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 participated in by residents, businesses, institutions, and other property owners. A draft downtown plan has been prepared by the consultants and citizen comments have been provided.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held October 27, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:12 p.m. and presided over by J. Woods, Chair.

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

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

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CHAIRMAN WOODS: Let's call to order the Evanston Plan Commission meeting of Monday, October 27, 2008. And we appear to have a quorum. So, the first item of business is approval of October 15th meeting minutes.

COMMISSIONER BURRUS: Motion to approve.

COMMISSIONER SCHULDENFREI: Second.

CHAIRMAN WOODS: Any discussion? Hearing none, all vote.

(Series of ayes.)

CHAIRMAN WOODS: Okay. So, next item of business is Mr. Dunkley has sent us a memo in regard to a joint meeting of the Zoning Board of Appeals in the matter of 1200 Davis.

MR. DUNKLEY: Good evening. We have a, I'm not sure if this is a historic occasion. Have we met with the ZBA before?

CHAIRMAN WOODS: No.

MR. DUNKLEY: This is a historic, potentially a historic occasion to be meeting in a joint confluence of efforts on a particular case which just arrived on our doorstep at the Zoning Office, and that is for the Roycemore School who is planning to purchase and occupy the buildings at 1200 Davis Street. It's the south
campus of the Douglas Pension Board building site. And
they have applied for a whole set of things, a map
amendment, special use and several major variations.
And it is, of course, in the Applicant's best interest
for us to deliberate all of these as one set. We
would like to do that in a joint meeting with the
ZBA.

The proposal is to do that on one of the
regular ZBA meeting nights which are more frequent than
ours here. December 2nd is the first choice. Now, I
realize you're at a special meeting and you might not
want to talk about adding more special meetings, but
this is a joint meeting so maybe it's not quite such a
special meeting. It will be special anyway.

And I wanted to call on who could attend that
night. We do have some alternates. I think we just
took the first one off the table which is November 18th.
So, could I hear from the Plan Commissioners
on availability for that evening?

COMMISSIONER NYDEN: On the 2nd? The 2nd?

MR. DUNKLEY: On December 2nd, yes. So, all
except Ms. Nyden.

COMMISSIONER NYDEN: Who is the Chair on that?

MR. DUNKLEY: This would be a meeting with the
full Plan Commission unless you wanted to refer the case to Zoning Committee, in which case we would have to figure out how to do that.

COMMISSIONER NYDEN: No, no, no, I was just --

CHAIRMAN WOODS: Are you available on the 3rd?

COMMISSIONER NYDEN: I'm available on the 3rd, yes.

COMMISSIONER SCHULDENFREI: Who is available on the 3rd? Could you guys --

COMMISSIONER STALEY: I'm not.

MR. DUNKLEY: So, either way we lose one.

COMMISSIONER NYDEN: But the 2nd is a regular ZBA meeting?

MR. DUNKLEY: If we could keep it on the 2nd, ZBA usually starts at 7:30. The proposal would be that we would start at 6:30 with this case, and then the ZBA would have their regular agenda following that.

COMMISSIONER NYDEN: I mean, if it gets referred to Zoning Committee, I'll have to read and prepare for it anyway.

MR. DUNKLEY: Oh, we wouldn't want to have to schedule this joint meeting if it gets referred to Zoning Committee.

COMMISSIONER NYDEN: Never mind, no. Yes,
that's fine.

MR. DUNKLEY: Does that work with the Chair to handle the case at Plan Commission?

CHAIRMAN WOODS: Yes.

MR. DUNKLEY: Great. Okay, in that case, I'm still waiting to hear back from ZBA members. However, please pencil in December 2nd and we will close this down on your agenda as quickly as possible.

COMMISSIONER STALEY: 6:30 you said?

MR. DUNKLEY: It would be at 6:30 unless otherwise notified.

COMMISSIONER FREEMAN: But it says 7:00 p.m. here.

MR. DUNKLEY: Yes. I believe we, well, it's subject to change but I think an hour before their normally scheduled time. 6:30 is a good compromise. I'm going to, we'd pull actually for, we'd pull for 6:30. That's a typo. Okay, great. Thank you.

CHAIRMAN WOODS: Okay. Next matter before us is the Continuation of the Draft Downtown Plan and Zoning Recommendations. And we have distributed in our packets transcripts from last meeting, the draft copy of the memorandum, and the two drafts, one redlined, one not redlined of the Downtown Plan.
Staff, do you have anything to add? Didn't think so, okay. So, really it's just amongst us. And so, I'll open the floor then. Any comments, edits, changes? Yes, Johanna.

COMMISSIONER NYDEN: This is a minor thing. I mean, is it possible to add Bill Dunkley to the staff on the acknowledgments page? At a later date?

COMMISSIONER STALEY: I've got a question.

CHAIRMAN WOODS: Yes?

COMMISSIONER STALEY: On the map that follows page 43. I just don't understand it. It shows the outline of the Downtown Plan overall in Hinman Avenue.

COMMISSIONER NYDEN: It's on the redline one?

COMMISSIONER STALEY: Yes.

COMMISSIONER NYDEN: Okay.

COMMISSIONER STALEY: And it shows, you know, the redline along Hinman Avenue and then there are those two sections that are not colored in which would indicate something, that they are not part of the plan even though they're in. But then when I go over to page 50 or the plat that follows 50, the redline seems to include those. And so, I don't quite understand how those two plats work together.

I remember we did something about that but I,
I just remember we did something, I don't remember what it was.

COMMISSIONER BURRUS: Chuck, could you just say what you said again now that we have the pages? I'm sorry, just --

COMMISSIONER STALEY: Well, I'm looking at the plat after page 43.

COMMISSIONER BURRUS: Yes.

COMMISSIONER STALEY: And if you look along Hinman Avenue, the redline comes all the way down Hinman Avenue to Lake Street and then turns west. But there are two sections along Hinman Avenue that don't seem to be within --

COMMISSIONER BURRUS: Got it.

COMMISSIONER STALEY: -- of the districts. And I don't know quite what that is because when I look at the plat that follows page 50, it doesn't show any districts. You know, the redline goes the same way and there doesn't seem to be any distinction there.

CHAIRMAN WOODS: I know the answer but I don't want to steal Kirk's thunder.

MR. BISHOP: Go ahead.

CHAIRMAN WOODS: We just basically count the existing zoning which is an R5 or 6? R5 District.
MR. BISHOP: It's in the R neighborhood or kind of high R District. It's in the study area but because of the fact that it relates so much more to the neighborhoods along Hinman than the downtown, we decided to draw the line at the alley with the exception of those parcels that had --

CHAIRMAN WOODS: The corner --

MR. BISHOP: Yes. So, part of the study area but not a part of the downtown --

COMMISSIONER STALEY: I knew we had discussed it. I just couldn't remember --

CHAIRMAN WOODS: Any other questions, comments, edits?

COMMISSIONER SCHULDENFREI: On page 39 of any copy.

CHAIRMAN WOODS: Any copy?

COMMISSIONER SCHULDENFREI: Doesn't matter. I thought we had the strike moved to Objective 5 which is the third bullet point down. Perhaps not. Third bullet point, page 39, it says moved to Objective 5.

COMMISSIONER NYDEN: So, just take it out?

COMMISSIONER SCHULDENFREI: I thought the words in parentheses "(moved to Objective 5)" were a typo and we had corrected it last time, but it looks
like it didn't get corrected in the copies. Albeit not a crucial issue.

COMMISSIONER GALLOWAY: I have one on 99 when we get there.

COMMISSIONER FREEMAN: I have one on 77. So, on 77, the redline versus 77 on the non-redline, it's different. There's two asterisks and one for, that there was no consensus, and then a double asterisk saying that we voted on for distinct options. That says distinct options. One, I know we had a conversation last time on it and I'm still concerned with the message that we send by putting this in here because we do have consensus. We did vote and we do have a consensus on that.

So, I would move that if we are going to keep this double asterisk as saying that we voted on four but we should say at least we came to a consensus. The previous asterisk says that we don't have a consensus, so I think it is misleading to have another point.

CHAIRMAN WOODS: But doesn't the memo --

COMMISSIONER FREEMAN: Not everybody will be reading the memo when they're looking at this document. So, we're institutionalizing a document that we have four options that we voted on, nowhere else in this
1 document when we have other options do we call out that
2 we voted on other options when we made our decision,
3 only in this section.

4 COMMISSIONER GALLOWAY: This is one of the few
5 places where we had options. That was probably one of
6 the most important areas, so I think it's very germane
7 to have the two asterisks there.

8 COMMISSIONER SCHULDENFREI: Only the non-
9 redlined document will be ultimately the permanent
10 record. I guess the question then is how likely is the
11 City Council to change this document.

12 COMMISSIONER FREEMAN: Well, the question
13 actually would be, is there a mistake that this is not
14 in the non-redlined or is it supposed to be not in the
15 non-redlined.

16 COMMISSIONER SCHULDENFREI: Well, I prefer
17 that it's not in the non-redlined.

18 CHAIRMAN WOODS: The first question is why are
19 they different.

20 COMMISSIONER FREEMAN: Well, that was my first
21 question. They're different.

22 COMMISSIONER BURRUS: Right. Well, the first
23 one, we never came to, there is no majority vote on that
24 one.
COMMISSIONER FREEMAN: That's correct.

COMMISSIONER BURRESS: They came 4, 4, 4, 4.

And then the double asterisk one, we had a variety and there was only one option that had a majority vote on it. So, I think that's the thing you're talking about, Seth, correct?

COMMISSIONER FREEMAN: That's correct.

COMMISSIONER BURRESS: And do you have suggested wording on how you would like for that to be --

COMMISSIONER FREEMAN: Well, I would either like it striped or I would like wording that says we do have consensus on the option.

CHAIRMAN WOODS: Do you really want me to ask the question a different way?

COMMISSIONER BURRESS: Absolutely not.

COMMISSIONER FREEMAN: Absolutely not. So, if you're suggesting --

CHAIRMAN WOODS: So --

COMMISSIONER FREEMAN: Wait a second. If you're suggesting that we revote on this, if we're going to play that game, I think it's a bit late at this point. We had a vote, we had a consensus. We had 5 to 4 on that option. So, I don't understand why it's
alluding to here that we don't have consensus. We do.

COMMISSIONER BURRUS: Well, I mean, I don't, this is definitely not the time to, I guess, have animosity on this, but I do agree with Seth in that it should be outlined more clearly in this document, what is similar to be in the memo.

CHAIRMAN WOODS: -- see it that way.

COMMISSIONER BURRUS: And I think that you would be happy with that as well.

COMMISSIONER FREEMAN: That's what I'd like.

CHAIRMAN WOODS: Absolutely.

COMMISSIONER BURRUS: Right. And I think that that's perfectly fine, just to make it --

CHAIRMAN WOODS: And I would like to make it both copies.

COMMISSIONER BURRUS: Right, but I mean, just to make --

COMMISSIONER FREEMAN: And I'm fine with that.

CHAIRMAN WOODS: That's fine. Yes?

COMMISSIONER NYDEN: I think it's also, I mean going back to what the City Council wanted to hear, they wanted to hear our thoughts. And so, I think it is important that, you know, going back to 708 Church Street -- did not support that development did vote in
favor of raising the building height something much more
significant than what is currently there and that one
person who had been for the 708 development agreed that
we could bring it down. So, I think that that's an
important --

CHAIRMAN WOODS: Absolutely. Yes, I agree
with that.

COMMISSIONER FREEMAN: And my point, thank you
for your supporting it, is that it does not, by the way
it is in here does not support that.

COMMISSIONER WIDMAYER: Chairman?

CHAIRMAN WOODS: Yes?

COMMISSIONER WIDMAYER: Is the redline going
to Council also or just the final one?

MR. BISHOP: It's not for me to make that
decision. It's been our assumption that you were
sending both of them on.

COMMISSIONER STALEY: We've had that
discussion. You were upset with that, I don't know if
you still are.

COMMISSIONER BURRUS: At this point, I think
that we just need to figure out compromises. We've been
at this a long time. And I'm not, one thing is, I think
it goes back to the point of this is the, you know, the
non-redline one is really the sort of official, I mean, the redlined is the draft. And so, the reality is of the official document, there are only a couple of places that we weren't able to get there. And so, that, even in the final document, I think that needs to be called out even though, and I get your point, Larry, but it is in the redline version. But --

COMMISSIONER WIDMAYER: It's not in the --
COMMISSIONER BURRUS: That's what I'm saying.
COMMISSIONER FREEMAN: 5-4 is a consensus.

That is the consensus.

COMMISSIONER BURRUS: But I'm not arguing that, Seth. What I'm saying is we've gotten to a point where we need to have that very clear in this document how we did the vote, and I think the memo outlines that. I think Traci, give Traci credit.
COMMISSIONER FREEMAN: Absolutely.

Absolutely.

COMMISSIONER BURRUS: Did a great job going through that.

COMMISSIONER FREEMAN: Good job.
COMMISSIONER BURRUS: And I think for the benefit of the aldermen when they're looking at it, that they should have that thought process in the original
1 document.

2 COMMISSIONER NYDEN: Maybe we, I think partially the problem I'm having a little bit is how this is all bundled together. Maybe it would be better if we are going to bind these things together if Traci's memo was bound to this so it doesn't stand as its own document. I think it would be much easier or if it's stapled or whatever it is, but that document with the redline copy because I think it gets confusing even from, you know, we all know --

3 COMMISSIONER BURRUS: No, no, with the final one.

4 COMMISSIONER NYDEN: Right, with the final copy, yes.

5 COMMISSIONER FREEMAN: Well, my feeling on the redline is that it should be made available but I think it's confusing because the redline is not all the changes we made, it's just the final changes we made. It does not take all the different revisions that we had over the course of deliberations. You can go back months ago and look at the changes we made, they're not in there.

6 CHAIRMAN WOODS: It's not history but what it does show is what it was in the original document and
how it ended up.

COMMISSIONER FREEMAN: I think there are changes that are not in here.

COMMISSIONER SCHULDENFREI: There's intermediate steps.

COMMISSIONER FREEMAN: There are intermediate steps that don't get reflected here. It's only the last document that was added to versus this.

CHAIRMAN WOODS: I understand that, but for that reason it shows a difference between the original document and the final one.

COMMISSIONER FREEMAN: I believe it shows the difference between the next to last document and the last document.

CHAIRMAN WOODS: No, I don't think --

MR. BISHOP: If that's true, Seth, that was a mistake because this was prepared by us as a reflection of all the substitute changes made throughout this process.

COMMISSIONER FREEMAN: So, this redline?

MR. BISHOP: Yes. A comparison as Jim describes between where we started and where you all ended up.

COMMISSIONER FREEMAN: Okay.
COMMISSIONER BURRUS: So, just to recap, sorry, we don't have the little lights, we're definitely going to put in that portion of Traci's memo in the final document?

MR. BISHOP: I'm keeping all of Traci's memo in the final document.

COMMISSIONER BURRUS: Well, but I think that portion of Traci's memo about the asterisks needs to be with this --

COMMISSIONER NYDEN: Oh, with this redline copy?

COMMISSIONER BURRUS: No, no, no. It goes with the original.

COMMISSIONER SCHULDENFREI: No. Well, hold on. Let's call the non-redline the final, clean copy.

COMMISSIONER BURRUS: Final.

COMMISSIONER SCHULDENFREI: We'll call it the final document just so that we have our semantics.

COMMISSIONER BURRUS: Correct.

COMMISSIONER SCHULDENFREI: And then we have the redlined. My understanding of the difference between the redlined and the final besides showing most of the edits that we've made along the way is that the final document is really listing that we support the
most that a City Council member going through could
decide whether they, too, support or not, and if they
wanted to look certain things up like, oh, if they had
particularly remembered things. But once we start
introducing these questions that we've worked out and
come to a pretty good compromise based on giving and
taking a lot of other things, I don't want to enter that
compromise into this final document.

This clean, final document I think represents
a lot of consensus and a lot of give and take. And once
we start putting votes, it's going to be a lot of easier
for them to pick apart parts. Therefore, my
recommendation would be to leave the final copy as is
for today in terms of that crosshatched area, and for
our redline copy with the two asterisks to be made
slightly more robust following the memo. If you then
want to bind the memo into the final clean copy, then
that makes sense.

CHAIRMAN WOODS: That was not my intent by my
comments at the last meeting.

COMMISSIONER SCHULDENFREI: Oh, wasn't it?

CHAIRMAN WOODS: No.

COMMISSIONER BURRUS: Can you --

CHAIRMAN WOODS: My comments about the central
block at the last meeting had to do with, I felt, since it was a matter of major contention and a long description in the cover memo was that it should be called out as had the other block at the southeast corner of Davis and Chicago as two areas that were very much open to discussion.

COMMISSIONER SCHULDENFREI: Right. And in this understanding, I should also say that I think in the clean copy this red asterisk should be removed where it says no consensus. So, again, we didn't change it in the end. It's still RD2. And so, I would actually be keeping asterisks and crosshatching in the redlined where there has been discussion and to show that these were contentious issues for people who want to look for them. But as the sort of instigator of the single asterisk here, I doubt that they're going to take up that issue anyway, so I would just as well have this to be, the final copy be asterisk-free.

CHAIRMAN WOODS: That was, again, not the intent of my comments at the last meeting.

COMMISSIONER FREEMAN: Well, when I saw this in this document, it looks like there was no resolution. The Council tasked us to come up with a recommendation and that is what we did, we came up with a
recommendation. There was compromise, we made a recommendation, we had a consensus. And a 5-4 is a consensus. So, we all compromised there.

CHAIRMAN WOODS: It was actually 5-3.

COMMISSIONER FREEMAN: I'm sorry? It was 5-4.

COMMISSIONER STALEY: We don't have 9.

COMMISSIONER FREEMAN: Okay. But my point is, and I think we are in alignment, is that it calls out in a document that's supposed to be a recommendation that comes from us that there is still doubt as to our recommendation. I don't have a problem and I actually agree one hundred percent with the memorandum being bound to here so that it is understood what we went through.

CHAIRMAN WOODS: See, if that was, if I had understood that that night, I would have asked for one more vote.

COMMISSIONER BURRUS: No, I mean, you know, and I've been God knows a huge supporter of getting this removed out of the very high category and still am very much against it being a high category, but I believe we should have in the final document an explanation of that triangle block. And I think that's what Jim is asking for because we need, it's not like the Council doesn't
know what has been going on through this, okay. It's not, and this document is going to change once it gets to P&D. And my --

COMMISSIONER FREEMAN: Well, then doesn't a double asterisk refer to an attached memorandum?

COMMISSIONER BURRUS: Well, no, no, no.

That's exactly what we're saying, Seth. And I think that that's --

COMMISSIONER FREEMAN: Okay, but I want the text here changed that says --

CHAIRMAN WOODS: Agreed.

COMMISSIONER BURRUS: No one is disagreeing with that.

COMMISSIONER FREEMAN: Okay, then let's resolve that.

COMMISSIONER BURRUS: Right.

COMMISSIONER FREEMAN: What the text is going to say.

COMMISSIONER BURRUS: I think we're on that, I think --

COMMISSIONER STALEY: -- we attach the memorandum?

COMMISSIONER BURRUS: Right, I think that we're on the same page. It's just calling it out and
saying this has been, you know, everybody knows this is
a point of contention, but we need to have it very clear
on how the vote went, what we did.

COMMISSIONER FREEMAN:  Agreed.

COMMISSIONER BURRUS:  That's all I'm saying.

COMMISSIONER FREEMAN:  Then, let's say --

COMMISSIONER BURRUS:  But I know you feel
differently about that and I don't --

COMMISSIONER FREEMAN:  -- with a double
asterisk please refer to the attached memorandum. So,
would you be okay then with the verbiage that says
"Please refer to attached memorandum"?

CHAIRMAN WOODS:  Absolutely.

COMMISSIONER FREEMAN:  Then, I think we have
consensus.

COMMISSIONER BURRUS:  Okay.

COMMISSIONER STALEY:  And where are we
attaching the memorandum again?

COMMISSIONER FREEMAN:  So, do we need to vote
on this?

COMMISSIONER STALEY:  Where is the memorandum?

CHAIRMAN WOODS:  In my mind, the memorandum is
attached to --

COMMISSIONER FREEMAN:  In the addendum, right?
10/27/08       Evanston Plan Commission

Downtown Plan & Zoning Recommendations

1       CHAIRMAN WOODS: I think it should be --
2       COMMISSIONER BURRUS: Yes. Yes, that's right.
3       COMMISSIONER FREEMAN: There you go, agreed.
4       COMMISSIONER STALEY: To the final version?
5       COMMISSIONER BURRUS: Yes. I think that's the
6       point in the final version. Okay, Traci, did that make
7       -- poor Traci.
8       MS. NORFLEET: To clarify, is it both
9       versions?
10      CHAIRMAN WOODS: Yes, both versions, same map,
11       same comments.
12      COMMISSIONER FREEMAN: I'm assuming we should
13       put it behind page 1 so at least they can see it's the
14       Downtown Plan?
15      CHAIRMAN WOODS: Yes.
16      COMMISSIONER BURRUS: Yes.
17      COMMISSIONER FREEMAN: Okay. Maybe we want to
18       put it on top of that, right?
19      CHAIRMAN WOODS: Agreed.
20      MS. NORFLEET: -- crosshatching even in the
21       redline or final or both?
22      CHAIRMAN WOODS: Both.
23      COMMISSIONER FREEMAN: Both.
24      COMMISSIONER STALEY: The print needs to be
large enough to read it, too. It's very difficult for me to, I had to finally get out a magnifying glass to get what was different or distinct.

CHAIRMAN WOODS: What did you say, Chuck? I'm sorry.

COMMISSIONER STALEY: I said it needs to be large enough so they can read it, too. I mean, was I the only one?

CHAIRMAN WOODS: No, no.

COMMISSIONER BURRUS: No, no.

COMMISSIONER FREEMAN: I had to blow up the PDF that was sent to me and I zoomed in on it.

COMMISSIONER STALEY: I'm not that type of --

CHAIRMAN WOODS: Anything else? Robin, do you have anything else?

COMMISSIONER SCHULDENFREI: Yes. Page 82.

CHAIRMAN WOODS: 82, okay.

COMMISSIONER SCHULDENFREI: 2.4.2, we had made a request change under parking structure height. The first sentence says "for buildings constructed after (insert effective date)", and that was supposed to be changed as per last meeting, "approval of this plan by City Council", I think. Because it's only when this plan goes into effect does this get effected, right?
MR. BISHOP: This would be the effective date of the zoning ordinance that would have to be written. That is the intention of that placer.

COMMISSIONER SCHULDENFREI: But doesn't that affect all the zoning in this document? I mean, you can't build in this map until the zoning is done either, right? I mean, how does that, why is that one sentence different than any other building? I mean, until the zoning is done, you can't build in the RD2 District a building that's bigger than 160.

COMMISSIONER BURRUS: Oh, because I thought that was, and Bill, I think you are going to probably answer this question because we've had issues with making the difference between the former how we calculated parking. And so, you wanted to make sure that we weren't sort of mixing apples and oranges when we go forward. Is that correct? I don't mean to be so --

MR. DUNKLEY: Yes, but I just want to make sure that I'm answering the question. I think I'm answering it. So, the questions regarding the definition of parking calculation would be height calculation in the parking?

COMMISSIONER SCHULDENFREI: No, effective
date. And why this is the only place in the plan --

COMMISSIONER BURRUS: Right, because of the parking issue.

COMMISSIONER SCHULDENFREI: Okay, because it affects other parts of Evanston zoning? Okay, sorry.

Yes, thanks.

COMMISSIONER BURRUS: Right, right. Yes, I'm sorry. I wasn't explaining it even though I had the general thought.

COMMISSIONER SCHULDENFREI: Yes.

MR. DUNKLEY: So, was that it?

COMMISSIONER SCHULDENFREI: Yes.

COMMISSIONER STALEY: Are we at 99 yet?

CHAIRMAN WOODS: 99.

COMMISSIONER STALEY: This may, in 5.2, this may be unnecessary because there are other sections here to make clear that's the intent, but I thought on this bonus threshold in the second sentence where it says "are eligible to use", I thought we didn't want to put something in that made a situation where a developer could just come in with something and hand it to us and if it fit that we'd have to take it? I thought we wanted some discretion to say, well, that's really pretty good but we don't want it in this location so
you're not going to get anything anyway.

And so, if we put "apply for" instead of "use", but I don't know if that's our intent. I thought that was our intent but --

COMMISSIONER FREEMAN: I thought all bonuses were --

COMMISSIONER OPDYCKE: Open to review.

COMMISSIONER FREEMAN: Open to review.

COMMISSIONER STALEY: Well, that's what this is leading into, this is talking about all the bonuses.

5.2. This just says to apply for anything you've got to be green, but it just says that they are eligible to use, I'm just saying should it be are eligible to apply for? There are other places where it talks about, language that would make it reasonably clearer that no one is entitled to it. But this is the lead into all of them so I kind of wondered if we shouldn't put apply for instead of use.

COMMISSIONER BURRUS: I think that's a great idea.

COMMISSIONER SCHULDENFREI: Yes.

COMMISSIONER FREEMAN: Yes. Good catch.

COMMISSIONER STALEY: And then I had one on 100, question. I don't understand, 5.3.10 says facade
improvements are parked depending on --

MR. BISHOP:  Which copy?

COMMISSIONER BURRUS:  He's on redline.

COMMISSIONER STALEY:  I'm on the redline.

Facade improvements.

MR. BISHOP:  What page is that, Chuck?

COMMISSIONER STALEY:  100.  In 5.3.10, we talk about facade improvements being parked, yet down in the list we talk about facade improvements being there. Was it parked that we were still arguing about the percentage?  I thought we dropped that.  So, I don't think it is parked anymore.

CHAIRMAN WOODS:  Wait a second.  I thought facade improvements were removed.

COMMISSIONER STALEY:  Really?

COMMISSIONER BURRUS:  I thought we put them at really low percentage, I thought.

CHAIRMAN WOODS:  We put them at 5 percent.

Oh, no, okay, never mind.  There is no, that is yet to be prepared by the Preservation Commission, Plan Commission and Staff --

COMMISSIONER STALEY:  Is that why it's parked?

It's parked for that or the concept is not parked?

COMMISSIONER SCHULDENFREI:  Maybe parked is a
typo.

CHAIRMAN WOODS: I think probably it's no longer parked.

MR. BISHOP: I think the word park in brackets should be removed.

CHAIRMAN WOODS: Anything else?

COMMISSIONER STALEY: I'm done.

COMMISSIONER GALLOWAY: I'd like to bring up a topic that affects pages 99, 100 and 139.

COMMISSIONER FREEMAN: In the --

COMMISSIONER GALLOWAY: In the redline. But before you turn to the pages, the topic I'm bringing up is reintroducing a bonus for public art. I did a lot of thinking about this over the weekend and I've tried to recall our deliberations on this. And my general feeling about them was that there were certain items about it that we found either inappropriate or unpalatable, but I thought we rushed to a decision on it without considering the possibility of this contribution, this bonus being applied strictly for, say the developer's financial contribution to the City of a certain amount of money that the City would then use and determine how to use for the provision, creation, installation of public art in the confines of this plan.
I know that there were additional bullet points about public art, you know, that the developer could provide money to an arts organization, like a one time contribution to an arts organization, or that he would be free to discern how he wanted to provide that art by, you know, hiring an artist to put it on his own building and so forth. And as a consequence, you know, that might not be so desirable to us. But I've spoken with, I've had a number of people in the arena of public art approach me over the years beseeching me and other organizations I belong to to try and improve the potential for public art in our City.

And I don't, I certainly don't foresee the City having the funds available to provide public art given its either past or future financial constraints. I don't believe that, as I believe some of our deliberations on this, reflect that it should, such a bonus should be applied as a one time contribution say to an arts organization. I think the most effective way to do this would be, say for example, if the developer provides one percent of the construction budget of its project, gives that amount of money to the City, the City has a process by which it purchases and determines locations for public art. It would go through that City
process and that money would be used accordingly.

You know, we've also talked about the desire for the City to put forward a master plan for public art and to look at locations throughout the City where an object of art would be a very appropriate thing to have to serve as either a focal point or a locus or an element that would draw you from one side or attracts to the other and so forth. And I think that not allowing the City to acquire the benefits of financial contribution under these more strict circumstances I think would be very unfortunate. So, I'd be curious as to what other Commissioners' opinions are. Or what your recollections were on our deliberations on that?

CHAIRMAN WOODS: Larry?

COMMISSIONER WIDMAYER: Yes. I think when that was brought up, the discussion was that the benefits or the bonuses should be for ongoing activity related to the building or the area around it. And that one time, you can buy an increase contribution. I think that was, as I recall, that was the reason it was taken out.

CHAIRMAN WOODS: Yes, Johanna?

COMMISSIONER NYDEN: I appreciate the
contained discussion about everything we've done and I appreciate those comments. But my concern is that if we have this conversation and discussion, then there's things that I might want to bring up that we, you know, had a discussion a while back and moved on from that, or there might be something else somebody does. And I think the intention of this meeting was to sort of tie up a few loose ends --

COMMISSIONER SCHULDENFREI: Typos.

COMMISSIONER NYDEN: Typos, and move this thing on to P&D. I think, I mean, you know, I think that public art is very important, but I think we sort of had that discussion and Council can make their decision. And, you know, we can all go and talk before P&D if we want as residents of Evanston and say here's the things that we weren't quite happy about or whatever. But you know, else we would love to keep talking about stuff.

COMMISSIONER FREEMAN: I'd like to see donations going to school, arts and music programs. But you know, I don't think we should be opening this back up.

COMMISSIONER BURRUS: Chair?

CHAIRMAN WOODS: I agree.
COMMISSIONER BURRUS: I mean, we expect to see you at City Council.

CHAIRMAN WOODS: Absolutely.

COMMISSIONER GALLOWAY: Well, I hope everyone else, other Commissioners that may feel sympathetic to this argument would exercise their option to bring it to discussion in subsequent hearings.

COMMISSIONER BURRUS: Okay. Sounds good.

COMMISSIONER SCHULDENFREI: Should we just vote on this?

CHAIRMAN WOODS: Any other comments? Done?

Okay.

COMMISSIONER FREEMAN: I have a question. If we're going to vote on this, are we going to vote on the changes that we just changed?

COMMISSIONER BURRUS: Yes.

COMMISSIONER SCHULDENFREI: Yes.

COMMISSIONER FREEMAN: It would be the changes? What happens?

COMMISSIONER BURRUS: We're going to make the vote contingent on the changes.

CHAIRMAN WOODS: Contingent on them.

COMMISSIONER FREEMAN: Okay. Are we videoing this? Are we --
COMMISSIONER BURRUS: You know what, I think Jim should make the motion. You've been the fearless leader on this.

CHAIRMAN WOODS: Therefore, I move that the Plan Commission recommends to Planning & Development of City Council the Downtown Evanston Plan as edited/updated not only based on all the meetings that we've had for the last year but also the comments that have been made tonight. That's my motion.

COMMISSIONER BURRUS: I second it.

CHAIRMAN WOODS: Any discussion?

COMMISSIONER FREEMAN: No.

CHAIRMAN WOODS: Okay.

COMMISSIONER OPDYCKE: I have just two minutes of remarks. I just want to thank a few people, is that all right?

CHAIRMAN WOODS: Okay.

COMMISSIONER OPDYCKE: I want to thank Larry Widmayer who stayed on to chair the Committee.

(Applause.)

COMMISSIONER OPDYCKE: After his term as a member of the Plan Commission had expired. He's had a lot of ex --

COMMISSIONER BURRUS: Didn't you tether him to
the chair?

COMMISSIONER OPDYCKE: Pretty much, and I want to thank him.

CHAIRMAN WOODS: And believe me, I'm still thinking about keeping him anchored there until zoning is done.

COMMISSIONER OPDYCKE: I would like thank Jim Woods for keeping the train for the most part on track.

I'd like to thank the Staff.

(Applause.)

COMMISSIONER OPDYCKE: Bill Dunkley and Traci Norfleet and Susan Guderley and Dennis Marino for laboring tirelessly on this and received very little credit if any for all of the footwork that they have done throughout this three-year process. And the consultants, and I don't know what they're paying you, but in my view you're worth every penny of it because you have demonstrated great persistence and patience and good humor and expertise. And I thank you very much for that. Without it, without the consultants, we couldn't have gotten very far.

And finally, the Plan Commission members, and I think we have every right to be very proud of this product. We've come through some stormy weather to be
sure, but we are on all cylinders and I congratulate
every one of you for your considerable contribution
here. And personally, I send this on to the City
Council with our best wishes.

CHAIRMAN WOODS: Thank you, Stu. Vote.

(Series of ayes.)

(Applause.)

COMMISSIONER BURRUS: Yay, done.

CHAIRMAN WOODS: Well done.

COMMISSIONER BURRUS: Wait, can we, wait.

November 18th for Rules Committee. And Seth,
you'll email Traci and let her know if you -- sound
good?

COMMISSIONER FREEMAN: I'm pretty sure it's
good.

COMMISSIONER BURRUS: 7:00, is that good for
everybody? Great, good.

CHAIRMAN WOODS: Our next meeting is the 12th,
correct?

COMMISSIONER OPDYCKE: Are we adjourned here,

Mr. Chairman?

CHAIRMAN WOODS: I need a motion.

COMMISSIONER BURRUS: Motion to adjourn.

COMMISSIONER NYDEN: Second.
CHAIRMAN WOODS: All in favor?

(Chorus of ayes.)

(Whereupon, the hearing on the above-titled cause was concluded at 7:55 a.m.)