Downtown Evanston you've got a 13-foot sidewalk, you want to build a new building. We're adding a comma which says adjoining must not be less than 15 feet, do you see?

COMMISSIONER FREEMAN: You still get the 15-
foot sidewalk, not the 13-foot.

COMMISSIONER SCHULDENFREI: Do you have the red-lined one?

MR. SMITH: Yes, I do.

COMMISSIONER SCHULDENFREI: Okay, great. So, yes. "Generally, the width of the sidewalks and parkways must be consistent with adjoining properties but not less than 15 feet, and provided that the total,' blah-blah-blah.

MR. SMITH: Okay. So, you're just adding but not less than 15 feet --

COMMISSIONER SCHULDENFREI: Yes, just a security measure.

COMMISSIONER FREEMAN: I'm being consistent. You know I have a thing for sidewalk width.

CHAIRMAN WOODS: That's fine.

COMMISSIONER SCHULDENFREI: Yes, there's no reason we shouldn't put that safeguard.

CHAIRMAN WOODS: I just want to make sure that there is a mechanism that if somebody does have that weird piece of in-fill property that he's got two neighbors that are 13 feet, that he automatically has to go 15 feet back. And that would be I guess through normal zoning variance.
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COMMISSIONER SCHULDENFREI: -- relief though.

CHAIRMAN WOODS: Yes, zoning relief. Yes,
right.

Okay. Next? I guess I have something that I
guess I want to put out there for the record that really
doesn't get addressed anywhere within this downtown
plan, but somehow I think needs to be acknowledged. And
that is, there are certain uses that exist today within
the zone RP, Research Park, that have been permitted and
are not permitted anywhere else in the City's zoning
ordinance. And although we go out of our way not to
talk about use within this thing, I think I wanted to
acknowledge that those uses that have been part of the
Research Park would continue to be allowed within the
geographic area that is currently the Research Park.
I'm not exactly sure of the mechanism to make this
happen, but I think that that should be something that
does continue. Seth?

COMMISSIONER FREEMAN: So, you have the hotel
and then right next to the hotel you want to put up a
new lab that does some type of -- I'm sorry?

COMMISSIONER WIDMAYER: There's one there now.

COMMISSIONER FREEMAN: We want to continue
that?
CHAIRMAN WOODS: Yes.

COMMISSIONER BURRUS: Jim, do you want to make a recommendation to Tom on where to put that in?

CHAIRMAN WOODS: I'm looking actually for Tom to tell me where it should go.

COMMISSIONER BURRUS: Okay. All right, sorry.

MR. SMITH: I believe this is a secondary issue, okay. This was, our assignment was to come up with a form-based code.

COMMISSIONER BURRUS: That's fine. I just thought since it was out on the table that we should address where to put that on the table.

MR. SMITH: Well, I believe that eventually if this comes to your Zoning Committee and back to this, we will be addressing those issues.

COMMISSIONER BURRUS: That's fine.

MR. SMITH: We won't be having gun sales in --

COMMISSIONER BURRUS: Well, we know that much.

Okay, I just wanted to make sure we addressed it.

CHAIRMAN WOODS: And maybe Mr. Dunkley could address it.

MR. DUNKLEY: I believe if it's strictly a use, a permissible use question within a geographic area, we could fairly easily handle that with an overlay.
district that's geographically limited to that --

CHAIRMAN WOODS: I don't want to lose that because when people think of downtown in general, they sort of think of office and residential and retail which we've talked about ad nauseam. And there are some other uses within the Research Park that have traditionally been allowed and permitted, and I think that those uses should continue.

MR. DUNKLEY: Yes, being able to add those sorts of permissible uses is something we've already done pretty straightforward. The converse though is what about uses that are not allowed in the RP District currently that may be allowed to the revised districts?

But we could handle that in the zoning phase.

CHAIRMAN WOODS: Okay, that's fine. Yes, Dennis?

MR. MARINO: I just think it's important to have a place holder in this plan sort of reflecting Jim's recommendation. And Staff will be work with Tom to find the proper place.

CHAIRMAN WOODS: And hopefully we can get that in to the revised copy of this by the end of this week. Okay. That was page 85. Anybody else on page 85 or what's the next page?
COMMISSIONER WIDMAYER: 88.

CHAIRMAN WOODS: 88?

COMMISSIONER WIDMAYER: This goes back to the car sharing which I happen to think is one of these waves of the future. It works very well in Europe. D, where we say one space is allowed for providing a reserved car-sharing parking space.

No, we're not, I don't think the intention in these projects is to provide a car-sharing space. It's to provide a space for reserved car sharing. The implication being if you're going to get it, you have to make sure that somewhere in there you are guaranteeing that car sharing will exist. You can't just say, well, we got that space over there and somebody wants to do car sharing.

So, any place, I think that, and if there's other places as well, we want to change it from a car-sharing parking space to a space for reserved car-share parking just to make it very emphatic that the car has to go be there, not just the space.

COMMISSIONER SCHULDENFREI: Not reserved for but occupied by.

COMMISSIONER WIDMAYER: Okay.

COMMISSIONER SCHULDENFREI: Right? Because
they could say, yes, we're working with I Go, we're
working with them. But it needs to be occupied upon
permits.

COMMISSIONER WIDMAYER: Yes. And it's very
important to something like this that the cars exist, or
otherwise the idea doesn't --

MR. SMITH: You're right. It's got to be
clearer that you can't just leave an empty space there.

CHAIRMAN WOODS: There's the space.

COMMISSIONER SCHULDENFREI: Yes, it's
reserved. Permanently reserved.

CHAIRMAN WOODS: So, that would be back to --

MR. SMITH: We'll make those consistent.

Those appear in each one of the sub-districts, so the
language will be consistent. Thank you.

CHAIRMAN WOODS: Yes.

MR. SMITH: Get rid of the cap and we'll make
the language stronger that it actually has to be both
reserved and occupied --

CHAIRMAN WOODS: Okay. Johanna?

COMMISSIONER NYDEN: I'm just thinking, I'm an
I Go member and all the cars that I can go access are
publicly accessible. So, I don't know, I mean I don't
want to get into the, like the little, you know, really
nuts and bolts of this but I don't know if a car sharing company would choose to locate in a building that is not publicly accessible. So, you say, take Sherman Plaza, we've all been in that parking garage, the difference might be the car-sharing car behind those sort of doors that the residents park in versus the public space. And I don't know if every garage would necessarily have public spaces but I don't know if a car-sharing company right now, and I wish I knew the answer, would locate in a private, put a car in a private building.

So, I don't know if there needs to be something addressing that. I mean, that might be something to investigate before this gets finalized to determine that.

COMMISSIONER WIDMAYER: Well, I don't think --
MR. SMITH: The intent of this is just to create an incentive.

COMMISSIONER WIDMAYER: Yes.
MR. SMITH: For people to provide that car sharing, okay. And I've been told, I actually haven't seen it myself, in some of the high rise buildings in Chicago they are incorporated into the building. The one difference is that some of them are only available to the people who live in the building.
COMMISSIONER WIDMAYER: Some of them may eventually over time actually be provided by the condo association themselves. So, we're not talking here about whether they're publicly run companies or privately provided by the association. We're just talking about the existence.

MR. MARINO: Yes. We've had it confirmed by an experienced developer in the audience that indeed there are car-sharing vehicles on the private side in residential buildings.

CHAIRMAN WOODS: Good clarification. Next?

COMMISSIONER GALLOWAY: I have a question with regards to 3.4.1(a) Bicycle Space Provisions. Is the minimum of one bicycle parking space per ten vehicle parking spaces currently the appropriate amount?

MR. SMITH: The Bicycle Federation and some of those groups, this is the standard that they recommend. Now, so, you know, that's their published standard.

COMMISSIONER FREEMAN: You answered my question.

CHAIRMAN WOODS: Next item?

COMMISSIONER FREEMAN: I got one on 91.

CHAIRMAN WOODS: Anybody have anything before 91? Okay, 91, Seth.
COMMISSIONER FREEMAN: Well, I'm predictable. So, on 4.2(c), let's just make the changes that we made on the previous one, okay? Thank you.

MR. SMITH: Yes.

COMMISSIONER FREEMAN: For those who are wondering, it's the width of the sidewalk thing.

CHAIRMAN WOODS: Next page?

COMMISSIONER FREEMAN: You know, on 92 there is an editor's note. "As an alternative to a fixed step-back dimension, the minimum step-back could be tied to lot depth." Can we get an example? Is that worthwhile putting an example in there? Or do we get rid of it?

MR. SMITH: What -- the reason we put it in there, okay, is that I personally don't know all the lot sizes in Downtown Evanston, okay. So, we put in a ten-foot step-back requirement. But there may be some unusual lots where ten feet would be a really significant amount.

You have some small retail buildings that look like, for me just walking around, that they're on lots about 60 feet deep because they were actually split off from a bigger lot. And they're just little stores there. So, ten feet in that circumstance could be a
1 hardship. It could be a serious hardship whereas if it
2 was a percentage, if it was like a ten percent, then
3 that could be six feet.
4
5 It would be easier for those people who own a
6 really small lot or unusually shaped lot. And that's
7 why we put that in just as an alternative that as we go
8 through the zoning maybe we'll start looking at some of
9 the unusual lot sizes and see if this note might be a
10 better alternative.
11
12 COMMISSIONER FREEMAN: Well, then should we
13 have, should we take out the note if it's not part of
14 this document?
15
16 MR. SMITH: Well --
17
18 COMMISSIONER OPDYCKE: Where are we?
19
20 MR. SMITH: This is intended to help as we
21 come back and talk about the zoning part, then this
22 would be a trigger to think about that issue.
23
24 CHAIRMAN WOODS: Johanna?
25
26 COMMISSIONER NYDEN: Okay. I think as I
27 understand it, that would actually create some diversity
28 in some of the step-backs, right? And so, some of us
29 who are concerned that a form-based zoning would mean
30 too much consistency, I mean, if you look at any Sidwell
31 map that outlines the parcels of Downtown Evanston, I
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don't think there's two parcels that are really the
same. So, that would be a nice way to possibly get some
more variation.

So, I would advocate keeping the editor's
note.

COMMISSIONER FREEMAN: Well, do we want it as
an editor's note then or do we want it as a sub-point?
I mean, it seems to me that you wanted it to stimulate
conversation or at a future date.

MR. SMITH: This is the actual background.
The architects who we work with, they suggested the ten
feet would be more dramatic. It will make a bigger
impact visually. And then the zoning people like
myself, we said no, you can't anticipate every lot size,
you need some flexibility, you need to make sure you
don't hurt that person who just happens to have a really
small or unusual lot.

So, they recommended the ten feet. We said
let's put a stipulation in here that maybe the Plan
Commission when they deliberate the zoning can see that
there are some people who are going to be adversely
affected and they might go to a percentage thing.
Because when the zoning gets proposed and you do
hearings, people will come who own property that are
affected. And you might hear that there's a lot of 50-foot lots in the downtown. You know, on your primary retail streets, there are some really unusual lot sizes.

COMMISSIONER STALEY: You have a typo on the second line, have you caught that? About should be above.

CHAIRMAN WOODS: Where are we?

COMMISSIONER STALEY: Second line. All floors above, not about, the fourth one.

MR. SMITH: Yes.

CHAIRMAN WOODS: I guess I like it as an editor's note. It's something that we can examine further when we get into the zoning discussions assuming that we get the new Downtown Plan approved.

COMMISSIONER SCHULDENFREI: Don't get pessimistic.

CHAIRMAN WOODS: No, I'm not talking about us, I'm talking about the further development of the process.

Okay. Anything else? Anybody have anything before 110? Okay, 110.

COMMISSIONER SCHULDENFREI: So, the place to put the new specifications for Friday, the revision, would be the 6.1, right? On page 110?
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CHAIRMAN WOODS: I think to be also fair, there is some further stuff on 7.11 about the --
COMMISSIONER SCHULDENFREI: Yes, but we haven't gotten to --
CHAIRMAN WOODS: I understand. I'm just pointing out that there are some additional things about Site Plan and Appearance Review Committee that are in 7.1.1.

COMMISSIONER SCHULDENFREI: Good, that's a good point. In fact, we could know when we get this revised document to go straight to 6.1 and 7.11 to look for that new language, right?
COMMISSIONER OPDYCKE: Could I back up just a moment?
CHAIRMAN WOODS: Sure.

COMMISSIONER OPDYCKE: And go to 5.4 where we have the public benefit allowances under Landmark Preservation. There's a ten percent max bonus. And I think with respect to the Hahn building, the memorandum mentions a 25 percent allowance for that particular building and I would like to see that included on the face of the document with an asterisk perhaps after it that relates to the Hahn building specifically.

I'm not looking at the redline copy. It's on
CHAIRMAN WOODS: 98 of the red one.

COMMISSIONER OPDYCKE: Okay. I just wanted to see it featured more prominently as opposed to being contained in the memorandum.

MR. SMITH: Okay. But you're saying on the chart?

COMMISSIONER OPDYCKE: Yes.

MR. SMITH: The summary table of the maximum bonuses. You're saying that after landmark preservation, it would say ten percent except in the case of the Hahn building?

COMMISSIONER OPDYCKE: Okay. Ten percent; 25 percent with an asterisk.

CHAIRMAN WOODS: A footnote.

MR. SMITH: A footnote? I don't --

COMMISSIONER FREEMAN: Perhaps a footnote, but I don't think it should be in a table saying that we're going to give the exception to the Hahn building. Or perhaps if you, I just don't think it should be there.

COMMISSIONER OPDYCKE: Why not?

COMMISSIONER FREEMAN: We're institutionalizing the Hahn building.

COMMISSIONER OPDYCKE: Well, one of my
concerns was that there may be the possibility of two
very tall buildings going up in what has been referred
to as the Fountain Square wedge, the 708 building and
then the Hahn building immediately to the south, and I
really would not like to see that. And so, Chairman
Woods proposed and I thought it was a pretty good idea
that we enhance the incentive that would apply to the
Hahn building and enhance it from ten percent to 25
percent to encourage a developer, someone who might be
inclined to develop the Hahn building to preserve it as
is or something close to what it is today.

COMMISSIONER WIDMAYER: But that's a landmark
building though.

COMMISSIONER OPDYCKE: But they can still put
something up in the core.

COMMISSIONER WIDMAYER: No, not unless they
get approval. It's still a landmark structure.

CHAIRMAN WOODS: Okay. Here we go again.

Carlos, clarify the status of the Hahn building vis-a-
vis national and local and what means what.

MR. RUIZ: Okay. Carlos Ruiz with the City
Planning Division. The Hahn building is a local
landmark. It means that it is protected by the current
preservation ordinance which would require a
Preservation Commission review for all exterior work visible from the public way. And there are ten standards for alteration when you're working within the same envelope of the building, when you are not expanding the footprint generally speaking. And then we have 17 standards for construction when generally you are expanding the footprint of the building. But I would say that if you were going to build on top of the Hahn building, it may be a combination of the alteration and construction standards.

But let's assume that someone would like to do something to the Hahn building that according to the standards may not meet the Commission's approval. That can be appealed to the City Council and the City Council, if they follow the Commission's findings, they may uphold the Commission's decision. Or if a developer finds a way to convince the City Council that the Commission didn't follow the standards for review or they made a decision that was not based on the standards, they can overturn the Commission's decision. So, the landmark designation is a protection but it's not absolute protection. The Council has eventually the final say if the Commission's decision is appealed.
COMMISSIONER OPDYCKE: Is there any current prohibition about putting up let's say a ten-story building in the core of the Hahn building today that would not touch the facade at all?

MR. RUIZ: Well, I think that one of the goals of the preservation ordinance is to retain, maintain, enhance the original design that any alteration should not have an adverse effect on the landmark. Alterations are allowed to the point that you allow perhaps a new, within the envelope maybe a window that needs to meet the criteria for let's say egress where a window should be larger than existing so it's a code issue that the Commission would allow. Something that could be removed without impairing the integrity of the building. But if you go a certain level of alterations that you don't recognize the building as such, the Commission probably would not approve it.

So, there are certain discretions and tolerances to where alterations are concerned, but if you are going to change the character and design of the building as originally intended and built, I don't think the Commission would be able to find a way to approve that. But again, if it's not approved, then the applicant has the opportunity to appeal that decision.
Now, there is another step that has not been used at all since the inception of the ordinance in 1994 which is the provision of economic hardship. Economic hardship applies if a certificate of appropriateness is denied first, it has to be denied first. Then the applicant will have to apply if they decide to, not to appeal but to apply for economic hardship, meaning that they would have to show the Commission that this decision is causing them economic hardship. And it's a very long process. It goes back to the Commission, it doesn't go back to the Council at that point. And if that also fails, then they may decide to appeal to the City Council.

And the other provision that has been used at least once is the provision that would allow the demolition of a landmark for the benefit or greater benefit of a community. And a good example of that would be the current movie theaters and development that occur in that block. There used to be a landmark building on Clark Street. There was a vacant power station. And when the developers eventually came out with the current plan, the Commission did not approve the demolition of that building. Eventually the developer filed for the special provision that would
allow them to demolish because they were able to show
the Council that the demolition of the building as
regrettable it may be was for a greater cause which is
the development of the movie theaters and everything
around it.

So, it's not set in stone per se.

COMMISSIONER BURRUS: Did I miss it the last
meeting, did we vote on a 25 percent for the Hahn
building? Or is this like out of the blue and I've, I
mean not that I remember everything that happens but I
thought that we voted on the ten percent for historic?
And reading over the transcripts, I don't remember a 25
percent. So, where is this coming from?

COMMISSIONER OPDYCKE: It was a suggestion.

CHAIRMAN WOODS: It was part of the discussion
that occurred on that date but I don't --

COMMISSIONER BURRUS: But we didn't vote on
it, okay. So, and it seems a little out of place and we
could possibly get legal ramifications from putting an
extra 25 percent or extra 15 percent on a specific
building which then would only really help one owner,
property owner. We're really not making things equal
across the board and, you know, identifying the Hahn
building as the only one that's getting 25 percent. I
see it as, you know, going back to the whole spot zoning sort of thing even though it's not zoning, but that's leaving the City open for major lawsuit.

COMMISSIONER OPDYCKE: Well, I did want the City to consider this because I value very much the Hahn building. And I understand what you're saying here about the possibility of a lawsuit here but I simply wanted the City Council to consider increasing the bonus allowance for that particular building.

MR. RUIZ: If I may, it just occurred to me as you were discussing this issue, that maybe you have different levels of preservation where if you have, let's say full restoration of a building you may get 25 percent. If you have 75 percent restoration, you may get 20 percent. If you have half percent, you know, 50 percent restoration, you may get 10 percent. So, it will apply to all buildings but depending on the level of restoration or the amount of restoration. And that may tie in perhaps with classification L which the county will allow for substantial restoration of buildings such as the building on Davis Street.

COMMISSIONER OPDYCKE: Well, I guess I'll have to live with the fact that it's reflected in the memorandum and I hope it's read. So, I'm going to then
withdraw my suggestion that it be included on the face of the --

COMMISSIONER STALEY: I'll second that.

COMMISSIONER OPDYCKE: Of the document.

CHAIRMAN WOODS: Chuck, you had something you want to say?

COMMISSIONER STALEY: No, no, that's a good one. I don't now.

CHAIRMAN WOODS: Okay. Larry? No, okay. I'm sorry, I got --

COMMISSIONER WIDMAYER: I'm sorry. That's a long time ago.

CHAIRMAN WOODS: Yes. You know me and lights.

Any other items?

I have one other item I want to bring up. And I don't really, I guess I don't really necessarily want to upset the applecart here, but there is an RD1 zone that is sort of at the, it's called the University Link, is that correct? That there already is a building that is --

COMMISSIONER FREEMAN: What page?

CHAIRMAN WOODS: I'm sorry. I'm looking at the zoning map on page 77 of the zoning districts. And if you look at RD1 up on Clark Street and Orrington, we
have an RD1 there. And the biggest building in that
zone right now is the Orrington Hotel which I believe is
now nine or ten stories in height. Can somebody help me
with that? They added two floors on top of the existing
eight-story building I thought. One story? Okay, one
story on top of the eight-story building.

But it's overall height I think probably
exceeds what is allowed in the zone. It's the biggest
thing around. So, it's a concern to me that the rest of
this is substantially lower than that. And I guess the
only thing that I would like to consider is whether,
that in fact that RD1 is actually RD2. Which is an
expansion from the east side there.

COMMISSIONER FREEMAN: So, you're saying you
want to make that section RD2?

CHAIRMAN WOODS: I'm throwing it out there for
discussion.

COMMISSIONER FREEMAN: So, it will increase
the height of that entire block there.

CHAIRMAN WOODS: Correct.

COMMISSIONER FREEMAN: So that if that Burger
King goes -- Downtown Evanston, if the Burger King goes,
they could put up a building with a maximum benefit
public height of 110 feet.
CHAIRMAN WOODS: Yes.

COMMISSIONER FREEMAN: On that corner.

COMMISSIONER OPDYCKE: I mean, the base height is still the same.

CHAIRMAN WOODS: Right.

COMMISSIONER FREEMAN: I understand the base height is still the same. I'm not in favor of doing that. I'm in favor of leaving it as an RD1.

COMMISSIONER SCHULDENFREI: It does seem a little late in the game to start fiddling with these things.

CHAIRMAN WOODS: I understand.

COMMISSIONER SCHULDENFREI: Yes. I'd be more comfortable just dropping it. I mean, there's a lot of things where I would like to go back and change things but there's a lot of compromise that we made.

CHAIRMAN WOODS: That's fine. I just felt it was incumbent to bring it up because it is of concern to me that the biggest building in the zone is already taller than the zone.

COMMISSIONER FREEMAN: Yes, but it's a, to some people's eyes, a beautiful legacy building. And that's been part of Evanston -- when was the Orrington built? Does anyone know when the Orrington was built?
That's what I thought, it's in the 20's, correct? You know, so it's a big, stately hotel that's actually probably pretty characteristic of our town.

CHAIRMAN WOODS: That doesn't preclude that a building built in 2012 let's say, since 2009 and '10 probably aren't going to happen --

COMMISSIONER FREEMAN: In 2070 it wouldn't be the same, understood.

CHAIRMAN WOODS: You don't know that. Never mind. I needed to bring it up.

Okay. So, does anybody have any other corrections, typos, words, whatever?

MR. SMITH: Well, I just wanted to make sure we have consensus.

CHAIRMAN WOODS: Okay. 6.1.2?

MR. SMITH: Yes, this is what you said.

CHAIRMAN WOODS: Do we have consensus on the following? That this phrase would be reworded as "Projects in the DC District that exceed an FAR of 3 or have a height of 110 feet or more but do not use any public benefit bonuses require major development approval in accordance with' subtitle 2. Which we can define further as including planning and architectural review.
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MR. SMITH: Yes, because the earlier
revision --

COMMISSIONER SCHULDENFREI: Well, Plan
Commission and the public --

CHAIRMAN WOODS: Right.

MR. SMITH: -- said planning and architectural
review by the Plan Commission. But I think it's, we're
going to try to create this idea of a major project
review.

CHAIRMAN WOODS: Right, I think that's fine.
As long as we start to define what that might be.
"Projects in the DC Districts that exceed an FAR of 3 or
have a height of 110 feet or more but do not use any
public benefit bonuses require approval as major
developments in accordance with' section whatever.

MR. SMITH: Next reference, yes. Just write
that part, major developments.

CHAIRMAN WOODS: Including planning and
architectural review.

COMMISSIONER SCHULDENFREI: By the Plan
Commission?

CHAIRMAN WOODS: That's actually what it
already says because if you go to the subtitle 2, it
says "major development reviews expected to involve Plan
Commission, public review, major development review
criteria and procedures to be developed as part of
downtown zoning ordinance update.'

COMMISSIONER SCHULDENFREI: And then, that's
also fixed, 6.1.1?

CHAIRMAN WOODS: Right. To be consistent,
right.

MR. SMITH: Yes, yes, okay.

CHAIRMAN WOODS: Okay. Now, in terms of
process and procedure, and I'm going to look for input
on this from folks but in talking with Staff and the
consultant between breaks, it has been suggested that
these revisions can be gotten to us in a PDF format
including color that we can review by the end of this
week. And therefore, we would be able to have a special
Plan Commission meeting next week to finalize and
hopefully move forward this to the Planning &
Development Committee.

Is everybody okay with that?

COMMISSIONER STALEY: Can we do it other than
on a Wednesday like always?

CHAIRMAN WOODS: Well, it can't be on a
Wednesday anyhow because I'm not going to be here.

COMMISSIONER STALEY: Good.
COMMISSIONER OPDYCKE: Tuesday the 21st.
CHAIRMAN WOODS: Tuesday the 21st is the date --
COMMISSIONER BURRUS: Tuesday the 21st is CDBG, we're in this room. All evening, sorry. Just to give you a heads up.

CHAIRMAN WOODS: Okay. Stuart can't make Thursday. Monday, City Council in here? No?
MR. MARINO: No, I don't think so. I'm not aware of any special meetings. Does anyone else have --
CHAIRMAN WOODS: Monday the 21st? 20th, sorry.
COMMISSIONER NYDEN: I cannot do 20th.
CHAIRMAN WOODS: You can't do 20th?
COMMISSIONER NYDEN: I cannot do the 20th.
CHAIRMAN WOODS: Okay.
COMMISSIONER BURRUS: Maybe the following week? Or the Friday?
CHAIRMAN WOODS: Dennis, is there a date?
We're trying to --
MR. MARINO: The Planning & Development Committee will next meet on October 27th and then on November 10th.
CHAIRMAN WOODS: Whoa.
COMMISSIONER OPDYCKE:  How about a Saturday or Sunday?  I mean, I'm serious, I'm open for that.

COMMISSIONER BURRUS:  The CDBG meeting starts at 7:00.  If we could meet before that, I mean I don't think it's going to take long if there's just a few things to go over.

CHAIRMAN WOODS:  Could we do 6:00 o'clock on the 21st?

(Alarm sounds.)

COMMISSIONER BURRUS:  That's not a fire alarm.

CHAIRMAN WOODS:  Wow.

COMMISSIONER BURRUS:  Clearly none of us are too concerned.  We're like eh.

CHAIRMAN WOODS:  Man, that was interesting.  It sure sounded like a fire alarm.  Gets your attention.

COMMISSIONER BURRUS:  So, Tuesday at 6:00, does that work for everyone?

COMMISSIONER GALLOWAY:  Not me.

COMMISSIONER SCHULDENFREI:  What are the other meetings that we had?  What was the Wednesday meeting?

Oh, you weren't --

CHAIRMAN WOODS:  I'm just not available on --

COMMISSIONER OPDYCKE:  Dave, what time, could you make it any time on the 21st?
COMMISSIONER GALLOWAY: Probably about 11:00.

CHAIRMAN WOODS: Wow.

COMMISSIONER GALLOWAY: Yes.

COMMISSIONER OPDYCKE: That's late.

COMMISSIONER GALLOWAY: Yes.

COMMISSIONER SCHULDENFREI: What about Monday?

Johanna?

COMMISSIONER NYDEN: I've just never scheduled anything ever again on a Wednesday, so that's my safe day. That's all.

COMMISSIONER SCHULDENFREI: Are you out of town?

CHAIRMAN WOODS: No, I'm actually in town but I'm going to something at 5:45, 5:30. That goes all evening.

COMMISSIONER STALEY: Can we do it in the morning, early?

CHAIRMAN WOODS: How about a morning?

COMMISSIONER STALEY: Probably going to take about an hour.

CHAIRMAN WOODS: No mornings at all? Well, okay, next question --

COMMISSIONER NYDEN: Two weeks from today.

CHAIRMAN WOODS: How do people feel about
everybody not necessarily being here?

COMMISSIONER OPDYCKE: I think we've gotten through the real tough stuff and I don't think there's any much in the way of contentious issues left. And I would feel comfortable if one person were missing.

COMMISSIONER SCHULDENFREI: What date --

CHAIRMAN WOODS: Thursday.

COMMISSIONER SCHULDENFREI: Thursday it is.

CHAIRMAN WOODS: Okay?

COMMISSIONER FREEMAN: I'm not --

COMMISSIONER SCHULDENFREI: Oh, you can't do Thursday? Okay.

CHAIRMAN WOODS: Oh, two of them are not --

COMMISSIONER FREEMAN: We could do early in the week, so Monday, Tuesday.

COMMISSIONER SCHULDENFREI: Well, what about the week after then?

COMMISSIONER OPDYCKE: Well, the only person missing then at 6:00 o'clock on Tuesday would be Dave, is that right?

COMMISSIONER GALLOWAY: That's correct. I can only speak for myself of course. Can we bring in a speaker phone?

CHAIRMAN WOODS: My understanding is you can't

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vote if you're not present, right?

MR. MARINO: You can certainly comment.

CHAIRMAN WOODS: You can comment. By phone?

MR. MARINO: As I said by phone, I can call in. Can you do that?

MR. MARINO: We can arrange that.

COMMISSIONER BURRUS: So, why can't we do it the following week? I'm sorry, I missed that.

CHAIRMAN WOODS: The big issue is that October 27th is the P&D meeting and December 10th is the next meeting.

MR. MARINO: No, sorry, November 10th.

CHAIRMAN WOODS: November 10th.

COMMISSIONER BURRUS: November 10th. Oh, so we're talking about a two-week difference, right?

COMMISSIONER SCHULDENFREI: Oh, then let's do it so that it's ready for the November 10th. I would be more comfortable that they had time to go through this, too.

COMMISSIONER BURRUS: Well, the other part of it is also, you know, if they're going to get this to us, the citizens obviously are concerned about this and it will give them more time to look over the plan that we have decided to approve and push forward. I think
that's a huge issue that we've heard over and over again
is that they're not getting enough time to really review
it and put their piece of rebuttal together. So, I
don't know.

CHAIRMAN WOODS: Although their opportunity
really is at P&D at this point.

COMMISSIONER BURRUS: That's what I meant.

That's what I meant, for them to --

COMMISSIONER NYDEN: If we pass it on a Friday
or something --

CHAIRMAN WOODS: They're not going to hear it
on Monday anyhow.

COMMISSIONER NYDEN: Right. So, I think then
there is no point to try to squeeze it in.

COMMISSIONER SCHULDENFREI: Well, can we try
for the next week then so everyone can be there? Can
everyone just turn their calendar over one week?

What about two weeks from tonight?

CHAIRMAN WOODS: I can't meet on Wednesday.

COMMISSIONER SCHULDENFREI: But I mean, what
about the week of --

CHAIRMAN WOODS: That's the week I'm talking
about.

COMMISSIONER SCHULDENFREI: You can't meet any
on that week?

CHAIRMAN WOODS: Well, no, no, no, I didn't say that. I said I can't meet on Wednesday on the 29th.

COMMISSIONER SCHULDENFREI: Okay. How about Monday, Tuesday or Thursday?

CHAIRMAN WOODS: I can meet --

COMMISSIONER NYDEN: Monday is P&D.

CHAIRMAN WOODS: Right, Monday is P&D here in this room.

COMMISSIONER SCHULDENFREI: Tuesday?

CHAIRMAN WOODS: Tuesday is not available for me. Thursday is really my opportunity.

COMMISSIONER NYDEN: Which date is that, Jim?

CHAIRMAN WOODS: That would be the October 30th.

COMMISSIONER GALLOWAY: Did we rule out any morning next week?

CHAIRMAN WOODS: Yes, Johanna can't make it.

COMMISSIONER NYDEN: Yes, in the mornings I really can't. It's bad for me.

MR. MARINO: Jim, we can arrange another meeting room for that Monday if that's an open date.

CHAIRMAN WOODS: 27th?

MR. MARINO: 27th, yes.
CHAIRMAN WOODS: Can we do 27th at 6:00 o'clock?

COMMISSIONER FREEMAN: What day is that?

CHAIRMAN WOODS: Monday.

COMMISSIONER BURRUS: Can we just make it 7:00?

COMMISSIONER FREEMAN: I might be --

COMMISSIONER BURRUS: 27th works, 30th works.

COMMISSIONER SCHULDENFREI: Monday the 27th, everybody?

COMMISSIONER NYDEN: At 7:00?

COMMISSIONER SCHULDENFREI: At 7:00.

CHAIRMAN WOODS: 7:00.

COMMISSIONER SCHULDENFREI: Going once?

CHAIRMAN WOODS: Okay.

COMMISSIONER STALEY: 7:00? 7:00, I thought he said 6:00?

COMMISSIONER SCHULDENFREI: 7:00.

COMMISSIONER BURRUS: Chuck, what would you prefer? 6:00 or 7:00.

COMMISSIONER STALEY: I thought he said 6:00.

CHAIRMAN WOODS: I did say 6:00 but we changed it to 7:00.

COMMISSIONER OPDYCKE: On the 27th?
COMMISSIONER BURRUS: On the 27th.

CHAIRMAN WOODS: 27th at 7:00 o'clock.

COMMISSIONER OPDYCKE: It should be a short meeting, right?

CHAIRMAN WOODS: Yes. Okay. Quick break, back in less than five minutes for the next agenda item which is Chicago Avenue.

(Whereupon, the hearing on the above-entitled cause was continued at 9:47 p.m.)
CITY OF EVANSTON

PLAN COMMISSION

RE:  CONTINUATION OF PROPOSED PLANNED DEVELOPMENT PUBLIC HEARING.  08PLND-0083, 631-749 Chicago Avenue.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held October 15, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:02 p.m. and presided over by J. Woods, Chair.

PRESENT:

J. WOODS, Chair     J. NYDEN
R. SCHULDENFREI   C. BURRUS
S. FREEMAN      L. WIDMAYER
C. STALEY      D. GALLOWAY
S. OPDYCKE

STAFF:
T. NORFLEET     D. MARINO
B. DUNKLEY    C. RUIZ
S. GUDERLEY

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10/15/08 Evanston Plan Commission
631-749 Chicago Avenue

CHAIRMAN WOODS:  The next order of business is Continuation of Proposed Planned Development Public Hearing 08PLND-0083, 631-749 Chicago Avenue. And the floor is yours.

MR. ROSS: Thank you. I'm Steve Ross with Evanston Devco. And I'd like to thank you all for staying late and hearing our matter tonight. I know it's late. But first, I'd like to give kudos to the Plan Commission for your insights and suggestions at the last meeting in August. We think your input has helped us take a very good project and make it better. We listened carefully to what you had to say and we tonight will be addressing your comments and questions and that will be the focus of the presentation.

The highlights of the changes. We have decreased the number of units from 214 units, from 232 to 214 units. We did that by tweaking the unit mix. We eliminated the smallest of the units, combined some units, and we've taken the average unit size from approximately 830 square feet to 920 square feet. We have opened up our courtyards and we've added more green space. And we've also revised our motor court, and I think we have greatly improved the look of the Chicago Avenue frontage by doing that.
And also, since the last Plan Commission meeting, specifically, we met with Public Works. We met with Public Works early September. It was an all hands meeting. And then we submitted on October 3rd all the documents, studies and reports that Public Works had requested of us. And also, since the last Plan Commission meeting, the City Council met, voted unanimously on September 22nd to enter into the contract with us to sell the small land parcel, and that was unanimous.

Now, I'd like to turn it over to Nick Patera of Tesca who will describe the changes to the site plan and the streetscape design. Thank you.

MR. PATERA: Thank you. Nice to see you again. And I'm going to again focus but just explain where Steve had left off with a description but show you graphically on the plans. We have two other presenters that will follow regarding the site and address traffic after my presentation. I promise I won't read the findings of fact to you tonight, we did that last time.

But really what we're trying to cover here -- do you have a mobile one? Is this working? Okay. The items that have been looked at and I think your comments were considerate and constructive that we had from last
time, were to look at the streetscape frontage and the architects will talk about that in a minute. But what you're seeing here is a narrowed vehicular travel way. The comment that had come was looking at trying to make the pedestrian crossing. Even though we're having the streetscape go continuous across this, we've taken this down to two lanes, one inbound, one outbound.

    These are generous lanes but this was a wider vehicular lane. So, I can stand and see cars coming and vice versa, they can see me at this point. I'm going to show you more detailed pictures of this in a moment.

    The other areas that have been taken into consideration are the pedestrian entrances. In the previous one there was a south entrance that was actually back around the corner that you were walking down this entrance lane and back around the corner. Now, these are addressed to the front of the Chicago Avenue facade and they have a weather canopy over the, an architectural canopy as part of the architecture over the front door to the vestibule to the south lobby. Similar on the north side, entrance door vestibule lobby has been brought out so that pedestrians have as much prominence and destination without having to go back into the auto court. So, I think that was probably one
of the most constructive, thank you, comments that we had gotten.

The other element that I'm going to talk about has to do with the upstairs courtyards. We've also, in narrowing the inbound/outbound lane, we've added a vehicular ramp that would be going up to the upper second story of the auto park upstairs here off of the alley. There still remains this entrance on the south side and then there's an entrance to the ramp on the Kedzie Avenue side. But we've included this in as part of the refinements to the plan on the overall site plan. I think that's it for that one, you can go ahead.

This is the streetscape plan. And this was essentially the same, but out of the discussion that we had with Public Works and Engineering, it was important that they were able to see that we were going to implement the actual streetscape, the Chicago Avenue streetscape elements. I'll show you a little bit larger image of this but what exists today is about a seven-foot, six-inch wide sidewalk that runs inbound from what I'm now showing as curb. The Petitioner for our development, ourselves, our going to include as part of our work the curb improvements out into Chicago Avenue that will widen this sidewalk to comply with the Chicago
Avenue streetscape.

So, that was a major discussion and event that we had with Public Works to look at the streetscape. It's also probably the best place to show this. The pedestrian entrances have now a greater plaza. The typical Chicago Avenue streetscape is a concrete scored with street trees incorporated at the curbside and a red clay brick band. That red clay will also be used in the pedestrian entrance ways, and then again down at the corner plaza which we elaborated on in our last meeting with the Chicago Avenue streetscape in between. So, it's a nicely kind of broken up streetscape, but again the emphasis on the pedestrian entrances, the doors, and then the plaza remains in tact.

One of the other elements that this is kind of going above on the second floor, not really a streetscape item but the upstairs courtyard, this is the roof of the live/work units on the second floor roof plaza area. If you were to look in our previous presentation, we had this portion of the building back about 20 feet. Now it's going back about 40 feet to get more light and air into the unit windows that are facing west and on this west side of the building.

We have also increased the width on these two
legs of the courtyards by another ten feet width. The depth has remained as we had previously shown, but this width, depth and width again has been done and the attempt, and you can look back and forth at the model but they have the prominence of the building and then the recess and the prominence of the building, the recess, kind of a patterning that starts to work to further provide some diversity and relief and pattern along the street. So, again, this isn't really streetscape, but I think it's really a part of the feel and the character of the building.

We remained back, pushed the building back five feet from the public right of way. And that results, there's about a 17-foot, 6-inch wide sidewalk along Chicago Avenue. I think I have covered my Chicago Avenue, thank you.

Just to show you in detail because that's such a large scale drawing, the two red lines are the sidewalk that exists today. If the street face of the building was here, the curb would be at this location. It achieves about a seven-foot-six wide walkway; if you were to walk down this, it does feel somewhat constrained. And by pulling the building back and by pulling the curb out, we end up having it approximately
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1  17 feet 6 inches wide from curb to building at that
2  location.

    And the goal in our project here is to try and
3  have the trees and have vacancies where there would be a
4  streetlight or a parking meter. We'll get into parking
5  in a minute. Some of these storefront with live/work
6  units will have awnings above or planters that are at
7  knee height along the front. And the idea is to break
8  up the vision of this being a linear corridor but to try
9  and give it some articulation so it moves back and forth
10  as you're walking down. It doesn't look like tunnel
11  vision but it looks like you have some motion and some
12  movement as you're walking down to give it a better
13  pedestrian scale.

    There is one more slide that I have, thank
15  you. And then I'll be handing this over to Mike from
16  KLOA talking about traffic. But this just shows, as I'm
17  walking south, or north it would be on Chicago Avenue,
18  leaving from the concrete with the brick band, the wide
19  sidewalk, and then approaching the entrance, the concern
20  from the Commission last meeting was the width at three
21  lanes being about a 46-foot width has been reduced to 34
22  feet in width. Unless you have questions, we're going
23  to keep moving along here.
MR. PATERA: Yes. Chicago Avenue and the right of the way have a slight diversion from each other. And from south to north, there may be about a foot or two difference and they're not exactly parallel.

Good question. Mike?

MR. WORTHMAN: Good evening. Michael Worthman with KLOA and the traffic engineer with the loud cell phone. I apologize for that. It was my broker calling to tell me to sell, yes, to keep on selling. Yes. I don't have much to sell anyways. Just a humble traffic engineer.

Nick stole most of what I was going to say here. But the first thing I want to indicate is that we did meet with Public Works, went over the whole site plan. And we came out of that meeting with a general concurrence with them with our site plan that they generally approved, the site access system, the pedestrian system, subject to the final review of everything. But we came out of the meeting with an understanding of the plan that we're going to show you.

A number of the concerns last meeting was around the main access drive and what we call the motor court. As Nick said, the width, physical width of the
drive aisle, the lane, the access drive, have been
reduced to 34 feet. It will be striped for one inbound
lane and one outbound lane. By reducing that, it
provides a number of benefits; most importantly, it
provides wider sidewalks to get into the motor court.

In addition, the building, and this is not an
official architectural term, has been notched out on
both ends to provide direct pedestrian access into both
of the lobbies to the apartments. But more importantly,
it opened up these corners to improve the sight line for
vehicles exiting to see both the pedestrians on Chicago
Avenue and the vehicles on Chicago Avenue. Based on
these improvements, it was Public Works' opinion that we
don't need any sort of bells or strobe light to indicate
the vehicles coming in and out.

Lastly, Public Works has indicated and they
agree with us that this access drive can operate as a
full access drive. It doesn't need to be right-
in/right-out. Given the minimum volume of traffic that
will be generated, they felt that this could operate
safely and efficiently as a full access drive.

If you can go quickly back to the site plan?
Yes, once again we will have the Kedzie Avenue access
drive. Before it was going to serve a larger garage,
that was all going to be underground. Now it's just going to serve one floor and we've added a second access drive onto the alley which will go up and serve one level of parking on top.

So, those are the main changes. The last thing I'd like to talk to you about, if you can go back, if you recall, last time we talked about along Chicago Avenue, right now along our site frontage, there's four existing curb cuts. Not all of them are used but there are four curb cuts out there. We will be eliminating three of them and only providing one access drive, which provides a number of benefit. It improves the flow of traffic along Chicago Avenue in and out of the site. It greatly enhances the pedestrian experience along Chicago Avenue as you're not crossing this access drive. And the third benefit is we gained some on-street parking.

We did a layout, once again this is subject to review by Public Works. They have taken a look at it. But current number of spaces, we have 10 on Chicago Avenue, we can increase that to 15. On Kedzie we have 5 now, we're going to lose one with the introduction of that space but what we gain is a net gain of 4 on-street parking spaces out of this.

So, that's pretty much my presentation. I'll
make sure my phone is off for the rest of the evening.  
And if you have any questions, I'm here. Thank you.

MR. LEWIS: Hello, my name is Brad Lewis. I'm 
with Balsamo, Olson & Lewis Architects. I'll just go 
over briefly with what changed to the architecture.

What we did before is that we had a two-story center 
link in the center of the building and that's where the 
entrance was for the motor court and also for the 
pedestrian entrance. Commissioner Galloway brought up 
that, you know, he thought that it was really hard to 
find the entrance into the building. So, what we did is 
that we said, well, you know, what would happen if we 
were to take some of the units from the building to the 
south and build them over the top of the entrance to the 
center link and made that a lot more prominent so people 
where to go? And then, you know, and also just gives a 
real focal point to the center of the building which I 
think really worked out great.

And what it did for us is we had the amenity 
portion of the building on the second floor. So, 
instead of having the amenity on the second floor, we 
said, well, why not take those two floors of residential 
and then build the amenity area over the top of it. And 
then what it did for us even further is then now we've
created an outdoor amenity area over the top of that. So, on the roof, there will be a sundeck that will be accessible from the amenity area, so that we feel like it really enhanced it and gave us another amenity that we can offer to the residents.

So, that's really basically what happened to the street facade. Besides that, nothing else changed a whole lot except that we are loosening up the courtyards which was something I think we wanted to accomplish.

Another thing that Commissioner Galloway wanted to see is what the street scene would look like along Chicago Avenue as far as the live/work nits. So, we did a perspective to give you an idea of what we're trying to accomplish. And again, what we're trying to accomplish, make it more like storefronts where everybody has their individual entries, treat these bays so that they read as one. We have the planters out in the front with the trees and the planters and stuff. I think that's going to give us a really nice streetscape to walk along.

Real quick, we could go over some of the materials. Again, these are cloth awnings that we're adding. The base are going to be a brushed aluminum. They do have some detail in the center of each one of
the bay windows. And you know, we just wanted kind of a
simple rhythm to the streetscape, and I think that it
turned out pretty nice.

This is a blown up view of what you'll see.
Again, the individual entrance, the planters, the bay
windows, and we think that it's really created a pretty
nice rhythm to that street.

MR. ROSS: Brad, would you call out the
materials?

MR. LEWIS: Sure.

MR. ROSS: That we can then pass along as you
call them out for the specific slides that you just
presented?

MR. LEWIS: These are really the two major
bricks that we're going to be using on the building.
What we wanted to do is one that had a little smoother
finish to it, one with a little bit more of a rustic
finish as well, but we're still keeping in the iron
family. And then we have some recessed areas that have
a lighter colored brick because we were trying to push
the red bricks forward to the front elevation. So,
that's what we'll see in the recessed areas.

And then, as far as the top of the building,
we wanted, originally we were going to go with a stucco
top, but just the maintenance, the time of year trying
to, you know, construct this, we decided to stay with an
all masonry building. So, we're looking at this white
brick at the top of the building.

Okay. As far as the base of the building,
manufactured stone. So, this will be what we'll be
using for a lot of the accents and also what you'll see
along a lot of the street fronts. So, that's a small
sample. We had a big sample but I couldn't carry it.

COMMISSIONER OPDYKE: Those bricks are pretty
heavy. At least the red ones are, and is that because
there's so much iron in them?

MR. LEWIS: Yes.

COMMISSIONER OPDYKE: Okay. And how thick
are those bricks?

MR. LEWIS: You mean depth-wise?

COMMISSIONER OPDYKE: Yes. Four inches, okay.

MR. LEWIS: Yes, they're not oversized bricks.

CHAIRMAN WOODS: Can you explain again where
this is used?

MR. LEWIS: That's at the very top of the
building. This is the awning material that we're
planning on using. And these were just a couple of the,
we have a metal roof that we're using on the buildings
and we have, we're using this. Yes, we've got a combination of shingles and then true metal roof. So, this will be like on the two end portions, that will be a typical looking material. And then on the two -- middle is going to be more of this green colored roof. And then on the other side we're doing more of a bluish colored roof.

So, again, we're trying to create a lot of variety to the streetscape so that's not just a monolithic building.

COMMISSIONER BURRUS: Maybe you guys could do workshops for other developers on how to present to us because you guys are awesome.

MR. LEWIS: Thank you.

CHAIRMAN WOODS: Could you go over again where there's shingles and where there's metal?

MR. LEWIS: Oh, yes. There will be metal on this roof, this roof, this roof, and then these two in the center here. These two will be an asphalt roof over here and over here.

MR. KANE: I don't know if you all heard, this is the residential window sample. I'm just the messenger.

MR. LEWIS: So, if you look at the model, you
can see that we've filled in the mass in the middle to have the three-story area. Unfortunately, we didn't have time to revise the center portion of this, but just imagine that this is coming back 20 more feet and then we're increasing this 10 feet from here to here and here from here.

So, again, you know, we just wanted to give you this perspective so that you could get a better idea of what we were talking about on those streetscapes. So, I hope that that relays that message a little bit better.

This is the back of the building. The reason that we are showing you this is that what we have is because we've filled in that center portion. This is going to be a painted block, and the reason that we're going to paint a block in the back is because of the Commonwealth Edison plant and, you know, we have all kinds of requirements to make sure that it --

So, that's basically, you know, an overview of what we're trying to do.

CHAIRMAN WOODS: Robin?

COMMISSIONER NYDEN: It's me.

CHAIRMAN WOODS: Sorry, Johanna.

COMMISSIONER NYDEN: I really think that this
development should be, if there's a way to sort of show
what we got two months two months ago or whenever it was
and then show what we got here, I think you guys did an
amazing job of taking into account the comments that we
made, and actually making meaningful changes to the
building that, I mean, I've only been on the Commission
for a year and a half but it's amazing and it's really
refreshing to have this experience and not just sort of
insignificant nods. You actually took in what we said
and put it into your building. And I really, really,
really appreciate that.

MR. ROSS: Thank you very much for your
comments. I want to summarize now if I may and keep
this moving. And my summary is a little non-
traditional. I think that I want to address head on the
issue of the financial crisis that we're having in this
country and how it may impact this project.

And first, the bad news, we all know it.
There has been a historic capital crisis, a financial
crisis in our nation. In the short term, there will be
significant job losses, looming recession. And in fact,
today the DOW dropped 700 plus points. And I've been
impacted, we all have. Every time I look at 401(K) I'm
sickened and nauseated.
CHAIRMAN WOODS: Don't look at it.

MR. ROSS: I shouldn't, I really shouldn't.

As you also know and I mentioned at the meeting in
August, that our partner in this project is the Prime
Property Fund which is managed by Morgan Stanley Realty.
And the Prime Property Fund is a nine-and-a-half-
billion-dollar institutional fund. So, I have a keen
interest in Morgan Stanley and the health of Morgan
Stanley and their well being.

So, let me tell you what the good news is.
The good news, this week Morgan Stanley closed on their
deal to sell 20 percent of Morgan Stanley to Mitsubishi
Bank. Mitsubishi Bank is the second largest bank in the
world. Also, the federal government reported, I think
it was yesterday, that they're planning on investing ten
billion dollars into Morgan Stanley. So, I view that as
all good news.

The other good news I'd like to bring to the
attention of the Plan Commission is just the
demographics and the future of rental housing and what
that looks like to us. Population growth in the next
ten years will grow steadily in this nation, it's
projected to grow. That means household formations will
grow. I think household formations are expected to grow
about 1.5 million households per year. And household sizes are decreasing, the size of a household is decreasing which further increases the amount of new households.

And why is this important? This is important because at the peak, the relationship between how many people own homes versus renting, the peak was 69.1 percent and the peak year was 2005. Today, that relationship is 68.1 percent. The historical average is 65 percent. So, any one point change in that percentage increases rental households by over 1.2 million. So, that's a significant boost and demand for rental housing just by changing that relationship.

The other thing I wanted to point out, and this is a big demographic factor and something we focus on all the time, the -- boom is coming into the rental marketplace. The cohort that's age 20 to 34 is now at a spike and we're going to be experiencing that in the next decade. So, that group is coming into the marketplace to rent and that group has the highest propensity to rent. So, we're very excited about that.

So, demographically speaking, there are some very great positives to rental housing.

The other thing I wanted to point out which is
also good news is that construction costs, yes,
construction costs are beginning to abate. This is
absolutely, 2009 is absolutely the best time to buy
construction in the recent umpteen years. So, having a
project ready to go in 2009 and buying construction is a
very, very good benefit.

So, long term, the demographics look good for
rental housing, construction prices will probably be
fair, and we like this location long term. A transit
oriented, a mixed use, transit oriented development with
rental housing in this location. So, I just wanted to
get that out there. It's something that's probably on
everybody's minds and I wanted to talk about it.

The second item in my summary, I just wanted
to repeat something that I had mentioned previously.
And I mentioned it at the August meeting, which is we
are seeking no variances. No variances. Unlike many of
the projects that have been brought before this Plan
Commission. The only reason that we're here is that we
need a PD, we're greater than 24 units, and I just
wanted to make that point again.

Also, that we're providing numerous soft, I
call them soft benefits and hard physical benefits.
It's a new term, try using that in the future. But we
are also producing significant fiscal benefits to Evanston and it's something that we should be thinking about especially at this time. Subaru is moving out, we know Subaru is moving out. There will be a whole in the financial budget of Evanston and I think it's just, the timing is fortuitous that we came to the table to work on this project right at this point in time. And so, I just wanted to make that statement again.

And just as a final request perhaps, I'm finished with my summary, we would respectfully request that you take a vote this evening to allow us to move forward. Thank you very much.

COMMISSIONER WIDMAYER: I just have one quick question. What kind of businesses do you anticipate going into places like this?

MR. ROSS: The retail? The 8,400 square feet of retail that we have located in this portion of the project, we view as local merchants, not national, not regional, probably local. We've envisioned a coffee shop, a florist, a dry cleaner, service oriented and local.

In terms of the live/work units, the live/work units, we've had a lot of good discussion with Staff, with the Alderman, and came up at the last Plan
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Commission. We are not, we are familiar with live/works because we have a project in Seattle which has live/works. Evanston is familiar with live/works. I don't think it's foreign to them.

We met with Mary Macaulay from Renaissance Realty and we viewed her product in the Evanston Arts District. Those are live/work units. We talked to her about our project and I think we have some of the same types of tenants that we probably would direct here which is knowledge-based workers, architects, engineers who are off on their own, people who are members of the arts community, alternative health providers. So, some of the same types of tenants that she has in her projects that we could envision here. And we may seek her assistance in locating those tenants. I was very impressed with their operation.

COMMISSIONER SCHULDENFREI: I have a question that's related to your financial picture that you painted. And I really appreciate you taking that on head on. My question relates to financing. I know that rental financing, financing to begin the rental project will be different than condo financing. I'm just wondering if you could address whether it would be possible to have all of your financing in place before
seeking the demolition permits.

And the reason I ask is that you're probably aware of a few stalled and thus vacant lots in Evanston, particularly on Chicago Avenue. And it's kind of unfortunate because even not such wonderfully maintained vintage storefronts are still preferable to chainlink fences and dirt. And so, I'm just wondering within your financial picture, would it be feasible not to demolish until you're ready to build?

MR. ROSS: That's a good question. I know it's of great concern to the residents of Evanston, especially in this particular neighborhood with the lot that was at Main and Chicago. These are some of the questions that came up at the City Council in terms of selling the City's land parcel. This is assemblage and we discussed that at the last meeting, there are three separate landowner. One landowner is the City. And I might even turn that, I don't know if Alderman Wynn is willing to even mention some of the things that we worked on vis-a-vis the city contract to give the City comfort that things would move forward. Thank you.

MR. KANE: Actually, if I may, as the Alderman is taking the mike, remind everyone who was involved that the -- sale contract requires satisfactory evidence
of financial ability before the City closes on the land. There are some other features that were built in that, you know, the Alderman may want to address. But that's something that directly addresses your question.

ALDERMAN WYNN: One of the things that we required at the City Council was language be placed into the agreement that the project, once it was started, continue. I can't remember, we went back and forth on the language -- it was diligently, yes, that's right, diligently was the word, so that we didn't end up with a foundation. And I think that Commissioner Schuldenfrei raises the real concern in the community about Main and Chicago which took us a long time to even get filled. And that's a concern that people have, that we not have another project like that.

And so, I think that it's a serious concern and we've tried to build into the agreement a failsafe so that that doesn't happen again.

MR. ROSS: Thank you, Alderman, for speaking. Thank you.

COMMISSIONER SCHULDENFREI: Thank you.

CHAIRMAN WOODS: Let's see. Is Bill here? Yes, Bill is back there. Bill, do you want to just briefly go through your current understanding of Public
Works and their thoughts on things just so that we hear from the City side as well?

MR. DUNKLEY: Bill Dunkley, Zoning Administrator. Yes, the applicant has submitted preliminary civil engineering drawings that was, I believe the date was the 3rd of October, and that was after a fairly thorough review with Public Works staff. And I believe you have all of the communications that are involved.

CHAIRMAN WOODS: Previous communications.

MR. DUNKLEY: Right, in that whole exchange there. Public Works would like to take another several weeks to thoroughly review all the information submitted. There is a letter in your packet that describes, from the applicant that fairly identifies what is included and what the intention of those drawings and any of the updates that were made were. We don't have a formal statement from Public Works at this point. They would like to be very complete in their response.

We have tried to give you an indication of the sense. I don't believe there have been any showstoppers that have been identified at this point. That doesn't mean that there couldn't be any that are identified as
we move forward. It's an iterative process as we get
down to the lower levels of detail. Certainly there has
been no indication that there are any foreseen major
issues.

CHAIRMAN WOODS: So, you would say that this
is sort of in the normal state of process of a planned
development going through its process through us,
ultimately to P&D and City Council?

MR. DUNKLEY: Yes, I would say that is a very
fair statement. Of course any recommendation by this
body does not, you know, obviate the need for thorough
satisfaction of Public Works requirements. Nor should
it put pressure on bending any of our standards, and of
course we don't plan to do any of that.

So, as far as the ability to satisfy the
findings as required, the standards as required, we've
tried to give you as much information at the right
level, at an appropriate level as possible. And with
that, if there's additional information you'd like or
any other clarification, we'd be glad to do our best.

CHAIRMAN WOODS: Dennis, do you want to say
something?

MR. MARINO: Yes. Just a brief --

CHAIRMAN WOODS: Since you came up.
MR. MARINO: -- note on what Bill stated. I think his statement is very accurate. But Public Works, basically the remaining work they need to do in due diligence is kind of standard permit review type work. And there are two additional steps, actually more than that, but certainly Planning & Development Committee with the ordinance, and then also the actual permit at the end of the day in order to be able to construct. And that has to meet all the Public Works requirements.

But in speaking with the Director of Public Works earlier this week, I didn't hear any issues that would in any way suggest that you shouldn't proceed at this point.

CHAIRMAN WOODS: We had sign-up sheets out and we have had nobody sign up either pro or con. So, just to let the Commission know that we're not going to hear a whole lot of anything from anybody, and so therefore, I'm going to open it up to the Commission to ask questions, discuss.

COMMISSIONER BURRUS: I was just actually going to make a motion to approve.

COMMISSIONER STALEY: I second that.

CHAIRMAN WOODS: Okay. We have a motion and a second. So, now it's open for discussion.
COMMISSIONER GALLOWAY: I have quite a few things I'd like to discuss before we zip through this. I understand that we feel like we're on a roll this evening, but I would, well, I'll start my inquiry which will -- relax.

First off, I appreciate the changes that you've made. I believe they're all quite beneficial to the project. But there is a, I have a general sense of nervousness about the materials and the, the specific materials and how they're coming together, where they're being used and some of the details. The success of this building visually and aesthetically is going to be extremely contingent upon the selection of materials, how well they go together, what the corners look like, how the windows are trimmed and cased. And I did not see enough information on these drawings to be comfortable with how that was going to happen.

And I appreciate you bringing materials to us this evening to peruse but I feel a little bit of the bum's rush here right now. And I'm not entirely comfortable moving ahead without being more, being better acquainted with the specific materials and how they're used. And I'll get into some of those specific questions, unless there is someone else that wants to
make some other comments maybe with regards to the site or traffic and so forth? No?

COMMISSIONER FREEMAN: I can go after you.

COMMISSIONER GALLOWAY: Okay. Probably the most important aspect of this building from a pedestrian standpoint will be the live/work lofts and the retail portion since that's where most of the people, that's the view that most of the people will see in their cars and as they walk by the building. I think the live/work situation is, I'm just very excited about that. I just think that's a tremendous opportunity. I think there is a real burgeoning and desirous market for that and will also create a great sense of community in the building.

I am, however, curious about, you have these large windows that essentially form the primary visual component of the, to identify those spaces as live/work. And I want to know what is the material that those windows are made of, what's the finish color? And there's casing and headers and sills that wrap around them and what appears to be pyramid shaped metal panels that serve as a filler between the first floor and the second floor windows. Can you better describe those for me?

MR. LEWIS: These are the windows that you're
referring to?

COMMISSIONER GALLOWAY: Yes.

MR. LEWIS: Yes, what we plan on doing is that we're building out that window as if it were a bay. Then what we're going to do is that we're going to have a brushed aluminum cladding that's going to go around that bay window. And then the little X's that you see on the inside, those are going to be raised panels inside the aluminum. So, basically what we're trying to do is to make it look like a complete one-piece storefront.

As far as the headers over the top of these, these are precast headers over the doors, I mean over the windows up above. And these will also be precast lintels below the window, up above as well.

COMMISSIONER GALLOWAY: But the surrounding, all the, what appears to be as white material is going to be a brushed aluminum?

MR. LEWIS: That's correct.

COMMISSIONER GALLOWAY: And that material will be used around the entire, shall we say projecting window assembly?

MR. LEWIS: That's correct.

COMMISSIONER GALLOWAY: So, it's a homogenous
material then.

MR. LEWIS: Correct.

COMMISSIONER GALLOWAY: Okay.

COMMISSIONER STALEY: When you say brushed aluminum, are you talking about natural finish brushed aluminum?

MR. LEWIS: Yes. Yes. So, I mean it's pretty typical of, you know, a storefront look. And we just like the brushed aluminum but I can change it if you don't like brushed aluminum. Does that help answer your question?

COMMISSIONER GALLOWAY: That helps answer that question. We have, you've shown a number of planters intermittently dispersed across that elevation.

MR. LEWIS: Right.

COMMISSIONER GALLOWAY: Is that part of your project or is that something that someone else has to provide?

MR. LEWIS: No, that's -- project. So they'll be providing those.

COMMISSIONER GALLOWAY: And is there a drawing that indicates exactly where those are going? The perspective shows them in a couple of locations, the elevation doesn't show them in any location.
MR. LEWIS: The streetscape plan does.

MR. PATERA: The streetscape plan has the planters shown. And where we are locating those planters, I can't even tell from here, Dave, but there's planter locations and there is a regular pattern to them but they somewhat are intermittent and I ended up having two together. There's a big space, there's two together, there's a space and there's two together. So, it becomes a repeating pattern but it's based on the doorway locations of the live/work units.

COMMISSIONER GALLOWAY: Right.

MR. PATERA: So, if you go back to the elevation or if you were to stand on the street and experience it as a pedestrian, you're going to start to see that there is some, like I said, rhythm and pattern to it to break up what I was referring to earlier as the tunnel vision kind of corridor effect, that it opens and then it closes with two planters next to you and it opens again and closes with those. The planters themselves are going to be probably of a cast, like a precast concrete material and they're going to be below the sill height and then have a recess in them. But the idea here is that they're within that five-foot setback strip. The right of way line is out where, somewhere in
here.

This is somewhat of a foreshortened distance. This is the 17-foot-8 distance that's through here. I don't know the exact height of the sill at this point. Maybe it's 3 feet and these might be 30 inches. But it's something that's trying not to cover up the window sill and bust the architectural image. The width of the planters would be somewhere close to the 30-inch width and it would be permanent landscape material within them.

COMMISSIONER GALLOWAY: Great, you've answered my question. Eased my mind on the planters. I would like to make some suggestions with regards to the appearance of the live/work elevation. Presently, the bay, the projecting window to me reads more like a townhouse. And I would prefer to have the first floor glazing be taller in a manner to reflect some of the turn of the century storefronts and first floor retail spaces that were taller, and then reduce the heights of the windows on the second floor or up top, thereby creating sort of a hierarchy. You know, your first floor window is, you know, alludes to being as more the display window and it could even be larger glass elements and then raise the spandrel panel up and
make the windows up top like I said smaller. Those
could even be divided further, you know, to create a
smaller sense of scale.

MR. LEWIS: And to be honest with you, there's
really not a problem with us doing that, that's a two-
story element.

COMMISSIONER GALLOWAY: That's what I figured,
yes.

MR. LEWIS: And also, that spandrel panel is
up a little bit higher and that's a shorter clear story
window up at the top.

COMMISSIONER GALLOWAY: Right.

MR. LEWIS: I mean, we can certainly look at
that. I don't think that's a problem.

COMMISSIONER GALLOWAY: I think --

COMMISSIONER SCHULDENFREI: -- with the door,
I'm just thinking of the door height and the clear story
just above the door. And that's right now in a
relationship, so that relationship would need to be
maintained.

COMMISSIONER GALLOWAY: Well, you can also, I
mean, there's a number of things on the elevation
between, well, the elements of the door, the awning and
the window above the awning, I'm certain that you can
play with those. And while I'm harping on that, I wouldn't be averse to making the window above the door smaller, eliminating the concrete header so that it creates a different vocabulary, more like a punched opening. Make it smaller, put some space around the awning. And then you won't need to make a specific alignment with the windows in the bay, although you could. I mean, you know, you can play with all those elements.

MR. LEWIS: To be honest with you, I don't really have a problem with that. I actually like the smaller clear story windows up above because we were down below and working in the units and you could be looking out that smaller window anyway --

COMMISSIONER GALLOWAY: Yes. I think it says live/work a lot more. And if you wanted, I don't care, if you wanted to increase the size of the glass at the first floor instead of having three divisions, have two or even one --

MR. ROSS: Well, there are some reasons that we would want the smaller piece. It's just easier to work with from a construction standpoint. But I just want to point out that the type of response that you're getting from our architect and our team is indicative of
our approach to working with you. And I hope, and based
on the comments I've heard from the Commissioners, that
it has been a pleasure to work with our team because of
the detail and the responsiveness. And I want to
comfort you that the way we are dealing with you and the
community and the neighbors from day one, what you see
is what you're going to get. But there is a limit to
the amount of what we can do just for anyone and time is
of the essence for us.

This isn't a bum's rush but truly we have been
working on this for, well, the neighborhood meeting was
in February, there was snow outside and before that. I
think we met with Alderman Wynn this summer of '07. And
there is a limit to how long we can keep this thing
together. So, I respectfully request that we can make
progress but at the same time, you know, I'm not saying
trust us to do this but please give us the benefit of
the doubt based on our course of conduct to date. Thank
you.

COMMISSIONER GALLOWAY: I will. And I don't,
and my comment with regards to the bum's rush had
nothing to do with you. It had more to do with my, with
all due respect my Commissioners which seemed very
anxious to get this approved tonight and I would like to
as well. But it isn't, as I said, this is the only opportunity we have to address these materials and these details. And as we have found in similar projects in replicating a historical style, it is critical, you know, the proportions, the type of materials, the corners and how things are framed and trimmed in order to make them successful.

So, see, I had a question. Are there any other light fixtures mounted to the wall of the live/work facade or are you relying on street lighting?

MR. LEWIS: We haven't gotten into that level of detail yet. I would assume that yes, we are going to have some lighting on the exterior of the building but we haven't gotten into that level yet.

COMMISSIONER GALLOWAY: Okay.

MR. LEWIS: Oh, I'm sorry, okay.

COMMISSIONER GALLOWAY: And I'm assuming that all the windows on this elevation are fixed?

MR. LEWIS: Correct.

COMMISSIONER GALLOWAY: On the live/work elevation, they're fixed?

MR. LEWIS: Correct. Yes, they are.

COMMISSIONER GALLOWAY: Okay. All right. And then I had a number of questions and comments on the
residential floors.

CHAIRMAN WOODS: Just one thing I wanted to comment on. We really appreciate the 3D perspective because it tells me some things that the previous flat on elevations didn't tell me particularly in terms of the live/work units and the way that the wall steps back and forth, however small, but that it adds a tremendous amount to what I feared was going to be a very long horizontal facade.

MR. LEWIS: Okay.

COMMISSIONER GALLOWAY: Okay. I think I understand your use of the asphalt shingles or fiberglass, I can't remember, and the metal roofing although I'm not certain about the color of the metal roofing.

MR. LEWIS: Okay.

COMMISSIONER GALLOWAY: Are you?

MR. LEWIS: Yes. I think we did hand out those --

COMMISSIONER GALLOWAY: Which color was it though?

MR. LEWIS: There was a green and a light blue. There was a small --

COMMISSIONER GALLOWAY: Two eight and a half
by elevens, there we go.

MR. LEWIS: Yes.

COMMISSIONER GALLOWAY: They weren't marked down here, are they? Yes.

MR. LEWIS: We're going with the light green and then there was a light blue that we were going to use. I'm sorry, no, it was that light blue.

COMMISSIONER GALLOWAY: Okay. And those are used, can you point those out to me?

MR. LEWIS: The light blue is here and here. And then the green is here and then the asphalt shingles are here and here.

COMMISSIONER GALLOWAY: And this here?

MR. LEWIS: That's going to be that same --

COMMISSIONER GALLOWAY: Blue, okay. And all the windows used in the residential and the apartment units will be double hung?

MR. LEWIS: Yes.

COMMISSIONER GALLOWAY: Divided light?

MR. LEWIS: No, not divided light. They're, we're not doing the snap-in but they're going to be the integral muttons in the window.

CHAIRMAN WOODS: Between the panes of glass?

MR. LEWIS: Yes. Oh, oh, I'm sorry, no. We
eliminated all the muttons in the windows, there are no muttons in the windows.

CHAIRMAN WOODS: Okay. So, this perspective is not accurate up on the upper floors.

COMMISSIONER GALLOWAY: But they will be double hung units?

MR. LEWIS: Correct.

COMMISSIONER GALLOWAY: Okay. And there are no casement units being proposed?

MR. LEWIS: No.

COMMISSIONER GALLOWAY: Okay, that's good. And without belaboring the point, I like all of your brick materials except for the white.

MR. LEWIS: Okay.

COMMISSIONER GALLOWAY: The white makes me nervous. Would you entertain using a stucco in that location? If you're trying to get a light color?

MR. LEWIS: Originally --

COMMISSIONER GALLOWAY: I just don't know of much historical precedence in using a white brick on a building that's trying to look like it's, you know, 1920's.

MR. LEWIS: Right.

CHAIRMAN WOODS: Okay. Because we're five
minutes before 11:00, I would like to propose an amendment to the motion. The amendment is as follows, that the development team is to continue to study elevation issues including increasing the height of the first floor windows and decreasing the height of the second floor windows on the live/work units, look at a substitute material for the light colored brick, the lightest colored brick. To me it also feels a little, I don't know, more like painted brick than real brick. And also, to --

MR. LEWIS: And just to go back to that, I think that we are willing to look at alternative solutions to the brick on the upper right. So, yes, we are --

CHAIRMAN WOODS: I think that's the one that, I'm assuming that David is reacting to that.

COMMISSIONER GALLOWAY: Yes.

CHAIRMAN WOODS: I had a similar reaction when it went by. It's like, well, that looks kind of painted.

MR. LEWIS: Okay.

CHAIRMAN WOODS: So, I think like David said it looks more like a gray, light gray stucco-y kind of color might be better, warm gray.
MR. LEWIS: Yes. And there are other alternatives that we would definitely look into.

COMMISSIONER GALLOWAY: A cream, you know, a beige, but not white.

MR. LEWIS: Okay.

COMMISSIONER GALLOWAY: And I would be happy with a stucco as well if you wanted to because obviously you're trying to get some interplay, you know, between the elevations, break down the scale.

MR. LEWIS: Right.

COMMISSIONER GALLOWAY: And I understand that. And by eliminating brick from that portion since it's up high, you could go with a stucco with some tooling.

MR. LEWIS: Okay.

COMMISSIONER BURRUS: Can we call the vote?

CHAIRMAN WOODS: Yes.

COMMISSIONER BURRUS: Thank you.

CHAIRMAN WOODS: I'm calling the vote.

COMMISSIONER FREEMAN: A couple of comments and a couple of questions.

CHAIRMAN WOODS: Okay.

COMMISSIONER FREEMAN: You know, otherwise, and I know it's 11:00 o'clock, let's continue it to next time, but I've only been on this Commission now not
quite a year, I don't know, maybe eight or ten months
but I've never seen anything go through this fast.
CHAIRMAN WOODS: Oh, yes, it has.
COMMISSIONER FREEMAN: Well, since I've been
here a development of this scale go through this fast.
COMMISSIONER GALLOWAY: There was one.
COMMISSIONER FREEMAN: So, I do have some
questions and concerns that I would like to address. It
has nothing to do with building material. Okay, is that
all right, guys? I mean --
COMMISSIONER STALEY: Go ahead.
COMMISSIONER FREEMAN: Are you done?
COMMISSIONER GALLOWAY: I think the only other
question I had, you've shown trees on your wonderful
green roofs. You do intend to put trees there and
support them, I presume?
MR. PATERA: Yes.
COMMISSIONER GALLOWAY: Thank you. Well, many
people show them and you know what happens, it gets
built and, oh, we can't put trees up there, we don't
have the structure to support that or the soil.
MR. PATERA: Dave, there may be some
adjustment in the locations but the intent is to put
containerized trees closer to the parapet walls of the
edge so they can be seen from down below. When it gets
to the structure, if it's supporting it in the middle of
the roof, we may have some adjustments to the location.

COMMISSIONER GALLOWAY: Right. Thanks, Nick.

CHAIRMAN WOODS: What I would like to do is
continue this conversation for another cap at 20
minutes. Within that time, we need to vote. And I
think there's a majority of the Commissioners that would
like to do that. So, Seth, have at it.

COMMISSIONER FREEMAN: Okay. On your site
plan in the parking, on the larger parking, the south
parking garage, you have 192 spaces. And on the north
one, is it 24 spaces total?

MR. WORTHMAN: 120 total in the north garage
between the three levels.

COMMISSIONER FREEMAN: Okay. All right,
because you give a total number of spaces here on the
site plan to the south.

MR. WORTHMAN: That's just the first level of
motor court that will be reserved or used by the retail.

COMMISSIONER FREEMAN: So, what's the total
number of spaces on either side then? Total on both
sides? So, on one side what's the total, so on the
north side what's the total number of spaces?
MR. WORTHMAN: 120 in the north.

COMMISSIONER FREEMAN: Okay. And 192 on the south?

MR. WORTHMAN: Yes.

COMMISSIONER FREEMAN: Okay. My concern is on the south it looks like you only have two entrances and exits?

MR. WORTHMAN: Correct.

COMMISSIONER FREEMAN: For 192 spaces which is including 14 live/work units and you have three on the north one for 120. So, the concern is that's going to get mighty crowded getting in and out of that motor court.

MR. WORTHMAN: We've looked at the numbers, we've done the capacity analysis. We have submitted the study. It shows that it's going to work. I won't deny that there may be times where you'll get a vehicle or two stacking up in the motor court. But we do have the back access on the alley which we expect a lot of residents to use during those times, if it is backing up.

All of the retail traffic will use the motor court but we feel pretty comfortable particularly considering that this is a TOD development. You do have
the train stations. Your census data shows 35 to 40 percent of residents in the area don't even drive to work, they use other forms of transportation. Running through all the numbers, it shows that it will work.

COMMISSIONER FREEMAN: The live/work units though do require specific parking for customers, correct, that might be coming into those live/work units?

MR. WORTHMAN: Correct.

CHAIRMAN WOODS: Just a quick question. The real reason for the three entrances on the north really has got something to do with, I think, the configuration of it and getting up and down and --

MR. WORTHMAN: Correct. It has nothing to do with capacity. It's the function of the garage. It's serving the three different levels.

CHAIRMAN WOODS: And Dennis, how many spaces are in the Sherman Plaza garage?

MR. MARINO: I couldn't say exactly.

Ballpark --

CHAIRMAN WOODS: And there are how many exits and entries?

COMMISSIONER FREEMAN: Two. They're much, they're wider and they have different traffic patterns.
They also have controls of things going up and down to let the cars, all I'm saying, I'm just questioning whether or not it's an issue. So, thank you for pointing that out. We have other garages that have more spaces as well including the one over -- we can go into those if you'd like.

I understand you want to go home. I do have some questions. I want to go home as well.

CHAIRMAN WOODS: Just providing a different point of view.

COMMISSIONER FREEMAN: I do have issues with still the, I still think it's a canyon effect going down Chicago Avenue. I do appreciate what you've done. But to me there's, you know, the setbacks are, I don't know if those are a foot or two feet but to me it still looks like a canyon. I don't see any differentiation between the different units. I don't know if you're going to have signs on the awnings, put signs on the windows. I don't know how you're differentiating between units.

Again, I do appreciate the wide sidewalks. That's something I am, as you know, pretty particular about.

MR. KANE: Could I answer one of your inquiries?
COMMISSIONER FREEMAN: I'm sorry?

MR. KANE: Could I answer one of your inquiries?

COMMISSIONER FREEMAN: Sure.

MR. KANE: For signage for the live/work units, we're providing a sign panel adjacent to the door of each unit.

COMMISSIONER FREEMAN: Okay. And then for the retail?

MR. KANE: I think that will be, you know, normal retail signage.

COMMISSIONER FREEMAN: So, what's normal? Is that neon signs? Is that, you know --

MR. KANE: Per your ordinance.

COMMISSIONER FREEMAN: What you call best neon, my friend owns that place. We can get some probably good deals on signs. But what are we going to have there?

MR. KANE: We'll do whatever he tells us the code says.

MR. MARINO: That's what we like to hear, Ivan, thank you. Yes, there is a code that regulates signage. And if they deviate from that code, they have to go before the Sign Review and Appeals Board. That's
a pretty rigorous code.

COMMISSIONER FREEMAN: And that just applies to the retail but not the live/work?

MR. MARINO: That will be looked at as well.

So, you need a permit for any signage certainly.

COMMISSIONER FREEMAN: Okay. All right.

Well, then those are my major issues. I don't see the setbacks up on top with the gardens being that special from a street perspective especially since there is nothing across the street so that you can really see it. But I'm sure that the tenants will really like that.

In terms of the retail, I think filling the space might be difficult in this economy. So, I would prefer to have this building than to have it look the way it does, but I think we may end up with some empty retail space for a while if the economy doesn't come back before this thing is built. So, those are my issues. I don't know if you can do any further about that canyon effect, but I really think it's a canyon.

MR. ROSS: Are you asking us for a response?

COMMISSIONER FREEMAN: Yes. That was a question.

MR. ROSS: I guess we respectfully disagree and feel that there is a lot of movement. We set back
the buildings five feet and the residential ten feet
from the right of way. And we feel, and this is just a
subjective, you feel something different perhaps than we
do, that there is a lot of movement and we find the
project very attractive.

CHAIRMAN WOODS: I had proposed an amendment
to the motion.

COMMISSIONER BURRUS: I second it.

CHAIRMAN WOODS: Okay. And with that, I'll
call a vote.

COMMISSIONER BURRUS: Aye.

COMMISSIONER NYDEN: Aye.

COMMISSIONER OPDYCKE: Aye.

COMMISSIONER SCHULDENFREI: Aye.

COMMISSIONER FREEMAN: Aye.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: Yes.

CHAIRMAN WOODS: Aye. We need a reading of
findings of fact.

MR. MARINO: You should vote on the amendment
first and then go to the --

CHAIRMAN WOODS: Say that again?

MR. MARINO: Vote on the amendment first and
then vote on the motion.
CHAIRMAN WOODS: Okay. Can we read the findings of fact and then vote on the main motion?

COMMISSIONER BURRUS: Johanna has agreed to read the findings of fact.

CHAIRMAN WOODS: Well done, Colleen.

COMMISSIONER NYDEN: Okay. So, the findings of fact for 08PLND-0083. 6-3-5-10, Standards for Special Uses.

  Standard A. It is one of the special uses specifically listed in the Zoning Ordinance. Draft finding. 6-10-3-3 lists planned developments and multi-family dwellings as special uses in the C1-A District.

  Standard B. It is in keeping with the purposes and policies of the adopted Comprehensive General Plan and the Zoning Ordinance as amended from time to time. Draft finding. The land use designation for this area is comprehensive retail and mixed use described as retail goods and service establishments. Some areas comprise mixed uses wherein dwelling units can be found aboveground floor commercial establishments. Others are single use commercial. The proposed development is consistent with the designated land use.

  Standard C. It will not cause a negative
cumulative effect when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the City as a whole. Draft finding. The addition of a five-story multi-family building with ground floor retail and accessory parking to the segment of Chicago Avenue will likely not have a negative cumulative effect on the neighborhood and the City as a whole.

Standard D. It does not interfere with or diminish the value of property in the neighborhood. Finding. The development will not decrease property values.

Standard E. It will be adequately served by public facilities and services. Finding. Adequate public facilities and services exist to serve this development.

Standard F. It does not cause undue traffic congestion. Finding. The project is located along a major thoroughfare accessible via public transit. As a transit oriented development, the project is served by multiple modes of transportation, and therefore, will likely not have an undue effect on traffic congestion.

G. It preserves significant historical and
architectural resources. Draft finding. This standard is not applicable.

H. It preserves significant natural and environmental features. This standard is not applicable.

It complies with all other applicable regulations of the district in which it is located and other applicable ordinances except to the extent such regulations have been modified through the planned development process or a grant of a variation. The standard is met.

Okay. 6-10-1-9(a), General Conditions for Commercial District Planned Developments.

Standard A. The planned development must be compatible with surrounding development. Finding. The proposed development is compatible with developments along Chicago Avenue corridor in scale, form and bulk.

Standard B. The height, bulk or scale of the planned development may, only may, exercise influences in conformance with the purposes and intents of the Zoning Ordinance set forth in Section 6-1-2, Purpose and Intent. Finding. The height, scale and bulk of the development will support the Zoning Ordinance and likely not have an undue influence on development in the local
area.

Standard C. The planned development and all landscaping must be compatible with and implement the Comprehensive General Plan and any adopted land use or urban design plan specific to the area, the Zoning Ordinance and any other pertinent city planning and development policies particularly in terms of. Draft finding. The proposed development will support the Comprehensive General Plan. The developer has also stated that the project will fully implement the Chicago Avenue streetscape plan.

Land use. Finding. Proposed land use is compatible with the Zoning Ordinance and General Plan.

Land use intensity. The proposed land use intensity is compatible with, indicated by the General Plan.

Housing. The proposed development presents mid-rise multi-family apartment dwelling units which are in keeping with the surroundings and called for by in the General Plan.

Preservation. Not applicable.

Environmental concerns. Not applicable.

Traffic impact and parking. The proposed project provides multiple locations of vehicular ingress
and egress from the site to minimize traffic impacts. The surrounding streets have adequate capacity to accommodate a development of this scale. The proposed project provides the number of required off-street parking spaces. Parking need may be less than other similarly scaled developments in other locations due to the availability of public transit including the nearby CTA station.

Impact on schools, public services and facilities. Per applicant's fiscal impact study, relatively few schoolchildren are expected to reside at this project. Existing public services and facilities are adequate to serve the site.

Neighborhood planning. The developer has stated that the project will fully implement the Chicago Avenue streetscape plan.

Conservation of the taxable value of land and buildings throughout the city and the retention of taxable land on tax rolls. The project will enhance the taxable value of land comprising the site.

6-10-1-9. Site Controls and Standards for Commercial District Planned Developments.

Standard A. A ten-foot wide transitional landscape strip is required along all boundaries.
abutting residential property consisting of vegetative screening, fencing or decorative walls. Finding. The standard is met.

B. Walkways shall be logical, safe and convenient for access to all dwellings, facilities, and offsite destinations. Walkways used by children shall have minimal automobile contacts. The developer shall provide bypass where needed. The site plan shall segregate pedestrian and motor vehicle ways. Finding. The walkways are logical, safe and convenient for pedestrians. Pedestrian and motor vehicle paths are separated.

C. Parking, loading and service areas shall avoid adverse effects upon residential uses. Finding. Loading areas shall be screened. Parking will be in the structure of parking facilities and screened from the adjacent residential uses.

Standard D. Vehicular access shall provide minimum hazards to vehicular and pedestrian traffic. Finding. It is expected that there will be low levels of contention between automobiles and pedestrians as proposed.

E. The development shall provide for underground installation of utilities if possible.
Finding. Any new service connections along Kedzie and Chicago will be buried if feasible.

F. The development shall incorporate acceptably designed facilities for storm water and treatment of turf and maintenance of surfaces. Finding. The development will seek LEED certification and may incorporate alternative storm water management techniques including green roofs. Furthermore, storm water management will comply with all city code and regulations.

Standard G. For every planned development, there shall be provided a market feasibility statement. Finding. This has been submitted.

Standard H. For every planned development involving 20 dwellings or more, there should be provided a traffic circulation impact study. Finding. This has been submitted.

6-10-1-9(c), Development Allowances for Commercial District Planned Developments. None of them apply.

CHAIRMAN WOODS: Okay. Vote.

COMMISSIONER BURRUS: Aye.

COMMISSIONER NYDEN: Yes.

COMMISSIONER OPDYCKE: Aye.
COMMISSIONER SCHULDENFREI: Aye.

COMMISSIONER FREEMAN: Aye.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: Is this on the amendment or what is this on?

CHAIRMAN WOODS: This is on the main motion.

COMMISSIONER STALEY: The main motion, aye.

CHAIRMAN WOODS: The Chair votes aye.

MR. ROSS: Mr. Chairman and Plan Commissioners, thank you very much for your consideration. We appreciate all of your input. I think we've made the project better by working with you and getting that input. So, we appreciate it and we look forward to taking the next step. Thank you very much.

CHAIRMAN WOODS: And we urge you to keep working on improving it.

COMMISSIONER FREEMAN: Motion to adjourn.

COMMISSIONER BURRUS: Second.

CHAIRMAN WOODS: All in favor?

(Chorus of ayes.)

(Whereupon, the hearing on the above-entitled cause was concluded at 11:16 p.m.)