CITY OF EVANSTON

PLAN COMMISSION

CASE NO.: ZPC 07-06 PD&T/07HIS-0000-0232

RE: 318-320 DEMPSTER ST. Consideration of an application by Geoffrey Bushor, property owner, for a Planned Development and amendments to the text of the Zoning Ordinance.

CASE NO.: ZPC 06-02-T

RE: SOLAR PANELS. Consideration of amendments to Chapters 4, "General Provisions," 18, "Definitions," and any other related sections of the Zoning Ordinance, to amend the text of the Zoning Ordinance to affect those regulations regarding passive energy and conservation devices, including though not limited to amending Section 6-4-6-2: GENERAL PROVISIONS FOR ACCESSORY USES AND STRUCTURES and Section 6-4-6-3: ALLOWABLE ACCESSORY USES AND STRUCTURES (DETACHED FROM PRINCIPAL STRUCTURE).

CASE NO.: ZPC 08-01-M

RE: 1829-1831 SIMPSON STREET MAP AMENDMENT. Consideration of an application by Flepspace, LLC, property owner, to consider an amendment to the map of the Zoning Ordinance for the property located at 1829-1831 Simpson Street.
1 Transcribed Report of Proceedings of a public
2 hearing on the above captioned matter, held January 9,
3 2008 at the Village Hall of Evanston, 2100 Ridge Avenue,
4 2nd Floor, Evanston, Illinois, at 7:05 p.m. and presided
5 over by J. Woods, Chair.
6
7 PRESENT:
8     J. WOODS, Chair      S. MCMURRAY
9     R. SCHULDENFREI     J. CRAMER, Chair
10    J. NYDEN             A. DIENNER
11    D. GALLOWAY          S. FARRAND
12    C. BURRUS            S. RUNDLE
13    C. STALEY            S. GERSON
14    S. BOWIE             E. GUTHRIE
15    S. BOWIE             B. HOHMAN

16 STAFF:
17     B. DUNKLEY          C. RUIZ
18     A. JACKSON
19     D. MARINO

23

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CHAIRMAN WOODS: Call to order the Evanston Plan Commission meeting of Wednesday, January 9, 2008. And we're truly going to have a historic event here this evening. It will be, within this Plan Commission meeting will be the first ever joint meeting of the Preservation Commission and the Plan Commission here in Evanston, so.

We, the Planning Commission, does have in fact a quorum. So I'm going to quickly do a couple things here. Items two and three of the Plan Commission agenda are going to be moved behind item five.

COMMISSIONER SCHULDENFREI: Jim, why it that?

CHAIRMAN WOODS: Items two and three.

COMMISSIONER SCHULDENFREI: No, why?

CHAIRMAN WOODS: Why is that? Because we're going to go right to the joint meeting after we debate or discuss rules. And then go to the joint meeting. They don't have to be around for, most people are here for 318-20.

So we should discuss and adopt the rules for joint meetings that you have in your packets. At the top of 1-9-08, Plan Commission, Preservation Commission, and Zoning Board of Appeals rules and procedures for
joint public meetings/hearings for the consideration of planned development, special uses, and major zoning variances affecting proposed or designated landmarks and historic districts. Does anybody have any question about any of these rules?

Basically the, you know, rules are pretty straightforward. The primary thing is the Preservation Commission Chair will chair that portion of the meeting. Because the Preservation Commission needs to make a recommendation to the Plan Commission before the Plan Commission can act. Anybody have any questions about these rules?

COMMISSIONER SCHULDENFREI: Yes, one question. Will, we will be within their meeting. Does that mean that our meetings will be on the Tuesday, just sort of scheduling wise? I'm just wondering how this will actually be scheduled.

CHAIRMAN WOODS: Well, I don't know how it will be scheduled in the future. Right now they've been invited to our meeting. And so it's a meeting inside our meeting. I don't know how it would take place in the future. Carlos?

MR. RUIZ: Yes, Carlos Ruiz for the Planning
Division, -- Coordinator. There's no mechanism in place to determine whether it should be the Plan Commission or the Preservation Commission. The feeling is that, depending on your schedule or whether we can do it in a special meeting or at the Preservation Commission meeting or the Plan Commission meeting, it's open to your discretion that the time any application may come forward. In this case we found that you had a very heavy load for the last few months and it seemed reasonable to have the first meeting at your regular meeting. So next time it could be the other way around. But there's no, I think it makes it flexible for everyone.

COMMISSIONER SCHULDENFREI: Yes, no I agree. Sort of an element of built-in flexibility makes a lot of sense. My question regarding the meetings is one in which, say it was a big project, something like Kendall College, something like the condos, the theater condos on Central Street? My fear is that we could be writing ourselves into an unmanageable amount of meetings with certain kinds of planned developments. Not this evening’s work. But I just, because we're making rules and adopting these rules, I just wanted to bring it up.
whether there should be some valves.

For instance, in December we were meeting almost weekly because we were doing the downtown plan and the 708 Church proposal. And so we were under a lot of meeting pressure. And right now what would happen under the current rules, before we adopt this, is that we would have a process in which a proposal would go through the Preservation Commission and then fall into our rotation in a sort of natural way. And so what we're writing ourselves into is a lot more meetings, which isn't a problem, I think, per se, when it's a short project like this. I'm just wondering if it was something like the Evanston theater's condos, whether we're writing ourselves into six months of special extra meetings.

MR. RUIZ: I don't think it makes a difference from the past. Because you still have to review the planned developments. The purpose of these joint meetings is that you don't have two different commissions addressing the same project. And if we go as we used to in the past with the Preservation Commission being first, by the time they are done with that project, it comes to the Plan Commission, and there
might be changes that the Plan Commission may require, that means that there's no opportunity for the Preservation Commission to review those plans and eventually may even go to City Council with further changes. So the idea is that you will minimize the amount of, number of meeting that you will go through.

COMMISSIONER SCHULDENFREI: Yes, but these are extra special meetings.

MR. RUIZ: No, they're not. Because they are, it will be the same if you were having a regular planned development proposal in the old system. It's not creating additional. It's just streamlining the process.

CHAIRMAN WOODS: My guess is that we're going to have to look each one of them as a special case and make a decision as to what the best way to do it is.

CHAIRMAN CRAMER: Yes, if I could just weigh in. I'm Jordan Cramer, Chair of the Preservation. I think, Robin, there will be actually very few circumstances under which a planned development's going to be, involve a historic property or a historic district. So this will be used, I think, in a very limited way, but is kind of essential. I think we've
all seen over the past few years the idea's streamlined
the process for the Applicants --

COMMISSIONER SCHULDENFREI: Yes.

CHAIRMAN CRAMER: -- and I think streamline
the process for us in terms of, let's all hear the same
evidence and testimony at the same time. We can hear
each other deliberate. And particularly, you can hear
us deliberate as we make a recommendation to you. And
the process, I think, will go a lot smoother.

COMMISSIONER SCHULDENFREI: No, I absolutely
support the proposal and the process. I'm thinking of
in December when we e-mailed our whole Preservation
Commission to meet on that special extra December
meeting and yours. And we got a date together and then
the Applicant couldn't make and we all cancelled. And
I'm just, this is the only, it's an issue of meetings
that I'm raising as an issue.

Absolutely, I am really in full support of
this as a process. My question is, can we fold it into
some regular meetings when we're under a fire. And
maybe the quick answer is, it's not going to happen very
much, don't worry about it. That's what I think is
probably the answer. But I wanted to raise it because
it's a question I had.

MR. RUIZ: But I'd like to add that it really, if you have to continue a public hearing, you will have the opportunity to look at your calendars. And if you have time for a special meeting, you will be able to decide as a group. If you don't have time for a special meeting, you will be able to decide whether it will be at the next regular meeting with the Zoning, with the Preservation Commission, or the Plan Commission. I think you have a lot of flexibility there.

MR. DUNKLEY: Just briefly, Bill Dunkley, Zoning Administrator. I want to say hello to the Preservation Commission. You're one of the ones I never see on a regular basis.

We, I think the quick answer is, we just don't know. We think this is a better way to do it. We think it will certainly decrease time for the Applicants and decrease the amount of time we spend in doing things over. But we'll monitor it.

And we are open to any suggestions as we go along the way. If we all get along and this works out fine, hopefully we'll be able to do more. And certainly we will schedule meetings whenever we can get a quorum.
here with the Commission however we can. But we hope it's for the better for everyone. And we think it will be. But we'll be taking checkpoints along the way as we go.

CHAIRMAN WOODS: So can I have a motion with regards to the new rules for the joint meetings?

COMMISSIONER BURRUS: Motion to develop the new rules.

PARTICIPANT: Second. Oh, we're not allowed? I'm always good on seconding.

COMMISSIONER SCHULDENFREI: Second.

CHAIRMAN WOODS: Plan Commission, all in favor, say aye.

COMMISSIONERS: Aye.

CHAIRMAN CRAMER: I guess we should, okay, on behalf of the Preservation Commission, we do have a quorum here this evening. And as well, we need to vote on these same set of rules so we can move forward. So I will ask if there's any comments or questions from any of the Commissioners. And if not, if somebody cares to make a motion.

COMMISSIONER DIENNER: So moved.

COMMISSIONER GERSON: Second.
CHAIRMAN CRAMER: Okay. All those in favor of adopting the rules, say aye.

COMMISSIONERS: Aye.

CHAIRMAN CRAMER: Any opposed? Okay. That passes unanimously. Okay, we are moving on then. Okay, so --

PARTICIPANT: Yes. We are moving on to the --

CHAIRMAN CRAMER: All right, according to these new set of rules that we've now adopted, I will chair this first part of the meeting. Calling it to order, we do have a quorum established by both the Plan Commission and the Preservation Commission.

And we are going to, next we will take a brief overview from the Applicants for 318 through 320 Dempster Street, the proposed planned development. If you'd like to step forward and identify yourselves and give us your presentation.

MR. DUNKLEY: Do we want to read this into the record?

CHAIRMAN CRAMER: Sure. The full, the full text.

MR. DUNKLEY: Yes. The first case is a
proposed planned development and text amendment, Public
Hearing ZPC 07-06 PD&T, which is the Plan Commission
identifier, and 07HIS-0000-0230 for the Preservation
Commission, address 318 through 320 Dempster Street,
which is an application by Geoffrey Bushor, property
owner, for a Planned Development and amendments to the
text of the Zoning Ordinance. The subject property,
commonly known as 318 through 320 Dempster, is presently
located with the R1, Single-Family Residential District.
The Applicant requests that the City grant a planned
development as a form of special use, including such
development allowances, exceptions to development
allowances, and other relief as may be necessary to
allow the condominium conversion of the property and
redevelopment of the former stable in the rear of the
subject property for sale as a single-family detached
dwelling. Generally, the proposed project has the
following characteristics: A, the historic double house
in the front of 318-320 Dempster is to remain as is. B, the
former stable in the rear of the property is to be
refurbished as a single-family dwelling with covered
parking. The Applicant asks for a text amendment to
Section 6-1-4-6 of the Zoning Ordinance to add the text:
"Except where authorized as part of a planned development approved pursuant to Section 6-3-6 "Planned Developments" and involving an Evanston Designated Landmark Structure," before the current text, and to Section 6-8-1-10(B)1(a) of the Zoning Ordinance to add the text: "except when the planned development includes and Evanston Designated Landmark Structure, in which, it should be in which case, the minimum area shall be seven thousand (7,000) square feet" following the existing text to allow more than one principal use on such a property.

I have a memo that I distributed to most. I would like to hand this down. And this is really just calling to your attention the very last part of the staff report which identifies a section of the Zoning Ordinance pertaining to planned developments that involve landmark structures or in historic districts that allow the Plan Commission to grant zoning relief. This is the section which you may want to call on in your deliberations this evening. Okay.

CHAIRMAN CRAMER: Okay, thank you.

MR. DUNKLEY: Okay.

CHAIRMAN CRAMER: All right. Now, if we can
have the Applicant come forward and give us your presentation.

MR. ENGELMAN: Thank you, Mr. Chairman. My name is Steve Engelman. I'm the attorney for Mr. Bushor. If you don't mind, Mr. Chairman, can I ask a couple of questions about the procedure then?

CHAIRMAN CRAMER: Certainly.

MR. ENGELMAN: Because this is a joint meeting. We will make our, as is normally done before the Plan Commission, we will make our presentation. We will then be subject to questions. After that, those people who may be here in the audience who wish to speak for the project would be allowed to speak, then those people who are opposed to the project, then you will deliberate?

CHAIRMAN CRAMER: Correct. Yes.

MR. ENGELMAN: Or then we wrap up and then you deliberate? Is that the process?

CHAIRMAN CRAMER: Correct. And you know, if it helps, I can just briefly tell you, I mean, I had assumed that you had seen maybe these rules in advance. But it's not, shouldn't throw you any new curve balls. It's essentially as you described it.
We're going to allow you to present your presentation. If the owner was not the Applicant, the owner would then get a chance to speak. That's not relevant here. Any written testimony submitted from anybody outside the proceeding could be submitted here. We'll call on audience members if anybody wishes to speak in favor or against the project. The Commissions, both Commissions will have a chance to ask questions. At that point and time we'll call upon the audience and the Applicant one more time for any additional testimony or evidence. We'll then close that portion of the hearing and deliberate and make our recommendations as far the Preservation Commission is concerned.

MR. ENGELMAN: Thank you. Would you want to swear in all witnesses at this time?

CHAIRMAN CRAMER: Sure. We can do that. All witnesses who intend on giving testimony here can stand and raise your right hand. Okay. If anybody who's going to speak, if you could raise your right hand. No. On this particular matter only. You'll get your chance later.

(Witness sworn.)

CHAIRMAN CRAMER: Thank you.
MR. ENGELMAN: As I said, ladies and gentlemen, my name is Steve Engelman. And I am the attorney for Geoffrey Bushor, the owner of the property, tonight. Mr. Bushor, would you stand up?

I have here tonight Geoffrey Bushor, the owner of the property, who will be speaking, Ann Earl, who will be speaking, and Steve Knutsen, the architect of the project.

As has been indicated, this is a three-unit condominium project at 318-320 Dempster Street. In your handout given to you tonight you will note that the site of the property is in R1 zoning district. However, as you can see from the property, there are multi-family residential properties surrounding the property, specifically immediately across the street, two doors to the immediate west, and then at the northeast corner of Judson and Dempster, there is two four-unit buildings.

If you will turn to tab nine of the application booklet, you will note that the property consists of a three-story frame house with a two-story brick former livery stable in the, in the rear. The lot fronts on Dempster Street and is bounded on the other three sides by alleys. The front house is really a
double house. It was recently designated a landmark by the Preservation Commission and the City Council of the City of Evanston. And the property sits within the Lakeshore Historic District.

The purpose of the relief we are seeking tonight is to allow Mr. Bushor to restore and renovate the former stables into a garage and residence. I would now like to turn the podium over to Mr. Bushor who will tell you who he is and what he wants to do with the property. Thank you.

MR. BUSHOR: Thank you. My name is Geoffrey Bushor. I live at 1244 Forest Avenue in Evanston.

I'll try to make my comments brief. I first saw the barn in 1973 when I was looking for new housing. I was looking for a structure similar to the laboratory building that had been converted at 1311 Dempster Street by Bennett Johnson, an architect.

In my travels I ended up purchasing the Luther Greenleaf house at 1244 Forest Avenue directly across the alley from the property 318-320 Dempster. It's immediately to the, to the east.

So I'd been looking at this structure since 1973. In 1999 Tony Mercurio told me it was, he wanted
to sell the property. It was purchased by his family
in, I believe, 1956 or 1957. And they were divesting
themselves of properties in Evanston. So I took the
opportunity to purchase it, thinking it would be a
fairly easy thing to do to do the restoration and
conversion.

I discovered that the double house was in need
of major renovation, which took several years, and
finished that in, I think it was, 2003. So now it is
time to start the, to save the barn by developing it by
adapted reuse.

The structure at the property of, at 318-320,
as Mr. Engelman has said, is a double house. And it has
been converted into two, into condominium structure. It
consists, then, of two condominiums. And the plan is,
then, to make the barn the third condominium on the
property. And it will then consist of a single-family
residence on the second floor with parking on the first
floor. And you can see from the presentation the plans
for, for that.

I've discussed this project with the immediate
neighbors surrounding the property. And they've all
expressed their support for the project. And several of
them will be speaking tonight. They're kind enough to
come in.

I appreciate your time, taking the time for
your consideration of this project. And I guess I'm
open to any questions that you might have of me at this
time. Yes?

COMMISSIONER DIENNER: There's no basement to
the property, is there?

MR. BUSHOR: The barn has, the barn has no
basement. Right now it's on grade. Yes. That's all?

CHAIRMAN CRAMER: Okay. And in general there
will be an opportunity for the Commission, both
Commissions to ask questions at a later point and time
as well.

MR. ENGELMAN: The next presenter will be Ann
Earl who will give you a history of the livery stable
and the structures on the property.

MS. EARL: I am Ann O. Earl, local historian
and former member of the Evanston Preservation
Commission. And I am currently an associate. I am
co-author of the Evanston Ridge Historic District
Nomination and the booklet, Historic Evanston
Architecture for Walking Tours of the Ridge and
Lakeshore Historic Districts.

At this time I'm speaking about barns and garages in the half block of Dempster east of Judson Avenue. At one time barns were commonplace throughout Evanston. But they've become increasingly rare. And many of those that remain are threatened with destruction due the great expense of repair, to repair and maintain a large two-story structure solely to house automobiles. It is cheaper to demolish the old and build anew.

Not all former barns and large garages are at risk. A few former barns and garages, once part of large estates, have been converted to separate residences. Two examples are the two-story house at 1459 Asbury Avenue that was once a stable for the 1884 mansion at 1456 Ridge Avenue and the two-story house at 1031 Ridge Court that was once the garage for the 1911 house at 1030 Ridge Avenue.

The much-remodeled house at 1319 Forest Avenue was once a coach house for a large 1891 stone mansion that was demolished in 1964. Garages in the planned unit developments at Forest, Greenleaf, Judson, and Oak, Greenwood, Ridge are now legal residences.
Other barns and garages may be at risk of demolition. The Evanston History Center presently sidesteps the issue of two residence buildings on one piece of property because no one lives in Dawes House. Along alleys throughout the older parts of Evanston are a small number of old barns and garages with second-floor living quarters that have long been rented out by owners of the large house. I presume these are legal, perhaps grandfathered in. Several owners have commented that the tenants' rent is essential to help pay for the upkeep of the structure. In the 35 years I have lived in Evanston the City has lost a number of historic barns to neglect because of the cost of restoration or upkeep was deemed prohibitive. Three fairly recent demolitions include: the 1906 barn by architect Jarvis Hunt at 1321 Asbury Avenue, once a part of the former District 65 property; a two-story barn at 41246 Hinman Avenue; and an 1893 barn by architect George Harvey for 1710 Wesley Avenue. Not all barns are on large pieces of land. The double house and barn at 318-20 Dempster Street stands on two lots whose combined area is just over 7,000-square feet.
In 1872 David H. Wheeler subdivided three lots at the southeast corner of Judson and Dempster into five lots and built his own Italian A house at the corner facing Judson Avenue. Wheeler’s two 27-foot lots near the alley lay directly across the street from developer Luther Greenleaf’s five small lots on which he had built affordable housing that he sold to African Americans who worked nearby.

Building permit number 63 for the double house on Wheeler’s two alley lots at 318-20 Dempster was issues on October 17, 1892. It is now evident that the nearly square footprint of the double house is due to the prior existence of the stable at the rear of the property. There is no original building permit for the stable because it was built before the City of Evanston began issuing permits in the summer of 1892 following the merger a few months earlier of the separate Villages of Evanston and South Evanston.

Despite its run-down condition, the stable fundamentally has good integrity. On the north wall five original small squarish windows and narrow brick arches above two larger windows added at a later date indicate that the barn was built for seven horses. The
40 by 50-foot stable had ample space for vehicles, perhaps hansom cabs which could enter and leave through doors on the east and the west.

The stable may have been built for lease to Henry Butler, who lived across the street at 327 Dempster and started his own hansom cab business in 1891 after a decade as coachman for wealthy Evanstonians.

Another cab driver lived next door to Henry Butler in the now demolished house at 329 Dempster.

Old City records indicate that the horse barn had become a community garage by 1918 and that in 1923 neighbors without garages on their own properties stored nine cars in this former stable.

The stable survived a 1935 recommendation from the Commissioner of Buildings to tear it down following a fire. Incidentally, he added, it might be possible to obtain permission from the City Council to exceed the four-car limit imposed by the Zoning Ordinance.

The present owner wishes to convert the property at 318-320 Dempster into a three-unit condominium that includes the recently restored landmark double house and new single-family living quarters on the second floor of the stable. The space currently has
long-vacant original living quarters above the tack room, old office space, two grain bins, and a large open area once used to store bales of hay or straw.

The current Zoning Ordinance states "Not more than one principal residence shall be established in a zoning lot within R1, R2, R3, and R4 single-family zoning districts."

Yesterday Evanston has a few, I'm sorry, yet Evanston has a few zoning lots with two residences. The property at 1300, 1302 Davis and 1574 Asbury is a four-unit, a condominium association zoned R1.

There are three dwelling units in the 1886 double house on the corner which was remodeled into a three-family prairie-style house in 1909.

The fourth unit is in the circa 1866 house that faces Asbury.

The half block of Dempster Street east of Judson Avenue that includes the barn at the rear of 318-320 Dempster has been part of a large R1 area since Evanston passed its first Zoning Ordinance in Illinois on January 18, 1921. But that entire half block has always been non-conforming. I'll add that at that time what is now R1 was called "A" residence district, A in
The 19th century houses, including Wheeler's Italian A house that was moved to 324 Dempster, stand on small lots. Four multi-family dwellings were built between 1894 and 1916: the pair of four-flats disguised as double houses at the northeast corner of Judson and Dempster; the 18-unit Judson apartments on the southeast corner; and the 18-unit Claridge apartments at 319 Dempster. None of those four multi-family dwellings preserved the prevailing setbacks of the residential neighborhood.

In 1920 architect Thomas Talmidge, himself an Evanstonian, railed against the bulk of the Judson apartments in a single-family neighborhood. Today the four-flats and the Judson apartments are Evanston landmarks despite their intrusiveness.

To allow 21st century single-family living quarters on the second floor of the 19th century stable behind 318-20 Dempster is an economically viable way to enable retention, restoration, and repair of the long-neglected stable. Adaptive reuse is a green solution that will preserve the integrity of the entire site. The barn gives context to the double house. Site
density will be less than the nearby four-flats, the
Judson apartments, or the Claridge. A revitalized
stable will enhance neighbors' property values without
an increase in street parking or undue stress on
resources.

The present owner, Geoffrey Bushor, and
architect Steven R. Knutsen recently restored the
landmark double house at the front of the property that
had long been a neighborhood eyesore. If legislation is
changed to permit a three-unit condominium association
that includes the double house and single-family living
quarters in the barn, their example should encourage
other owners of two-story barns to maintain or upgrade
their secondary buildings and thereby preserve
Evanston's architectural and historical heritage.

CHAIRMAN CRAMER: Okay, thank you.

MR. ENGELMAN: And now Mr. Knutsen will talk
to you about what they propose to do for the
restoration. And during his presentation I would cal
attention to tab 10, which is the site plan, tab 14,
which will give you the elevations of the renovated
stable, and tab 15, which are color photographs of the
existing structures.
MR. KNUTSEN: Hello. I'm Steve Knutsen. I'm an architect in Evanston and a former member of the Plan Commission.

I noticed the photographs in the booklet are dated March, 2004 and the drawings July, 2004. When I brought these to the Commission before the Commission make up was slightly different. It's been a slow process to move this forward.

That, the livery stable is a charming example of life as it once was in Evanston. It needs a higher use to justify repairing and restoring it.

We propose, as illustrated in the drawings, to have a garage, storage, and two stairways on the first floor and a living unit on the second floor. We are proposing to add some windows to make the living room, the living unit brighter and to take advantage of both the south sun and the really very interesting view from the second floor looking south down the alley and over the back yards.

Do you have any questions about our proposal?

COMMISSIONER RUNDLE: Are these elevations on the proposed north elevation? Which ones are --

MR. KNUTSEN: I will have to check the
CHAIRMAN CRAMER: And while he's checking I'll just ask all the Commissioners make sure you speak up or turn your microphones on so the other members of the Plan Commission will hear you.

MR. KNUTSEN: Today there are two windows with very high sills and one more typically-shaped window on the north elevation. The windows that lighted the stalls will be repainted on the first floor. We propose bedrooms on the north side of the building. So these windows are to let light near into the bedrooms.

COMMISSIONER GERSON: The entry for the automobiles is the same as the former entries on the east and west where the --

MR. KNUTSEN: Yes. We can use the same brick opening.

COMMISSIONER RUNDLE: And what materials is the garage door?

CHAIRMAN CRAMER: Susan, can you repeat the question?

COMMISSIONER RUNDLE: All right. I just asked what material the garage door was made. I turned it on.

MR. KNUTSEN: Yeah. You're not close enough.
COMMISSIONER RUNDLE: Oh, okay. Okay. That's good. Now I can hear it echoing. I just asked what material the garage door was made. And Steve said wood.

PARTICIPANT: Will wood be used throughout where the framing, window framing is on?

MR. KNUTSEN: Yes. The windows will be wood, yes. The building did have a fire. And the building has had essentially no maintenance since 1950.

COMMISSIONER GERSON: Steve, I had a question about the cupola. There's none there now.

MR. KNUTSEN: It has been removed to concede where it should go through from the other side.

COMMISSIONER GERSON: You're saying there had been one there --

MR. KNUTSEN: Yes.

COMMISSIONER GERSON: -- previously?

MR. KNUTSEN: There's a unique system. The shoot to drop hay down also pierced the roof so that it ventilated the stables. So it had functions going in both directions. The ventilators were typical. There's a lot of, moisture accumulates from horses and --

COMMISSIONER DIENNER: I think you can see that on the, I think you can see that on the barn at the
house on Ridge. They have a huge barn there. And I
think they have retained the cupola for airation.

MR. KNUTSEN: Okay.

COMMISSIONER DIENNER: It makes sense to have
it. It probably was removed when it was no longer a
horse barn.

MR. KNUTSEN: It was easier to take it off
than repair it.

COMMISSIONER DIENNER: Yes.

CHAIRMAN CRAMER: Do you have a question?

COMMISSIONER SCHULDENFREI: Yes. Just to
return to the barn doors, will you be using the original
ones, reproducing them to match the original ones, or
using an altogether new design?

MR. KNUTSEN: We will be using the existing
opening. But we will use overhead doors. You can no
longer have OSHA-approved sliding automatic doors.

COMMISSIONER SCHULDENFREI: But will the
overhead doors mimic the patterns of the wood and the
various wooden panels or will it be an entirely new
design?

MR. KNUTSEN: What's in the drawing is a new
design.
COMMISSIONER FARRAND: I have a question about the roof materials. I know now there is a rolled roof on there. And I see that the new roof is proposed as a metal, a sheet metal roof. Could you talk a little bit about that choice?

MR. KNUTSEN: Yes. A sheet metal roof, I mean, the rolled roofing is on there. We came to the Commission to do that. That was literally a band-aid. And we'd like to put the longer lasting and more attractive standing -- metal roof on, which is what's quite common for barns.

COMMISSIONER GERSON: Are you going to leave the brick as is or do you plan to clean it?

MR. KNUTSEN: We'll need to clean it so that where we rework the masonry it matches.

COMMISSIONER GERSON: Tuck pointing also?

MR. KNUTSEN: Yes. We are quite hopeful that by having more windows we will end up with excess brick and can salvage most of the brick. It's more similar to the cream City brick than the more typical Chicago common.

CHAIRMAN CRAMER: Any other questions at this time? There will be an opportunity for the Commission
to ask more questions. But --

MR. KNUTSEN: Well, thank you. Thank you for your ongoing support of this project. This is our third or fourth visit with you. Thank you.

CHAIRMAN CRAMER: Thank you.

MR. ENGELMAN: Thank you. Members of the Commission, I'd just like to now address the actual relief we're seeking very briefly. As stated at tab two, we are seeking two text amendments. One would be an amendment to Section 6-4-1-6(B) to allow more than one principal use on a zoning lot. I would point out that if you look at sub-section A of that section, it allows, using virtually the same language we are proposing here, more than two, more than one principal building on a zoning lot in the R1 district when done as part of a planned development. Here we are mimicking that language to allow more than one principal use on a zoning lot in an R1 when used in conjunction with a planned development, which allows the City to review the plan and which requires that the Applicant give something back to the City by way of public benefits. And we are further narrowing the scope of this to be only when done in conjunction with an Evanston landmark
property.

   Now, that's the real policy issue that ultimately the City Council is going to need to address. Because what we have in this community is many, not many, I think it's 60, correct me if I'm wrong, from the Plan Department, at least 60 houses that have coach houses. And currently the Zoning Ordinance does not allow more than one principal use on a zoning lot, which means the owners of those coach houses theoretically are not supposed to be renting out those coach houses. They can be used by members of the family or by staff. Well, I don't know how many butlers, maids, livery people there are still left in this community. But what this will do is give an opportunity to legally allow the owners of those coach houses to rent them out or to sell them off. Excuse me. Only after a conversion. But certainly to rent them out.

   There are two substantial public benefits that will result as a result of this. One is of course the preservation issue that we've been discussing and presented tonight and that Ms. Earl has dealt with. The other one is it creates affordable housing. And it creates affordable housing in areas
that have always been economically unable to address affordable housing. And affordable housing does not mean low-income housing. It means affordable housing. When you put in the Lakeshore Historic District a two-bedroom apartment that sits above a garage, it's a lot more affordable than some family trying to find a two-bedroom house or even a four-bedroom house to rent in the Lakeshore Historic District. So it gives that public benefit back to the community as part of the planned development and encourages the expansion of affordable housing which is a, not only appears in the Comprehensive General Plan, but which the City Council has reinforced over the past several months with a variety of discussions and ordinances.

We are also seeking a text amendment to Section 6-8-1-10(B)1(a) to reduce the minimum area of a lot in a planned development to only 7,000-square feet, which would allow this development.

I would point out that Mr. Dunkley found and made me aware of this afternoon Section 6-15-11-4 of the Zoning Ordinance which gives the Plan Commission discretionary power to grant relief from the development requirements. Not the development allowances, but the

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development requirements of the Zoning Ordinance. And that is done to allow greater flexibility and ensure preservation in historic districts. But that discretion is subject to the guidance of the Preservation Commission.

Because I'm now aware of that particular section of this Ordinance and because Mr. Dunkley had said it applies to the Lakeshore Historic District even though it's not a district overlay, the Applicant would be prepared, if it is the Plan Commission's intent to recommend the, excuse me, if it is the Preservation Commission's intent to recommend to the Plan Commission, who then intends to recommend to the City Council that this project be exempt from the minimum area requirements of the zoning, of Section 6-8-1-10(B)1(a) of the Zoning Ordinance, we would be happy to withdraw the application for the text amendment. If it is not the Plan, the Preservation Commission's or the Plan Commission's intent to so recommend, we would ask that the application stay.

We are also asking for approval of the planned development as a special use and exemption from the maximum development allowances that require a transition.
landscape strip, that the maximum number of dwelling units be only one, that there be a 15-foot setback from streets and alleys, and the development allowance for building lot coverage which we will be exceeding in this planned development. That is in the discretion of the Plan Commission under the current Zoning Ordinance and may be exempted as part of your use.

Approving the text amendment, the planned development, and the exemptions will not have adverse impact on the neighborhood or on adjacent property. The plan we are proposing is compatible with the surrounding uses in the area. It provides significant public benefits. It provides an opportunity to increase the availability of affordable housing. It adds to the ambience and significance of the City. And it preserves the historic nature of the site, the Lakeshore Historic District, and the historic nature of this City. We would ask for your recommendations of approval on all matters. Thank you very much.

CHAIRMAN CRAMER: Thank you.

MR. ENGELMAN: Excuse me. And with regard to the Plan Commission requirements, excuse me. Mr. Chairman, is the booklet that we passed out with all the
exhibits, I would offer that into evidence. And has that been admitted into evidence?

CHAIRMAN CRAMER: It can be now if you'd like it to be.

MR. ENGELMAN: And I would ask that it be offered into and admitted into evidence.

CHAIRMAN CRAMER: If there's no objections, it'll be so admitted.

MR. ENGELMAN: Now that, that booklet, as I said at tab seven, addresses the standards for a text amendment. Excuse me. Tab two addresses the standards for a text amendment. And tab seven addresses the standards for a planned development. And at tab 13, addresses the standards for the Preservation Commission's approval. And I would ask that the Commissioners take note of those.

This request seeks to conserve the former livery stable, while maintaining for restoration rather than replacement the architecturally and aesthetic integrity of the landmark double house, which the barns serves, and the character of the Lakeshore Historic District. It allows the former stable to be renovated into a dwelling unit so that the owner can acquire the
funds necessary to restore the historic buildings and maintain the architectural integrity. And that was the concept from the beginning of the developer doing the double house.

Actually what we should have done was do the barn first and then do the double house. But we needed the money in order to do the double house too. So the bank has said, try a condominium. We can loan you more money that way.

It also allows the reuse of the stable as an additional dwelling unit that does not materially impact traffic or density in the neighborhood. It enhances the neighborhood by providing a means to fund the restoration of what is currently a dilapidated structure and is in keeping with the architectural and aesthetic integrity of the properties and the structures in the vicinity. Thank you, Carlos.

At the close of my evidence, I do have letters from several of the neighbors. And at the time that residents give their presentation I would also offer into evidence a letter from Marsha Mahoney and Steven Poor located at 1236 Forest Avenue. And I would also ask it be -- Do you want me to wait? I would also ask
that the record reflect that I'm offering into evidence
a letter from Phillip Calian, C-a-l-i-a-n, and Jill
Calian at 1246 Forest Avenue in support of the
application. And I think that's it.

CHAIRMAN CRAMER: If there's no objections,
those will be admitted.

MR. ENGELMAN: Thank you.

CHAIRMAN CRAMER: Is that the conclusion of
your presentation?

MR. ENGELMAN: Yes, it is. Thank you.

CHAIRMAN CRAMER: Okay. Thank you. According
to our rules, the next point we move onto is that we
will call on members of the audience who have signed up
on the sign up sheet. We'll call out your name. If you
can step forward, state your address, and tell us what
you'd like to. I have Jane Stenson.

MS. STENSON: I'm Jane Stenson. I live at
1241 Judson, not on Forest the way many of the other
people do. So in other words, we are directly west of
the barn. And we live in a double house as well.

Very briefly, I would encourage you to help
these people move forward with the work that needs to be
done. The barn is dilapidated. We have lived in our
house since 1981. And it has always been dilapidated. So we would be, I would be very appreciative if you could help them do the work that they need to do. They've done such great work on the duplex. They've been very careful and they've been thorough and, and authentic. And I know that this kind of work will proceed with the barn. Thank you.

CHAIRMAN CRAMER: Okay. Thank you. We also have John Stenson. Did you want to come forward?

MR. STENSON: 1241 Judson. I live in the same house with Jane. I would just as soon have something done that's development for that barn. Otherwise it's just going to sit there. And I think this would be a great improvement. Thank you.

CHAIRMAN CRAMER: Thank you. Steve Engelman?

 Okay. Didn't know if you had any further comments.


MS. EARL: Ann O. Earl. 1508 Hinman Avenue. I urge you to recommend adoption of the necessary legal procedures to consider accommodation of single-family living quarters within a secondary building such as a barn or large garage. The proposed text amendment would allow consideration of such
adaptive reuse of a secondary building as part of a
planned development, provided the total land area is at
least 7,000-square feet and the property contains a
designated landmark building.

I expect that such restriction will include
most potentially eligible structures. But after years
of architectural surveys in Evanston, I know that
significant undesignated buildings occasionally turn up
in unexpected places and that some principal buildings
that once had poor integrity have been restored, but not
designated.

I wonder if it is possible to write the
language broad enough to allow consideration of
properties with no landmark buildings if the owner asks
for a planned development. Thank you.

CHAIRMAN CRAMER: Thank you. Mary Brugliera.

MS. BRUGLIERA: I'm Mary Brugliera, 1304
Wesley, and an associate member of the Preservation
Commission.

I don't have too much to add to what the
Applicants have very carefully laid out. I can
remember, it must have been three years ago when the
architect and the owner first came to us. And just the
outlines of this plan, I was very enthused about it. And I think my fellow Commissioners were at the same time.

And then the next time we saw them, of course, was when the roof was leaking badly and they came back and asked for rolled roofing as a temporary band-aid, as Mr. Knutsen put it. So I'm very pleased that it's come this far. And I hope it will go all the way to approval.

And I noticed in the paper that was put out by the Zoning Administrator that it refers on page four to whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive General Plan. And although I can't quote them exactly, there is a whole section in the Comprehensive General Plan that deals with enhancing the history of Evanston, the preservation of its buildings and landmarks. And it goes on and on for a good half page. And I think this project, which will save a very rare part of Evanston's history, is very well worth doing. Thank you.

CHAIRMAN CRAMER: Thank you, Mary. And last on the list here I have Phillip Calian, if I'm getting your name correct.
MR. CALIAN: Hi. I'm Phillip Calian. And we live at 1246 Forest. So from a picture standpoint, we're directly east of the property just across the alley. So the Stensons are one, one side. We're on the other side. And the property is sandwiched in between. And we are strongly supportive of the project. And just as Mr. Bushor, Geoff worked magic on the duplex over, it really was a two or three year, or four year process. We look forward to the same type of magic and renovation and love and passion that took place in the renovation of the duplex to take place also at the barn. And so we are very supportive of the project.

COMMISSIONER DIENNER: Is your house the gray house with the wonderful trim?

MR. CALIAN: It's kind of green. But there was a lot of painting, a lot of trim, and removal of aluminum siding, yes.

CHAIRMAN CRAMER: All right. Thank you very much. Were there any other members of the audience who didn't have a chance to sign up to speak on this project who wanted to? Okay.

Now is the opportunity for both Commissions to ask questions of the Applicants. So I'll open it up.
COMMISSIONER RUNDLE: Carlos, I actually have a question. All right, this is like the Dryden mansion where the one house was made into four condos. But the difference here is, I just need it clarified, the difference here is basically doing the same thing, but we're not asking for like a planned unit development that we did before. This is to actually change the Ordinance to allow it to happen to multiple sites that might come up?

MR. RUIZ: In regard to the Dryden mansion, the Applicant actually wanted to have the planned development. And they found a way to amend the Zoning Ordinance to allow them to do the same in terms of the condominium conversion. But the difference, if I'm not recall, if I'm not recalling incorrectly, was that it was both a landmark and a nationally registered property, which the Dryden mansion is.

In this case, that I requested a text amendment to the Ordinance itself to allow these condominiums. In the previous one they did not request a text amendment. And also in part it's because of the reduced square footage also of the site.

COMMISSIONER RUNDLE: Okay. And that's why
this project is going after a text amendment instead of
the way that it was done before?

MR. RUIZ: Right.

COMMISSIONER RUNDLE: Okay.

MR. RUIZ: And also there's an opportunity,

according to Mr. Bill Dunkley's findings on the Zoning

Ordinance, that the Plan Commission has the opportunity
to allow this type of development with the

recommendation of the Preservation Commission as well.

So that's why Mr. Engelman said that they're prepared to

withdraw their request for the text amendment if both

Commissions are prepared to recommend the exception.

COMMISSIONER RUNDLE: Okay. Thanks.

MR. DUNKLEY: I need to add to that. And I

believe that the request, Mr. Engelman, please correct

me if I'm wrong, is to withdraw just the one portion,

just half of the request for the text amendment

regarding the square footage. That is the portion that
the Plan Commission can grant relief from.

The other portion identifying, having to do

with multiple uses, multiple primary uses on the site,
is one that would still require a text amendment. So

the required, would be willing to withdraw half of the
request for a text amendment.

COMMISSIONER RUNDLE: Okay. Thanks.

MR. DUNKLEY: But they are still seeking status as a planned development as a special use.

CHAIRMAN CRAMER: Okay, thank you. And we had some questions down here. I'm sorry. I don't know everybody's names, so.

COMMISSIONER STALEY: Chuck Staley. I'll leave the appearance issues to experts. I, you know, I haven't seen this. And I won't, and that's, I liked a little bit of the history of this. We refer to it as the historic double house. Who's lived in that? How many families have lived in that house sort of from the beginning of time? And is it just one family, you, at this time? Or what, whose living there now? And who lived there? We'll get the expert, we'll come. Who lived there in 1846 or whenever it was? And how many children did they have?

MR. ENGELMAN: Ms. Earl is the expert --

COMMISSIONER STALEY: I understand that.

MR. ENGELMAN: -- and I expect can answer most of your questions.

MS. EARL: The house was built in 1892 for
William L. Brown who lived a block east on the opposite side of the street. The architect was Daniel Burnham.

COMMISSIONER STALEY: I've heard of him, yes.

MS. EARL: D. L. Burnham who lived in an estate on the east side of Forest that ran from Forest Avenue to Lake Michigan, from Dempster to what is now Burnham Place, but was then known as Stockholm Place.

He actually, although he was an architect, he lived in a house that had been on the estate some 30 years before he bought it. And it was torn down in 1937. And they put 17, I forget whether it was 17 or 19 houses, on the site.

The house was built for rental. Mr. Brown, Mr. Brown's wife actually bought the property in 1890 and sold it a few years later to a William Hoyt, who also was, apparently later became property manager, I'm not sure manager for who, until the 1950s. And the correspondence in the City files is addressed to one Hoyt or another since it spans some, well, until about 60, 70 years after the house was built. That's more than one generation of, of family members. Until Geoff bought it, it has always been rental property.

COMMISSIONER STALEY: Have two families always
lived in it? Has it always been two families?

MS. EARL: Yes. It is a double house. And double houses are built as two separate dwelling units side by side. It was a kind of house that was very popular from the late 1880s through the 1890s. There are probably 40 or 50 left. I would guess there were, I've been trying to figure out how many were there. Somewhere approaching a hundred at one time. As you would expect, they were built in areas of, that were developing rapidly at the time.

The original boundary of Evanston in 1854 was Dempster Street. Dempster Street didn't even have a name. It was just the end of nowhere. South Evanston was platted in 1868 or '73, I believe. I think it was incorporated in '73 as a separate village and centered around Main Street. North Evanston was a separate village. And that's why we have a Central Street and a Main Street. Because they were once the major shopping streets of those two communities.

At that time the railroad would stop the train if the community would build a station. And we had, and still have what is now Metra, was then a predecessor of the Chicago Northwestern Railway, ran a train.
Initially two trains a day. And they were ready to stop it. But that's before the house was built.

The impetus for the development of Dempster Street, of the area of Dempster Street and south was the opening of a new train station in 1888. That plus, plus a boom. There had been a major economic recession known as the panic of 1873. Real estate prices plummeted. And the newspapers in the 1890s report that prices are almost back to where they were before the panic. That's close to 20 years later.

Any other questions?

COMMISSIONER STALEY: No. That's very impressive. That's, I've learned an awful lot. But I, and I have another question. But not for you. You can, this, although I'm sure you could answer it. But I'd like, I think Mr. Dunkley probably.

What is the situation? It's R1 zoning, is it not?

MR. DUNKLEY: Yes, it is.

COMMISSIONER STALEY: And we've got a double, we have a double house there that two families can legally live in. Can the owner sell half of that? Can he sell like a, without a condominium? I mean, what
does the zoning, what does our zoning law currently permit him to do with that house?

MR. DUNKLEY: Well, the zoning lot, currently required an R1 district, requires 7,200-square feet to build upon. So it would --

COMMISSIONER STALEY: But he's already got the house.

MR. DUNKLEY: Right.

COMMISSIONER STALEY: Right. So we're not going to make him tear it down. So what can he do with it?

MR. DUNKLEY: Right. So it, yes, essentially since there is only one primary use allowed on a zoning lot, really that would, that renders the stable, the barn --

COMMISSIONER STALEY: I'm not worried about the stable. Let's talk about the house at the front of the lot before we get to the stable. What can he do with the house at the, can he legally sell it?

MR. DUNKLEY: The house is currently condominium. Is there a declaration --

COMMISSIONER STALEY: Is it a condominium?

MR. ENGELMAN: It's grandfathered. The
structure itself is grandfathered.

COMMISSIONER STALEY: Yes.

MR. ENGELMAN: If it were to be burned, if it were to burn down or would be otherwise destroyed, the Applicant could not build a double house. He could not build a two-flat. He could only build a single-family residence.

COMMISSIONER STALEY: Yes, but I heard somebody to say it was two condominium units today. It is not, is it?

MR. ENGELMAN: The, --

COMMISSIONER STALEY: It is?

MR. ENGELMAN: -- there is a declaration of condominium that has been recorded. But it has not been recorded by Geoffrey Bushor. It's been recorded by a development entity that does not own the property. That ultimately Mr. Bushor, once we get approval to do this in order to raise the money to do the restoration, we will then, Mr. Bushor will then execute --

COMMISSIONER STALEY: Yes, but if this doesn't through, you don't have any authority to do any kind of condominium there, do you?

MR. ENGELMAN: No.
COMMISSIONER STALEY: No. So there's no condominium there as we speak.

MR. ENGELMAN: Excuse me. I disagree with you. I think we can do a condominium here. But if the building were to burn down, it cannot be rebuilt as a multi-family residence.

COMMISSIONER STALEY: We'll flip a coin to see which guy is out of his unit? Or how does that work?

MR. ENGELMAN: That's why Mr. Bushor owns all the entire property.

COMMISSIONER STALEY: I know. But if I liked it and I wanted to go and buy and live next to Mr. Bushor, how am I going to do that? What I'm trying to figure out, what, you know, what's really driving this? Is there some other way?

MR. ENGELMAN: What is this --

COMMISSIONER STALEY: What's driving the whole thing here tonight?

MR. ENGELMAN: What's driving this is --

COMMISSIONER STALEY: Is to get the money.

MR. ENGELMAN: The Zoning Ordinance prevents you from having two structures on the same zoning lot.

COMMISSIONER STALEY: All right. I understand
that. But is there a simpler way to --

MR. ENGELMAN: We spent two years looking
for --

COMMISSIONER STALEY: Is that right?

MR. ENGELMAN: -- the simplest way to do this.

They jumped through hoops to do the Dryden mansion
deal. And actually I believe that the, somebody
said earlier today at the Spark meeting that that was
really looked at as a unique use. And that was one of
the things that we could have done, to try to come in
with a unique use.

But I think it's time that the City address
the issue of coach houses and --

COMMISSIONER STALEY: Why do you need a
three-unit condominium then? It sound to me like what's
going to happen here is that there will be a three-unit
condominium put together. And then two of the units
will get sold off and our Applicant will live in the
third one. And he will have sold off the two. And
he'll probably have done pretty well. Is that what, is
that what's going on here?

MR. ENGELMAN: That may be the ultimate
result. But it is not the intent of the Applicant to do
this to make money. It is the intent of the Applicant to do this in order to raise the money to be able to restore the existing livery stable and keep it as a residence --

COMMISSIONER STALEY: Well, then the front house could be just one unit then.

MR. ENGELMAN: -- and, and assist in paying for the enormous costs it took to restore the front house.

COMMISSIONER STALEY: Go ahead. I mean, you're running the meeting. She would like to speak.

CHAIRMAN CRAMER: Ann, would you like to answer part of that question?

MS. EARL: Double houses cannot be one unit and were built as two separate houses. They should have a common wall. They are two units side by side. Each one has its own water, sewer, electricity, and so forth. It is not a single-family house that somebody decided to split. And it is not a two-flat where one family lives above the other.

COMMISSIONER STALEY: I give up.

COMMISSIONER RUNDLE: But up until this time it could only have one owner.
MS. EARL: No. No. There are many, I live in, for 30 years in half of a double house. And I owned one half and somebody else owned the other half.

COMMISSIONER RUNDLE: Oh.

MS. EARL: And it had been split long before we, I don't know how long. It was split before we bought it in '73.

MR. ENGELMAN: With the barn, livery stable, normally when a double house sits on a lot you can split it by taking a line from the front of the lot line to the rear of the lot line and just bringing it right down where the houses, double houses split.

In this particular case you, you draw that line and once you get to the old livery stable, you can't split it. So you cannot sell the simple title to one side of the property and the other. And that's why, while it's correct that you could theoretically have two owners because the house can be split, because of the extra structure, the livery stable, which we're trying to preserve, we need to kind of, in order to do this we need to do a condominium.

CHAIRMAN CRAMER: Are there additional questions down here?
COMMISSIONER STALEY: I'll try to turn it off.

There.

CHAIRMAN WOODS: David.

CHAIRMAN CRAMER: David.

COMMISSIONER GALLOWAY: Yes, I have some questions with regards to the renovation of the stable. So I guess I would address those to the architect?

MR. KNUTSEN: Okay.

COMMISSIONER GALLOWAY: First off, Steven, this is a very handsome project. And I have a question with regards to the material used on the gable ends on the east and the west. There's no, the materials aren't addressed in my drawing.

MR. KNUTSEN: It's, it's wood shingle.

COMMISSIONER GALLOWAY: Okay. And you mentioned using a metal roof. Is that standing seam or flat seam?

MR. KNUTSEN: Yes, standing.

COMMISSIONER GALLOWAY: And you mentioned, obviously we're all aware of standing seam roofs being used in barns in rural areas where they, maybe it's only because most of the barns in urban areas have been destroyed. Was that roofing material commonly used in
urban areas as well?

MR. KNUTSEN: I believe so.

COMMISSIONER GALLOWAY: Okay. And I've noticed that there are a couple, as best as I can ascertain looking at the photographs, there are a number of windows that have been bricked in in the past. And you're going to restore them as actual windows.

MR. KNUTSEN: Some, some we're restoring.

Some of the windows opening into the stalls have been enlarged with a pretty heavy hand. We will be adding windows where there were no windows before.

COMMISSIONER GALLOWAY: Can you describe in more detail the divided light windows?

MR. KNUTSEN: They will, I don't know if they will be actual or if simulated.

COMMISSIONER GALLOWAY: Okay.

MR. KNUTSEN: Four years ago when I made the drawing they would have been actual. We are looking at windows differently today than we did four years ago.

COMMISSIONER GALLOWAY: I understand.

MR. KNUTSEN: Because of the green movement.

COMMISSIONER GALLOWAY: Yes. Well, I will pass any further comments on that onto the members of
the Preservation Commission, which in my opinion have
greater privy over that than I do.
The parking garage drawing indicates space for
easily three automobiles. Will that, will the parking
space on the first floor of the former stable be
designated only for the resident of the stable? Or will
it also be used --

MR. KNUTSEN: Yes, yes.

COMMISSIONER GALLOWAY: Only that. Okay. All
right, that's all. Thank you.

MR. KNUTSEN: Thanks.

CHAIRMAN CRAMER: Thank you. Additional
questions? Carlos, you had a comment?

MR. RUIZ: I'd like to make sure there's no
additional questions from either Commission just to
proceed.

COMMISSIONER DIENNER: I take it, then, the
other two parking spaces will go with the double house,
part of the double house?

MR. KNUTSEN: I'm sorry. The drawing is a bit
confusing. The two open parking places are there today
and exist. And they're edged with pavers.

COMMISSIONER DIENNER: Okay.
CHAIRMAN CRAMER: Steve, while you're up there, you said that the plan for the windows might change. Are they going to be wood windows, though?

MR. KNUTSEN: Yes.

CHAIRMAN CRAMER: Regardless? Okay. Other --

MR. RUIZ: Well, I'd just like to expand a little bit on the question about windows. And this is both for the benefit of the Applicant and the Preservation Commission in particular.

My contacts with the Illinois Historic Preservation Agency in regard to benefits for restoration/rehabilitation of historic buildings are very clear as the type of review that these projects go under. And my understanding is that for, if Mr. Bushor were to apply for the property tax assessment freeze as the owner of the property and particularly the owner/occupant of the property, the state currently requires that windows be restored rather than replaced, particularly what they refer to the front elevation. And if the windows are beyond repair, they require that if they are true divided light windows, that the new windows be true divided light and single pane. And they will require to put the storm windows as
They have more flexibility in terms of the side and rear elevations. But I just wanted to make sure that they are aware at this time that that might be an issue for them when they decide what to do with the windows.

CHAIRMAN CRAMER: Thank you. Additional questions from either Commission? Okay. This is a good project for us to start with.

All right. Moving along then, we've asked for additional, are there any additional new testimony or evidence from the Applicant that it would like to submit? Okay.

Are there any additional comments or questions from any member of the audience or public that they'd like to make? All right. There's no takers on that.

Okay, if there's no further comments or questions -- Yes.

COMMISSIONER STALEY: I don't want to belabor this, but I would like to hear from the staff that we're, I mean, it sounds good just looking at this project. But it's kind of extreme what we're doing, it seems to me. And I'd like to know that we're not, you
know, creating other problems on other properties in
other areas that we really don't, aren't even thinking
about here right now by trying to save this livery
stable, which is a, probably a noble mission. But, you
know, has that been looked at by the staff? Or, because
I certainly don't know that.

MR. DUNKLEY: As the amended, where I said to
the acceptable request by the Applicant, that is with
the withdrawal of the request to add the decreased lot
size, the scope of the text amendment becomes much less
broad. As a matter of fact, it's fairly narrow in that
it only identifies planned developments that involve
historic landmarks or landmark designated properties.
So that is an extremely narrow update.

And it also speaks to a modification to the
Zoning Ordinance which has been, been pondered for quite
a while. And that has to do with just the larger issue
of coach houses. But it does so in a very, I'd say,
tactical, very narrow, narrowly defined scope. So we
don't feel that's it's a, that we're sort of opening a
Pandora's box with this particular text amendment.

It also has the added positive effect of
allowing many landmark structure to become positively
economically generating. And that is something that has always been a question. How do we do that with historic structures? How do we keep them preserved when in many ways they are intended for uses that no longer exist? How do we do that? This would be one way of doing that. So we're comfortable with the request for the text amendment.

And so while we don't have a precise number of properties that this would affect and it's couched in terms of the planned development process, so it's not as if we're adding by right, the by right ability to add additional dwelling units on properties. It's limited only to those that go through the rather fairly high scrutiny that we have for our planned developments.

COMMISSIONER GERSON: Along those lines, though, how about the other text amendment? Is that additionally restrictive so that Pandora's box is not going to be opened with that one?

MR. DUNKLEY: The other text amendment. One of them is if it were the case where the Preservation Commission would recommend it and the Plan Commission would agree to granting zoning relief for this particular project for the 7,000-square foot minimum,
which can be done by the Plan Commission as per the
Zoning Ordinance, as per the staff report and the memo
that was distributed earlier. That would mean we would
only have one text amendment that's requested, which is
the very first.

COMMISSIONER GERSON: That's the one that I'm
referring to, that no more than one principal use.

MR. DUNKLEY: Right.

COMMISSIONER GERSON: And as amended.

MR. DUNKLEY: Right.

COMMISSIONER GERSON: That is sufficiently
restrictive so that a Pandora's box is not --

MR. DUNKLEY: Yes. And that's primarily
because it applies only to planned development projects
that have, that are a special use that have to go
through our, a fair amount of scrutiny.

COMMISSIONER DIENNER: I think some of the
concern is that something like this might occur sort of
randomly in town and not necessarily to properties that
are under special, you might say, jurisdiction. But
also not only the being in a historic district, not only
a historic building, but a historic district. And I
think maybe some of the questions are related to a
little concern that this might slip in too easily, some of these.

MR. DUNKLEY: Well, the text amendment, it is very narrowly oriented even, well, especially without the second portion. And the possibility of something slipping into a planned development and historic district I think is probably unlikely.

COMMISSIONER DIENNER: Pretty tight. Okay.

CHAIRMAN CRAMER: Any additional questions or comments from the Applicants on that particular point. If not, if there's no further testimony, questions from the Commissioners, we're going to go ahead and close the testimony at this time.

So, it says according to the rules deliberations shall include point by point discussion of each applicable provision or standard for review. And in terms of preservation we will be looking at the standards for alteration and for determination of special uses and variations. And Carlos, did you have a, want to comment on those standards?

MR. RUIZ: Yes, Mr. Chairman. I just wanted to refer to all the members of both Commissions to look at the alteration standards, which is this pink sheet
that you have in front of you, and also to the blue
sheet that relates to the special use and variations.
Typically what we do it to give a recommendation to the
Preservation Commission without -- Committee. We didn't
have the opportunity to do that in this case for the
circumstances we are under, which is the planned
development.

And I look at the standards and I'd like to
recommend that the standards that will apply for the
alternations will be all except number nine, which is
the archeological resources. I'm not saying that they
meet the standards. All I'm saying is that they are
applicable.

COMMISSIONER GERSQON: All except nine, you
said?

MR. RUIZ: All except nine. And of course you
have the discretion to either add number nine or remove
others that perhaps you feel are not necessary.

COMMISSIONER GERSQON: With regard to eight, is
there going to be any digging?

MR. RUIZ: I'm sorry. If I say, eight, I
referred to number eight as the archeological resources
not applicable. Number eight instead of number nine.
1 Excuse me.
2
3 COMMISSIONER GERSON: Okay.
4
5 MR. RUIZ: And in regard to the special uses
6 from the application, you have on the blue sheet the
7 standards A, B, and C. And the Applicant has addressed
8 three standards. So I would suggest that you will
9 address those three standards as well when you make a
10 motion to recommend or not recommend the variation, the
11 special use.
12
13 CHAIRMAN CRAMER: Okay, thank you. So that
14 covers the preservation portion of this. And I don't
15 know if we were going to go through this as well, your
16 standards that the Plan Commission will be reviewing as
17 well. I can't remember if we contemplated starting and
18 finishing with preservation aspect of this or doing both
19 at the same time.
20
21 CHAIRMAN WOODS: Preservation Commission first
22 and then Plan Commission.
23
24 CHAIRMAN CRAMER: That's, that seems to be my
25 recollection.
26
27 MR. RUIZ: That's correct. I want to
28 emphasize that the purposes, that if there's any
29 recommendations from the Plan Commission to the
Preservation Commission in terms of any variations or changes or amendments to the proposed planned development, that you state those so that the Commission can vote on something that the Plan Commission is prepared to take action on. So it should be the same project with amendments or as presented.

CHAIRMAN CRAMER: Yes, and just to echo those sentiments, I mean, herein lies, I think, a large purpose of why we developed this, this joint process. Because if the Plan Commission has particular concerns and would make suggestions that, that are going to alter the project, that we know what those are as best as possible before we go ahead and deliberate. So I guess I would ask --

CHAIRMAN WOODS: So does anybody on the Plan Commission have any desire to effect any changes or alterations to the plan as proposed?

CHAIRMAN CRAMER: No takers.

CHAIRMAN WOODS: No takers.

CHAIRMAN CRAMER: As we said, this is probably an easy test case here. But with that, then, I guess I would call upon the Preservation Commissioners to have any sort of discussion or deliberation on the standards
prior to calling for any sort of motion. Does anybody have any comments on, I guess maybe we would start with the alterations. Does anybody have any questions, concerns?

COMMISSIONER RUNDLE: No, I think --

CHAIRMAN CRAMER: It's a pretty thorough application.

COMMISSIONER RUNDLE: -- all of the standards -- it was minimally invasive to the structure. Adaptive reuse, it would be really the only plausible way of, the only plausible way of saving the building, to get money to do it. You know, and as somebody said, it was sensitively done.

COMMISSIONER DIENNER: Well, I think the only problem, I won't say problem, the only question would be number six, which is one of our constant discussions. But I, as far as I'm concerned, I wouldn't argue about it.

CHAIRMAN CRAMER: Okay. And that being the standard, for those who don't have the benefit of having it of them, is where deteriorated details would be repaired as opposed to being replaced.

Okay, well, focusing again on alternations,
are there any other comments or questions? If not, I would ask for, if there is a motion from any of the Commissioner from Preservation.

COMMISSIONER HOHMAN: Okay, I'll make, I'll make the motion here. I've got to turn it this way. I move that we grant a Certificate of Appropriateness for the restoration of the stable behind 318 and 320 Dempster. Because every reasonable effort is made, has been made to adapt the property, the structure that requires minimum alteration to the property, structure, site or object in its environment. The distinguishing original qualities have been, have not been destroyed. The property, structure, and structure has been recognized as a product of its own time.

Changes that have taken place over time that have required their own significance have been respected. Any distinctive stylistic features are being treated with sensitivity. Deteriorated architectural features, where possible, are being repaired rather than being replaced. Surface cleaning, which we understand is going to be undertaken, should be undertaken with the gentlest means possible.

And then number eight is, does not apply.
Contemporary design has not been discouraged. And wherever possible this has, does 10 really apply? It's not an addition or, well, I guess it's an alternation.

MR. RUIZ: It does say, or alterations.

COMMISSIONER HOHMAN: Yes, okay. An alteration. If, 10 recommends that whenever possible any alterations should be done in such a matter that if they were to be removed in the future, the essential form and integrity of the structure would be unimpaired. And that's --

COMMISSIONER RUNDLE: Second.

CHAIRMAN CRAMER: Okay. Motion's been seconded. Any further comments on the motion? Okay, all those in favor of approving a Certificate of Appropriateness for the alterations to the barn at the rear of the property 318 through 320 Dempster Street raise your hand and say aye.

COMMISSIONERS: Aye.

CHAIRMAN CRAMER: Any opposed? No abstentions. So that passes unanimously. And the second point we have to deliberate on is the recommendation to our neighbors here, the Plan
Commission, on the special use. Any comments or questions on that other than what Susan, I think, already addressed? Okay, if not, I would ask whether anybody would care to make a motion.

COMMISSIONER RUNDLE: I would like to recommend to the Plan Commission that they approve a certificate for the special use for 318-320 Dempster, as the project is appropriate in the special interest of historic conservation and does not affect the historical architectural integrity of the district. It's necessary to provide the owner a recoverable rate of return to even undertake this project. And it will not be materially detrimental to the public health, safety and welfare to the district or vicinity. And according to the neighbors, it will be greatly appreciated.

COMMISSIONER HOHMAN: Second.

CHAIRMAN CRAMER: Okay, any further questions on the motion? Stan.

COMMISSIONER GERSON: Yes, I have trouble with B, necessary to provide the owner a recoverable rate of return on the real property. I don't know if that is really necessary, if that is necessary to provide the owner a recoverable rate of return. However, it is
saved by the fact that the last word in A is or. It is not and. However the last word in B is and. So I'm comfortable with it, not being happy with B. But A and C I feel are okay. So --

CHAIRMAN CRAMER: Okay.

COMMISSIONER GERSON: -- I just wanted to bring that up.

CHAIRMAN CRAMER: Appreciate the comment. Any further questions or comments on the motion? Okay, if not, I'll ask all those in favor of making a recommendation to the Plan Commission to approve the special use requested of the owner of 318 through 320 Dempster raise your hand and say aye.

COMMISSIONERS: Aye.

CHAIRMAN CRAMER: Any opposed? And no abstentions. So it passes unanimously. And I think that concludes our part.

CHAIRMAN WOODS: I'm going to ask for one clarification.

CHAIRMAN CRAMER: Yes.

CHAIRMAN WOODS: And that is, are we recommending the text amendment 6-2-6-4-1-6(B), but not 2-6-8-1-10(B)1(a), but rather the zoning relief approach
to that issue?

CHAIRMAN CRAMER: Oh, okay. So in other words, what, what Bill Dunkley had raised earlier was that the possibility might not be necessary to do the additional text amendment, if I'm, if I'm correct on that. And so I would guess I would ask for any comments from the Preservation Commission.

I could say personally I view it as, if you can, if you can review this and pass it with as, the least amount of text amendments as possible, I'm certainly personally in favor of that.

Or any other thoughts or comments from the Preservation Commission on that? I think that's, that's your answer then. Let's focus on the one and not the other. So I think that would conclude the Preservation Commission's portion of this.

Carlos, did you have another --

MR. ENGELMAN: Excuse me, Mr. Chairman.

CHAIRMAN CRAMER: Sure.

MR. ENGELMAN: Mr. Chairman?

CHAIRMAN CRAMER: Yes.

MR. ENGELMAN: I believe that you have to actually vote to recommend to the Plan Commission.
Because while the Plan Commission is given discretion, they're given discretion after guidance by the Preservation Commission. So I think you actually have to vote.

CHAIRMAN CRAMER: In terms of whether or not the second text amendment should be utilized?

MR. ENGELMAN: In terms of whether or not you are recommending that the planned development be allowed for even though it's only 7,000-square feet and not 14,4-square feet.

CHAIRMAN CRAMER: I see.

MR. ENGELMAN: You're not recommending the text amendment. You are recommending, you are recommending that an exemption from that development requirement.

CHAIRMAN CRAMER: Okay.

MR. ENGELMAN: There's a development requirement that the lot must be 14,400-square feet. You are recommending that this project be exempt from that requirement.

CHAIRMAN CRAMER: Okay. And Carlos, which is that, is that going to fall under in terms of standards where --
MR. RUIZ: In part I wanted to address the issue that the powers and duties of the Commission allow the Commission to comment on this type of request. So the planned development, text amendments to the Zoning Ordinance are part of the powers and duties of the Commission.

You can proceed with a motion to recommend what they have asked. You don't have to, it's a recommendation or a comment actually. It's a comment on, on the proposed project as amended, it appears.

CHAIRMAN CRAMER: Okay. So would any, first of all, is there any discussion, further discussion on that from any of the Commissioners? And if not, would anybody care to make a motion on that as to whether or not to recommend to the Plan Commission that a, an exemption be allowed?

COMMISSIONER DIENNER: So moved.

COMMISSIONER RUNDLE: Second.

CHAIRMAN CRAMER: Okay. All those in favor of further recommending to the Plan Commission that an exemption be allowed for the required square footage on the lot for the proposed development of 318 through 320 Dempster Street raise your hand and say aye.
COMMISSIONERS: Aye.

CHAIRMAN CRAMER: Any opposed? And there's no abstentions. So now I think we have covered all bases.

And now I get to turn the baton back over to --

CHAIRMAN WOODS: Okay, so that comes now to the Plan Commission. And per the joint rules, we need to address the standards point by point. And there are two sets of standards we have relative to the text amendment and then relative to the, to the special use for the planned development. You can find those standards in tabs two and seven of the submittal. So I would entertain any discussion relative to those points.

Well, does anybody have any comments they want to make relative to any of those standards? And if not, then we would entertain a motion to --

COMMISSIONER SCHULDENFREI: No, yes, that's all right. I motion to go through the thing. What am I motioning?

CHAIRMAN WOODS: Well, let's first see if anybody wants to make any comments on any of the standards other than a motion. It doesn't sound like it. So, under that we'll take a motion.

COMMISSIONER SCHULDENFREI: So moved.
CHAIRMAN WOODS: Okay, Robin, that's a good start.

COMMISSIONER SCHULDENFREI: Yes, it is. It worked well.

PARTICIPANT: Yes, but that was after they already read the standards.

CHAIRMAN WOODS: Well, I think you got to tell us what the motion's for.

COMMISSIONER SCHULDENFREI: So --

CHAIRMAN WOODS: Well, let's take them one by one. Text amendment first.

COMMISSIONER SCHULDENFREI: Application for text amendment, Section 6-4-1-6(B), not more than one principal use shall be established in the zoning lot within the R1, R2, R3, R4 single-family zoning districts.

CHAIRMAN WOODS: To be amended as.

COMMISSIONER SCHULDENFREI: Yes. To be amended as -- except when authorized as part of a planned development approved pursuant to Section 6-3-6, planned developments, and involving an Evanston designated landmark structure. Not more than one principal use shall be established in the zoning lot.
within the R1, R2, R3, R4 single-family zoning districts.

Now I move to this one? Because we --

CHAIRMAN WOODS: No. We would just deal with that relative to these and --

COMMISSIONER SCHULDENFREI: Do you want me to read it? Should I read that?

CHAIRMAN WOODS: You don't need to read the whole thing.

COMMISSIONER SCHULDENFREI: Section 6-3-4-1.

The Ordinance establishes standards that the City Council should consider amongst other factors. 6-3-4-5. And the standards that they are proposing, that we need to consider are: A, is the proposed amendment consistent with the goals, objectives, and policies of the Comprehensive General Plan as adopted and amended from time to time by the City Council? And B, B, is the proposed amendment compatible with the overall character of existing development in the immediate vicinity of the subject property? And if so, and how so? C, will the proposed amendment have an adverse effect on the value of adjacent properties? In not, how not? D, are the public facilities and services adequate to serve the
effects the proposed amendment may have? If so, how so?

CHAIRMAN WOODS: Then we say what our findings are --

COMMISSIONER SCHULDENFREI: Okay. I don't have to read all this? --

CHAIRMAN WOODS: Those are the, well, read the ones that you feel are appropriate. Those are the findings.

COMMISSIONER SCHULDENFREI: Okay, these are the finding. Okay. I didn't realize I was signing up for this.

So under A, the purpose of the proposed amendment is to provide a mechanism to encourage or facilitate owners of vintage properties whose preservation value has been validated by a designation of a landmark structure on the property to maintain and adaptively reuse other structures on the estate and to discourage demolition and sub-division of these estates.

In doing so the proposed amendment is consistent with and promotes the following goals and objectives of the Comprehensive General Plan: enhancing neighborhood assets while recognizing that each neighborhood contributes to the overall social and
economic quality of Evanston, offering buyers and
renters a desirable range of choices in terms of style
and price; preserving the historic heritage of Evanston
for the benefit of current and future residents;
encouraging creative adaptive reuse of properties
available for development; supporting efforts aimed at
improving Evanston's housing stock; supporting and
recognizing private efforts to restore and preserve
Evanston's architectural heritage; encouraging the
preservation of large front and side yards around;
maintaining the architectural integrity of Evanston's
large historic properties, properties that are under
consideration for redevelopment or sub-division;
maintaining high property standards in assisting in
rehabilitation; and developing financial incentives for
preservation and restoration of historic structures.

B, the overall character of existing
development in the immediate vicinity of 210-220
Dempster is single-family, 318, this is a typo, in our
packet, Dempster of single-family residential. The area
also comprises a portion of the Lakeshore Historic
District. The proposed amendment is designed to
encourage and facilitate restoration and preservation of
landmark structures and other buildings which complement and enhance the historic and architectural integrity of the area. The proposal also contemplates adaptive reuse of an existing structure for residential purposes consistent with the current uses around the site. By requiring a planned development process the proposed amendment ensures development undertaken is compatible with the existing character of the neighborhood, as well as providing a public benefits to the community.

C, the proposed amendment will have no, not have an adverse effect on the value of adjacent property. On the contrary, the amendment is likely to have a positive effect on values by allowing the renovation of a currently dilapidated structure into a desirable dwelling unit architecturally compatible with the surrounding neighborhood. To the extent other owners of existing homes with coach houses take advantage of the amendment, they too will do so to preserve the historic and architectural nature of the area as they engage in the planned development process.

D, existing public facilities and services are adequate to serve the effects that the proposed amendment may have. By limiting the amendment's reach
to only developments involving landmark structures and
requiring a planned development process, the impact on
the City's existing infrastructure should be negligible.
For example, an existing landmark house with a coach
house, presumably housing a nanny or an in-law, would
not significantly add density to streets, require
greater water/sewer access, or otherwise regularly
affect public facilities and services than if the main
house were duplexed, leaving less numbers of bedrooms
and the coach house rented out. The amendment does not
contemplate increasing density of use, merely the nature
or relationship of the users.

CHAIRMAN WOODS: That is the first motion?
COMMISSIONER SCHULDENFREI: Yes, that's it.
Somebody else can --
CHAIRMAN WOODS: Any discussion? Or did we,
did we already have a second?
COMMISSIONER BURRUS: I second.
COMMISSIONER GALLOWAY: I have a question.
And it goes back to A, one of the line items in A, --
CHAIRMAN WOODS: Yes.
COMMISSIONER GALLOWAY: -- which is the one,
two, three, fourth one from the bottom. Encouraging the
preservation of large front and side yards around. I'm not sure I understand how that relates to this project. Can someone help me with that? I mean, you have plenty of other attributes. But this one just sort of stood out as being not applicable. So I would, unless you can point out a specific reason why it should be there, I would ask that that be omitted from the list.

COMMISSIONER SCHULDENFREI: I'll omit that from the list.

COMMISSIONER GALLOWAY: I'll second Robin's motion with that amendment.


All right, any further discussion or are we ready to vote? Okay, starting at that end. Sara.

COMMISSIONER MCMURRAY: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

CHAIRMAN WOODS: Yes. Okay. Now, next there
comes the application for a special use. And I think in particular that we need to address on the last page in tab seven the particular exceptions that have already been noted. And we've also the addition of the exception relative to the 6-15-11-4 of the 7,000-square feet versus the 14,4 that is the, we're now permitting as well. So, I'll try and made this motion, okay?

I motion approval of the planned development for 318-320 Dempster Street and the, pursuant to 6-3-6-6 of Zoning Ordinance and as part of the planned development process, exceptions to the following limitations on site controls in planned development allowances. 6-8-1-1, 6-8-1-10(D)3, along all boundaries the proposed planned development's not abutting a public street. The developer shall provide a transition landscape strip not less than 10 feet wide of vegetative landscaping fencing or decorative walls. Applicant proposes no landscape strip.

6-8-1-10(C)2(a), maximum number of dwelling increases in R1, none. Applicant proposes a maximum of three dwelling units, and increase of one over existing uses and two over allowed uses.

6-8-1-10(C)3, dwelling may be no closer to
boundaries or streets than 15 feet. Applicant proposes two dwelling that have a 14.22-feet setback from boundaries on the side yard and one dwelling that has no setback from the side or rear yard boundaries.

And 6-8-1-10(C)4(a), building lot coverage increases in R1 of 10 percent maximum building lot coverage equals 30 percent plus 10 percent equals 40 percent. The Applicant has proposed building lot coverage of 57.9 percent.

And per 6-15-11-4, relationship to planned developments. Whenever a planned development application filed pursuant to Section 6-3-6 of this title pertains to a historic landmark or is wholly or partially located within an officially designated historic district it shall be first referred to the Plan Commission for its review and recommendation, which it has. The Plan Commission shall be granted the discretionary power to grant relief from certain planned development requirements to allow greater flexibility and to ensure preservation of a historic district. And such relief shall be granted subject to guidance by the Preservation Commission who has directed us that they would find that this exception be approved. So the
exception is to allow for a planned development in the
R1 district of a lot of this size, which is seven
thousand two hundred and -- What?

PARTICIPANT: The --

CHAIRMAN WOODS: 7,200-square feet.

PARTICIPANT: 20.

CHAIRMAN WOODS: 20, 7,020-square feet. Sorry
Let's make sure we get that right. Because otherwise.
And okay, so, the standards for the approval,
and first of all, going back to 6-8-1-10(C)2(a), maximum
number of dwelling increases in the R1, none. The
Applicant proposes a maximum of three dwelling units, an
increase of one over existing uses, and two over allowed
uses. Per the text amendment previously approved, that
is now permitted. These exceptions can be granted to
achieve certain public benefits as enumerated in 6-3-6-
3, which in this case included preserving and enhancing
desirable site characteristics. We are in fact
preserving the historic structures as they have always
existed on the site and enhancing them by allowing for
the, the adaptive reuse of a currently dilapidated
structure.

B, Preserves and enhances historic resources
that significantly contribute to the City's character.
Again, clearly that we are doing that for the same
reasons as A.

Creates a pleasing environment through design
and architectural features. I think David has already
complimented. And I certainly agree that Steven has
done an excellent job of making any changes to the
structure totally blend in with the building as it has
always appeared. And it's going to be enhanced and
greatly improved by being repaired and adaptively
reused.

D, provides a variety of housing types in
accordance with the City's housing goals, which this
does allow for some other kinds of dwelling units that
previously have not been allowed in the current Zoning
Ordinance and perhaps some more affordable type
dwellings.

It eliminates blighted structures. Clearly
it's allowing for the repair and adaptive reuse and
enhancement of an existing dilapidated structure and
strengthens the tax base because it will add to the
value of the property.

Further, the planned development is subject to
the, being kept in keeping with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance.

Copies of the, okay, the proposed special use is not counter to, but furthers the goals, objectives, and policies of the Comprehensive General Plan as set forth in response to, just hold on a minute here, I got to go back and forth, enhancing neighborhood assets while recognizing that each neighborhood contributes to the overall social and economic quality of Evanston, offering buyers and renters a desirable range of choices in terms of style and price; preserving the historic heritage of Evanston for the benefit of current and future residents; encouraging creative and adaptive reuse of properties available for development; supporting efforts aimed at improving Evanston's housing stock; supporting and recognizing private efforts to restore and preserve Evanston's architectural heritage; maintaining the architectural integrity of Evanston's large historic properties, properties that are under consideration for redevelopment or sub-division; maintaining high property standards in assisting and rehabilitation; and developing financial incentives for
preservation and restoration of historic structures.

In addition, the planned development
encourages the preservation and enhancement of historic
resources and aesthetic amenities in the City, a
promulgated intent of the Zoning Ordinance, as well as
preserving the physical character of the area while
allowing for infill development and other promulgated
intent of the zoning district.

The requested special use does not cause a
negative cumulative effect when its effect is considered
in conjunction with the cumulative effect of various
special uses of all types in the immediate neighborhood
and the effect of the proposed types of special uses
upon the City as a whole. It will, in fact, add an
additional dwelling unit to an existing zoning lot
within a single-family zoning district. However, the
negative effect from this increase in density is
outweighed by the positive impact the renovation of the
dilapidated livery stable will have on surrounding
properties, resulting from enhancement of appearance, as
well as preservation of the architectural and historic
heritage of the property in the Lakeshore Historic
District in which the property is located.
The requested special use does not interfere with or diminish the value of property in the neighborhood. In fact, the amendment is likely to have a positive effect on values by allowing the renovation of a currently dilapidated structure and for the desirable dwelling unit architecturally compatible with the surrounding neighborhood. To the extent other owners or existing homes with coach houses take advantage, well, that doesn't apply.

Let's see. The requested special use can be adequately served by public facilities and services. This actually was already addressed also under the text amendment for the 2(D) findings and that the public facilities will, are adequate for this public, for this planned development.

The requested special use does not cause undue traffic congestion. The effective granting of the special use upon traffic is to add one or two more vehicles resulting from the additional dwelling unit being created. This incremental impact should not cause undue congestion, especially since the additional unit is bounded on three sides by paved public alleys, allowing for disbursement of vehicles ingressing to or
egressing from the unit.

The requested special use preserves the significant historical and architectural resources, as has been stated many times over already and I will again, by creating a mechanism to allow the rehabilitation of the livery stable into living quarters. The special use preserves the 100 plus year old barn, creates a three-unit complex of architecturally significant structures, and enhances the character of the historic district in which the development is located.

The requested special use preserves significant natural and environmental features to the extent there currently exists significant natural and environmental features on the property. The adaptive reuse of the livery stable as an additional dwelling unit leaves intact the relationship between the buildings in the environment in which they sit while enhancing their appearance and complementing the surrounding neighborhood.

And we already talked about the exceptions.

So I think that concludes the statement of findings.

COMMISSIONER BURRUS: I second your motion.
CHAIRMAN WOODS: Okay. Any discussion? Vote.

Sara?

COMMISSIONER MCMURRAY: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

CHAIRMAN WOODS: Yes. Congratulations. Yes, I guess that concludes the first joint Planning Commission/Preservation Commission meeting on a planned development/historic preservation project in the City of Evanston.

CHAIRMAN CRAMER: Thank you.

COMMISSIONER: Thank you.

CHAIRMAN WOODS: Prior to the Preservation Commission's departure here, next Wednesday we have a continuation of the public hearings relative to the new Downtown Plan. And I would like to invite members of the Preservation Commission to comment as individuals at that meeting. We haven't had the opportunity of your

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commentary on it. And we would love to have it --

CHAIRMAN CRAMER: Yes. And we're --

CHAIRMAN WOODS: -- to the extent that you are able to participate.

CHAIRMAN CRAMER: We're going to, we have our regular meeting the night before. And I believe we're adding as an agenda point to discuss this. I can't promise we'll have a consensus.

CHAIRMAN WOODS: Sure.

CHAIRMAN CRAMER: But at least we will have, I'm going to do my best to come. And I think perhaps maybe some other Commissioners will come as well. So --

CHAIRMAN WOODS: Great.

CHAIRMAN CRAMER: -- thank you.

MR. ENGELMAN: Mr. Chairman?

CHAIRMAN WOODS: Yes.

MR. ENGELMAN: Could I just say, by the way, thank you all very much. I have one request. Those of you who do not want to keep your presentation booklets, I'd be happy to take them off your hands. Because I need 10 to give to the City Council. If you'll just put them up in front of you, I'll come by and collect them.

Thank you.
MR. RUIZ: Mr. Chairman, Mr. Woods, --

CHAIRMAN WOODS: Yes.

MR. RUIZ: I'd like to, on behalf of the Preservation Commission, also invite members of the Plan Commission to attend the Tuesday, January 16th meeting with the Preservation Commission. We'll be discussing the Downtown Plan. I think that if you could give us a summary of your findings so far or whether the Plan Commission has been discussed, to brief them over any concerns you may have, I think that would be very helpful to the Commission. I think that would be helpful if you can attend it. It's an invitation.

Okay.

CHAIRMAN WOODS: When is that meeting, Carlos?

MR. RUIZ: The night before Tuesday, January 16th at 7 p.m. I will make sure that you get a copy of the agenda.

CHAIRMAN WOODS: 15th?

MR. RUIZ: January 15th, correct.

CHAIRMAN WOODS: Okay.

MR. DUNKLEY: Excuse me. One question before we break up with the joint meeting, if you'll indulge me for just a minute. I won't take too much of your time.
But we, this is the first of these meetings. And I'd just like to ask, we deliberated quite a bit about where the meeting should be held. Should it be here in the Civic Center? Should it be off site, you know, a larger auditorium facility. Let me just ask you, were you comfortable here? And should the next one be scheduled here or should we look for --

CHAIRMAN WOODS: As far as I'm concerned this is fine. But it also would be somewhat dependent upon what the issue is.

CHAIRMAN CRAMER: I think this room is preferable. I will comment that we have what, six out of eleven commissioners here, so it would get a little more cozy, but I think we can work it out.

MR. DUNKLEY: We found out we can seat 19 with these chairs. But as far as getting these chairs swapped out was, it'll be easier next time, but it was a lot of fun to do this for this time. It's actually not that much of a problem to configure it for this space. But if you have any other comments you want to share privately, please send me an e-mail or give me a call. Thanks.

CHAIRMAN WOODS: Okay, we're going to return...
to the regularly scheduled agenda of the Plan Commission, but we're going to do that after a 10 minute break.

(Whereupon a short break was taken.)

CHAIRMAN WOODS: -- for our agenda. Item 2 was approval of December 12th and December 19th minutes. Has anybody read them, have a motion?

COMMISSIONER NYDEN: I had a comment to make. I notice and I'm guessing this was just because this was probably text that was used over and over again for agendas. But we might want to remove office uses from the ZPC 07-04, 708 Church Street, because my understanding is the first floor was going to be retail and there is no second floor anymore?

COMMISSIONER STALEY: But didn't we have a condition that --

COMMISSIONER GALLOWAY: Yes, we did.

COMMISSIONER STALEY: -- that we recommended some office or?

COMMISSIONER NYDEN: -- but that's not what --

CHAIRMAN WOODS: The applicant took it out so we should take it out. Okay, so any other comments, corrections?
COMMISSIONER BURRUS: And we did get the negative findings changed in the minutes, is that true?

COMMISSIONER SCHULDENFREI: To minority.

COMMISSIONER BURRUS: Okay. All right. But just originally they put it as negative.

COMMISSIONER McMURRAY: If my name could be changed to McMurray, that would be okay, too.

COMMISSIONER STALEY: Do you have any identification?

COMMISSIONER McMURRAY: Well, I've submitted the application to have my proper name used.

CHAIRMAN WOODS: So, do I have a motion to approve the minutes as amended?

COMMISSIONER BURRUS: Motion for approval as amended.

COMMISSIONER SCHULDENFREI: Second.

CHAIRMAN WOODS: All in favor?

(Chorus of ayes.)

CHAIRMAN WOODS: Any against?

(No response.)

CHAIRMAN WOODS: Hearing none, motion carries. All right, report on December 12th, Executive Committee Meeting?
Executive Committee which consists of the Chair and Vice-Chair of the Commission and the staff of the committee, or staff of the Commission met on December 12th, as has been historically the case, for the purpose of figuring out if we wanted to continue our positions or not. And as well as trying to figure out who was on which committee and all that kind of stuff. And I think that Tracy checked with folks about which committees they wanted to be on, in some cases, following those things.

In addition we also nominated or asked Larry and Al Hunter, Larry to continue as an associate member and Al to join us as an associate member. Al had expressed an interest in continuing as an associate, or joining us as an associate member for the express purpose of revitalizing the neighborhood committee. And we thought that that would be a good idea since he is the individual who has brought the most energy to that committee over the years.

Does anybody have any questions? Johanna?

COMMISSIONER NYDEN: I thought I, I'm, since I'm new at this I would welcome other people's comments or concerns. I thought that in December we should have
done our nominating in an open way with the other
members of the Plan Commission. I don't know, is there
normally an Executive Committee meeting that you isn't
open to the public?

MR. MARINO: The meeting was open to the
public. It was an open meeting. I think for about the
last 15 years, I could be off by a couple years, we have
had Executive Committee meetings, and the purpose of the
Executive Committee is really to prepare for this part
of the Plan Commission meeting, and often the first
meeting of the year where you actually make the
decisions collectively in terms of your officers as well
as committee members is often done by consensus. But
certainly there are opportunities for any nominations
that would occur.

So the Executive Committee is kind of an
efficient way to do this administrative role this time
of the year, but the actual decisions are made here and
it's an open door for anybody who wants to suggest those
changes or make a decision on nominations.

Just to add to what Jim had said earlier, we
also historically have included the Chairs of all the
committees but, and also the past Chair has been part of
the Executive Committee, immediate past Chair and I should say.

The immediate past Chair, Al Hunter is no longer on the Commission, whether he now wants to be an associate member which we think is great. The Committee Chair for Zoning is also Jim Woods, so you have the duplication there, but normally in past years it's been a separate one. Also I think Stuart is the Rules Committee Chair. So just historically, that's the way it's been done. And it has helped, I think, in terms of rather than sort of taking up an hour or more at a meeting, which you're certainly entitled to do to prepare in advance in the way that that's been done.

COMMISSIONER NYDEN: How many members of the public attended the meeting?

MR. MARINO: There were not any members of the public there.

COMMISSIONER NYDEN: Was it announced publicly? Was the meeting announced publicly?

MR. MARINO: The only allegation for a meeting like that in terms of notice is posted in the elevator.

COMMISSIONER SCHULDENFREI: The elevator here?

MR. MARINO: Yes.
COMMISSIONER SCHULDENFREI: We generally, as Plan Commissioners, get notices of every upcoming meeting. And it's interesting because this meeting was held on December 12th, and we had a meeting at 7:00. So I think it's very interesting that while the downtown plan sub-committee, the zoning sub-committee, all of these committee meetings are always in our packets, publicly announced in various ways, I understand perhaps that the elevator is the only place where you have to announce the meeting, but I found it very interesting that we were not informed the Executive Committee was meeting just an hour earlier than when the regular group was meeting.

MR. MARINO: The Zoning Committee meeting has special obligations on notice that must be --

COMMISSIONER SCHULDENFREI: In a downtown plan?

MR. MARINO: And a downtown plan we really have expanded that to try and run for public participation through notices and flyers and special ads in newspapers, those kinds of things. Historically the Executive Committee has been an administrator kind of organizing everything, if you will, totally subject to
the Plan Commission. So it's really been as a
convenience and also to be able to, you know, expedite
matters but it's certainly not a decision --

COMMISSIONER NYDEN: My concern is that there
was this meeting, and like you said, there's a lot of
duplication of Chairs. So, what you end up, you end up
having two people going to the meeting and I don't know
if I would have gone to the meeting --

MR. MARINO: We're required also --

COMMISSIONER NYDEN: Right. I understand
that, but what my concern is I think all of us would
have liked to have had the opportunity to participate or
have the option to participate or at least know about,
you know, nominating the two same people again for the
same positions. And I'm not debating that right now,
but it just doesn't feel right. It doesn't feel right
where there was an Executive Committee where the two
people were there just nominated each other.

MR. MARINO: I think in terms of if you want
to amend your rules in the future to include something
broader you can always do that. But again --

COMMISSIONER NYDEN: But there are no rules
for the Executive Committee. There is no rules in the
Executive, for the Executive Committee. We have the Plan Commission rules and they say that the Plan Commission, at its December meeting is going to nominate.

COMMISSIONER SCHULDENFREI: It says as per City Code 2.8.5.2, "at its December meeting the Commission shall select a Chair and one Vice Chair from among its members to serve the following year with eligibility for re-election". And again I checked with Legal today, and there are in fact no rules for Executive Committees, but there's also no real provision for that, I understand that you can see the Executive Committee, quote unquote, as a sub-committee of the Plan Commission but I think if you're going to just, if just two regular members are going to come and they're just going to nominate each other, I think regular notice to the rest of the Plan Commission would have been a nice courtesy and would have been a nice gesture. Another issue attendant to that is that often the Plan Commission has rotated from year to year with the Vice Chair becoming the Chair and the person with the most seniority being the next person in line. Now that person happens to be Coleen Burrus. And I think it's
very interesting from many perspectives that she was not put forward as the Vice Chair and that Stuart Opdycke was moved to the Chair position in nomination. And so, I guess I would welcome some comments from Jim Woods about that because he's the person who was at the meeting.

CHAIRMAN WOODS: To be honest, I think the first two years I was on the Commission, Larry was the Chair. And that in previous years other people had served as the Chair of the Plan Commission for multiple years; like Richard Cook.

COMMISSIONER SCHULDENFREI: Actually I'm not debating that sometimes more people have served for more time. The question is really one of the rotation and one, I think, of only two people at the meeting nominating themselves. I can make some comparisons to sort of other --

CHAIRMAN WOODS: And, Robin, just, I mean, I agree with you. I mean, okay, so the next time we will have more people there. These are only nominations. If you want to nominate other people tonight you can do that.

COMMISSIONER BURRUS: I think it's also, as to
your point, Dennis, that unfortunately there should have been the Chairs from the other committees, but it's duplication. And so you're consolidating the power structure to a very few people. And we really need to look at that and, you know, if Jim does get nominated for a second term as Chair, then Jim probably shouldn't be the Chair of the Zoning Committee as well, and Stuart if he's nominated for Vice Chair really shouldn't be the Chair of the Rules Committee. We need to look at expanding and have different perspectives if you're going to continue to have an Executive Committee. I think it seems, you know, we have integrity with issues as it is, and we've been talking about this and once again it looks bad for the City, for the City staff, for the Planning Commission. And what are the citizens saying? Well, two guys get to nominate themselves and stay in power. We really need to address that.

AUDIENCE: Thank you. You need at least three people -- Executive Committee.

MR. MARINO: I think the fact that there were only two members there, was a coincidence and since -- and then also as you described having the fact that you had the stool kind of roll the Chair and the Vice Chair
not necessarily, they were not initially enthusiastic about that -- a year ago, I think that was done as a necessity in some cases. But, you know, I think it's really up to the Commission how you want to handle the structure of your officers, the Chair of the Commissions, your membership and also your associate members.

COMMISSIONER NYDEN: But that role gets taken away -- I'm sorry, gets taken away from us when we don't even know that decisions are being made or nominations are being made. And I'm saying with all due respect, but I just feel really frustrated because I would like to do the work that we're here to do and unfortunately I get minutes from meetings that I wasn't invited to but decisions are being made that affect this Commission, the Committee that we all serve on and the City of Evanston. And that really concerns me, and I can't concentrate on looking at parking requirements or zoning allowances. I have to concentrate on what the City staff is doing and what other members of the Commission are doing.

COMMISSIONER SCHULDENFREI: Meeting after meeting after meeting.
MR. MARINO: My response is decisions have not been made. It's your role to make those decisions.

CHAIRMAN WOODS: These are recommendations.

COMMISSIONER SCHULDENFREI: I nominate Stuart Opdycke as Chair for the next year and as a rotating next seniority member nominate Coleen Burrus as Vice Chair. And I would think, I would say that Jim Woods has done a wonderful job on zoning and I would nominate him to continue to Chair the Zoning Committee. I think somebody else should be nominated to do the Rules Committee, and I would nominate the next senior person which is David Galloway for Rules.

COMMISSIONER NYDEN: I second.

CHAIRMAN WOODS: Is there discussion on that?

COMMISSIONER STALEY: I don't really, I don't disagree with the tenor of, I disagree with the way it's being presented. There's this undertone that Mr. Opdycke and Mr. Woods are trying to kind of keep themselves in this situation. I, I haven't been on this Committee long, it seems like a long time already, but I, you know, I've been just delighted that Jim Woods has been doing this because as I've looked at the whole group the best person up here to do it currently, is Mr.
Woods. I mean I've, no I've listened to, I've listened to all of you, and the best person, the most even person up here is Mr. Woods. He seems to understand it, he's got the experience, so I'm just delighted that he's willing to go on with that. Stuart, the second in command doesn't really seem to do too much. I don't see, I don't see where the power is. I don't really feel like I've been, I didn't know about that meeting either. I probably wouldn't have come had I known. But I really, I don't see where I'm being aced out of anything by what's happened. No decisions are being made there. I mean, you've made, you've made a motion now which I'm going to vote against. But you've had an opportunity to do that.

COMMISSIONER BURRUS: And Chuck, I would agree with you. I think Jim has done a wonderful job. I think Jim has, has you know, been pretty even keeled on some things. Other things, particularly with me, not so much. But, but that's part of, I guess, the debate. But there's also the sense of looking at distribution of, of responsibilities and distribution of, you know, making the decision and running the Commission. And currently that's not what is happening. And I think
that's our point. It's nothing against Jim or Stu, at all. I mean, this isn't, this isn't meant to be that we're ganging up on anybody. It's more saying the process, there's a problem with the process, and that's what we're talking about.

COMMISSIONER NYDEN: And I'd just like to add, part of my concern here is I would, I would like to see somebody else be Chair, and then have Jim Woods stay on the Committee, the Commission obviously and provide support and guidance and institutional knowledge to whoever becomes Chair, because I think that's a useful tool.

I remember one of my first Plan Commission meetings I watched Jim Woods glance over at Al Hunter, and Al Hunter told him something. I was sitting at the other end. But to me, that seemed very useful. Al Hunter was still on the Commission, still providing guidance, and Jim Woods could look to him for something. So, I think it's important that we, in order to sort of preserve democracy and to further this Commission and make sure that we maintain institutional knowledge, we do rotate this.

COMMISSIONER SCHULDENFREI: I'd just like to
second the excellent work that Jim Woods has done, and I actually want to give him a chance to slim down his e-mail box and see his wife more often. I mean, he works so hard. I would say that Jim Woods is the hardest working member of this Plan Commission. And he's not going to get any less work on Zoning especially when the downtown plan comes through because that's going to be a tremendous amount of work, and so, you know, I think that this is an opportunity for us to have the advice and the good leadership of Jim Woods sitting next to Stuart Opdycke. I'd even give up my seat here next to Jim Woods so that Opdycke can sit in Woods' seat and Woods can sit here and I can move down. I just think that this institutional memory and the veneer of democracy is really important and I think, I can't say enough. I like to call him Chairman Woods, he likes to be called Jim. I still call him Chairman Woods, and that's the kind of wonderful, modest person he is. And so, I think it would make sense for this to rotate around so that we each get a chance. And so during your term here that even Chuck Staley or the newest member Sarah will have a chance to be Chair. I like the idea of rotating, I like the idea of it rotating around to
women, I like it, I just think that, I would actually think that would be a good idea to actually institute an annual rotation but I think it would be a good thing for this Commission to rotate this year as well.

COMMISSIONER GALLOWAY: I think Jim has done an exceptional job and I think the level of effort he is committed to, especially in the last year is something that would serve to be best used in the Chairman's role. And my opinion, if he's still willing to be Chairman I think the degree of continuity that he can lend to many of the proceedings that he was so significant in starting is very important. I don't have any, I have no problem with Stuart being Vice Chair. It's a relatively, at this point it's a relatively low priority role. He has the legal experience and the decorum, I think, even handedness and downright politeness that serves him very well when Jim's not here to manage a meeting, so.

COMMISSIONER SCHULDENFREI: But don't you think that would be excellent qualities for us to have in a Chair, which, if Woods decided not to move forward.

COMMISSIONER GALLOWAY: Yes, but Stuart doesn't have anywhere near the level of experience in
the kind of issues that we're dealing with as Jim does. So in that respect I --

COMMISSIONER SCHULDENFREI: But how does it change anything because any one of us can say anything at any moment. How would having Opdycke in the Chair see, and Woods in the co-pilot or the -- I'm sorry, I'm making bad metaphors, it's late. I don't understand how that would diminish Woods' role and help on our Commission.

COMMISSIONER GALLOWAY: Well, I don't understand why you'd want to get rid of somebody that's served so well and under such difficult times. And when, as Stuart had over so many major issues, if he's willing to remain as Chair. So, I have no problem with that.

COMMISSIONER NYDEN: We're definitely not recommending that we get rid of Jim Woods from the Plan Commission. Absolutely not.

COMMISSIONER STALEY: Not tonight, no.

COMMISSIONER NYDEN: Or ever. I don't think anybody here is recommending that.

COMMISSIONER STALEY: Thank you.

COMMISSIONER NYDEN: Absolutely not. And I
think --

CHAIRMAN WOODS: Although my last term is up in two years.

COMMISSIONER NYDEN: But, I mean, I think it would be good to give some other people up here a chance to get their feet wet because like he just said, he's not going to be here in two years. And if we rely on one person to continue this Chairmanship, I just don't, I don't want to see us all of a sudden drop off the map because we don't have somebody leading us.

COMMISSIONER SCHULDENFREI: Just to return to the issue of integrity, I mean, we, we asked for renewed commitment to integrity. I think any nominating committee who met without a tremendous amount of notice, whether just a single notice in the elevator is enough notice, I would question especially since we get a lot of e-mails from City staff on all sorts of issues. Just an e-mail letting us know that this was taking place I think would have been a small thing to ask. However, I do think that, yeah, I just think public perception of this Commission, it's a questionable thing.

COMMISSIONER BOWIE: I have a statement. First of all Stuart is not here, and for us to nominate him as
Chair and he's not here to say yay or nay, you can't go forward with that. Secondly, I agree with Dennis, I mean with David. As far as I'm concerned Jim has done an excellent job. I haven't been here the past few months because of work issues and some other things but when I have been here he has been fair, he's sought out members opinions on issues, and so I don't have any complaints about it. I am coming off the Commission this Spring so I'm not going to vote on it because I won't be here for the duration as to who's going to be Chairman. But that is my opinion.

COMMISSIONER BURRUS: So are you suggesting that we probably hold off the vote until Stuart is here?

COMMISSIONER BOWIE: Yes.

COMMISSIONER BURRUS: I think that makes a lot of sense also and something that, you know, that I've also thought about is, we really as Chair people, or Vice Chair's, or Chair's of the Committees, there really hasn't been a philosophy or statement of our thought process put forward. And I think that's something that if you're being voted as a Committee member or Chair, that you should really state what is your philosophy here and what is it that you hope to accomplish in that
role. And I would really welcome anybody who wants to be Chair or Vice Chair, that they present that and how they plan to lead.

CHAIRMAN WOODS: Since Stuart isn't here let's go ahead and put this off till next meeting so we can get on with more substantive issues.

COMMISSIONER SCHULDENFREI: That's next Wednesday?

CHAIRMAN WOODS: That would be next Wednesday if Stuart is back here.

COMMISSIONER STALEY: You know, I won't be here next Wednesday, but, is there any way just to go ahead and, you know, because I --

COMMISSIONER SCHULDENFREI: I'd really prefer it for the public process, and for Stuart's sake. I think --

COMMISSIONER STALEY: Stuart's sake? I mean, when did Stuart's sake get in there. You know, Stuart is just an afterthought in this. You're using Stuart now to basically get some more --

COMMISSIONER SCHULDENFREI: No, it's not --

COMMISSIONER STALEY: That's not what your --

here for. I mean, if you, if you, I mean --
COMMISSIONER BURRUS: Excuse me. I'm sorry.


COMMISSIONER BURRUS: I don't understand what you're -- what's difficult?

COMMISSIONER STALEY: The choice of words that you used in describing what Stuart and the Chairman had done, I mean it was totally inappropriate. You made it sound like the two of them had somehow gotten together in a hidden meeting in order to perpetrate themselves. Nothing could be further from the truth. You're sending --

COMMISSIONER BURRUS: Do you know that? Do you know that, Chuck? I mean, did you know about the meeting? Were you invited to the --

COMMISSIONER STALEY: No, I didn't know about the meeting.

COMMISSIONER BURRUS: So how can you state what their intent was --

COMMISSIONER STALEY: I've been on this Committee long enough to see what --

COMMISSIONER BURRUS: How long have you been on exactly?
COMMISSIONER STALEY: What power does he have to steer anything? Have you seen it? I mean obviously, obviously you have great desires there. I can see that.

COMMISSIONER BURRUS: I'm sorry, are you insinuating something about me, Chuck?

COMMISSIONER STALEY: Yes, I am. I'm saying that you have a strong desire to get your own personal philosophy as the head of this Committee. I can see that.

COMMISSIONER BURRUS: Hold on, hold on.

CHAIRMAN WOODS: Can we just stop all of this, right now.

COMMISSIONER BURRUS: No, I'm -- he's partially attacking me, and I will -- but I think we should call a serious issue that I am being personally attacked by a man on this Commission and I think that the public needs to talk to their Alderpeople about someone who's appointed that is attacking another person on the Commission. I've not attacked you, Chuck. I've not said anything nasty about you.

COMMISSIONER STALEY: Oh yes, you have, yes, you have.

COMMISSIONER BURRUS: Please enlighten me.
COMMISSIONER STALEY: I'm not going to go back through it all.

COMMISSIONER NYDEN: Hold on, hold on. Can I just say something? Can we just all just stop this? I mean ever since --

CHAIRMAN WOODS: Exactly.

COMMISSIONER NYDEN: I'm the youngest one here and I'm surprised at this moment in time I feel like the biggest adult in the room up here. But I don't think, I think we are a little frustrated that we didn't hear about this meeting. That's, that's one. Two is I think we have some legitimate concerns. We were walking out of here last month, Jim looked exhausted. He's come to all these meetings, he has a huge task ahead of him with the downtown planned zoning. I think a lot of us here were just concerned that as we're rotating here we're getting a breath of experience in these different positions. This was not malicious in any way. This was not trying to further anybody's goals. I mean, this is just the City of Evanston. We're not the City of Chicago yet. We're not anything else. I don't think that Coleen is going to personally or professionally benefit from being nominated for the Vice Chair of the
Plan Commission of the City of Evanston. And I don't think she's trying to personally attack anybody. So that's about all I have to say but I did not realize that by bringing this up this would erupt into such confusion and anger.

CHAIRMAN WOODS: Can I make a suggestion? For all of us? Let's take the Executive Committee meeting minutes, let's throw them away. And at the next meeting that we're all at let's have an open discussion about positions, nominations, chairmanships of committees, and everything else as well as who wants to be on what committee because nobody has ever had the chance to necessarily express that in front of anybody else. So, can we do that?

COMMISSIONER BURRUS: I second that motion.

CHAIRMAN WOODS: So that we can move some stuff along here, I would like to address Agenda Item 7 which is the Zoning Ordinance Text Amendment, ZPC 08-01-M. Is it a text/map amendment?

MS. JACKSON: In the heading of the agenda it's erroneously described as a text amendment.

CHAIRMAN WOODS: Zoning Ordinance Map Amendment Public Hearing ZPC 08-01-M, 1829-1831 Simpson
Street Map Amendment. This item, Arlova, why don't you just give us a brief overview of it?

MS. JACKSON: Sure. It's an application to re-zone the property at 1829 through 1831 Simpson Street from the R3 Two-Family Residential District and place it wholly within the B1 Business District.

The purpose of the map amendment, as requested by the current owner, is to allow for the use of the currently vacant property to develop an artist's studio, which is not a permitted use in the R-3 district.

CHAIRMAN WOODS: And pursuant to sort of the way we typically deal with these things, I would like to move that it get moved to the Zoning Committee for the initial public hearing process.

MS. JACKSON: On February 13th?

CHAIRMAN WOODS: On February 13th. Is that right? 13th?

MS. JACKSON: At 6 p.m.

CHAIRMAN WOODS: Six o'clock, 6 p.m., correct. Sure.

COMMISSIONER: I second your motion.

CHAIRMAN WOODS: All in favor?

COMMISSIONERS: Aye.

Okay, and that brings us to the last agenda item that we have tonight, which is agenda item six, Continuation of the Zoning Ordinance Text Amendment Public Hearing ZPC 06-02-T, Solar Panels.

MS. JACKSON: For the record, there are several documents that have been distributed to you in the past couple of months. I just want to record them all.

The most current is a very minor revision to solar panel's text that I placed in front of each of your seats with a date, with today's date, January 9, 2008. And I can explain the very minor difference between that revision and the one you got in your packet.

There was a large packet sent before the December meeting with a memo addressed to the Zoning Committee of the Plan Commission and the Preservation Commission from myself, Arlova Jackson, dated December 12, 2007 that's three pages. The draft revisions to solar panel's text with a date of December 12, 2007; a copy of the transcript of the Zoning Committee of the
Plan Commission hearing held October 3, 2007; a staff report dated September 28, 2007. That is three pages. A photocopy of the previous Ordinance, number 87006, for the first version of the solar collectors text amendment; a copy of the Planning and Development Committee transcript from November 13, 2006; a photocopy of the PowerPoint slides presented at that meeting by Mr. Len Sciarra of the Environment Board; a copy of the City Council meeting minutes from September 11, 2006. That's it.

And for this current meeting there was a memo, actually that is all. For the change, actually let me step back. And I'm just going to briefly, because I think it's summarized best, read from the September 28th memo just because everyone on the Commission isn't as familiar with this as everyone else. So I'm just going to read a little bit to talk about the history and how we got to where we are right now.

In early 2006 the Environment Board of the City of Evanston requested an amendment to the Zoning Ordinance to address the regulation of solar panels. The current Ordinance regulates their insulation as accessory uses in Section 6-4-6-3(B). The existing
regulations came under scrutiny in 2005 as the result of an appeal of a Zoning Administrator's decision for a proposed solar panel installation at 1507 Colfax.

Following the successful appeal members of the Environment Board submitted a proposed text change. That change sought to address the location and appearance of solar panels so that they would be compatible with the surrounding neighborhood. The proposed language addressed both ground mounted and rooftop installations.

Public hearing were held to discuss the amendment at the March 8th, April 5th, May 10th, and May 31st of 2006 meetings of the Zoning Committee of the Plan Commission. A final draft of the proposed text amendment was recommended for approval by the full Plan Commission on June 14, 2006.

The proposed text change was first presented to the Planning and Development Committee of City Council on August 14, 2006 and introduced at City Council. At the following meeting on September 11, 2006 several citizens expressed concerns about the regulations and their emphasis on aesthetics. As a result the City Council voted to hold the item at the
P&D Committee to allow for more discussion.

At the November 13, 2006 P&D meeting Len Sciarra, a member of the Evanston Environment Board, gave a presentation about the proposed text change highlighting the existing regulations, the proposed regulations, and concerns held by the Environment Board. After listening to the arguments put forth by the Environment Board the P&D Committee referred this item back to the Zoning Committee for further review and discussion. A copy of the PowerPoint presentation, as I mentioned earlier, is in your attachments.

The proposed text amendment as initially drawn out in Ordinance 87006 had the effect of expanding the current regulations regarding passive energy devices by providing specific regulations for the siting of solar collectors. Our current Ordinance allows solar collectors as a listed permitted yard obstruction. However, our current regulations only addressed their length, which is based on a percentage of the length of the wall that they're located on and their height to a maximum of 10 feet.

The proposed text, previously proposed text, addressed their location based on several factors,
including roof type, if the collectors were integrated
into the roof structure itself, and/or if they were
ground mounted.

The proposed amendment allows for ground
mounted installations initially so long as they weren't
visible from the street and within the building envelope
up to a maximum of 10 feet high.

Let's see. The Zoning Committee of the Plan
Commission met on October 3 as directed by the Planning
and Development Committee of City Council to review
again the previously approved, previous recommended text
changes affecting solar collectors. At this meeting Mr.
Sciarras of the Environment Board also attended. And
with his input and the discussion of the Zoning
Committee members we made further revisions to the text
which are reflected in the four-page document with the
title Draft Revisions to Solar Panel Text that you have.

The resulting changes basically made the
regulations more amenable to the installation of
collectors based on comment from actual installers and
architects that have done installations in the City.

The initially, I'm sorry, the first version
that was sent that was dated December 12\textsuperscript{th}, it's
virtually the same as the version you have that's dated January 9th. The only change that was made between the two is on page three under 6-4-6-8, sub-section G, Accessory Structures: Solar Collectors Mounted to Accessory Structures. Initially had the word shall. That's been stricken and moved down to number one so that it ends with the word accessory structures and number one starts, shall comply with all yard requirements. Everything else is exactly the same. That's where we're, why we're here.

So the Zoning Committee has recommended approval of the revisions. And there are definitely some people here that would like to comment. And then if we're ready, then we could entertain a motion to recommend to back to P&D. And I checked and I don't know if someone picked up, okay. I didn't find it.

CHAIRMAN WOODS: It was brought up here.

MS. JACKSON: Okay.

CHAIRMAN WOODS: Jeff Balch. Yes, --

MR. BALCH: Hello.

CHAIRMAN WOODS: -- he needs to swear you in.

(Witness sworn.)

MR. BALCH: Well, my name is Jeff Balch. I
live at 1703 Cleveland Street.

I'll just take this opportunity to thank the City and the Commission and everyone else who's had a role in drafting this document.

I might as well declare my biases right off the bat. I live in a house with solar panels. And I'm all for solar panels. But at the same time I'm also, I also see value in maintaining the character and appearance of, of neighborhood properties. And I recognize the importance of aesthetics.

I have a few specific comments about the document. I'll keep them very brief. Some of them will strike people as quite trivial. But I think this is probably the time to mention them.

I'm sorry that I'm coming late to the process. I didn't know until now how long this had been in the works. And I appreciate all the hard work that you all do on this kind of thing.

I'll just, I won't go in order of importance.

I'll go straight through the document and make my four comments. The first has to do with Section B, appearance and materials. The language is, solar collectors should be neutral in color and generally
matching the roof color of the structure on which they are located.

I see that as potentially problematic. The word neutral is ambiguous. I don't have alternative language to propose. But I think that that invites, that sort of opens the door to complaints. I would sooner go with something more on the order of, the color should not draw undue attention or something like that. Often these structures have, have a silver color that does not blend in with, with a rooftop. And I don't think that that should preclude their use.

Moving on, Section C, yard solar collectors shall be subject to the following yard requirements. Sub-section one reads, solar collectors are an allowed encroachment in front, side and rear yards so long as they do, and there's a typo there, it should be do not project more than five feet from an exterior wall.

That too is potentially problematic. There are quite a few installations that require extension beyond five feet in order to catch the sunlight. Otherwise you're in the shade. Now I do see the necessity of not extending beyond five feet when we're dealing with a wall that's
easily viewed from a public thoroughfare or a sidewalk. But just taking one example, if you're dealing with a main structure and a back yard and then a separate garage, I don't see a good argument for restricting to five feet the attachment of a solar panel to the garage structure such that it extends toward the main property, toward the main structure. I'll leave it at that.

Moving on, Section D, height. Solar collectors shall be subject to the following height requirements: sub-section one, solar collectors may not exceed the maximum building height requirements for the district.

Here I'm not sure of my facts. I think that it is the case, I'm open to correction on this, I think it's the case that heating units are given an exemption on this scale. I believe it is the case that heating units can extend beyond the maximum height limit of a structure. And I think that the same standard should apply for, for solar equipment. There shouldn't be a stricter standard applied to solar. Solar units are often heating elements. That's the case in, on my own property.

And finally, well, Arlova addressed the issue
that I, that I raised earlier about Section G.

In Section F there's just a typo there as well. Ground mounted, separate, or adjacent to the principal structure. That should be p-a-l, principal.
And that's all I have.

MS. JACKSON: I just wanted to respond to the third comment. We actually do, if you look on page four for the amendment to the definition of building height, I think the provision you're thinking of is what we have for chimneys and mechanical penthouses. So that if there's a mechanical penthouse that can't be seen from the street, it doesn't count towards building height.
And we added in as part of the amendment the words, or solar collectors. So that would be treated the same.

MR. BALCH: Shall I ask a question?

MS. JACKSON: Sure.

MR. BALCH: Well, in my mind it raises the question of whether there's a contradiction between that provision and D1.

MS. JACKSON: There's a, well, I guess in how we define building height is how it's going to be measured. So if in the definition there's a provision for what is exempt, then it's not going to contradict
because it doesn't, it doesn't count.

CHAIRMAN WOODS: Anybody have any questions?

Peter Fleps?

MS. JACKSON: Oh, I think he signed the wrong sheet. That was the Applicant, actually, for Simpson.

CHAIRMAN WOODS: Okay. And Ron Fleckman. You need to be sworn in, Ron.

(Witness sworn.)

COURT REPORTER: Please state and spell your name for the record.

MR. FLECKMAN: Ron Fleckman, F-l-e-c-k-m-a-n.

Address is 2300 Grant Street.

My comments are more general in nature. The City in the last year or two years hired a person in a position to maintain sustainability, to address sustainability. The City has taken an active role in wanting to, you know, from the controversial tower building to every new building that's going up, wants to see LEEDs certification. We have now a document that, just reading it on the surface, sounds more restrictive than encouraging. And I'm, so the question I ask is, is that sending the right message to current homeowners and future developers who plan on doing something that's
environmentally sound and sensitive in the City? That's number one.

The second, and I'm just reading from the minutes. It, let's see, it says the Plan Commission will consider specific modifications and additions to the text of the Zoning Ordinance to address the location, size, and appearance of solar panels and other passive energy devices in efforts to ensure their compatibility with the principal structure and the surrounding neighborhood.

I don't think there's a solar device, solar panel that anybody could describe will be compatible with any of the existing houses in Evanston. It's just, there's, it's like the Jetsons versus World War II. I mean, it's totally different technologies. Yes, you can make something attempt to blend in. But there's no way it's not going to be visible.

It's, it's almost like tv antennas were in the 40s before, or before the 40s. Before there was tv there were no antennas. All of a sudden there were antennas. Then all of a sudden it became part of the architecture. And I think that hopefully that's what will eventually happen with the use of solar collectors.
and, you know, solar electric, you know -- things like that.

But to try and make an Ordinance in any way say that solar devices are going to be compatible with the existing town of Evanston is crazy. It makes no sense. Thanks.

COMMISSIONER GALLOWAY: Ron, excuse me. Can you --

MR. FLECKMAN: Yeah.

COMMISSIONER GALLOWAY: -- can you point out the portion of the text that caused you to respond in your second comment?

MR. FLECKMAN: Oh, sure, David. It's in the, it's in your, it's in the Plan Commission agenda.

MS. JACKSON: That's not part of the text.

MR. FLECKMAN: Yeah, that's not the text. I'm just reading off of the agenda. And I don't know if the same language that's in the agenda -- It's not? Okay.

Then --

CHAIRMAN WOODS: Those, those -- actually the original notice --

MS. JACKSON: Right.

CHAIRMAN WOODS: -- about it.
MR. FLECKMAN: Okay.

CHAIRMAN WOODS: So, I --

MS. JACKSON: I would encourage --

CHAIRMAN WOODS: -- to consider all those things, but the reality is what we're discussing --

MR. FLECKMAN: I've come to this very late.

So I apologize. All I read was this. And I thought, that makes no sense. Okay. Thanks, guys.

CHAIRMAN WOODS: Although I must say that the earlier version of this that went to P&D and then got kicked back was much more restrictive in terms of --

MS. JACKSON: Yes.

CHAIRMAN WOODS: -- the placement, location, relationship of angle of collector to angle of roof, all those kinds of things in an attempt to do that. And that is where it got kicked back to Zoning Committee. And with the help of the Environmental Board we made adjustments. You think I'm summarizing that correctly, Len?

MS. JACKSON: Oh, we have Len here.

CHAIRMAN WOODS: Len, you want to --

MR. SCIARRA: Do you want me to speak to all or --
CHAIRMAN WOODS: Why don't you? Since you've waited very patiently through all of these meetings.

MR. SCIARRA: So, the testimony I swear. So my name is Len Sciarra. I'm Chair of the Environment Board. And I appreciate you guys coming.

And I think Jim is right. The first version that sort of came out the Zoning Committee was pretty restrictive. And that sort of caused an uproar.

So we tried to make this as liberal as possible, yet still sort of building a little bit of a box to sort of protect the integrity of the community.

Because the Zoning, to be honest, the Zoning Committee is a little bit concerned about property values. And the whole reason that first, the first case came up was that a neighbor had, there was a solar panel and there was no real regulations. And it was just sort of an arbitrary decision. And so we tried to sort of give, at least give the City a little bit of a, of a framework to work from that will still allow, like, 90 percent, 99 percent of the panels. You know, we talked to Brandon at Solar Service and, you know, to see is this going to work on most cases? And it's going to work in most cases.
The problem is, as you guys know, every house is different. There's trees, every roof is different. And there's like, you know, sometimes you're sticking up at this angle and that way. And roofs are different. And so it's like, you know, how do you like, how do you write that in a code? And so we tried to sort of at least give a little bit of a framework and a little bit of a structure and not make it too restrictive.

I mean, as soon as you say you got to be three feet from the property line, you're restricting it. But at what point do we say, you know, no, you go right up at the -- So this, I think, was a happy compromise. And I'm talking to you guys. Because you guys are the citizens. They, no. But you guys are citizens too. But that was, that was the idea, that this is, this is a compromised document.

And you can always appeal too. That's the -- We're trying to make the appeals so you don't have to get a variance. So for most of the cases you won't have to go get a variance to do it.

PARTICIPANT: Actually, we would.

MR. SCIARRA: For most cases. No, no. For most cases you won't have to get a variance.
PARTICIPANT: Oh, because we --

MR. SCIARRA: Right. When we expand, if we've expanded the buildable envelope.

PARTICIPANT: Oh, all right.

MR. SCIARRA: But, you know, if you had it, if you had a problem, you can go get a variance.

CHAIRMAN WOODS: Yes, I think the point is, if it applies, if it works okay for 99 percent of those cases, the one percent where somebody needs a variance to, to do so, they have an avenue to be able to get that variance where it makes sense.

MR. SCIARRA: So that's it, I think.

MR. BALCH: Just an addendum to my previous comments. And I recognize the necessity of reaching compromise on a document like this and how difficult it is to reach such compromise.

Just responding to what Arlova pointed out on page four, I had raised the point about solar collectors exceeding or not exceeding maximum building height requirements. Arlova points out that chimney spire solar collectors shall not, shall not be used in calculating the height. But right after the word solar collectors we see, provided the penthouses and
collectors cannot be seen from the street.

Often times these collectors are visible from the street. And I would, I would argue that that should be, that should not be a situation in which one has to seek a variance if, if indeed heating units are allowed to be visible and above the maximum height requirement.

CHAIRMAN WOODS: Questions? Yes.

COMMISSIONER DIENNER: I have a question.

CHAIRMAN WOODS: Absolutely.

COMMISSIONER DIENNER: I am Ann Dienner. I live at 1034 Sheridan Road.

I'm referring to C, yard solar collectors shall be subject to the following yard requirements. Item number two, solar collectors may be located flush with the exterior wall of the principal and street facing facades. Explain that to me, please. I mean, we have a, I think in the preservation Ordinance, we have some sort of confusion about visibility from the street when you have certain -- or whatever. Could you explain that to me?

MS. JACKSON: Well, I think the change was in response to the previous regulations that required that they meet minimum side yard setbacks.
COMMISSIONER DIENNER: Yes.

MS. JACKSON: And so for situations where the building already had a non-conforming setback we thought it would be prohibitive to require the solar panel to have the setback when the building actually was already non-conforming. So it could extend to where the existing building was located and be flush with the wall wherever it was --

COMMISSIONER DIENNER: Yes.

MS. JACKSON: -- without having to go through a variance process.

COMMISSIONER DIENNER: All right. Not projecting more than five feet from the exterior wall. I think up to five feet is kind of big. Is it possible to reduce that distance and still be effective?

MS. JACKSON: This was based on the suggestion of professionals that have either worked on or installed panels. And so that was, that was based on their expertise and their guidance. I can't speak to whether or not it would work if it was four feet or three feet personally.

COMMISSIONER DIENNER: Yes. I'm sorry to ask these questions so late in the process here. But I was
curious because I know when the Preservation Commission was reviewing a landmark house, I believe it was on Judson, and they wanted to install solar panels on the roof. And we had to review that and make sure that it wasn't too visible from the street and so on and so forth. Eventually we okayed it, didn't we Carlos, as I recall. But that's, that's what made me wonder about this front business.

MR. RUIZ: Do you have more questions?

COMMISSIONER DIENNER: No.

MR. RUIZ: If I may address the issue of preservation. Because it could be a challenge for the Commission sometimes to address solar panels that may directly affect the primary facade of a landmark building, particularly if it's facing the public way of the street.

The Commission, since become a member of this community at the staff level, has been concerned with adaptive use. And now with the Green Movement, you know, there's that action that says, you know, there's no green building in -- buildings. So they're trying to work with what's existing.

In the past the Commission has approved
devices that will help that in terms of energy, the
efficiency, including solar panels. But at one time,
although it's not the same animal, but it's the concept
of energy conservation, was turbine, wind turbines. And
a property that was in a historic district which was
totally located to the rear of the building. And as
you, if you are not familiar, the purview of the
Commission is only what is visible from the public way.
And the Commission thought it was doing the right thing.
They tried to adhere to the standards. And next thing
you know the neighbors who were to the rear of this
property were very unhappy with the appearance of this
wind turbines.

So there has to be a more careful analysis, in
my opinion as a staff, what the type of this regulations
would be. I think the Commission is all for, you know,
green buildings. It's just they need to be more aware
of the, at least the public that in some cases that
applies for landmarks may not always be possible to do
something. That if you have a building that is facing
south, the front elevation where ideally the solar panel
should go, maybe they can consider principal panels in
the rear of the garage or in between the primary
structure and the secondary structure, which the
Commission has approved in the past.

So there might be certain particular cases
where if it's a historic landmark or significant like
the Dawes House, as an example, that may not be the best
ingo thing to do to the building. So, just for your own
knowledge.

CHAIRMAN WOODS: David.

COMMISSIONER GALLOWAY: I have a question. I
suppose I can pose it to either Arlova or Carlos.

In the event that they, a landmark or a house
in a landmark district proposes to put solar collectors
on its roof, is it only bound to comply with the text in
this amendment? Or does it have to comply with
additional requirements that are unique to the
Preservation Commission?

MR. RUIZ: My understanding is that if you
need a permit from the City to effect the exterior
architecture of a building and if it's visible from the
public way, you will need to obtain a Certificate of
Appropriateness.

COMMISSIONER GALLOWAY: So while the same
solar collector on a house that isn't in a district or
isn't on a landmark might be approved, the same collector on a landmark would have to go through the Preservation Commission for approval?

MR. RUIZ: Yes.

COMMISSIONER GALLOWAY: Right. That's the way it should be.

MR. RUIZ: I want to emphasize the intent is to minimize adverse effect, whether they're flat out denied the solar panel. Because I think the Commission will make recommendations to the Applicant how to minimize the adverse effect.

COMMISSIONER GALLOWAY: Sure.

MR. RUIZ: So it might be not necessarily the ideal amount of solar collection. But it still will provide some substantial benefit. So the purpose is to minimize adverse effect. That's the bottom line.

CHAIRMAN WOODS: And as you've stated, there is certainly within these provisions, there's also provisions relative to ground mounted or accessory structure mounted collectors that would be potentially possible solutions to the issue on that landmark structure.

MR. RUIZ: I think on the positive side, if
I'm not mistaken, the solar panels perhaps would not be considered permanent additions to a building, that will be easily removed and perhaps need to be installed periodically with new cells and so on and so forth. So on the positive side it's not a permanent, necessarily a permanent fixture. Although nobody will deny that once installed, that perhaps it never will be removed. That's, you know, storm windows are.

But typically if you talk about some other aspects of a building, let's say roof -- Even the State of Illinois that adheres to the Secretary of Interior's standards recognizes that roofs eventually need to be replaced. An the objective is that whenever necessary then you're replacing and you're replacing in kind. So in regard to solar panels, you know, I don't necessarily agree that is part of the architecture unless the building itself has been designed as a solar-friendly building. It's an addition. It's something different and is trying to minimize the adverse effect on a building that is a landmark and maximum the solar energy.

So it's, it could be tricky in some instances. But I will say that if, I will encourage the Commission
to look at this closer and maybe expand their standards
so that once they look at this Ordinance they will try
to make it so that it will be easy to understand and the
Applicant will be aware that in certain particular cases
the solar panels may not be, in terms of the standards,
allowed.

CHAIRMAN WOODS: Carlos, would you suggest
that we add an item five, perhaps, under yards and an
item four under height and an item, well, I think
actually that would probably take care of most of it
relative to landmark structures or structures in a
historic district?

MR. RUIZ: I think the minimum to make the
Applicant aware that Preservation review will be
necessary if it meets, if it's subject to a property
that will be requesting solar panels, that there's an
additional level of review that still needs to be
undertaken.

COMMISSIONER SCHULDENFREI: And do you think
it would be a good idea to add the actual text in this?
I'm just thinking of somebody in the historic district
maybe just new to the community. Many people don't know
about the window requirement in terms of living in the
historic district. And I can see them downloading this
document from the website. And it might be nice to
spell, to at least notate that or spell or add some
language. Or will that not be necessary?

MR. RUIZ: I think information is always
useful. I think the question is where do we place it
and how. But I will defer obviously to Arlova to, you
know, make the best possible suggestion. I'm trying to
make sure that we don't overlook an important component
of the legal process. And I don't think you are. But
I'm just trying to emphasize that in certain instances
it might be a little bit more complicated than, than in
an other building that is not affected -- historic
property or district.

By the way, the Commission also looks at, they
use the same standards for all buildings, whether a
landmark or historic district properties. Some of the
historic district properties aren't what they call
contributing or significant based on the nominations to
the National Register. And some of those properties
have been restored. So now if you go back and revisit,
they might be contributing or significant or even become
landmarks in their own right. So we look at these
properties every time, every single month, if it's going
to be considered a contributing or significant.

    But not all properties within a historic
district are landmarks or contributing or significant.
So there are certain ways to interpret the standards
that would allow something that perhaps will not be
appropriate to a landmark or contributing or significant
structure. But it will be acceptable or appropriate for
another structure that is part of the district. So it
does provide that additional level of, I guess, not as a
strict review to the letter.

    So I think that the Commission eventually will
try to come up with some additional language that will
allow the solar panel issue. We have a current
Commissioner, John Paul, who is talking about this, that
it's the next critical issue for the Commission to
address. So they're definitely thinking about it.

COMMISSIONER GALLOWAY: I think you can
address this issue by simply adding an additional
section entitled Preservation Commission Review. And
then in that state, that so and so structures, either
within a historic district or are landmarks, will be
subject to additional review by the Plan, or the
Preservation Commission. And just be done with it.

Isn't that, isn't that the fact?

MS. JACKSON: It already exists in the Preservation Ordinance?

COMMISSIONER GALLOWAY: Well, it may exist in the Preservation Ordinance. But it doesn't exist in this --

MS. JACKSON: Every, every project that's in the district, every project that's in a district or is a landmark has to be reviewed for approval by either the coordinator or the Commission. It's, I mean, if that's the case, then we would have it in every section for everything that's built. It's --

COMMISSIONER GALLOWAY: Okay. I'm done.

CHAIRMAN WOODS: What does that mean, you're done, David?

COMMISSIONER GALLOWAY: I'm done with that particular aspect of that.

CHAIRMAN WOODS: Is there any other public testimony on this issue? In that case we'll close public testimony and get to Planning Commission deliberation. Thoughts, questions, concerns?

COMMISSIONER: Did you add stuff:
CHAIRMAN WOODS: No, I haven't added stuff. I'm just making notes. The only thing I think that has technically happened is that we have corrected the typo on page three, C1, where it says, do no not project. We're deleting no.

MS. JACKSON: And Section F, principal with an a-l.

CHAIRMAN WOODS: Oh, okay.

MS. BOWIE: What about the comment under B about the word natural?

COMMISSIONER BURRUS: Sharon, I think that's a really good point. I don't know how you can make it more sort of innocuous. I, you know, Jeff, I think your comments are well placed. But I'm not sure how you can make it, you know, doing specific colors or something like that. Neutral sort of leaves it wide open to interpretation. You're correct. But I'm not sure how else. You know, we're open to suggestions from anybody on that.

COMMISSIONER: How about unobtrusive?

COMMISSIONER BURRUS: It's, right. It's the same sort of thing. It's, yes, a subjective thing.

CHAIRMAN WOODS: Shall not be primary colors?
Bright colors?

COMMISSIONER: Correct me if I'm wrong, is Len still here?

MR. SCIARRA: Yeah, I'm right here.

COMMISSIONER: Oh. I mean, they don't, my knowledge is these solar panels and collectors aren't manufactured in a variety of technicolor finishes.

MR. SCIARRA: Yeah, but you know, I think they're, I think Jeff's right. I mean, they tend to have a glassy finish. So they could be sort of shiny. But usually they're black. Because what's the best color? Black. But they could be shiny like a window. Or they look like, you know, people say they look like skylights if they're integrated into the roof.

So I don't know. Neutral, yeah, that's a good --

COMMISSIONER GALLOWAY: I wanted to comment on a concern that Ron had about the language and the text of this being discouraging. I don't find it discouraging. I just find it informative. And I think with any new, new technology or any new pertinence or attribute that anyone will consider adding to their home, business, or commercial structure, what have you,
it's very important to be very, as articulate as we can be about how these things are going to be installed. And then I have a question. I assume that this Ordinance will address any type of structure: residential, commercial, industrial, so forth; right?

MS. JACKSON: Yes.

COMMISSIONER GALLOWAY: Okay. And I noticed in some of Len's slides the flat roof structure, slide 2B, indicates that the panels must not be visible from the street. But I'm assuming that many of the other scenarios, hip roofs, gable roofs, and so forth, could be visible from the street. Is that correct?

MS. JACKSON: I don't want to speak for Len. But that was in response to the first version of the Ordinance that did restrict them further about not being visible from the street. We took that text out for this current version.

COMMISSIONER GALLOWAY: So they can be visible from the street now?

MS. JACKSON: Yes.

COMMISSIONER GALLOWAY: And they will be visible from the street --

MS. JACKSON: Yes.
COMMISSIONER GALLOWAY: -- undoubtedly?
CHAIRMAN WOODS: Except if it's on the back slope of a roof. Or in the back of the house or wherever. That was one of the issues, David, is the whole issue of a south-facing principal facade and --
COURT REPORTER: Get closer to the microphone?
CHAIRMAN WOODS: Oh, sorry. That was one of the, the big issues, is what do you do with a building where the principal roof is in fact facing south? And that's where you would have to put the collectors. You know, before basically it wouldn't be allowed. And so that, that resident just couldn't do it. You'd have to find some other means that may not work very well.
COMMISSIONER GALLOWAY: Jim, since I couldn't make the Zoning Commission, or Zoning Committee hearing where this was discussed, I'm wondering if you'd share with me and maybe other Commissioners some of the peak items that were a part of that discussion in moving this revised document forward.
CHAIRMAN WOODS: Well, I think, and Len and Arlova, you can help me here, I think the primary things were the issue of the principal facade and whether it could be visible or not.
There were a couple of issues relative to some of these heights that was really in a direct response to the guy who's the primary installer of these things in Evanston, his commentary about the typical sizes and shapes of these panels that are efficient for making the systems work. And then, and so that got to some of the heights above roofs and all those kinds of things.

And I think those were the primary things that were being worked on. Because as Len's diagram showed, there were certain things that just, you couldn't figure out how to make it work for an individual building.

MS. JACKSON: I guess previously we were a lot more specific with regard to roof type and setbacks. And those have been relaxed in this version. So all, the distinction made between the two is not what it was. And I think this time around they're a lot more clear and easier to understand, personally. So I think it's been well worth the effort to revisit them.

And this amendment allows for ground mounted, although I don't know how effective they are depending on the location of trees. But previously we didn't allow those at all. Or on garages.

COMMISSIONER GALLOWAY: Is there any language
that addresses, well for example, if an Applicant comes before us, well, before whoever reviews this, and it's quite apparent that they could locate the same panels or similar panels in a less obtrusive location, will we have the authority to recommend that they do so if they want approval?

MS. JACKSON: If it meets the regulations as laid out here, we wouldn't. If they needed to apply for a variance, which depending on how much it complied, would be a minor or major variance. Then they would have to show good cause for not locating them in a compliant location. I mean, it wouldn't be granted if they couldn't --

COMMISSIONER GALLOWAY: The answer is no. Because this is, this is a by right thing.

MS. JACKSON: Yes.

COMMISSIONER GALLOWAY: If they want to put it on their front, on you know, on the front roof of their house when they could put the same panels, let's say on the same surface of their garage roof and still achieve the same capacity --

MS. JACKSON: Well, to the extent that our site plan and appearance review process works to help
people find other solutions, although that would only affect projects that weren't single-family. Single-family homes, they don't have to come to site plan. So it would get to some of them. We would get to talk to some of them at least.

CHAIRMAN WOODS: Ah, Len, sorry.

MR. SCIARRA: Can I ask what your objection to putting them proudly on your front of your house?

What's the fear? I mean, the whole reason this started was because the Zoning Committee was like, oh, we can't see the solar panels. Oh my God, we're not, we can't let other people see the solar panels. And I'm like, and we're all like, so what?

COMMISSIONER GALLOWAY: My concern is aesthetics. And it's been very, there have been very, very few solar panel installations that I've seen that have not marred the aesthetic of the structure that I've seen them on with a few exceptions. And quite frankly, that's where I'm coming from. I mean, I'm, I practice green architecture as well. But I find myself confronted with my aesthetic, you know, self and my energy-saving self.

MS. SCIARRA: And I know, and I know, Dave,
you fight for good architecture too. And there's like, how do you prevent bad architecture? And you know what I do too. You know, I mean, it's like at some point, you know, we can only do, you know, the architect and the owner are going to do what they're going to do. And there's only a certain amount that the codes can do with something as vague as aesthetics.

So I mean, I don't know. I understand where you're coming from. But I guess, I don't know, maybe I let my bias, you know, supercede on some things like this. Because I agree. If you were going to do it, I would integrate. I would, if I was going to build a house today, I would build a pitch exactly the right latitude I'd need, whether it's the solar thermal, solar electric. I'd use the PV shingles or something. And it would be built all right in. And you wouldn't even know they were there. But you know, that's me. Maybe that's Cyrus Homes, you know, maybe. Is it Joe developer? I don't know.


COMMISSIONER NYDEN: I'm going to say
something. I don't, I mean, I totally agree. It's like I don't want to necessarily see a solar panel on the front of a building. But I don't necessarily not want, I don't want to discourage putting up solar panels. So I completely agree with that sort of debate.

But at the same time I think there's probably very few people that are going to decide to put solar panels on the front of their house just because it's like putting a weird, weird steps on your front porch. That might not be attractive, might reduce the marketability of it if they want to resell it. So it might, it might not happen as much as it has the potential to happen as it's discussed here. It's like painting a pink house. There's maybe a few pink houses, bright pink houses in Evanston, but most people aren't running out to get pink cans of paint at Epco.

CHAIRMAN WOODS: Okay, somebody want to make a motion? We're going to need to probably continue this.

MS. JACKSON: You already have them.

CHAIRMAN WOODS: We have them?

MS. JACKSON: Yes.

CHAIRMAN WOODS: Well, okay. I don't have mine --
MS. JACKSON: The memo --

CHAIRMAN WOODS: -- on me.

MS. JACKSON: -- is dated December 12th.

CHAIRMAN WOODS: Does somebody have that memo?

Don't, and don't give it to me. I'm not doing this one.

COMMISSIONER SCHULDENFREI: Robin -- I've done my duty today. I'm done with --

MS. JACKSON: And I just want to --

COMMISSIONER BURRUS: Dave Galloway. It's all you, man.

MS. JACKSON: It's only four. It's just an amendment. So --

COMMISSIONER GALLOWAY: What am I reading?

COMMISSIONER BURRUS: Oh, it's only number four?

MS. JACKSON: It's only four standards.

They're only four standards. Page three, I believe. And I just want to be clear that you're referring to the revisions dated January 9, 2008 with corrections of the typos that have been --

CHAIRMAN WOODS: Correct.

MS. JACKSON: Okay.

CHAIRMAN WOODS: Oh, I shouldn't speak.
COMMISSIONER BURRUS: I make a motion to make a text amendment to ZPC 06-02-T (Solar Panels). A, whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive General Plan as adopted and amended from time to time by the City Council.

The finding: the proposed text amendment meets the standard the amendment promotes in awareness of environmental issues and encourages practices that maintain a healthy environment. This text amendment will support sustainable design practices that conserve energy.

The following is an objective of the Comprehensive Plan: "Maintain Evanston policies and agreements relating to energy and telecommunications services current with industry standards."

Relevant Comprehensive Plan policies include: "Promote the City energy policy" and "Support the use of alternate energy sources whenever possible." The proposed text amendment will encourage practices that conserve energy and/or introduce new sources of energy.

Next, the Zoning Ordinance encourages the
preservation and enhancement of natural resources,
historic resources, natural resources, and aesthetic
amenities of the City. This amendment will help enhance
the efficient use of natural resources by promoting the
use of solar energy as a viable alternative to non-solar
sources.

B, whether the proposed amendment is
compatible with the overall character of existing
development in the immediate vicinity of the subject
property.

Finding: this standard is met, as the text
has been drafted to make solar collector installations
compliant with the existing zoning regulation for
structures, allowing them to be integrated into new
buildings as well as provide adequate opportunities for
retrofit of existing structures. The text change seeks
to balance the need to allow solar collectors to be
located in the best places for them to be effective with
the desire to protect neighborhood character.

C, whether the proposed amendment will have an
adverse effect on the value of adjacent properties. The
proposed amendment will not have an adverse effect on
adjacent properties. In fact, the proposed changes may
result in utility cost saving for the homeowner via the
use of alternative energy sources. This text amendment
is designed to help the solar collector fit contextually
with their surrounding with varying height and yard
requirements depending on the roof type and location of
the installation.

D, the adequacy of public facilities and
services. This standard is met, as the purpose of the
amendment is to lessen the demand for utilities, public
facilities, and services through the enhanced use of
solar power.

CHAIRMAN WOODS: Second?

COMMISSIONER SCHULDENFREI: Second.

CHAIRMAN WOODS: Any discussion? Let's vote.

Sara.

COMMISSIONER MCMURRAY: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Aye.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

COMMISSIONER: Yes.

CHAIRMAN WOODS: Yes.

COMMISSIONER: Aye.
COMMISSIONER: Thank you.

CHAIRMAN WOODS: I would entertain a motion to adjourn.

COMMISSIONER BURRUS: Can I bring up actually one --

CHAIRMAN WOODS: Yes.

COMMISSIONER BURRUS: As part of being on the Planning Commission we're required to be on committees.

CHAIRMAN WOODS: Yes.

COMMISSIONER BURRUS: And so I think people that are not currently assigned committees should give their recommendation to you by next meeting --

CHAIRMAN WOODS: Yes.

COMMISSIONER BURRUS: -- to be on the committee. Thank you.

CHAIRMAN WOODS: Can I have a motion to adjourn?

COMMISSIONER: Motion to adjourn.

COMMISSIONER: Second.

CHAIRMAN WOODS: All in favor?

(whereupon, the hearing on the above-titled cause was concluded at 10:45 p.m.)