11/11/09 EVANSTON PLAN COMMISSION

Zoning Map Amendment - 09PLND-0085

CITY OF EVANSTON

PLAN COMMISSION

RE: ZONING MAP AMENDMENT - 09PLND-0085. Amendment of the zoning map as part of the implementation of the Downtown Plan Update adopted by the City Council on February 9, 2009.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held November 11, 2009 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:00 p.m. and presided over by S. Opdycke, Chair.

PRESENT:

S. OPDYCKE, Chair      C. STALEY
S. PETERS             S. FREEMAN
D. GALLOWAY          R. SHURE
J. WOODS              L. ASARO

STAFF:

C. SKLENAR
D. ARGUMEDO

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CHAIRMAN OPDYCKE: We will call to order the meeting of the Plan Commission, November 11th, 2009. It's 7:00 o'clock. We do have a quorum.

First item of business is approval of the September 9th Plan Commission meeting minutes.

COMMISSIONER STALEY: I would move approval.

CHAIRMAN OPDYCKE: Is there a second?

COMMISSIONER WOODS: Second.

CHAIRMAN OPDYCKE: All those in favor, say aye.

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Those opposed?

(No response.)

CHAIRMAN OPDYCKE: Motion carries. The next item is approval of the October 14th meeting minutes of the Plan Commission for October 14th. Is there a motion to approve?

COMMISSIONER STALEY: So moved.

CHAIRMAN OPDYCKE: Is there a second? I will second it. All those in favor?

COMMISSIONER STALEY: I have one, the copy I had at the end talked about that, this is trivia but I noticed it, just a short, I read it, under Adjournment there, it talks about the next meeting being Wednesday,
December 9th. Shouldn't that be Wednesday, November 11th? Or has it been --

MR. SKLENAR: That's the next, this is the November, or the October minutes.

COMMISSIONER STALEY: No, I'm looking at the October 14 minutes. The next meeting would not have been --

MR. SKLENAR: I apologize for that.

COMMISSIONER STALEY: That wouldn't have been December, it would have been November.

MR. SKLENAR: Yes, you're right.

COMMISSIONER STALEY: Minor, minor. But I --

CHAIRMAN OPDYCKE: He didn't go to Harvard Law School for nothing.

COMMISSIONER STALEY: And I didn't go to Harvard Law School, no. I went somewhere else.

CHAIRMAN OPDYCKE: Well, wherever.

COMMISSIONER STALEY: No, I didn't. They didn't offer me any money to go there.

CHAIRMAN OPDYCKE: There is a motion and a second. All those in favor?

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Those opposed?

(No response.)
CHAIRMAN OPDYCKE: Motion carries. Item IV on the agenda is the Zoning Map Amendment. Dominick, are you going to lead us on this issue?

MR. ARGUMEDO: Good evening, Commissioners.

Dominick Argumedo, Zoning Planner, speaking about Item Number IV. Just to give some background here for the audience members and the Plan Commission, as you know we have initiated this Downtown, the implementation of the Downtown Plan. And what we discovered as we've been implementing is that since the Downtown Plan with these new zoning districts is going to do away with Chapter 11, the Downtown Zoning Districts D-1, D-2, D-3, D-4, outside of the adopted Downtown Plan area, there is a northern parcel and southern parcel that would still be zoned D-2 and D-4 respectively. As those, as we would be eliminating all D-1 through D-4 Zoning Districts, those two then in essence would be like a negative, well, whatever the imaginary number is, negative zero, because we want to have a zoning district for them. So, we need to reclassify these two parcels to what will be the zoning, the actual zoning districts.

I'd just like to briefly talk about the northern area, 1830 Sherman. And I just handed out an updated memo from Bill Dunkley and a new zoning map.
COMMISSIONER FREEMAN: This is different than what was sent in the packet, correct?
CHAIRMAN OPDYCKE: That's correct.
COMMISSIONER FREEMAN: Also, it doesn't have the, the recommendations have been changed.
CHAIRMAN OPDYCKE: Is your speaker on?
MR. ARGUMEDO: The recommendations have been changed.
COMMISSIONER FREEMAN: There were recommendations for the northern zone in the handout, in the previous thing, there weren't for the southern zone, correct?
COMMISSIONER STALEY: That is correct.
COMMISSIONER FREEMAN: And now we've, looks like what's changed here is that you've made a recommendation for both in one table, is that correct?
It seems like what the difference is.
MR. ARGUMEDO: Something like. Let me speak to that. First, let me speak to the zoning map that we just handed out. That's a copy for all the members, it's the new zoning map, the updated one. Zoning Officer Josh Metzer led that effort and put a lot, a lot of work into it, new colors.
COMMISSIONER FREEMAN: What, not laminated?
COMMISSIONER STALEY: Suitable for framing.

MR. ARGUMEDO: Suitable for framing but not framed from us due to our budget constraints. So, that's something for you to refer to.

Getting back to the map amendment that's proposed, 1830 Sherman, we had discussions with Kirk Bishop, part of the Duncan Associates consulting team, about why was this little parcel left out of the downtown area. It seemed unusual that it would be. Was there something we were missing? Kirk Bishop just noted that it is left out from the adopted plan through error.

And as this memo points out, it is included in various maps throughout the zoning, so throughout the adopted Downtown Plan where it is included. Just on the final map which I believe is on page 88, it is then left out for some reason.

Kirk Bishop, the consultant, said that was an error and he will be providing further recommendations to what it should be included into the Downtown Plan area which would probably be -- well, I'll leave that for him to speak on and I won't go on the record there. But that's what, it will be included. So, we'd like almost to tailor it until we get that memorandum from him. Also, I have a letter, we've been in communication
with most if not all of the parcels we'll been talking
about. And I have been speaking personally with the
person who lives at or who owns 1830 Sherman Avenue, and
I have a letter from him. He's just not able to come
tonight but he is definitely invested in the process
naturally, and so this works out well that we would like
to wait for the consultants to give us an update on what
should be included in this previously left out area, the
northern parcel.

COMMISSIONER FREEMAN: Can you explain what
you mean by what should be included in the left out
area?
MR. ARGUMEDO: The left out parcel is 1830
Sherman.

COMMISSIONER FREEMAN: It's that triangle?
MR. ARGUMEDO: That triangle. It's only one,
or it's that ---

COMMISSIONER FREEMAN: It's one building,
right?
MR. ARGUMEDO: One building.

COMMISSIONER FREEMAN: Is that a historic
building, by the way?
MR. ARGUMEDO: Yes, it is.

COMMISSIONER FREEMAN: It is, correct. So,
does the owner own the whole parcel there?

MR. ARGUMEDO: Yes, there is one owner we're dealing with.

COMMISSIONER FREEMAN: And so, what are you trying to get to as to what is included?

MR. ARGUMEDO: Included in terms of right now this parcel is zoned D-4. The D-4 area is going away so we need to find a new parcel for it. It's not included in the February adopted Downtown Plan.

COMMISSIONER FREEMAN: Understood. But what we're saying is this parcel needs to be included.

MR. ARGUMEDO: Correct.

COMMISSIONER FREEMAN: So, we don't have to determine what about the parcel needs to be included, all of it needs to be rezoned to something else and included in the plan is what you're saying?

MR. ARGUMEDO: Correct. Correct.

COMMISSIONER FREEMAN: Okay. Thank you.

MR. ARGUMEDO: No problem, thank you for clarification.

COMMISSIONER FREEMAN: So, we're not doing anything with this today. Okay.

CHAIRMAN OPDYCKE: So, we're going to wait on the memos then from the consultants on that particular
parcel, so now we're dealing with the southern parcel?

MR. SKLENAR: I would just like to notate that
in all of the graphics and all of the maps in the
Downtown Plan and the adopted Downtown Plan shows an
inclusive, boundary areas inclusive of this property.
The only map that doesn't show it is the zoning
recommendation or the zoning map from what I can see.
It doesn't include it.

COMMISSIONER FREEMAN: So, what is it zoned at
or is it just not zoned?

MR. SKLENAR: It's left, it's just blank.

COMMISSIONER FREEMAN: It's just blank. It's
got that --

COMMISSIONER WOODS: It's a no man's land.

COMMISSIONER FREEMAN: What color is it? It's
a, there is a color for that, right? Those two parcels?

COMMISSIONER WOODS: White. It's not a color.

MR. ARGUMEDO: So, that was it and determined
to be included in that. So, that's why we're looking to
wait. He was very surprised when we called and
mentioned that.

CHAIRMAN OPDYCKE: Well, I mean it is colored
in the Downtown Plan, it does have a color.

MR. ARGUMEDO: On page 88?
MR. SKLENAR: If you go to the back section where it talks about the zoning work --

CHAIRMAN OPDYCKE: Oh, okay. All right.

MR. SKLENAR: Page 79.

MR. ARGUMEDO: Thanks.

MR. SKLENAR: Zoning districts, where the proposed zoning districts, it's the only map, the only graphic that shows it not included in those proposed zoning districts. So, it's not like it gives it a designation of what it should be, it just doesn't provide any information.

MR. ARGUMEDO: Therefore, we don't know how to implement it for what it should be implemented as.

CHAIRMAN OPDYCKE: Take a look at page 43 on the Downtown Plan, it is included in that particular illustration.

MR. SKLENAR: Page 43 --

CHAIRMAN OPDYCKE: Well, yes, right. And you're saying it's not in --

MR. ARGUMEDO: Right, that previous --

CHAIRMAN OPDYCKE: The one on page 79?

MR. ARGUMEDO: The previous map demonstrates that it was intended to be included in the zoning, always intended to be included in the Downtown Plan.
Unfortunately, it's not included in the zoning map that was adopted.

CHAIRMAN OPDYCKE: All right, thank you.

MR. ARGUMEDO: That leads us to the southern area, that we're terming the southern area between Lake Street and Greenwood Street along Sherman on the eastern portion of the block that is currently zoned D-4.

Again, this is an area that will, when the implementation goes through, will not have a zoning district to D-4. Running from the north to the south of what is on this property, on this section of land from Lake Street to Greenwood, the northernmost parcel, 616 Lake Street is the -- Lutheran Church, a religious institution. Then we have 1421 and 1415 Sherman which are condo, multi-unit condo buildings with ground floor office space, and then 1403 Sherman Avenue which is a Salvation Army. Again, to try to zone what is, something close to it, the uses that exist there, what is a zoning district that is near there, we came up with the idea of looking at R-6 which is across the alley to the east, to the immediate east and to the south is B-2 on Greenwood Street.

R-6 seemed like the ideal one at first until we did our searches and we discovered that the office
buildings, the office uses in 1415 Sherman. Unfortunately, as we go to rezone this, something is going to be nonconforming here in some aspect, whether it be height or use or FAR or setback, there is something right here. In the R-6, we would be making the, we would be putting a lot of pressure on the office uses in those two buildings right there and the religious institution would be a special use, would require a special use. Not to go back and get one, but if there was a year break and then another religious institution wanted to come in, they would need to get a special use permit. Also, if there would be an addition somehow to these buildings, in theory they would need to have an addition of a special use permit.

And remember, office in an R-6 zone according to ordinance is only allowed in, offices shall be located within a dwelling originally constructed as a single family detached or two-family dwelling which obviously does not meet what 1421 or 1415 Sherman is. Again, if those offices were to be vacant for over a year losing their nonconforming status, there would be no zoning recourse really to get them into that because they would not be an allowed use. Office in a multi-unit condo building is not allowed. Office is only

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allowed in formally a single family house.

CHAIRMAN OPDYCKE: Commissioner Staley, do you have a question?

COMMISSIONER STALEY: What about the height of those condominiums that were only built in the last three or four years? Don't they exceed the --

MR. ARGUMEDO: They certainly do. They are 14, 15 --

COMMISSIONER STALEY: It seems more significant to me than a religious organization having to get a special use to have a church there. What if it's, you know, what if it's burned down and they'd have to come back and do all that or something that's, you know, a very significant development. If that will be D-4, it will give you only --

CHAIRMAN OPDYCKE: But D-4 is the zoning that goes away. D-4 is the zoning that's going away.

COMMISSIONER STALEY: Oh, D-4 is the zoning that's going away?

COMMISSIONER FREEMAN: It's currently zoned D-4.

MR. ARGUMEDO: Yes.

CHAIRMAN OPDYCKE: Right.

COMMISSIONER STALEY: And what else --
COMMISSIONER FREEMAN: It doesn't say that in here, does it? Well, I guess it says while both the existing D-4, you changed the memo a bit from that one that came out, I'm trying to find it right now.

MR. ARGUMEDO: I apologize for that, but yes, D-4 is going.

COMMISSIONER STALEY: Then the FAR is probably off, too.

MR. ARGUMEDO: Correct, correct. So, it is --

COMMISSIONER STALEY: -- significant problem.

CHAIRMAN OPDYCKE: Commissioner Galloway?

COMMISSIONER GALLOWAY: What are the heights of 1415 and 1421?

MR. ARGUMEDO: 1415 is a, sorry, six-story building, so it is above 40 feet. It would be within the R-6 85-foot height limit right now. So, it would be conforming in R-6, it would be nonconforming in a B-2 Zoning District.

COMMISSIONER GALLOWAY: And 1421?

MR. ARGUMEDO: 1421 I believe is, again exceeds the 40-foot height limit.

COMMISSIONER FREEMAN: Five stories.

MR. ARGUMEDO: Five-story building.

MR. BROTINE: No, six-story --
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1  MR. ARGUMEDO:  Okay.
2  MR. BROTINE:  Identical building heights.
3  CHAIRMAN OPDYCKE:  Seth?
4  COMMISSIONER FREEMAN:  If it's nonconforming
5  and let's say the building, something catastrophic
6  happened to the building, you can still rebuild the
7  building to the way it was, correct?  If it's
8  nonconforming?
9  MR. ARGUMEDO:  I think if you --
10  COMMISSIONER FREEMAN:  The issue here was that
11  it's 40 feet and the buildings that are there, if you
12  rezone it, right, to B-2, are nonconforming.  But isn't
13  it true that if something catastrophic happened to the
14  building it could be rebuilt to its previous state, the
15  nonconforming state?
16  MR. ARGUMEDO:  Going back --
17  COMMISSIONER PETERS:  It's true for the
18  single-family residences.  It would not be true for this
19  kind of mixed use.
20  COMMISSIONER FREEMAN:  Okay.  Thank you.
21  COMMISSIONER PETERS:  Is there a reason not to
22  create a new zone for this block to solve the problem?
23  MR. ARGUMEDO:  It would be an intriguing way
24  to go about it.  We would work on it.  I'm not sure if,
how we would want to go with that, whether we want to
create a new zone that's only going to be used for half,
one side of a block, or that we are not sure how it
could possibly impact the rest of the City if somebody
would want to apply for it, or if we would want to
create nonconformities. It is an option but the Zoning
Department definitely, I don't think Zoning
Administrator Dunkley would be in favor of that.

COMMISSIONER PETERS: I think the site is
large enough and the history of it would not bring it
into the spot zoning under Illinois law. So, I think
it's possible particularly given the history of how it
came about.

COMMISSIONER FREEMAN: Boy, it's good to have
you on this Commission.

COMMISSIONER PETERS: And I think the location
largely across the street from the elevated with tall
buildings behind it and the current mixed use and
commercial, it makes that block work, is unique. And it
works well. And that's why I'm thinking we should find
a way to let these uses continue. And if we don't have
something that works for this, we should make one.

COMMISSIONER STALEY: I agree with that whole
argument.
CHAIRMAN OPDYCKE: And I take it you would not favor just keeping it as a D-4?

MR. ARGUMEDO: We wouldn't --

CHAIRMAN OPDYCKE: Just leave it as is in other words?

MR. ARGUMEDO: Right, I can understand that. That may be something, that's why we're here trying to find out a rezoning of that. I mean it would be an amendment to shift the D-4 to this section, but part of the reason we're here is we didn't feel that a zoning district could stand on that. But we're hearing differently from the Plan Commission, so it's possible that if we were to go in that direction, that a D-4 could be the basis for this new, I'm not sure, fringe downtown district. We could use it as a basis but I'm not sure.

COMMISSIONER GALLOWAY: I have a question. Obviously there is an intent to implement certain new zoning districts as part of the Downtown Plan. What if we were to use one of those districts to rezone this site, for example, an RD-1 or an RD-2, whatever we ultimately decide is the best fit? What about that possibility?

MR. ARGUMEDO: Well, I think it's, I think
part of the reason that we're hesitant about that is the fact that how much work went into establishing the downtown boundaries and establishing what districts will be where. And I know that some districts are not happy with the potential of what they'll be zoned, so if that part opens up, then we may have other rezoning applications and the cohesiveness of the plan may be a little difficult to keep. So, I know that's our hesitancy going in.

CHAIRMAN OPDYCKE: Seth?

COMMISSIONER FREEMAN: I have just a point of clarification between the two memos. So sorry for changing the subject here because I finally was able to get it up on my iPhone here. The chart that was in the previous packet, the packet that Craig sent out last week, had a chart for the northern district and that was zoned D-2, not D-4, correct?

MR. ARGUMEDO: Correct, correct. I'm sorry for misspeaking.

COMMISSIONER FREEMAN: All right. So, the zone chart here is only for the southern area and they are, the two parcels are zoned differently today, right?

MR. ARGUMEDO: Correct.

COMMISSIONER FREEMAN: Okay, I just want to
clarify that because it wasn't very clear here in this new memo.

MR. ARGUMEDO: I apologize for that, but yes, they are zoned differently. Correct.

COMMISSIONER FREEMAN: So, they are zoned differently. So, okay. Thank you for the clarification.

CHAIRMAN OPDYCKE: Mr. Staley?

COMMISSIONER STALEY: Are you saying each is zoned differently from the other?

MR. ARGUMEDO: Today, yes.

COMMISSIONER FREEMAN: So, the northern one today is --

COMMISSIONER STALEY: Oh, the northern. So, okay, I understand that.

COMMISSIONER FREEMAN: So, D-2, because I'm just a little confused.

COMMISSIONER STALEY: I understand.

COMMISSIONER FREEMAN: Because the memos are completely different than the table, there is only one table for the southern one here and not for the northern one. I just want to make sure that we're --

COMMISSIONER STALEY: I understand.

MR. ARGUMEDO: Yes, that's on Zoning getting
you two different memos, yes, not correct planning.

COMMISSIONER FREEMAN: You come prepared and then you get hit with something new.

MR. ARGUMEDO: These are because of recent discussions, one with Kirk Bishop who we met with on Tuesday and we were able to certify that there was a mistake on that. The other one is through just going out in site visits and seeing the new, not new but the established businesses right there which didn't turn up in our initial search on this southern portion right there.

CHAIRMAN OPDYCKE: Would an RD-3 work? Possibly?

MR. ARGUMEDO: From the Downtown Plan?

CHAIRMAN OPDYCKE: Yes.

COMMISSIONER WOODS: Yes. He's got concerns about utilizing those districts relative to going outside the boundaries of the current Downtown Plan --

MR. ARGUMEDO: Right --

COMMISSIONER WOODS: Which has the potential for issues arising that would compromise decisions that have already been made.

MR. ARGUMEDO: That's, yes, exactly. We like to use the word adopted, implementing something that has
been approved.

COMMISSIONER WOODS: Sure, right. So, along the earlier lines, an R-6A which allowed certain uses in certain locations might be a possibility.

MR. ARGUMEDO: Might be a possibility. And again, to all the people who are attending who have vested interest --

COMMISSIONER WOODS: Yes, understood.

MR. ARGUMEDO: We're not looking to --

COMMISSIONER WOODS: I'm just --

MR. ARGUMEDO: It's definitely a possibility. And I think that could alleviate a lot of concerns if we are able to go around the spot zoning question right there.

CHAIRMAN OPDYCKE: David?

COMMISSIONER GALLOWAY: I like that R-6A suggestion. That, I agree that the specific location of this property affords it the reasonable and logical approach of making it its own place, the boundary with the railroad on the west back up to the high residential on the east and then a precipitous drop off on height once you cross the southern boundary of the site. And we certainly, I certainly wouldn't want to do anything to be perceived or actually be detrimental to the
existing six-story buildings that are there if something
should happen to them.

COMMISSIONER PETERS: I move that we table
both of these.

COMMISSIONER STALEY: Agreed.

COMMISSIONER PETERS: And that before we vote
on the motion for tabling, we hear anything that people
who are here wish to say. And then after that, that we
table for consideration by the Staff of the comments and
possible other approaches that would not make these uses
nonconforming.

CHAIRMAN OPDYCKE: That seems like a fine
suggestion. Mr. Staley, do you have something more to
add to that?

COMMISSIONER STALEY: Not after that, no. I
was just going to suggest that it's sort of creating it
by committee and I think we have the idea, we should
send them back to do it over. That was all I was going
to say. But the idea of letting somebody else talk is a
good idea, too.

CHAIRMAN OPDYCKE: Mr. Shure, did you have
something? I don't know -- Lenny?

COMMISSIONER ASARO: I just have a question,
and maybe Mr. Peters touched on it in his last
statement. But is the primary objective here, and I apologize because I'm kind of in the middle, is the primary objective here to prevent a resulting legal nonconforming use?

MR. ARGUMEDO: Our primary objective is to, yes, in so many ways not to impact the people who have invested in these properties that they would have a hardship if they were to do some kind of addition.

COMMISSIONER ASARO: Okay. So, that's what our objective is in trying to resolve this issue.

MR. ARGUMEDO: That's the vision from the Zoning Department coming in.

COMMISSIONER ASARO: Thank you.

CHAIRMAN OPDYCKE: Is there someone in the audience that would like to address this particular issue before we vote on the motion to table? Yes, sir, would you come up to the microphone and identify yourself please?

MR. FIDLER: Good evening. John Fidler. My brother Clark and I own one of the office spaces at 1415 which is, we bought in August of '99, so you know, at this point obviously we're a conforming business. Our big concern is when it's changing to residential, it's not just for our existing use but, you know, we're
paying $18,000 in taxes a year. We bought in Evanston because we thought it was a great investment. To sell in today's market, the building very well could be vacant for more than a year. If it moves to residential, you know, then it becomes nonconforming. Our value is, you know, we've lost the value in that. So, we're really looking at making sure, we want to stay here, we want to continue the business as long as possible. If we do resell, we want to make sure that, you know, what we invested in was truly what we invested in and that we don't become a victim of zoning. So, you know, and we just, we became aware of this because of the posting from the Salvation Army. You know, so we're really just beginning, I don't really know what all the different zoning restrictions are or what the benefits, what the drawbacks are. I've gotten some information from the Zoning office in the last week. But whatever we need to do to continue to participate in this process we'd like to, because there's only a handful of businesses that really end up becoming affected.

CHAIRMAN OPDYCKE: Dominick, this is going to stay at the Plan Commission level I take it. So, sir, you are well advised to check the Evanston website to
see when this issue will come up again. But thank you very much. Your comments are appreciated.

MR. FIDLER: Okay. Thank you.

COMMISSIONER FREEMAN: Don't the owners of a building have to be notified for any meetings regarding zoning changes to their building?

MR. ARGUMEDO: Yes, that is --

COMMISSIONER FREEMAN: So, they don't have, it is incumbent on the City then to notify them of meetings, correct?

MR. ARGUMEDO: That's correct. And we have sent out mailings according to the LISTSERV we have. We posted signs at each end and then we have gotten in contact with, I know Zoning Administrator Dunkley went out there and spoke to them. He's correct, we do have an ongoing conversation in terms of exchanging information and we have established it with the Salvation Army.

COMMISSIONER FREEMAN: I'm sorry, your name, sir?

MR. FIDLER: John.

COMMISSIONER FREEMAN: John, you had said that you found out about it because of the posting on the Salvation Army building?
MR. FIDLER: But we also found out about it through our kind of association president.

COMMISSIONER FREEMAN: Okay.

MR. FIDLER: At 1415. So, he sent a notice out.

COMMISSIONER FREEMAN: Okay. So, you did, you were notified.

MR. FIDLER: Yes.

COMMISSIONER FREEMAN: Okay. I just want to make sure.

CHAIRMAN OPDYCKE: There will be no further notification notices posted, will there?

MR. ARGUMEDO: No, because what happens once it is opened up here --

CHAIRMAN OPDYCKE: Right.

MR. ARGUMEDO: But to alleviate naturally any problems that come forward, since we have all the personal contact information, we'll be letting people know.

CHAIRMAN OPDYCKE: Very good. Very good. Is there anyone else in the audience that would like to speak? Sir?

MR. BROTINE: Good evening. I am Brent Brotine, I am the president of the 1421 condominium
association. We did receive notices of course of the
meeting. I certainly concur with what our next-door
neighbors have said. What I would like to point out is,
speaking with the board of directors in 1421, our
initial thought when we received the notices was, and
after our consultation with calling the committee back,
we were told that it would be something not to worry
about because this would not be affecting our property
taxes. That was pretty much the first thought that
people at our building have that I was hearing from,
what it's going to do to our assessments.

And we were told that it would not affect our
assessments and pretty much it was a non-issue and that
we really didn't need to be here. And I know that
somebody else, the other gentleman from 1415 was here
earlier today and was told that and he left. It seems
like this is a larger issue than just not affecting our
possible assessments. It seems like this is a major
issue that could affect us as you gentlemen have been so
indulgent to point out if something does happen to one
of our buildings in the future and does put us at risk.
And I feel that this does require some more thought.

All of us who moved in the building as
original owners eight, nine years ago, these were the
first condominiums built in the new Downtown Evanston. The buildings have always been marketed as part of Downtown Evanston. I sit on the board of the Downtown Residents Association and it seems that while the downtown boundaries I understand were drawn and decided that for, I'm sure, convenience's sake to simply go from west to east on Lake and not Lake to Little Bend to Greenwood where we are, I would submit that we are more joined with Downtown Evanston than we are with the properties that are to the south of us. And it seems there always has been at least, it seems like the work has to go back to the drawing board, I would submit that, possibly leaving things as they are or backing us into the new downtown boundaries would be satisfactory in our opinion. Thank you.

CHAIRMAN OPDYCKE: Anyone else from the audience who would like to speak? Any other members of the Commission have a comment before we vote on the motion to table?

Okay. There has been a motion to table this and a second. All those in favor, say aye.

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Opposed?

(No response.)
CHAIRMAN OPDYCKE: Motion carries. This will be tabled until a future date. Dominick, I know you've taken note of all the comments from the Commission members and from the audience members as well, so we'll revisit this at another time. And I would urge you all to keep apprised of the date that this will next appear on the agenda, and you can do that by referring to the website, the City of Evanston website.

(Matter concluded.)
CHAIRMAN OPDYCKE: All right. Item Number V on the agenda is the Downtown Zoning Implementation Update. Dominick?

MR. ARGUMEDO: I think that was one of the bigger updates, the Number IV on this agenda right here. As we're moving forward, as most of the members here are members of the Zoning Committee, they understand that we have been working on the administration aspect of it. At the next meeting, we'll be continuing talking about the public benefits portion of the Downtown Plan. And at the Zoning Committee, we also have scheduled talking about the new uses proposed, proposed draft, how is that, uses for the RD sections of the new Downtown Plan. And again, those are being crafted by looking at previous what they're usurping, whether they're residential or downtown or commercials and trying to fit them in with what is appropriate. So, we'll be bringing that for our first step at the next Zoning Committee meeting.

But that is where we are standing. We had a great meeting with the consultant to get us background as Bill and I were not, well, I was not plugged in. I was still in DC when this was all going on. But that's where we stand right now.
CHAIRMAN OPDYCKE: Any questions? Thank you, Dominick.

(Matter concluded.)
11/11/09

Evanston Plan Commission

Annual Report

CHAIRMAN OPDYCKE: Item VI on the agenda is the annual report. Craig?

MR. SKLENAR: Members, first of all, I'd like to welcome Lenny Asaro to the Plan Commission.

COMMISSIONER ASARO: Thank you very much, I appreciate that.

MR. SKLENAR: Welcome, be ready to work. I just briefly put this on the agenda because I was going through our files still trying to catch up and noticed there hasn't been an annual report written since 2000 -- exactly, since 2004. So, I will be drafting an annual report for submission for the December meeting. And if you have anything that you feel I should put into this annual report, please e-mail it to me in the next two weeks and I would appreciate that.

CHAIRMAN OPDYCKE: Now, will that address the state of the Comprehensive General Plan? Is that what the annual report, because I noticed in the Plan Commission rules, the Commission is obliged to report to the Council once a year on I believe the state of the Comprehensive General Plan. So, is that what is contemplated here?

MR. SKLENAR: From the previous reports that I've read dating back to the late 90's, a lot of it
deals with what was passed in the Plan Commission, items of discussion, and then steps moving forward. I didn't see a specific line item for the Comprehensive General Plan. However, there is a last section of moving ahead or what's coming in the next year, and I think that's something that we should absolutely put in this annual report.

CHAIRMAN OPDYCKE: Very good, thank you.

MR. SKLENAR: And then -- sorry.

CHAIRMAN OPDYCKE: Go ahead.

(Matter concluded.)
MR. SKLENAR: Moving on elections for next year, I didn't know if --

CHAIRMAN OPDYCKE: Right, that's Item VII on the agenda, elections, the 2010 elections. And that refers presumably to officers of the Plan Commission?

MR. SKLENAR: Correct.

CHAIRMAN OPDYCKE: All right. Why don't you tell us about it?

MR. SKLENAR: There's nothing to say.

CHAIRMAN OPDYCKE: Well, every year we've got to elect, in the month of December we elect a Chair and Vice Chair and the Planning Department is always the Secretary. So, I don't have a given protocol to follow here, but I suppose we all should be, we should all give some thought to who should be our next Chair. And on that score, I would say I've been Chair for a year. It's gone by very quickly. I would be pleased to remain as Chair but I can assure you I have no political ambitions. All of the political stuff was threshed out of me in the general election, in the Mayoral election.

COMMISSIONER FREEMAN: I'm still waiting for a T-shirt.

CHAIRMAN OPDYCKE: So, but that's how I feel. Does anybody, would anybody else like to comment upon a
position that they would like or a position that they
think some other member of the Plan Commission should
hold in the coming year? So, I open it for discussion.
But there will be a formal vote I believe on December
9th which is our first meeting in the month of December.
For you, Lenny, because you're new here, Johanna Nyden
is our Vice Chair. And I know in years past, Jim,
perhaps you can help me on this, it is not unusual for a
Chair to remain for a second year, and that is permitted
under the rules but it doesn't necessarily have to
follow here. And believe me, I will not regard it as
any form of slight if I am not --

COMMISSIONER FREEMAN: I thought you weren't
campaigning?

CHAIRMAN OPDYCKE: If I'm not nominated to
serve as another year.

COMMISSIONER WOODS: Larry served three years.

CHAIRMAN OPDYCKE: Larry Widmayer served three
years. That's in contravention of the existing rules I
think. But anyone have a comment?

COMMISSIONER STALEY: Yes. I'm sure we'll
work it out. The reason or the basis is because we had
a spirited discussion on this 12 months or so that the
members up here still remember all of that. I'm sure
1 COMMISSIONER WOODS: Was that only 12 months ago? That part seems like a long time ago.
2 COMMISSIONER FREEMAN: Thank God for that.
3 CHAIRMAN OPDYCKE: You know, this used to be done, this process used to be done sort of behind closed doors with the Chair, the Vice Chair, a member of the Planning Department. And it was sort of an informal gentleman's agreement if you will as to who should serve next year. But that met with some resistance when it was tried I guess it was a year or two years ago.
4 COMMISSIONER WOODS: Two years ago.
5 CHAIRMAN OPDYCKE: When it was thought that the better procedure would be to have it in open session where everyone can participate and see what's going on so there are no backdoor deals so to speak. Seth, do you have a question?
6 COMMISSIONER FREEMAN: Does anybody have an interest of running for Chair here?
7 COMMISSIONER STALEY: Logically it would be Johanna --
8 COMMISSIONER FREEMAN: That's correct. Yes, of course. That's why I'm asking the question, does anybody here have any designs to want to be the Chair?
COMMISSIONER STALEY: No.

CHAIRMAN OPDYCKE: They all look perfectly sane to me.

COMMISSIONER FREEMAN: And you're the only one that isn't? I'm taking that -- is that what you're implying?

COMMISSIONER STALEY: I think we ought to discuss it with Johanna --

COMMISSIONER FREEMAN: Yes, I agree.

COMMISSIONER WOODS: Yes, absolutely.

COMMISSIONER STALEY: -- Zoning Committee.

COMMISSIONER FREEMAN: I think you're doing a very fine job.

CHAIRMAN OPDYCKE: That's nice to hear. So, on December 9th then, we will place names in nomination for the Chair and Vice Chair, and we'll conclude it on that day. Between now and then, I suppose as long as we don't violate the Open Meetings Act, we are free to discuss amongst ourselves who might be an appropriate candidate.

(Matter concluded.)
Rules Revision

1  CHAIRMAN OPDYCKE: All right. Next item is
2  rules revision. Craig, you're up again.
3  
4  MR. SKLENAR: Mr. Staley actually wrote a
5  majority of this. I augmented it slightly at the
6  beginning --
7  
8  COMMISSIONER STALEY: Improved might be a
9  better word.
10  
11  MR. SKLENAR: Improved, sorry, not augment.
12  To read, that the rules and regulations of the Plan
13  Commission be amended to add the following as a new item
14  in Article IV, I'm sorry, Article VI, "All meetings and
15  hearings open to the public shall provide time for
16  public comment to allow for all public comments to be
17  voiced. The following time allotments will be
18  followed." And then it lists, "Comments of individual
19  citizens shall not exceed five minutes. The comments of
20  a group of citizens such as a neighborhood group,
21  organization, association or similar assemblage of
22  individuals shall not exceed 20 minutes unless such a
23  group has requested from the Staff not less than 24
24  hours prior to the meeting additional time in which
25  event the comments of the group shall not exceed 30
26  minutes. All time limits will be subject to the
27  discretion of the Chairperson as to make reasonable
adjustments on a case by case basis to accommodate the requirements of extraordinary situations."

So, I think that's the majority, that's the actual motion that needs to occur. The rest are recommendations for procedures to follow during a Plan Commission meeting.

CHAIRMAN OPDYCKE: Comments from anyone?
COMMISSIONER FREEMAN: I think you did a good job writing that. It summarizes our conversation last time and I'm --

CHAIRMAN OPDYCKE: As am I. I want to thank, personally I want to thank Chuck Staley, and I believe Coleen Burrus was on the Rules Committee. I want to thank both --

COMMISSIONER STALEY: We should also thank Jessica Feldman who wrote quite a bit of this section.

CHAIRMAN OPDYCKE: Jessica Feldman who is usually here but not here. Now, I do have a general question on the rules that perhaps we can address right now. I notice that the Chair is obliged to swear in witnesses. But it occurs to me that a lot of times citizens will approach the podium and offer an opinion on a certain subject and I'm not sure that that calls for swearing the witness. But yet we find that in --
COMMISSIONER STALEY: I thought we always ask everybody who wanted to, do we not ask everybody who wants to speak to stand up and raise their hand? Or am I thinking of --

COMMISSIONER GALLOWAY: That's how we start it.

COMMISSIONER STALEY: That's how we --

CHAIRMAN OPDYCKE: No, I can understand where it's necessary if a developer, for example, is calling an expert witness or something. But if a citizen just wants to get up there and gripe about something, I don't think it's necessary to make sure that he's telling the truth.

MR. SKLENAR: -- between a witness and a public comment.

MS. DIENER: -- as fact --

CHAIRMAN OPDYCKE: Ann, would you come up here please? No, Ann please.

MS. DIENER: If you're testifying with facts, I should think you'd swear by them. If you're just giving an opinion --

CHAIRMAN OPDYCKE: Well, I think that's a very --

MS. DIENER: There's a difference.
CHAIRMAN OPDYCKE: That's a wonderful distinction, but that distinction is not made in the rules. That's what I'm talking about here.

MR. SKLENAR: Do you need a definition of a witness?

CHAIRMAN OPDYCKE: I think we should clean that up a little bit because as the rules, the rules call for all witnesses. Irrespective of whether they offer facts or expert testimony or just opinion evidence, they are obliged to be sworn in and I don't think that's necessary. So, I guess I would ask you to visit this --

MR. SKLENAR: Do you think the Rules Committee should convene and do one --

CHAIRMAN OPDYCKE: Well, I think this is a small item, Craig. I think you can --

MR. SKLENAR: All right.

COMMISSIONER WOODS: Well, there may be a desire to get some legal opinion from counsel in terms of these things.

COMMISSIONER ASARO: Could you potentially, where there is a hearing on an application and individuals that want to come forward to present either facts or opinions which could be germane to the
application depending on what the elements are that are
part of the application, could they sign in and also
sign a certification to the extent that they want to say
something that would potentially be considered as
evidence?

MR. SKLENAR: I currently do place out Oppose
and Favor sheets for citizens to sign in on. I guess we
could add an attachment to that that states by signing
your name you are sworn in or something like that.

COMMISSIONER ASARO: It might make it more
efficient maybe so that the Chair doesn't have to swear
everybody in.

COMMISSIONER GALLOWAY: Well, I sort of like
the act being such a public one rather than the
presumption that you've signed in that you are going to,
you know, tell the truth, the whole truth or whatever
the oath is. And I would say if we're going to err on
this, that anyone who comes to speak before us should be
given the oath because I'm sure that in many instances
someone may start out thinking that all they're going to
do is express their opinion but which one of us does not
slip in to justifying our opinion with purported facts?
So, I'd be inclined to swear everybody in that wants to
speak.
COMMISSIONER SHURE: Does that --

CHAIRMAN OPDYCKE: Mr. Shure?

COMMISSIONER SHURE: Does the procedure that

you're suggesting tend to keep some people away from

actually trying to speak before the Committee?

CHAIRMAN OPDYCKE: Well, we'll never know.

COMMISSIONER FREEMAN: I doubt it. Not in

this neighborhood.

MS. DIENER: Well, if any of you have attended

tese, you know, hearings that we've had on projects,

good grief!

CHAIRMAN OPDYCKE: Well, I do notice that the

City Council doesn't swear in people before a citizen

comment is allowed. It's just a thought and I

appreciate --

COMMISSIONER STALEY: I think this is

different. We're focusing on a specific project. This

is more like a tribunal. I think if people, I sort of

think that we -- I thought we did. I thought, I think

that if, you know, everybody who wants to speak on this

should stand up and be sworn in en masse. You shouldn't

have to swear in each one, we don't have the time for

that.

CHAIRMAN OPDYCKE: Okay. Scott?
COMMISSIONER PETERS: I think people don't know whether they're going to tell us facts or not. In the Zoning Board hearings, it was so often that people said an opinion and then they'd say this is factually true. And then they'd say let me give you an opinion and we get facts.

COMMISSIONER WOODS: I think we've experienced some of that.

CHAIRMAN OPDYCKE: So, is it the consensus then among the Commission members that we just swear in anyone who stands before the podium and comments?

COMMISSIONER STALEY: En masse.

CHAIRMAN OPDYCKE: We can do that en masse, sure.

COMMISSIONER STALEY: I think so.

CHAIRMAN OPDYCKE: All right.

COMMISSIONER GALLOWAY: That's the way that it was done prior to the thing that --

CHAIRMAN OPDYCKE: The Clarin?

COMMISSIONER GALLOWAY: Yes, the Clarin --

CHAIRMAN OPDYCKE: Clarin case.

COMMISSIONER GALLOWAY: -- case where all of a sudden it was much more like court, where all of a sudden everybody was being sworn in as they approached
because you had to have this thing as testimony and the chair had to preside basically as judge.

COMMISSIONER PETERS: The policy basis for the difference between City Council and this kind of board is that we're making findings of facts relating to standards. And the City Council could act any way they want consistent with the law and Constitution. So, that's how it happened to come to be this way.

CHAIRMAN OPDYCKE: Any further discussion? I will ask for a motion. Chuck, you would be the logical one to make the motion.

COMMISSIONER STALEY: I would so move the motion that's already been read. How about that?

CHAIRMAN OPDYCKE: Would you read it again please?

COMMISSIONER STALEY: I would read it again, okay. Before I do that, I think we need to say something about the second part which, you know, we agreed not to make it a part of the rules but it's still procedure.

CHAIRMAN OPDYCKE: Go ahead, why don't you go through those?

COMMISSIONER STALEY: Well, all right. First, just let me make the motion. First, I move the
following. First, the rules and regulations of the Plan Commission be amended to add the following as a new item to Article VI:

1. All meetings and hearings open to the public shall provide time for public comment to allow for all public comments to be voiced. The following allotments will be followed:
   a. The comments of individual citizens shall not exceed five minutes.
   b. The comments of a group of citizens such as a neighborhood group, organization, association or similar assemblage of individuals shall not exceed 20 minutes unless such a group has requested from the Staff not less than 24 hours prior to the meeting additional time, in which event the comments of the group shall not exceed 30 minutes.
   c. All time limits will be subject to the discretion of the Chairperson as to make reasonable adjustments on a case by case basis to accommodate the requirements of extraordinary situations.

And that is the motion for the amendment to the rules and regulations.
CHAIRMAN OPDYCKE: Is there a second?
COMMISSIONER PETERS: Second.
CHAIRMAN OPDYCKE: Any discussion? All those in favor of approving the motion, say aye.
(Chorus of ayes.)
CHAIRMAN OPDYCKE: Opposed?
(No response.)
CHAIRMAN OPDYCKE: Motion carries. Now, do you want to talk about the second half of the rules?
COMMISSIONER STALEY: The second part is, as has been stated is not really going to amend the rules but it's going to be something that we need to be all in agreement with because, or if we aren't we ought to make changes in it as we go on. That's why I think, I'm basically, I think it's still a motion, you know, it just isn't going to amend the rules and regulations.
So, second, I move that, two, the following shall not be a part of the rules and regulations of the Plan Commission but shall be adopted as procedures to follow with respect to public hearings subject to the discretion of the Plan Commission to make changes on a case by case basis to accommodate the requirements of extraordinary situations.
A. A laminated information page of frequently asked
questions and answers shall be placed on the table nearest the door of the meeting room.

B. A sign-up sheet for the zoning information at the cityofevanston.org e-mail LISTSERV shall be placed on the table nearest the door of the meeting room.

C. When extraordinary notice of meetings is required, we shall reach out to community partners and businesses to help get out the word. For example, Beau Coup, Starbucks, Lulu's, Pick A Cup, Noyse Art Center, Daily Northwestern and others of that type.

D. Staff shall prepare a summary of changes to a project such as a cover memo for transcripts with bullet points and a cover memo for any additional new materials in the next meeting packet. These change logs shall be provided in meeting packets and online.

E. To the extent possible, changes to projects should not occur after the Friday meeting packet has been sent to members. If substantial changes are presented at a meeting, the Plan Commission may require an immediate continuance to the next meeting to allow time for Staff and Members to receive information about the changes and review it prior to discussing the changes at the next
meeting.

F. A copy of the planned development application binder or proposed plan shall be placed for viewing only (as indicated by a Do Not Remove sticker) on the table nearest the door of the meeting room.

G. Written comments shall be forwarded to the Plan Commission Members and become a part of the record. They shall be made available for public viewing.

We might want to elaborate on that. Well,

I'll go ahead.

H. A seating area on the presentation side of the room shall be reserved for citizens to wait to speak during the public comment period of the public hearing.

I. A Staff member shall act as a greeter at the table nearest the door of the meeting to hand out agendas, direct attendees to the sign-in sheets for public comment, answer comments, et cetera.

J. At the start of each meeting, the Plan Commission Chair shall read an opening statement. Members will then discuss the order of the agenda items so that anyone who may be watching on television at home can plan when to arrive at the meeting if they wish to speak. Any items that are likely to be
continued will be noted along with a date certain
so the audience members and viewers are aware early
in the evening.

CHAIRMAN OPDYCKE: Thank you, Chuck. Is there
any discussion on those suggestions?

COMMISSIONER FREEMAN: Yes, I have a comment.

CHAIRMAN OPDYCKE: Seth?

COMMISSIONER FREEMAN: We should just pick a
couple off that list, they are closed now.

COMMISSIONER STALEY: I'm sorry?

COMMISSIONER FREEMAN: We mentioned a business
that's no longer in business so we should pick that off.
Unfortunately.

CHAIRMAN OPDYCKE: Okay. Dave, did you have a
comment?

COMMISSIONER GALLOWAY: Yes. I recall one of
my suggestions was that presentations be oriented so
that members of the audience as well as the
Commissioners can view them in their entirety.

COMMISSIONER STALEY: That was in the minutes,
right?

COMMISSIONER GALLOWAY: Yes. It was a
recommendation of mine. I don't know whether that's
appropriate to go in here or not but this is our --
MR. SKLENAR: Do you just want to add that as K?

CHAIRMAN OPDYCKE: Pardon me?

MR. SKLENAR: As line item K?

COMMISSIONER STALEY: What is it that's going to be, is it the placards or the boards or the --

COMMISSIONER GALLOWAY: Well, whatever, for example, I recall a couple of project presentations which were the presenters set up easels facing us and we got to see everything on the easels and the back of the easels were in the face of the audience which I think is a terrible affront. Now, granted we are dealing with a room which isn't necessarily designed to optimize the viewing of projects and project materials and PowerPoint presentations optimally, but I think we should make the request that whenever there is a presenter, that the material has to be available for viewing by both audience members and us. And they can, the presenter can figure out how they're going to do it and coordinate it with the Planning Department.

COMMISSIONER STALEY: Well, we're going to have to set up the room differently to help them I think. The only way to do it really is to have it over there.
COMMISSIONER WOODS: Well, the other way to do it is to duplicate it so they have one set facing us and one set facing the audience.

COMMISSIONER GALLOWAY: Yes. Right.

COMMISSIONER STALEY: I've never seen that.

CHAIRMAN OPDYCKE: Any other discussion here on this point? Would you propose an amendment, Mr. Galloway?

COMMISSIONER GALLOWAY: I would.

CHAIRMAN OPDYCKE: Okay. Would you --

COMMISSIONER GALLOWAY: Say what I said?

CHAIRMAN OPDYCKE: Say what you said please.

COMMISSIONER GALLOWAY: I propose that any presentations made before the Plan Commission be so arranged and oriented so that both the public and the Plan Commission can view all necessary elements of the presentation.

CHAIRMAN OPDYCKE: Presumably that would be added as item K on this list. Okay, that's the motion, is there a second?

COMMISSIONER WOODS: Second.

CHAIRMAN OPDYCKE: All those in favor of the amendment, say aye.

(Chorus of ayes.)
CHAIRMAN OPDYCKE:  Opposed?

(No response.)

CHAIRMAN OPDYCKE: Motion carries. So, that amendment is approved. Now, to get back to the original motion, we need a second.

COMMISSIONER GALLOWAY: Second.

CHAIRMAN OPDYCKE: All those in favor, say aye.

(Chorus of ayes.)

CHAIRMAN OPDYCKE:  Opposed?

(No response.)

CHAIRMAN OPDYCKE: Motion carries. So, that brings us to --

COMMISSIONER PETERS: Let me ask just one question on that last item. I haven't been here very long. How do you orient things so that the audience and the Commission can see them?

COMMISSIONER STALEY: We haven't been able to. What they do is they, you know, they're usually speaking from over there which the podium is over at that corner as I recall it. And then the boards are all kind of set up facing us because, you know, they're not too concerned about the audience obviously, and so they're pointing with us to get us to -- but then that
doesn't work because the audience, there's a couple of
times we've had people actually coming and standing
behind us trying to see it.

COMMISSIONER GALLOWAY: But we've had some
presentations where they've utilized the screen in a
PowerPoint presentation and that's, you know, that's
viewable by everybody in the room except maybe some of
the people on the last seats over there. In which case,
okay, they might have to move.

MR. SKLENAR: There could be informal
suggestions, too, like if they do have boards, to make
them available before the meeting out in the gallery,
things that the public could see beforehand, before they
give their final presentation.

COMMISSIONER WOODS: And like I said, in some
cases you just duplicate it so that --

MR. SKLENAR: That, too.

COMMISSIONER WOODS: You have something facing
both ways.

COMMISSIONER GALLOWAY: Yes.

CHAIRMAN OPDYCKE: All right. Thank you.

COMMISSIONER ASARO: I just have a comment on
that. I don't know if, logistically that's going to be
really difficult to present to the Commission and to the
audience and it potentially could be even more expensive to the applicant to duplicate some of the boards and the drawings. In addition, even if they did duplicate, and I'm not against it, but it would seem that we would I think focus on reorienting the room because I think everybody should be a part of it to be able to hear and consider everything. Because if you have two different locations where you're going to have exhibits, you're going to need to have another person also direct the witness to that exhibit as well. Because if you're going to have an exhibit where they can't see and the same exhibit, say it's against that wall, you're going to have, whosoever is presenting it is going to have to be able to explain to the audience the same thing that's being explained to us.

I mean I think we should do it, we should maybe work out the logistics so that it runs smoothly perhaps, you know, for everybody.

CHAIRMAN OPDYCKE: Mr. Freeman?

COMMISSIONER FREEMAN: I agree that we should not have a requirement to force duplication of materials.

COMMISSIONER GALLOWAY: My motion didn't say anything about that. It just said that --
COMMISSIONER WOODS: I just thought, I brought that up.

COMMISSIONER GALLOWAY: That the performance criteria is that whatever you present shall be visible by both the audience and the Plan Commission.

COMMISSIONER ASARO: And I agree with you.

COMMISSIONER GALLOWAY: Any presenter can visit the room and figure that out.

COMMISSIONER ASARO: I agree with you.

COMMISSIONER FREEMAN: Okay.

COMMISSIONER WOODS: I mean, the biggest issue in my mind considering the state of technology today in terms of most presentations is that it's most likely going to be, the basic presentation will be PowerPoint, the biggest issue that comes in is models, material samples and boards. And quite frankly, as an architect who prepares these things for my clients all the time, making two sets is not a big deal. And in fact, in all cases we do it because ultimately we want one to be in the owner's hands and one to be in our hands.

COMMISSIONER STALEY: On boards, you could just simply have something like, you know, like an easel, couldn't you, one on either side.

COMMISSIONER WOODS: Yes.
COMMISSIONER STALEY: In other words, you have the same board, you could do that. I've never seen it but --

CHAIRMAN OPDYCKE: There is nothing here that says we have to suspend common sense. The Commission reserves the right to make changes on a case by case basis.

All right. Anything else on this particular item? Then we move on to Committee reports. Are there any? No Committee reports.

(Matter concluded.)
CHAIRMAN OPDYCKE: We move to Item X on the agenda, Evanston Plan 2030. Mr. Sklenar?

MR. SKLENAR: The Subcommittee is going to meet right after Plan Commission briefly. And then the one sad news to tell you is that we did not receive our grant application through ULI. We have been in conversations with Greg Hummel, he's trying to get a sense of an idea whether we should try to apply for that. And I'm also still venturing out to find ways to have businesses in Evanston to donate their time in kind to the effort. So, we will get our efforts done regardless.

CHAIRMAN OPDYCKE: Are you suggesting we not meet after the Plan Commission or are we going to meet?

MR. SKLENAR: We are going to meet. There are items for discussion for the Subcommittee.

CHAIRMAN OPDYCKE: Okay, fine. Good. All right. Then the last item is adjournment. Is there a motion?

COMMISSIONER WOODS: I move adjournment.

CHAIRMAN OPDYCKE: Second. All those in favor?

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Opposed?
(No response.)

CHAIRMAN OPDYCKE: Motion carries. We are adjourned. Thank you.

(Whereupon, the hearing on the above-titled cause was concluded at 8:05 p.m.)