CITY OF EVANSTON

PLAN COMMISSION

RE: DRAFT DOWNTOWN PLAN AND ZONING RECOMMENDATIONS.

The Downtown Plan Committee of the Plan Commission has been leading a downtown planning process. A draft downtown plan has been prepared by Duncan Associates and their partners, The Lakota Group, 180 Degrees Design Studio, Goodman Williams Group, and KLOA.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held July 9, 2008 at the Evanston Civic Center, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 7:06 p.m. and presided over by J. Woods, Chair.

PRESENT:

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

STAFF:

D. MARINO             T. NORFLEET
B. DUNKLEY            S. GUDERLEY
C. RUIZ
CHAIRMAN WOODS: Call to order the Evanston Plan Commission meeting, Wednesday, July 9th, 2008 at 7:06 p.m. And we do in fact have a quorum.

So, the first item of business is the approval of June 11th meeting minutes. Any motion?

(Moved and seconded.)

CHAIRMAN WOODS: Any discussion, questions, comments? Hearing none, all those in favor?

(Chorus of ayes.)

CHAIRMAN WOODS: Second item of business tonight is the continuation of the draft downtown plan and zoning recommendations. And with that, I will turn it over to our friends from Duncan Associates and team.

MR. BISHOP: Mr. Chairman, members of the Commission, Kirk Bishop from the consultant team. As you know, I missed the last meeting, I apologize for that. I expected you to be probably past Section 8 -- no, I'm just kidding. Blistering pace you set last time, I understand.

But a couple of reminders before we start. First, about Section 8, just to kind of step back in time because I know particularly for Seth's benefits, he may not have heard these words from my mouth but the
Section 8 material which covers the concept for a downtown form-based code is exactly that. As I have reminded the Commission at intervals throughout this process, there is no expectation or intention or even hope that what is in Section 8 could be adopted at the end of this particular downtown plan update process and serve as a viable code document.

It is really a broad conceptual framework presented in outline form. Sometimes it reads as if, I mean, it is kind of sample language but we wanted to, our original intention was to establish some broad parameters as a discussion document so as we move forward after the adoption of one downtown plan or another, that we have some sense of the type of land use and zoning implementation vehicle that we thought originally might be appropriate. And I just say that because I want to make clear that there will be ample opportunities after the adoption, again, of one downtown plan or another to hash out the details of the zoning.

And I'm by no means trying to stifle the productive and important debate that you all are having about some of these concepts. That's important. But just bear in mind that the final outcome of your review
of Section 8 will not be ordinance text that will be expected to be or considered for adoption at the end of this process. That will be a sort of implementation phase of work that will follow on the heels of the downtown plan update.

I also, second point, wanted to be responsive to what I understood to be a point of debate last time, or a point of discussion is probably a better way to say it, and that concerns floor area ratios, their relationship to allowable building height, to some extent the diagrams that were used in the document. I think there were several of us who had questions about whether those diagrams were sort of accurate representations of what might be permitted if the concepts from the plan in terms of maximum building height and building size, you know, were to carry the day in terms of an adopted document. Those wire frame diagrams, I think some felt, maybe sort of misrepresented what was achievable in terms of building height and/or FAR. And I can well understand that.

A couple of points I just want to make about that. First is, and I probably haven't said this before, we consider floor area ratios to be a very
inaccurate if not lousy predictor of building form. In and of itself, FAR tells us nothing about the form that a building will take in terms of its bulk and its height really. As a matter of fact, our initial intention was not to even bring FAR into this conceptual framework for a zoning document, and rather rely on more predictive tools like building height, like upper story building coverage, like minimum or maximum setbacks as a way to sort of shape the envelope of what was achievable downtown.

The reason that we ultimately decided to include FAR in the concept draft because of the public benefit bonus system. We just knew of no other way to tie the public benefit bonus to some measurable quantity of building. In other words, we weren't sure how we could say if you achieve the whole building sustainability threshold criterion, what would we give you? An extra floor? An extra two floors, three floors? Given the widely varying floor sizes, it just wouldn't make sense and it wouldn't be a sort of marketable commodity in terms of enticing builders and developers to sort of latch on to that.

So, for that reason, we decided to add FAR to
the mix which leaves us with a system that combines maximum building height with FAR, and we look at those drawings and we think, gee, could I really get to the maximum building height allowable under the FAR? Or could I actually achieve the FAR in light of the height limit? We're certain that the answer on both fronts is yes, at least theoretically. And for that reason, what I encourage you to do when you look at those diagrams is to consider that to be the sort of maximum envelope, the sort of worst case or best, if I was a property owner I'd think of it as the best case scenario in terms of how I might fill that available space but never could I do something bigger than that.

There are many cases where I might not be able to achieve the maximum building height. My decision about how big a floor plate to put on the building will dramatically influence my ability to achieve the maximum theoretical building height. Conversely, my decision about achieving the maximum building height limit will be driven by my decision to do a more slender profile of a building. And under those situations, I will be able to either achieve the building height by going with a more slender profile of building or achieve the maximum
FAR by maximizing the size of the floor plate.

So, and I've got, if it's instructive at all, I've built a kind of spreadsheet model where we can play out various scenarios and go through it. I don't, I mean, I have no way of knowing whether that's of interest to you. It may be, in light of what I said about this being a concept draft, it may be above and beyond the level of detail that we want to get into. I can also give it to you as a spreadsheet model so you can play with various scenarios to see how my conclusion or our team's conclusion that the FAR's and heights are achievable under various scenarios would play out in the ordinance.

CHAIRMAN WOODS: Kirk, can I clarify one thing?

MR. BISHOP: Yes.

CHAIRMAN WOODS: What you're saying is the FAR, the maximum FAR is achievable but I think it's an either/or proposition, it's not necessarily both. You're not going to achieve maximum FAR and maximum building envelope up to that height.

MR. BISHOP: If what you're saying is will I be able to fill that sort of wedding cake mold?
CHAIRMAN WOODS: Right. Right.

MR. BISHOP: In all instances, the answer is no.

CHAIRMAN WOODS: Yes, because clearly if I look at DC3, and just in a quick calculation here, you've got roughly 11 floors at 100 percent, so that's 4, then you've got 11 floors at 0.65, that's 7.15, and then I've got another 10 floors at a half, that's 5. So, I've got 16.15, I will have already exceeded my maximum with just the base height if I fill the envelope.

MR. BISHOP: But let me tell you the extremely understandable but fundamental error in that calculation.

CHAIRMAN WOODS: Okay.

MR. BISHOP: And that is in the way that you measure floor area. You counted the four floors of that building as 100 percent coverage which is what the ordinance would allow and what a rational decision maker might do, except we know that to accommodate that building, 3 and a half of those floors are going to be parking. And it's not --

CHAIRMAN WOODS: I thought parking was
included in the FAR in this document.

MR. BISHOP: It is not in this document. We elected to go forward using the City's existing definition of floor area which may have been a mistaken sort of approach, but we grew concerned about changing the way FAR was calculated in the City of Evanston sort of midstream and the implications for other approved projects. Though the definition of floor area which exempts any parking, which exempts any mechanical rooms, which exempts elevator, penthouses, stairwells and all manner of things that actually constitute mass and bulk on the building from the definition of FAR, so those floors are only counting, in the maximum scenario they're going to lose 15 percent of the efficiency of that floor to those other sort of ancillary features that don't count as floor area.

And then, when you build the parking floors in, you really lose it. And so, if you think of those wire frame diagrams as measuring floor area around the exterior perimeter of the building, a very common sense way to think about floor area because it is building mass, it doesn't compute. But when you realize that we're using the existing definition of floor area and
we're also viewing these as a sort of maximum, three
dimensional envelope, you'll see that my contention that
this all works.

CHAIRMAN WOODS: Sure. I understand.
MR. BISHOP: That there is a connection.
CHAIRMAN WOODS: I was just confused because I
remembered earlier conversations about including parking
into the FAR.
MR. LaMOTTE: I think the confusion was the
FAR we left as you kept it was just the height,
predictable height versus the height of building. If
you have two floors of parking or five floors of
parking --
CHAIRMAN WOODS: Right.
MR. LaMOTTE: Here's the cap. And again --
CHAIRMAN WOODS: Right, no, and I understand
that. But I was thinking it was also part of the FAR.
MR. BISHOP: We probably over-misstated it.
What we said is we're going to do away with that
exemption that now exists that says up to, what is it,
four floors of the building --
CHAIRMAN WOODS: Doesn't count in height.
MR. BISHOP: Doesn't count in height. We're
doing away with that but we still are exempting it from
the definition of FAR.

CHAIRMAN WOODS: Okay.

COMMISSIONER HUNTER: I heard the midstream
comment. Is that the only reason? Because at some
point, everything is midstream.

MR. BISHOP: Well, I will back up and say that
it is quite conventional nationally to exclude parking
from FAR. Think about it this way. FAR, I've mentioned
before, is a lousy predictor of building form. So, what
good does it really have as a planning or regulatory
tool?

Well, what it represents is a measurable
quantity of a demand that a building places on public
facilities and services. It's the occupiable portion of
the building by people and commerce, and those people
demand fire services and police services and water and
waste water and all manner of facilities and services.
So, FAR is a useful tool in thinking about intensity of
building use from the standpoint of public facility and
service planning.

Where was I going with that? So, for that
reason, many communities, it's quite typical, there are
a couple of exemptions that I could go into, don't count parking because it's not demanding water and waste water service and the like. So, the City's definition, Evanston's definition of floor area goes well beyond the norm in terms of exempting mezzanines and storage areas and heating ventilation and air conditioning equipment, you know, all manner of things are exempt in there that really aren't typical.

But given the fact that the City has, you know, in the modern era at least has built out under the existing definition, we started to scratch our heads thinking, okay, well, Sherman Plaza has an FAR in the neighborhood of 5. You look at that building, you think how is that 5? But if we change the way floor area ratio, just using that as an example, and suddenly that building has an FAR of 12 or 13, what does that mean in terms of, you know, their ability? I mean, I know it was approved through a planned development process so it may be moot, but there are projects that were approved as of right that sort of maxed out on their FAR or left a little bit on the table hoping to build on later on if we suddenly change the way it's calculated in midstream.

To us, that is problematic. We haven't really
worked through all the details of it. It may be
overcomeable but it didn't seem to be worth it at the
time.  
COMMISSIONER HUNTER: Isn't FAR another
control?
MR. BISHOP: It is another control.
COMMISSIONER HUNTER: So, not to include it
would be to lose that --
MR. BISHOP: Yes, if we were to abandon FAR as
was our original intention, you would have been able to
fill up those three dimensional wire frame diagrams and
probably have, in many cases, exceeded the FAR's we've
proposed. So, yes, it is another level or layer of
control. To remove it would have implications in terms
of the intensity of build out of those few sites, again
I remind us all, we're talking about a few sites,
opportunity sites in our estimation, would have some
implications.
MR. LaMOTTE: And, Kirk, if I could add, if
you look at it from the two prongs, one is the wire
frame as we call it or the wedding cake or the -- the
two points here would be the wedding cake or the wire
frame of what you could fill up with building. And I
think as our Chairman has said from the beginning, we're not really saying that's what each building is going to look like. It's going to be this is the bulk that you could do.

This is the shape. You fill it up with a triangular building, circular building, step building, a slim tower. That helps us shape the form, all of us, because that has been a big complaint, you know. Mid-rises or whatever is coming out of the wash isn't as predictable. It isn't as aesthetic as we want it.

The other side of the coin is then when we start to think of the next phase after this is done, how do we get somebody from the base to then add a bonus and add another bonus and another bonus? Well, we can use pieces of FAR to get up to that. They still aren't going to go over the cap on height then.

COMMISSIONER HUNTER: You said the rational then is that it is a quantifiable entity, is that it?

COURT REPORTER: Excuse me. I have to know who is speaking so I can identify for the transcript.

MR. LaMOTTE: I'm John Lamotte with The Lakota Group.

COURT REPORTER: John Lamotte, thank you.
COMMISSIONER HUNTER: No, no. I'm just curious, I mean, giving up an element here in that, and part of the justification is that it's quantifiable entity that you can then use to entice developers to provide public benefits. That seems to me a kind of a weak rationale. We can invent other quantifiable entities, I would suspect.

So, I'm just curious about giving up control of something which is a control factor here, and I'm worried about giving up the control.

MR. LaMOTTE: But we're not giving it up.

MR. BISHOP: We're not recommending --

COMMISSIONER HUNTER: Well, in terms of what you were talking about.

MR. LaMOTTE: The developer would come and say, okay, what can I do on this site?

COMMISSIONER HUNTER: Right.

MR. LaMOTTE: You've got a height cap.

COMMISSIONER HUNTER: Right.

MR. LaMOTTE: You've got a base that you can do.

COMMISSIONER HUNTER: Right.

MR. LaMOTTE: To get from the base to the
height cap, not today but eventually --

COMMISSIONER HUNTER: But I mean, why not include the parking in it? That's what I'm saying here.

MR. LaMOTTE: Well, the parking is included for height, so there is no --

COMMISSIONER HUNTER: No, for the FAR.

MR. LaMOTTE: Well, that's the standard, I think, as Kirk is saying. It's the standard. We can debate that later as far as whether you want to include it or not. But we're not so worried that the FAR for our base zoning is there. It's really more for using it for formulas later when we do the bonuses. So, let's use an example.

COMMISSIONER HUNTER: Okay. All right.

MR. LaMOTTE: The base of the building is 10 stories. The cap is 15 stories. For the developer to get there, there is a lot of benefits and bonuses and things people wanted in the public and here on the Commission.

COMMISSIONER HUNTER: Right, right.

MR. LaMOTTE: Okay. You can go a little higher but you've got to give us bonuses. Well, how do we measure that? Would they get another floor or square
footage? We just have to have a calculation to keep going up. Now, if they came back and did all the bonuses, they still would be capped at the 15 stories.

So, that's really more a tool for everybody in this room that's working on these projects down the pipe. So, you'll see that list later that has all the 10 or 8 bonuses. But actually --

MR. BISHOP: Yes.

CHAIRMAN WOODS: If I add all this up I could get 140 percent or whatever.

MR. LaMOTTE: Right, right.

CHAIRMAN WOODS: You can't actually get that.

MR. LaMOTTE: Right, because the cap is there so it's predictable. Yes. So, instead I want to do a green roof and I want to do the, contribute to the open space, et cetera. Down the pipe, we just collectively have to have some sort of a math to do that, how do we get them the increment?

One of the things that we'll talk about later today is the open space we discussed last time. The big one that you should get the bigger bonuses if you contribute to the downtown public open space system that's in the place, X square footage. If you then
maybe contribute to the site right next to you that's in the public space, you get a little bonus for something on your site, because we want to be careful with that, but you'll get a little something there. But we'd have to gear that up with math, that's all.

Because what we really want people is to look at the wire frame, don't think of it as architecture. Just think that's the form of building mass that you can do. Most people will now fit the floors to residential widths, office widths. They're going to want to do great architecture in there. We've got a new thing on step-backs tonight, ten-foot step-back at the fourth floor level to break up the facade.

So, it's more oriented now towards the form. Okay?

COMMISSIONER WIDMAYER: Yes, I was just going to say that the whole thing with the bonuses also makes it a little more complex because one of the prime bonuses is underground parking. So, probably, and again, this is how we weight things in the end, but probably in order to get enough bonus to build to the height, you're going to have to have put some parking underground. So, this becomes another control in terms
of where does parking count.

MR. LaMOTTE: And it's a predictable control.

COMMISSIONER WIDMAYER: It's a predictable control. And a lot of it is just a matter of how much weight we give in the end to underground parking.

MR. LaMOTTE: And when you get to that point, you're going to have that menu with those numbers there and you'll know. There is no negotiating game playing, here it is, you get this amount for this bonus.

MR. BISHOP: I'm going to do what I wasn't going to do, I'm going to walk you briefly through my model because I went to --

CHAIRMAN WOODS: You went to the effort of doing it.

MR. BISHOP: I went to all the trouble to do it and I need to test it out on you. You tell me if I got it wrong.

Here is the way this model works. I'm assuming a 10,000 square-foot site. It really, the size of the site only matters from the standpoint of whether the tower above is even theoretically buildable or marketable. But, so I'm going to assume the 10,000 square-foot lot. That would probably be about as small
as you'd ever imagine a tall building to be and it would probably be larger than that.

But for the first floor, I've assumed, despite the fact you've got to build out the building, we all know that, you've got to hug the sidewalk and build it out, you're still going to lose something on the ground floor to circulation. You're going to lose, people got to get into that building and access the parking whether it's aboveground, belowground, on site or both. There are going to be some mechanicals on that floor. There's going to be a loading dock if it's a building of any size.

So, I've assumed for the moment that the building covers 75 percent. But it doesn't really matter, I can assume that it covers 100 percent but I'm still going to lose something to the efficiency, so it's going to work out to 85 percent. So, my first floor, 8,500 square feet, I'm up to an FAR of 0.85. Floors 2 through 4, I've assumed for the purposes of this model because I'm building a high-rise building that I'm going to devote that to parking to serve that building. And I've very conservatively estimated that maybe I'm going to put a liner space around the outside, an office sort
of liner, 20 feet or so. That would be cool and we'd
like that, so let's assume that.

We're working our way up. By the time we hit
the fourth floor of this building with something that
looks like 100 percent coverage, we're at an FAR of one
and a half, a little less than that. Floors 5 through
15, I'm going to max it out in terms of that 65 percent
coverage. But I'm still going to take 15 percent off
the top for the stuff that doesn't count in an
occupiable floor.

So, by the 15th floor, I'm in an FAR or 7.5
and up from there. I'm going to, the 50 percent
coverage limit kicks in at 16, I'm going to assume that
I'm doing that. And by the time I'm at the 25th floor,
I've got an FAR of 12. And then, 26 through 42, I'm
going to be at 35 percent.

It isn't until the 36th floor under this
scenario that I've maxed out, that I've filled the
envelope and reached one of the maximums. In this case,
I hit the height before, again what's in the early draft
of the document, I know this is all still in play, that
I hit a limit. And in this case, I hit the height limit
before I max, you know, first. I maxed out my FAR
before I hit my height limit.

COMMISSIONER FREEMAN: But is that, I'm sorry, is that before, or before any of the bonuses, correct?

MR. BISHOP: Well, this is assuming I was able to avail myself of the bonuses.

COMMISSIONER FREEMAN: Of all the bonuses.

MR. BISHOP: Yes.

COMMISSIONER FREEMAN: Maxed out the bonuses.

Thank you.

MR. BISHOP: And you know, I've done this for all the districts. But keep in mind that a more likely scenario than the sort of wedding cake is that tower is going to go straight up after the fourth floor. Or maybe have one setback on the very upper floors. So, once you do that, you're able to achieve the full building height and the FAR simultaneously.

So, that's my spiel on the relationship between the two. And I also note in closing that the reason that we decided to show the diagrams the way they are is because they do sort of represent the worst case in terms of full disclosure to people about what might be possible under the recommendations in this draft. We decided to err on the side of caution as opposed to
show, you know, what we could, some of us could argue would be more realistic designs of those buildings. Particularly in those RD districts where you're doing residential buildings, you might not ever achieve those heights but it's possible. And so, we felt like it was a good idea to show it. And that's my FAR lecture for this evening.

And with that, you know, it's been our practice in the past to sort of go over the revised provisions of all five pages that you made it through last time. So, we welcome any feedback on how we did in terms of reflecting the discussions.

COMMISSIONER FREEMAN: Would you share that Excel spreadsheet with the Commission?

MR. BISHOP: Yes, absolutely.

COMMISSIONER FREEMAN: Great.

MR. BISHOP: I will, Tracy, if I don't send that to you tomorrow, you remind me and then you forward it on.

COMMISSIONER FREEMAN: Thank you.

MR. BISHOP: You've got it.

CHAIRMAN WOODS: Good work.

Can you remind us which pages we're talking
about? Is this what's labeled page 89 in this, we've got in this package?

John, page 78, was the change to 2.3.2, was that this time or previous time?

MR. LaMOTTE: This is new.

CHAIRMAN WOODS: Okay. So, we should review this whole --

MR. LaMOTTE: From there on back, yes. And I think a lot of it was the last conversation --

CHAIRMAN WOODS: Yes, Larry?

COMMISSIONER WIDMAYER: Yes, I just want to make sure that I definitely understand one thing, and that actually goes back to 77. But, you know, you made the comment build the building to the lot line or something like this. We are saying in this that there's, it's got to be 15 feet back from curb?

MR. LaMOTTE: Right.

COMMISSIONER WIDMAYER: At a minimum. Even if that pushes it into the lot, and in that case it would be not be allowed to be built to the lot line.

MR. LaMOTTE: It would be like Central Street, the build-to line.

COMMISSIONER WIDMAYER: Which may include some
of the actual private property but it's required to be there.

MR. LaMOTTE: Right.

COMMISSIONER WIDMAYER: Okay.

COMMISSIONER FREEMAN: I also have some --

MR. LaMOTTE: Now, this is a discussion, we've got to be careful because on Central Street we included it up and down the whole street to get the adequate sidewalk width. Here, it's in this district and I think we need to discuss it per district as we go through as far as what is the build-to line. Because I'm not sure we carry that through all the way through.

COMMISSIONER WIDMAYER: I thought we carried that through on everything except possibly the residential, as the residential has its own.

I see, this is RD --

MR. SMITH: RD District is different. It's the area of downtown that has most of the residential buildings located in it. Associated with those residential buildings on sort of the perimeter of the downtown, people have setbacks. They're not very big setbacks, and so this reflects that. Okay?

COMMISSIONER WIDMAYER: Right.
MR. SMITH: It says 15 feet.

COMMISSIONER WIDMAYER: But I thought we were including some minimum setback, sidewalk size if you will, throughout.

MR. LaMOTTE: Yes, and then I think here -- so, to clarify, it's one foot different than Central Street. Central Street has 14 feet, so we're uniform over time. This has 15 feet, we add another foot for downtown. But it basically says at the end of the day you've got to come up with a 15-foot walk.

COMMISSIONER WIDMAYER: If there's only a 10-foot walk now, you've got to move back 5 feet into the private property before you can build. That's where you're building line is?

MR. LaMOTTE: We doubt it, but if there's a part of downtown that also has a super big right of way, then the public right of way would be put into the lot. In Glenview, for example, we found there's like 6 --

COMMISSIONER WIDMAYER: I don't think we're saying that.

MR. LaMOTTE: Well, there were 6 different right of way conditions up and down Glenview Road. Some were real deep and some were shallow. And so, the
build-to line evened that all out and some were on private property, they have to give it up, and some, the Village's right of way I think was 20 feet. So, they were going to give up 5 feet. They want to just even everything up so you get a consistent sidewalk.

We don't think that's the case here because everything has been pretty built close. What we're trying to avoid again is, we've talked about through the process is at the end of the day a building goes in and there's 5 or 6 feet left and that's it and you can't even get a tree in there. And you want to get some sort of a street scape zone in front of these buildings.

COMMISSIONER WIDMAYER: Yes, and in the main downtown area as we've talked about many times, if we're having food service, many want sidewalk cafes and many residents like sidewalk cafes, so that we wanted to make sure that we had a minimum sidewalk size that could accommodate that and people walking by it as well.

COMMISSIONER FREEMAN: That's correct, and we were talking about that last time, and including one of the things we want to accomplish with this plan is to keep the downtown area very pedestrian friendly. And so, the street scape comes in or the sidewalk scape
having the ability to have sidewalk cafes, but we also
have to be aware of we have light poles in many areas
right in the middle of our sidewalks. We have these
boxes that appear for our, you know, if you're on a
bicycle you've got to get off and walk because, you
know, or if you're in a stroller you have to go on the
street because --

COMMISSIONER WIDMAYER: Walking in a bicycle
downtown is the ordinance anyway.

COMMISSIONER FREEMAN: Yes, but --

COMMISSIONER WIDMAYER: We're talking about
the sidewalk.

COMMISSIONER FREEMAN: That's why I changed it
to stroller. You know, you have to get --

CHAIRMAN WOODS: He realized his mistake.

COMMISSIONER FREEMAN: That's why I changed to
stroller, it has wheels, but you have to go around
because you have these boxes, you have these light
poles, and I do believe that that has to be taken into
account into the size of the sidewalks. And if you look
more at what happened down on the Main Street area is a
lot of my concern, that we don't want that happening
anywhere downtown where you have these light poles and
boxes for signal changing right in the middle of a sidewalk downtown, that you want to encourage pedestrians.

So, I'm assuming that this would be included in here, in that 15 feet. Is that or is that not?

MR. LaMOTTE: Well, let's go through the street scape. I mean, in a 15-foot walk, that's more than adequate to get a tree in a tree pit or a tree in a raised planter, and you've got some of the best raised planters in the whole region. So, the idea is not to squeeze the tree in, it's to get a tree in there in a tree pit or in a planter with a one-foot carriage walk so you can open doors when you're parked next to it. And then, a minimum of 5 to 6-foot clear path so people can walk up and down the street, especially wheelchairs and strollers.

COMMISSIONER FREEMAN: Right.

MR. LaMOTTE: They're not going to go in and out of sidewalk cafes. It still would allow folks to cluster some tables out along the parkway planter area. And then, there is also a provision here, you can go another 10 feet back if you wanted to do a bigger sidewalk café.
What we want to do is keep things in that build-to area where they're not setting back so far, as we talked last time, that we have these huge kind of dead sidewalks in the winter and gaps in the street wall. So, this is a good kind of way to kind of sew the street back together. And you've got some of the better sidewalk situations in your downtown. You just want to make sure that stays that way.

COMMISSIONER FREEMAN: Or make them better.

MR. LaMOTTE: Or make them better, right. And again, so we avoid the issue of, oh, they built to the build-to line but look what happened at the end of the wash, 5 feet is left and that's it. And you can't get anything, you've got a 2-foot base of a light pole and now you're down to 3 feet and you can't have two people next to each other or wheelchair and someone walking. So, this covers that.

You're building the buildings up. You hold your street wall. You create a 15-foot walk.

COMMISSIONER FREEMAN: Okay. Thank you.

(Slight pause.)

COMMISSIONER FREEMAN: On page 78 of the document, the draft for the 7/2/08, I'd like to have a
conversation about the height limits under B, I believe it's the Figure 2.3, and talking about the maximum and maximum public benefit heights and get to some understanding as to why it is, how quickly. Now, it's the maximum public benefit but it just seems that, you know, these things are doubling. It's doubling by the time we get to RD3. But in RD1, we have an increase of only, you know, 22 feet. This is measured in feet, correct? This is correct, right, it's feet?

MR. BISHOP: Yes.

COMMISSIONER FREEMAN: But in RD3, you know, we're up to doubling practically the footage. And I'd like to understand and have an explanation as to why we are doubling in that. So, please give me, I have a hypothesis of why this is happening but since I'm relatively new I'd like an explanation. And I know it's a function of multiple things but I'd like to have a better understanding of that.

MR. BISHOP: All right. As I recall, Commissioner, is it RD3 that I should mention in particular? I mean, overall --

COMMISSIONER FREEMAN: I think it's, you know, 22 feet on RD1. I'm assuming it's a function of that
this is, you know, it's a smaller foot building so as a percentage and the number of feet. But I still would like to understand both in RD2 and RD3 respectively that you can get pretty high, you know, if you're doubling based on the full public benefit height.

MR. BISHOP: Well, let me start at a general level and say that the base and max with bonus heights were originally recommended based on existing conditions and approved projects, representing a range of conditions that we saw within those districts in terms of buildings that were on the ground and buildings that had been approved. DC3 or, what are we talking about, RD3 corresponds, so that's north edge, right? And again, that's an area where some recent approvals had been in the range of the maximum with bonus height.

Existing building profiles were more at the base level so it was a way of addressing those variable conditions and introducing sort of a more predictable way to determine when buildings could achieve the higher end of that range. And that's true throughout the RD and all the classifications.

COMMISSIONER FREEMAN: This Commissioner believes that some of these benefit heights should be
the standard for building in Evanston. Some of the public benefits should, you know, if you want to build in Evanston, they should just be, you should do these things to build here. And I think we'll try to have that conversation at another point, but I did want to understand then how, the ratio of how you get there as fast as you do or how you double an 88-foot building versus -- okay, you're shaking your head. So, you understand my question?

MR. BISHOP: Yes.

COMMISSIONER HUNTER: Let me get this straight. You said the RD3 that's on the north end there? I'm sorry, the RD3 that's on the north end there, you said that's being driven by existing conditions that you looked at of what's been approved there? Is that correct?

MR. BISHOP: Yes.

COMMISSIONER HUNTER: In terms of the height, yes, right.

MR. BISHOP: In terms of the maximum base height, yes.

COMMISSIONER HUNTER: That's what I'm saying.

MR. BISHOP: That was a big consideration.
COMMISSIONER HUNTER: Yes. Is there any possibility, as I recall, that this might be defined as exceptional and, therefore, should not be replicated?

Did you take that into consideration?

MR. BISHOP: Well, if we didn't, your fellow Commissioners have. And, I mean, it's not for us to sort of judge the decisions that policy makers have made. They were decisions and they were recent. We thought they reflected the City's at least elected officials' thinking about the projects that were appropriate there. And, therefore, it was the basis of our recommendation.

Since that time, this area, the RD's, have been debated at length and the maximum height limits have been converted to stories and, feet rather, from stories to feet.

COMMISSIONER HUNTER: Right, right.

MR. BISHOP: So, it's gotten to the point where you should discuss that amongst yourselves. We stand by our initial recommendations but that, you know, those recommendations were made last fall. We've moved well beyond that in terms of you all taking ownership of some of these recommendations. And so, you know, we'd
welcome your input on that.

MR. LaMOTTE: And I would add, I mean, when we started this, you know, you handed us the, you know, the batons to test these character zones with traditional, transitional core.

COMMISSIONER HUNTER: Right.

MR. LaMOTTE: And we did that and fine grained it and adjusted it, and that's in the beginning of the book, in the front end where we explain not just do this as 15 stories but here is why we went from 8 to 16 or 8 to 15. There's rationale, there's context, there's development that's already there. There's development that's already coming that's been approved. So, we tried to get some sort of a base and height on each one of those three zones, and then some of the zones split even further into smaller zones.

So, it's not arbitrary. And when we presented it, and it's in the front of the book, is that it was looking at land use, it was looking at the transition and tradition and what they really mean, tradition being the smaller scale shopping and walking streets, transitional from the outer neighborhoods, and transitional not only from the outer but from the edge

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of downtown into the core of downtown, and then the
classic of the core today with the denser buildings,
the activity, kind of the buzz that's going on the
street. So, there's a bunch of different rationales for
getting there.

Now, so in the smaller district, you want 3 to
5. Some of the other want 6 to 8, some want 8 to 15.
And also, I don't think we're going to get into the
parking lot stuff right this minute, there was a lot of
rationale on an economic development standpoint that on
some sites, and there's only two in the core, there is a
potential to do more in a controlled way, very well
designed way to keep that downtown core alive and going.

So, that's the broad brush of that.

COMMISSIONER WIDMAYER: And then, just the
other thing, too, getting back to the RD3, and even some
of the discussion that went on while these two projects
were being approved, and I refer more to the second one
than the first one, a higher height there was looked at
as possible because it abuts the DC2 zone which is a
higher zone. And I think a lot of what was not liked
about the first project which had a very tall face to it
and which was much more acceptable in the second project
which had setbacks much lower to the ground was the fact that it wasn't putting a huge height right on the street but moving the height back towards the D2 area.

So, given some of the design criteria we're talking about here and the fact that it does abut the D2 area which I don't believe the others do, that was one of the reasons why we were looking at allowing it to go to a higher height here over the other RD areas which have a different context in the neighborhoods and zones around them.

COMMISSIONER GALLOWAY: Seth, your observations about the height in the RD3 are quite appropriate. I dare say that had the building at 1881 Oak not been approved, which as I recall is in the neighborhood of 18 or 19 stories, that the assessed maximum height from our consultants would have been significantly lower for this. But because of that project which by the way many of us voted against because we felt it was not only too large but too tall, but nevertheless, it is an approved project now which in effect, you know, does have an effect on how we would approach that context.

COMMISSIONER FREEMAN: But just because that
was approved, should we approach the context with that
building in mind or not?

   COMMISSIONER GALLOWAY: I just said it has an
effect.

   COMMISSIONER FREEMAN: What I'm saying is, you
know, should we exclude it and not enable it to have an
impact on all the other buildings around there?

   COMMISSIONER HUNTER: That's why I used the
comment is this an exception.

   COMMISSIONER FREEMAN: Well, exactly.

   COMMISSIONER HUNTER: Rather than treating it
as driving which should be the --

   COMMISSIONER FREEMAN: Which seems that it is,
it's driving it instead of, you know, making it an
exception.

   CHAIRMAN WOODS: I don't believe that the 165
feet is actually the height of the first project that
was approved.

   COMMISSIONER HUNTER: I don't know what it is.
But I'm just --

   CHAIRMAN WOODS: It was substantially higher
than 165.

   COMMISSIONER HUNTER: But I'm just saying --
CHAIRMAN WOODS: More like the height of the second project.

COMMISSIONER HUNTER: No, but I'm just saying that that appears to be the rationale that's being offered as to why RD3 is so different. And I'm saying that was one decision.

CHAIRMAN WOODS: Personally, I don't think that's the only thing because I also think that the character of Emerson Street is significantly different than the character of some of the other streets like Hinman that are in these RD districts.

COMMISSIONER HUNTER: Yes, but we're talking about what they will become.

CHAIRMAN WOODS: No, I'm talking about even today.

COMMISSIONER HUNTER: No, no, I know.

CHAIRMAN WOODS: I think the character of the street is very different.

COMMISSIONER FREEMAN: Yes, the character of the street is different. It's the introduction to the downtown area that I'm concerned with that we don't end up with this canyon effect on one side versus the other side.
COMMISSIONER HUNTER: As I recall the discussion at that point, the Plan Commission had defined this as a transitional area. The City Council, a few members of the City Council explicitly said no, I think it's downtown and I don't understand what you mean by transition. Well, I would like to say transition means lower.

COMMISSIONER FREEMAN: That's correct, and an introduction to the downtown area.

COMMISSIONER HUNTER: And an introduction to the downtown. So, that's where, as I recall, the discussion on that is where the City Council broke with the Plan Commission recommendation which was this is a transition area. The City Council voted to --

CHAIRMAN WOODS: And again, that's true, the first building that wasn't true, the second building --

COMMISSIONER HUNTER: Yes, that's exactly what I'm saying.

CHAIRMAN WOODS: But my point here is that the second building is really setting the precedent for this height, not the first building. The first building exceeds 165 feet.

COMMISSIONER HUNTER: I understand that. What
is the second building?

CHAIRMAN WOODS: It's around 165 feet.

COMMISSIONER HUNTER: Okay.

CHAIRMAN WOODS: And a portion of it.

COMMISSIONER HUNTER: Anyway, I made my point.

CHAIRMAN WOODS: And that's being given as the maximum height.

I have one question about bonuses, clearly there's a set of bonuses that relate to FAR which gives you additional FAR which allows you to build more building. Say I get one bonus, can I immediately go to the maximum height?

MR. LaMOTTE: Probably not because the bonus would -- you're going to increase your square footage by that increment, whatever it is, we're working out that later.

CHAIRMAN WOODS: Right.

MR. LaMOTTE: I doubt that you'd get such a bonus that you're going to be able to fill up the height --

CHAIRMAN WOODS: Well, I could do a sliver tower and --

MR. LaMOTTE: Yes, we've been studying the
different massings and the scale of such that we're not sure that someone could really make that a viable economical project.

CHAIRMAN WOODS: Okay.

MR. LaMOTTE: I mean, the cap is still there if someone thinks they can do it. But we think there's, you know, you've got to get your condo, you've got to get your apartment, you've got to get your office floor plate in there and we just think it's going to be hard. A couple of bonuses may be different though, so that would be, and that's why I think when we, after this passed and then you start really sinking your teeth into these bonuses and things, we want to run all those scenarios.

CHAIRMAN WOODS: Sure.

MR. LaMOTTE: Okay, if it's a two percent or is it a 0.5 FAR, is it two floors, what is the math, and then how does it get worked to make sure we're covering exactly that situation.

COMMISSIONER FREEMAN: I would like to talk about RD1 now, if that would be okay?

MR. LaMOTTE: What page are you on?

COMMISSIONER FREEMAN: You know, it's still on
page 78 but it's also reflected in all of our maps, so you know, if you look to the building heights, the edge traditional, and we have F along Ridge Avenue, that's RD1. And I do have a concern there that maybe is this a part of parking lot? I'm not sure, so forgive me for bringing that up.

You know, theoretically, if we lost that five-block area on Ridge, I believe it's five blocks, is it four blocks or five blocks? You know, we could have an eight-story canyon of buildings running down that Ridge and with the bonuses. So, I would like to understand that, is how likely would that scenario happen? I know theoretical is very unlikely but, you know, we can put up at Grove where that parking lot is an eight-story building, correct, in the RD1?

So, theoretically, that could happen along all those blocks there, correct?

COMMISSIONER BURRUS: Seth, do you mean RD2 really on Ridge?

COMMISSIONER FREEMAN: No, RD1 going on --

CHAIRMAN WOODS: He's talking about F, the left link.

COMMISSIONER BURRUS: Oh, okay.
COMMISSIONER FREEMAN: F which is an RD1 section, right?
COMMISSIONER BURRUS: Sorry, never mind.
COMMISSIONER FREEMAN: And so, you can have a maximum --
COMMISSIONER NYDEN: It's RD2.
COMMISSIONER FREEMAN: F there says RD1 right here. Or do I have the wrong map?
COMMISSIONER BURRUS: You may have an old map.
MR. BISHOP: F is RD1.
COMMISSIONER FREEMAN: F is RD1, correct?
MR. BISHOP: Yes.
COMMISSIONER BURRUS: Okay. Sorry, we were looking at an old map.
COMMISSIONER FREEMAN: You guys were looking at an old map? Okay, it's confusing. So, you know, theoretically, you could have eight stories, you know, running down that whole --
CHAIRMAN WOODS: Can I make one point?
COMMISSIONER FREEMAN: Sure.
CHAIRMAN WOODS: Currently, all that property is currently zoned R6 which allows 85 feet, eight stories.
COMMISSIONER FREEMAN: Which allows eight stories.

MR. BISHOP: As of right.

CHAIRMAN WOODS: As of right today.

MR. BISHOP: Without using any bonuses. You only get to eight stories with bonuses. You get to six as a base.

COMMISSIONER FREEMAN: But we're still putting a plan in for the future and there's more development I see happening at Evanston that --

MR. BISHOP: There are eight-story buildings along that stretch now. They're existing zoning, existing conditions, formed to the recommendation. And you asked earlier if this issue was parked, it's worse than that. It wasn't parked, it was decided in the context of --

COMMISSIONER FREEMAN: Okay, except that's not necessarily worse if it's been decided. But --

MR. BISHOP: Well, in terms of we are now discussing the zoning for a plan area that we had reached some semblance of a group recommendation on. So, I offer that up with all respect and with complete knowledge that you can do whatever you want. But just,
you know, just because you entered this a little late, I think it's worth mentioning that we did park a few issues. We know we're going to go back to them. We are now debating an area that we discussed in considerable detail during the plan framework.

COMMISSIONER FREEMAN: I don't think I'm debating. I am asking for clarification on how we get there.

MR. BISHOP: I'm sorry, yes.

COMMISSIONER FREEMAN: And how quickly you can get to, you know, eight. I'm not debating.

MR. BISHOP: Okay, I'm sorry.

COMMISSIONER FREEMAN: We have a document here that we're reviewing and I'm asking questions about the document.

MR. BISHOP: Okay. And my answer to that, Seth, and I'm sorry, is eight as of right now, six under the proposal, eight-story buildings there now. It was key to our recommendation to make the draft reflect that.

COMMISSIONER FREEMAN: Okay.

CHAIRMAN WOODS: And based on sort of what John was saying earlier, it sounds like it's your
opinion that you would need to have at least a couple of
the significant bonuses before somebody would max out
the height farther than that reasonable building form.

MR. BISHOP: We think, yes, we do think that.
We think that's what your planned development process
has wanted to do all along and so we tried to formalize
it in a more predictable way.

CHAIRMAN WOODS: Because the way, I mean,
based on 2.7, 5 and 4, you need 45 and a half percent
bonus to get the maximum FAR which I assume at the
maximum FAR is when you would go to a maximum height.
So, you've got to cobble some of these various bonuses
together to get there.

MR. LaMOTTE: Seth, I would just add that,
again, when you get a chance, and we can talk more about
it later, in each zone, we're careful about what you
gave us as character zones. Each one had different
characters. So, we're not only looking in its zone,
looking at the width of the streets, what's across
Ridge, what's north of the downtown, what are we
transitioning from, what's there today, what's there
tomorrow? And again, not a lot of these sites we see in
a long time are going to turn over. So, it's just being
ready in case, God forbid, one has to change from a fire or something.

When you look at the opportunity sites, there's just a few in each one of these zones. So, you've got bigger, bulkier buildings in this downtown. And it's not like the city that will remain nameless, this other city where they have the bungalow next to the ten-story building, that doesn't work. That's not transition.

COMMISSIONER FREEMAN: Well, if I look at character and I look at the F and I look at RD1, you know, you have a historic church there at the corner of, I believe that's Grove and Ridge.

MR. LaMOTTE: Correct.

COMMISSIONER FREEMAN: And across the street you have this humongous parking lot which is just prime for development. And so, while I understand that we obviously want to take character into, so I'm not challenging but you know right across the street is a church, that's a beautiful church, and then across Ridge you have historic homes.

MR. LaMOTTE: But you've got to really think of context in the narrow way and then a broader way.
There's churches, there's libraries, there's things that are iconic buildings and are following the norm of here, let's fill it up to eight stories. So, that's always going to be that the beauty of your downtown is it is very eclectic.

So, we're just saying, and I think Kirk has put one up here, that's the parking lot right there, that is somebody comes in for that parking lot, you have a very predictable wire frame that they have to fit into, and then they've got to come back and make it good architecture. This is just the massing that will fit that. And your downtown can handle it and your streets can handle it, and it's similar scale around there. And the church hopefully never will have to be --

COMMISSIONER FREEMAN: And again, the start of this conversation was understanding the bonuses for that RD1.

MR. LaMOTTE: Right. And I think where we're going with some of this is that a lot of the zoning today, if you look at your zoning, you could get a lot of these heights just today. Tomorrow --

COMMISSIONER FREEMAN: We're not debating the current zoning. The current zoning is not real good and
that's why we're looking at putting new zoning in place that we want to be something that is a model for us to move forward with.

MR. LaMOTTE: So, what we're trying to do is say okay, you're kind of similar in height, but to get up to the little bit bigger, you're going to have to give us some more public benefits. And we've got a prescribed menu.

COMMISSIONER FREEMAN: Thank you.

COMMISSIONER STALEY: Since we're moving rather slowly and --

COMMISSIONER FREEMAN: I'm done.

COMMISSIONER STALEY: Good, on that. But my concern, and we haven't gotten there yet but it keeps coming up and so I'd like to get the thought out so people will at least be thinking about it, really how the bonuses are going to work. And this is up to page 91. As I look at this, I'm not clear as to what would happen, I wouldn't want a situation where a developer could come in and make the determination about what bonuses the developer was going to be able to accept or to obtain. As I look at this, I'm not sure how that is going to work. It looks like it might work that way.
I think there's got to be some control, I mean the City, you know, whether it's, it's not us, we're an advisory body as we've been told, but there must be some group in the City that should make that determination and say that with this particular project, really the only bonuses that are out there are X, Y and Z because these are the only ones that are really relevant or interesting. And I think that needs to be hammered into this. Otherwise, you're going to get a developer coming up who's widening the sidewalks and putting up some trees and a couple of art objects and, you know, stuff like that that may or may not be significant in that particular area.

And I think it keeps coming into our conversation here because people are worrying about the bonuses and how much this is going to, we need to control that. And I don't know what the thought is how that is going to be controlled and I'd like to know that.

COMMISSIONER WIDMAYER: You know, where I think the bonus, which bonuses get what is really for the next phase. I think, you know, what you're saying is very important. You have to remember, you've got to
weight the bonuses based on their value to the City.

So, for example, I think underground parking gets a heavy weight so you get a much higher percentage.

COMMISSIONER STALEY: But it provides that now.

COMMISSIONER WIDMAYER: Yes, but I mean as you go through and actually implement it. And then, you have to take a look at what is the next most important thing to the City and give that a higher weight. And I think that's the way you control what you're asking about and what you're concerned about.

COMMISSIONER STALEY: Well, I think that's already in it. No, that wouldn't satisfy me. That would satisfy me at one level but that control is already there. I think there needs to be basically some sort of a control in there that the City can just make an arbitrary decision that we don't want that there and we don't need it and we're not going to give you anything for it.

COMMISSIONER FREEMAN: So, are you saying bonuses then by zone?

COMMISSIONER HUNTER: That's what it sounds like.
COMMISSIONER STALEY: No, I'm not saying bonuses by zone. I'm saying more on an individual subjective determination as what's the best for the development of the downtown area. I don't know the answer to this. I just want to make sure that we debate it and don't just let it go through without, you know, and there may be a great answer to it, I don't know what it is, but I don't like it the way it is.

COMMISSIONER HUNTER: Okay. Could it be framed in the notion of a control in that we make more restrictions and then we grant exceptions as opposed to the alternative? Do you see what I'm saying? I mean, I'm --

COMMISSIONER FREEMAN: I'd prefer having some of these bonuses mandatory so then the other bonuses become real bonuses, you know. So, if you're downtown, sidewalk widening will, you know, hey, that should be demanded for a building.

CHAIRMAN WOODS: Can I try for a minute here? Because everybody wants to talk about bonuses. I'd love to talk about bonuses, too, but where we started off was trying to go over the input that we gave at the last meeting, get through that section. There may be
things that we need to come back to in terms of the
FAR's and the heights and stuff as a result of the bonus
discussion, but let's do that as a result of the bonus
discussion. Let's see if there are any other things
that need to be discussed in this section so we can move
on to that bonus section.

Stuart?

COMMISSIONER OPDYCKE: On page 91, I think
there was some reference to, this is 91 in the revised.

CHAIRMAN WOODS: Right.

COMMISSIONER OPDYCKE: There is a note
following paragraph C that says in all cases floors may
have a minimum gross area of 5,000 square feet. Would
you explain that? And I had a question about the word
'may' on page 91. This is the most recent reflection of
our discussions so far. So, I guess I'm asking for an
explanation of a note following paragraph C.

MR. BISHOP: It's inartfully worded but the
intent was that we do not so restrict the size of a
floor that we would require that it be less than 5,000
square feet in area. So, it would be an either-or
situation. It's your coverage at level 16 to 25 can't
exceed 50 percent except that if limiting at 50 percent
would result in a floor that was essentially unbuildable
in our opinion, you would get to do at least 5,000
square feet.

CHAIRMAN WOODS: So, if you have a 10,000
square-foot lot and you had enough FAR and everything,
height, whatever, that you could go 26 stories, that you
wouldn't have a 3,500 square-foot floor, you can keep
the 5,000 square-foot floor you have below?

MR. BISHOP: Yes.

COMMISSIONER OPDYCKE: Okay.

MR. BISHOP: Yes. And we could, obviously
with a lot of things in here, we could word that a
little more clearly, but that was the intent.

COMMISSIONER OPDYCKE: Okay.

CHAIRMAN WOODS: One thing that sort of came
up, we had discussions about the location of glass at
the street front and turning the corner both sides, the
corners which both face streets. A point that I think
ought to be thought about is that in a couple of cases
we're saying in this master plan that we really want to
encourage the development of the alley and that maybe
the glass ought to wrap the alley face in those
instances where we're encouraging the development of the
alley as an active space.

And obviously Bookman's Alley is the prime example of that. But just, again, to sort of enliven and to continue that, and to enliven it as it wraps the corner into the alley. Yes, making the alley seem more like a public space. Yes, or not right away a blank wall so that it's like every other alley. Stuart?

COMMISSIONER OPDYCKE: Back on page 91 again, paragraph B refers to the fact that the other forms of non-residential development are not subject to coverage limits. Does that mean there's no step-back requirement if this is strictly an office building?

MR. LaMOTTE: You're on 91?

COMMISSIONER OPDYCKE: 91, yes.

MR. LaMOTTE: 91, B.

MR. BISHOP: No, the upper story step-back requirement is in 4.3.2 above that on the bottom of page 90. And that doesn't exempt them. I don't know that that was a conscious decision on our behalf, but as the draft is currently worded, it doesn't exempt them from the step-back. It exempts them from compliance with the coverage limits in paragraph C.

Yes, that's the short answer. As written, it
does not.

COMMISSIONER OPDYCKE: Well, if my architectural friends, my architect friends understand that, it's good enough for me.

CHAIRMAN WOODS: So, what you're saying then is that for an office building, upper floors above the fourth floor must be set back to 10 feet but it could straight up from there?

MR. BISHOP: It could go straight up from there and they wouldn't need to adhere to the 65 percent building coverage.

CHAIRMAN WOODS: Right, which sort of forces you potentially into multiple setbacks. Potentially.

MR. BISHOP: Yes. Yes, it potentially does. But in that scenario, going back to our FAR discussion, that building is going to max out on its FAR long before it achieves the building height.

CHAIRMAN WOODS: Right. Absolutely.

COMMISSIONER GALLOWAY: Kirk, if I could ask a question in regards to that? Was the reasoning for that that the floor plate of an office building is far more efficient as a result of keeping that level of coverage as opposed to residential?
MR. BISHOP: Yes. I think it did recognize
the unique programmatic needs of office buildings and
office developers, and our desire to not put obstacles
unnecessarily in the path of somebody who might develop
office space in Downtown Evanston given our discussion
of how important that is.

COMMISSIONER GALLOWAY: Right, right.

MR. BISHOP: So, that was our rationale there.

CHAIRMAN WOODS: Does anybody have any other
further comments up through page 94 of our revised?

COMMISSIONER OPDYCKE: Well, I think there
should be some reference, and maybe we do this at the
next stage, to the fact that parking is not included for
FAR purposes but it is for height purposes. I mean,
there's no specific text in here that I recall seeing.
Now, maybe we do that the next time around but I think
that should be made clear.

COMMISSIONER FREEMAN: Last meeting, I had
discussed a bit about, and forgive me because I am not
an architect and I am not a zoning expert, but basic
feel of downtown by giving the pedestrian space. And I
think what I don't understand in some of that, in the
downtown traditional district is whether we are actually
building into it to have space for pedestrians. And I
do agree that we're better than a lot of cities for
pedestrians and space, but I had spoken last meeting
about, you know, Sherman Plaza as an example where at
the corners we try, I think the building tried to enable
more space for pedestrians.

I would like to see even more of that in this
plan on corners like those corners downtown to really
encourage people to, you know, to leverage, you know,
the downtown space and open spaces because I think we
want to encourage, well, I don't think, I would like to
courage pedestrians and residents to actually
congregate downtown, to have spaces for them. Even if
there's buildings on all four corners, we should still
encourage spaces more than 15 feet perhaps to leverage
the downtown that we have and the pedestrian downtown
that we want to create.

So, I don't know, you know, if that has been
included since our last conversation.

MR. LaMOTTE: We either have it in text or --
COMMISSIONER FREEMAN: Because we do have
unique corners, you know, it shouldn't necessarily be
for all of our corners downtown, but you know in our
core, we have some very unique corners there that I think really should be opened up for pedestrian traffic.

MR. LaMOTTE: I think we got it in a couple of different places. The key here again is earlier in the process there was a lot of discussion about open space, the good open spaces we have, open spaces that aren't good but need to be fixed up to be made good, and new ones. And so, we are looking strategically at the whole downtown, where can we get it so as people walk more out into the downtown there are spaces.

And I think we came to the conclusion that following the plan there was a public open space system set and we were adding a couple of spaces to it. And you know, they're not created yet but eventually they would. And the idea was to strengthen and reinforce that first, so that was strategically located through the downtown and that moneys would be channeled there.

And then, the other extreme where all the private guys are cutting corners and wholes and chunks out to create their own open spaces would be avoided. You still could create some public spaces but with a lesser bonus because you want to encourage people to help build the public open space system.
So, from what we discussed with you last time,
I don't know where it is with the text, we talked about
creating it so that if you were on a very special
situation in a unique location like a corner, I think
Chairman Woods brought it up, then we will consider that
you can create your own open space and get a bonus for
that, not as big a bonus as creating the public space.

COMMISSIONER FREEMAN: You know, and my
suggestion is not creating a park but it's creating more
feet of curvature, openness, to not necessarily force
people to hurry up and cross the street or hurry up and
get out of there because people are --

MR. LaMOTTE: Right. No, we're on the same
page.

COMMISSIONER FREEMAN: Okay.

MR. SMITH: We did make one change in response
to your comment. In the bonus for plazas and minor open
spaces associated with a development, we put in the
preference would be given to those corner locations,
okay, in the awarding of this bonus. And it would be
corner locations that maximize pedestrian access and
access to natural light.

COMMISSIONER FREEMAN: Thank you.
MR. LaMOTTE: And just to clarify it further would be later when you get into the calculations and math, then back to Commissioner Staley's point, you can then put the values on those. If the developer comes up and says I want to contribute to your downtown open space fund, I get X bonus. I want to actually work on Fountain Square and fix that, you get Y bonus. How much money are they going to put in?

Now I want to do a corner, chipped corner and do it myself. Well, do they get as much bonus as helping Fountain Square? That's something you all have to debate with staff as to what money value they get for that. If they say I chipped a corner five feet and put one little bench so give me the full bonus that I would have, you know -- so you still can get your interesting spaces and you still hold the street well but we do it in very careful locations. That's all.

COMMISSIONER FREEMAN: And I think those locations we need to write into the plan.

MR. LaMOTTE: We don't want to write the location because we've already been through it for public open spaces. It's then up to the creativity of the developer and the designers to make the case to you
that they should do it on their site.

CHAIRMAN WOODS: Well, Seth, are there specific locations you think --

COMMISSIONER FREEMAN: Well, you know, I do believe that, you know, the church, Sherman, Orrington, we have very interesting corners. Specially, you know, if we look at J, okay, you have Fountain Square at one end, okay, and then on the other end you have very square corners, you know, and it just seems with development that's going in there, a curved or chipped corner is something that may be very interesting in terms of for pedestrian usage. And we have something similar across the street with Sherman Plaza at both ends.

And it seems to me that if we're encouraging that area for pedestrian use, that that might be something that we encourage within the development of that area.

MR. LaMOTTE: Well, one of the things, if you go back to page 51 in the plan, we have two options for that whole intersection. That is a very key location. And at the minimum, the idea would be that when that gets all improved, then all the street scape elements
and design get tied together so it's not six different
things going on.

Sherman Plaza has a big corner. Fountain Square by itself is a pretty good size. There's that kind of odd plaza over by the bank. The southeast corner, they did a beautiful job over there, everybody loves that space.

So, the idea is tie it all together, and maybe, depending on the traffic study, we can get a few more feet on some of those corners. You're right on except that's in the public open space system. We're actually calling that out.

COMMISSIONER FREEMAN: Okay.

MR. LaMOTTE: Instead of the developer kind of, well, I might do it or I might not. That --

COMMISSIONER FREEMAN: So, in terms of putting it in the bonus area, that's not something we should encourage?

MR. LaMOTTE: Well, no, the bonus would be if the developer said I want to contribute to your downtown open space fund and you can use it to fix that intersection. Or my building is right next to it and I'll help you fix that Fountain Square intersection. Or
I'm somewhere else and I'm going to make a little open space somewhere else. We're just cautioning everybody it's got to be in a unique location.

CHAIRMAN WOODS: Right. I think that Seth is actually talking about easing the corners at the northwest and northeast corners of the Fountain Square block so that you're at, along Church.

MR. LaMOTTE: Oh, on Church?

COMMISSIONER FREEMAN: Church and Orrington.

MR. LaMOTTE: Church and Orrington up here on the other end.

COMMISSIONER FREEMAN: Yes.

MR. LaMOTTE: Well, that would then come into the private development bonus of you could do something special on those corners. The one on the actual big intersection, that's the public system. That's your system.

COMMISSIONER FREEMAN: That's correct.

MR. LaMOTTE: Yes. And so, you can say to everybody, you can bring some unique open space in there but it's got to be very special, not just cut a corner off and tell us it's going to be --

COMMISSIONER FREEMAN: Of course.
MR. LaMOTTE: And then, they can get a little bonus for that.

CHAIRMAN WOODS: Are we ready to move to bonuses?

COMMISSIONER NYDEN: I think that's a great idea, Chairman Woods.

CHAIRMAN WOODS: Okay, let's do that. Does everybody, shall we take a ten-minute break? Or actually a seven-minute break, 8:30? Okay. Let's do that.

(Off the record.)

CHAIRMAN WOODS: Okay. Let's get underway again. So, now we are reviewing Section 8 and I guess you want to call it, I don't know what you want to call it, section 5 of Section 8 or paragraph 5 or subparagraph, I don't know. Actually, no, I'm going straight to the book to talk about public benefits in general. Larry?

COMMISSIONER WIDMAYER: Let me make a recommendation to see if this helps Mr. Staley and his concern. That in the intent section at the beginning, we say something like the public benefit bonus described in this section may be awarded to a development and then
go into the text or to proceed, to provide an economic
creativity and what have you.

COMMISSIONER STALEY: I think that would be an
improvement definitely.

COMMISSIONER BURRUS: Can I just, I was going
to say that it also, that kind of leaves it wide open to
then how. It doesn't necessarily address Commissioner
Staley's comment about how then do we decide which
benefits. And I agree that that makes it better --

COMMISSIONER WIDMAYER: Well, I think when you
get to actually doing zoning code, you can do that.

COMMISSIONER BURRUS: Okay.

COMMISSIONER WIDMAYER: I think all I'm trying
to say is the intent here is that it's as you apply for
and may be awarded a bonus FAR or floor or square foot
or whatever it ends up being based on this criteria.

COMMISSIONER BURRUS: Yes, I guess I'd just go
back to, I guess Stu's comment earlier about the word
'may'. It leaves it really wide open and that's my only
concern.

COMMISSIONER WIDMAYER: What would you
suggest?

COMMISSIONER BURRUS: I don't have -- well, go
MR. BISHOP: I would suggest that you say that the Plan Commission is authorized to recommend and the City Council is authorized to approve public benefit density bonuses in accordance with the following. It gives them the authority to approve projects that exceed the base height upon your recommendation and ultimate decision of the Council, which I think is exactly what 'may' means in that context.

COMMISSIONER WIDMAYER: That's, yes, that's a good definition of 'may'.

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

COMMISSIONER WIDMAYER: Chuck, does that work?

COMMISSIONER STALEY: I think they've improved on your work, yes. I like your work so this is even better, so of course I like it. I'm easy.

CHAIRMAN WOODS: I guess as a parameter to this discussion, I'd like to throw out there that I think the first thing we need to do is to go through the list of public benefits, decide what's in, decide what's out, decide what needs to be added. And then, go through and talk about each one in terms of some general
understanding of them because we are not going to work
out the details of the zoning here because that's a
whole another process it will take a committee quite a
while to figure out.

So, to start off, it seemed to me that we've
had discussion around this several times but that the
daycare public bonus was out.

COMMISSIONER STALEY: Yes.

COMMISSIONER BURRUS: Commissioner Woods?

CHAIRMAN WOODS: Yes?

COMMISSIONER BURRUS: As we go through each of
these, would it make it easier to sort of do the, you
know, yea/nay, so as we go through, would that be, to
make it just more, I guess, cohesive that we pole
through it? I'm just trying to make it quicker so
there's not like, each one that we don't go back to, so,
yes, as we go through each one of this we say yes, okay?

CHAIRMAN WOODS: Okay. So, 5.2.1.2, daycare,
yea, it's out, all in favor of out?

(Chorus of yea.

CHAIRMAN WOODS: Any opposed?

COMMISSIONER NYDEN: Nay. Closing to being a

kid than all of you.
CHAIRMAN WOODS: There we go. The other, another one that I thought that we've talked about is the inclusion of office spaces obtaining some sort of level of bonus. So, all of those in favor of some level of bonus for the provision of office space, say aye.

(Chorus of ayes.)

CHAIRMAN WOODS: Any opposed?

(No response.)

COMMISSIONER WIDMAYER: Yes, wasn't it not Class A space but something like Class B space which we knew might require a little subsidy?

CHAIRMAN WOODS: Okay. I was going to suggest that there be like, that the category would be office space, that may be for affordable office space you get a higher bonus for office space you get.

COMMISSIONER WIDMAYER: Office space is just a business decision.

CHAIRMAN WOODS: Yes, but there doesn't seem to be anybody who makes business decisions for office space. Unless you're on I-88 West.

Yes. No, I think you're right. Affordable office space was the general discussion.

Was there anything else that as we went
COMMISSIONER BURRUS: Yes, I think we may have discussed that the whole concept of public open space and public plazas and even the public art, that there might be funding for that versus leaving it up to the developer to decide what that is. So, instead of them deciding that they're going to put in public art and it's their decision that they put money in a fund for public art and it's more of a community decision in the same way that improving public plazas or public parks or open space, that it's money that would go in a fund and the community would decide versus the developer deciding.

COMMISSIONER NYDEN: I think that partially came from people saying, reacting to the proposed 708 Church building being called public art in and of itself and not letting a developer decide but rather letting a group that is staffed and filled with community members making that decision about public art.

CHAIRMAN WOODS: Yes. Dennis, the public art program as it exists in the City today, people have contributed financially to it but it's the City that,
through the committee, has chosen the art work, is that correct?

MR. MARINO: That's correct, yes. And it's specially the case in terms of public projects there's a set-aside. But yes, it's chosen by the Arts Council, recommended by the Arts Council, approved by City Council.

CHAIRMAN WOODS: So, maybe that needs to be worked into your section on the public art thing, that it really is some sort of a financial contribution to the fund.

MR. MARINO: It is essentially established as a fee that is paid to the City based on the cost of land that is given to a fund. The City will decide how it's spent.

CHAIRMAN WOODS: Okay, good. See, because I didn't even understand that thing or that formula. But we'll get there in a second. There had been some discussion also, I believe, about the idea of inclusion of auto sharing as getting some sort of bonus?

MR. LaMOTTE: There was a requirement that we needed to add in the parking, period.

CHAIRMAN WOODS: Okay.
MR. BISHOP: I believe as a way to mitigate, if we decide to modify the parking requirements, that we might tie it to the provision of a car sharing arrangement.

COURT REPORTER: You need to go to a microphone.

MR. BISHOP: As I recall, excuse me, the idea that came up in discussion was the idea of, it came up in the context of the proposed parking ratio revisions. And that one of the, I thought, excellent suggestions was that if we decide to lower the parking requirements, we might consider tying that to the provision in the building of space for a car-sharing service like I Go or Zip Cars or something like that.

COMMISSIONER FREEMAN: Does the corner chips, is that included in the sidewalk widening? Or should that be a separate type of bonus?

CHAIRMAN WOODS: I think the corner chips --

COMMISSIONER FREEMAN: You know, as we had just talked about --

CHAIRMAN WOODS: You used our new phrase.

COMMISSIONER FREEMAN: Our new phrase, yes, because --
CHAIRMAN WOODS: Or actually in the public plaza section, is that correct, John?

MR. LaMOTTE: Yes.

MR. SMITH: It could be in both. I think it could be in both.

COMMISSIONER FREEMAN: Well, if it's in the public plaza, I'm fine with that. I just want to make sure, I'm really into making downtown as pedestrian friendly as possible.

MR. LaMOTTE: And just, because we are going back and forth, but the new text that we've got right here, plazas, parks -- plazas that face southeast are acceptable, preference should be given to plazas at corner locations that both maximize pedestrian access and access to natural light. So, that's under the standards and guidelines for the public plazas.

5.8.2(I), page 100 of the handout.

COMMISSIONER FREEMAN: I'm on 96 in the old book because that's where all my notes were.

MR. LaMOTTE: So, the new stuff has the text.

CHAIRMAN WOODS: David?

COMMISSIONER GALLOWAY: I got written in that facade improvements of traditional zoned buildings was
something that we considered. That may have been included in someone else's recommendation of facade improvements, you know, perhaps even throughout other areas of the downtown.

CHAIRMAN WOODS: I remember that whole discussion. Somehow I was thinking that was wound into the whole traditional zone thing.

COMMISSIONER WIDMAYER: Yes, we were talking about that with the traditional area in helping to preserve some of those buildings. If there was some way to develop a fund that could be used to assistant property owners in maintaining the facades on those buildings, I think that's where that came from. And I'm not sure that it got into the bonus or not.

COMMISSIONER GALLOWAY: Well, in that case, where did it go? Does anyone recall?

CHAIRMAN WOODS: I think it's probably in one of those front sections in sort of an intent area.

Yes, as I remember, page 39 and 40 of the Section 6 Master Plan Objectives and Strategies, under Objective 2, "Protect and rehabilitate character-giving buildings, structures and sites, to promote the rehabilitation and adoptive reuse of buildings and

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sites, to provide historical and architectural context to the downtown." One of the strategies was to establish a facade retention program for downtown buildings and promote the use of existing local and federal facade retention programs. So, that was in there as a strategy but I don't think there is a mechanism as of yet to fund it or do it.

Is that correct, Dennis? We have a strategy which is the establishment of a facade retention program at least in the downtown context discussion.

MR. MARINO: We also have an existing program --

CHAIRMAN WOODS: But that doesn't apply to the downtown, right?

MR. MARINO: Actually two existing programs. One is CDBG funded for those target areas which is probably best known, the most heavily used. There is also capital available from the Economic Development Fund that can be used city wide for facade improvements. It's not a lot of money but it's some money and it has been used.

CHAIRMAN WOODS: So, the question would be whether we need to establish a bonus for a contribution
to that fund. And I'm only asking the question, I'm not suggesting it.

COMMISSIONER WIDMAYER: Maybe that gets tied in even with the open space fund or something like that because both are designed as visual improvements or --

CHAIRMAN WOODS: Public realm?

COMMISSIONER WIDMAYER: Yes, the public realm. I don't know. Does that make sense, Dennis, at all?

MR. MARINO: They're related certainly. One is kind of public realm, the other one is private realm to some extent. Although --

CHAIRMAN WOODS: But visually it's public realm.

MR. MARINO: Visually it's public, yes.

CHAIRMAN WOODS: It belongs, it's on private property.

MR. MARINO: I mean, they could be combined. 

CHAIRMAN WOODS: Any, well, all those in favor of establishing some sort of bonus for contribution to a facade enhancement program, say aye.

(Chorus of ayes.)

CHAIRMAN WOODS: All those opposed?

COMMISSIONER STALEY: No.
COMMISSIONER NYDEN: No.

CHAIRMAN WOODS: Just put it, note it down and then we'll go into it --

MR. BISHOP: I should mention that we do have a landmark preservation bonus that could be used for facade improvements to bonafide landmarks.

CHAIRMAN WOODS: Landmarks, right. Yes, I think some of the discussion is centered around things like the Fountain Square building and the potential to re-clad it or to re-clad something along West Davis or to, you know, improve facades and particularly the traditional districts.

CHAIRMAN WOODS: Or it just aged. Chuck?

COMMISSIONER STALEY: I think the bonuses have sort of gone on steroids here. I think they're way too many and they're kind of of de minimus value to the project. I think the bonuses ought to be geared more to the particular project to make sure it's a really great project than all this stuff that's going to be sort of everybody's pet thing in the City.

Just looking down here and I realize this will not probably be popular or even successful, but I really want to say it anyway, I think the only ones that are
clearly, you know, we should be looking at are 5.2.1, that's whole building sustainability, that's clearly one. 5.2.4, maybe, public plazas. I mean, public plazas I guess may tie into that particular building, but I don't even think that's, you know, certain. Green roofs, yes, buildings got to have a roof, it ought to be green. Underground parking and loading, I think it should be.

The rest of them, I don't, you know, landmark preservation, you know, obviously if the building is already landmarked, we don't need anything from this project to preserve it. I don't see the need to build a fund particular for that out of this any more than anything else. Affordable housing, we got rid of that one. Public park, open space -- no, we didn't, it was daycare that we got rid of.

But public art installation, sidewalk widening, above-grade parking concealed, it ought to be concealed anyway. I think we're going to have it, I think we should have a requirement that we're, you know, we shouldn't have, I was looking at, from the train station, I was looking at Sherman Plaza today and I don't know what it is, it looked like giant window
shades that are pulled up to maybe -- and now they're all, not all, most of them actually are fine but there are enough, you know, there are enough of them that are off that it's even worse. It would be better if they were all off, you know, just all different angles. But they aren't, you know.

It's kind of looking over like in your own house and having the window shade torn on one side. And I don't know who's, you know, but that, you know, that's sort of what you have when you don't have it blocked off. So, we shouldn't have to look at that. So, really, you know, I don't think many of these merit any bonuses and I think the bonuses ought to go back to the things that deal with the building.

CHAIRMAN WOODS: Colleen?

COMMISSIONER BURRUS: Oh, I'm sorry, Johanna was first.

CHAIRMAN WOODS: Okay, Johanna?

COMMISSIONER NYDEN: I agree with Chuck. I have -- well, I beat you to it. I completely agree with Chuck. I think that, you know, if the public down the road is going to benefit from stuff, it should be in the building and it shouldn't be necessarily in a monetary
donation, a one-time monetary donation that might benefit something either in an annual cycle or a two-year annual cycle and we don't see that in the built environment down the road.

And I'm particularly concerned about developers being able to sort of buy into a system where they can build a bigger building and by, you know, spending money they can improve the, you know, maybe two, three-block radius around them to make their units and their project more marketable. And I think that sets up for a bad dynamic where money is spent for a couple of years and is used up and then we're back to where we started and we're waiting for another developer to come along and spend money and fix something up. So, I would love to see some of these things just drop off as public benefits.

And I would also like to see some of the benefits that we're proposing for buildings and for bonuses be required because we have heard quite a bit, and I don't necessarily believe it but several of the developers that have come before us in the past year and before I came on the Commission have been very strong in saying that people want to live in Evanston, there's a
very strong market still here in Evanston and people want to buy things. And if people want to buy units and people want to build in Evanston, then I don't think that we're necessarily creating a significant hardship on a developer by asking them to do a green roof or asking them to maybe not be LEED certified but incorporate green elements to their building. Because this is Evanston and apparently people want to live here and apparently people still want to build here even in this crappy market. So, I think we should act like it.

COMMISSIONER FREEMAN: And I will, I absolutely concur, but that's going I think to the issue of are these actual bonuses that we should not have as bonuses but requirements for development.

COMMISSIONER NYDEN: Yes, absolutely. That's exactly what I'm saying.

COMMISSIONER FREEMAN: So, okay.

COMMISSIONER NYDEN: Yes.

COMMISSIONER STALEY: You're not going to require public art, are you, or something like that?

COMMISSIONER FREEMAN: No, no, no. The conversation should, we're not, what I'm saying is we're not on a conversation yet as to what the bonuses are but
the bonuses should be, and then the bonuses that we agree upon, whether or not they should just be standard for development here. Because, hey, we have a gold mine here and it's called Evanston, and once we have our, you know, all the development or space is used up, we're stuck with the buildings that will be here for the next 50 years.

CHAIRMAN WOODS: Can I make a suggestion then? Let's go through each of these one by one as to whether or not they should be a bonus. We'll vote them up or down.

So, first one is 5.2.1, whole building sustainability, LEED Gold or Platinum. Now, I want to preface this by I personally think that we ought to have either LEED certified or LEED Silver as a prerequisite for getting any bonus.

COMMISSIONER BURRUS: Could you say that again? I'm sorry.

CHAIRMAN WOODS: Okay. Within LEED, there is certified, Silver, Gold and Platinum.

COMMISSIONER BURRUS: Yes.

CHAIRMAN WOODS: So, what I'm saying is for anybody to get any bonus, I think they should be either
LEED certified or Silver, I'm not saying which one yet.

COMMISSIONER BURRUS: Oh, you mean to get any of the other bonuses? Got it.

CHAIRMAN WOODS: Yes, any bonus at all.

MR. LaMOTTE: It triggers the other --

CHAIRMAN WOODS: Yes, it triggers your ability to get any bonus.

COMMISSIONER BURRUS: That's what I was confused about.

CHAIRMAN WOODS: You've got to be there.

COMMISSIONER BURRUS: I would agree 100 percent.

CHAIRMAN WOODS: And personally for me, then getting an additional bonus for getting LEED Gold or Platinum makes sense. So, I'm aye.

COMMISSIONER STALEY: I think the latter part of that makes sense. I'm not so sure the first thing makes sense. I mean, you're an architect and obviously you're environmentally concerned and we all should be. But I don't know that that's of such importance that it ought to override everything else on the list.

CHAIRMAN WOODS: I do.

COMMISSIONER FREEMAN: Yes, I do as well.
COMMISSIONER NYDEN: Or even just something that says this is a green zone now. If you're going to build in it, you know, you have to build a green building to get bonuses.

CHAIRMAN WOODS: I mean, the City of Evanston has set up in their strategic goals and their strategic plan that we become a very environmentally sensitive community. And if you look at sort of the 2012 sort of targets and 2030 in terms of no carbon, we better start like now. And quite frankly, if there was a better system than LEED, I'd like to look at it. But right now I don't really have a better system.

COMMISSIONER GALLOWAY: I think we should also keep in mind by the time any building comes before us that would be subject to this criteria, it's probably going to be two, maybe three years. In that period of time, there are going to be many municipalities that have instituted their own green building code.

CHAIRMAN WOODS: Yes, Portland, Seattle.

COMMISSIONER GALLOWAY: So, Jim's recommendation while now might seem, you know, maybe somewhat progressive, I guarantee you by the time the first building comes before us for review, it will be
nothing.

CHAIRMAN WOODS: Well, and based on at least my personal experience with this subject, LEED certified is like a no brainer. You can get it for building with very little effort.

COMMISSIONER FREEMAN: I have a question.

Will most buildings qualify because we're so close to transportation anyways? You get a bunch of points for that, right?

CHAIRMAN WOODS: Well, some points.

COMMISSIONER NYDEN: I mean, just to add to what Jim was saying, I mean, Chicago is already leaps and bounds ahead of us. And, you know, they have, if a building decides to be LEED certified, you get your permitting process sped up and you get preferential treatment.

CHAIRMAN WOODS: Theoretically.

COMMISSIONER NYDEN: Yes, right, on paper, that's how it works. So, you're getting that. And we can do better or we can do just as well as Chicago in that. We're not as big. We're not as bureaucratic hopefully.

CHAIRMAN WOODS: So, my proposal or my motion
I guess would be that 5.2.1, whole building sustainability, LEED Gold or Platinum is a bonusable item and that LEED certified or Silver, let's call it certified for now, is a prerequisite to getting any other bonus category. And so, let's vote one by one.

COMMISSIONER BURRUS: I'm sorry. Would you feel comfortable going to Silver or just LEED certified? Other architects, I don't know --

COMMISSIONER FREEMAN: Would you feel comfortable saying that if you're going to develop in this town you have to be LEED certified?

CHAIRMAN WOODS: Yes.

COMMISSIONER FREEMAN: So, it's not even having anything to do with bonus, for developing in this town.

CHAIRMAN WOODS: But to me it's a prerequisite for getting, until the City has a total environmental, or whatever you want to call it, policy, I mean we can only say what we're doing for the downtown plan.

COMMISSIONER FREEMAN: Right. But, okay, so for the downtown plan, you have to be LEED certified to develop. What you're saying is if you want any bonuses, you have to be LEED certified first.
CHAIRMAN WOODS: Well, because the City can't, at this point, has no other mechanism to say that you have to be LEED certified.

COMMISSIONER FREEMAN: Okay.

MR. LaMOTTE: We have in there also "or City equivalent if developed in the future."

CHAIRMAN WOODS: Yes.

MR. LaMOTTE: So, because some cities are starting to go to their own thing.

CHAIRMAN WOODS: Absolutely.

MR. LaMOTTE: But the main thing is get it into the building, whether it's LEED checklist or your --

CHAIRMAN WOODS: That's why I'm saying if there were a better system --

MR. LaMOTTE: Down the pipe, right.

CHAIRMAN WOODS: I'd recommend it because the hardest issue with LEED is that you may not find out what you really are until two years after you've occupied the building.

MR. LaMOTTE: Or the money to get the certification.

COMMISSIONER NYDEN: You're pre-certified,
CHAIRMAN WOODS: You can be pre-certified for certain things.

COMMISSIONER NYDEN: I think you can be pre-certified for Silver.

CHAIRMAN WOODS: But it doesn't mean that you're --

COMMISSIONER NYDEN: Going to get it.

CHAIRMAN WOODS: -- actually going to get it.

COMMISSIONER NYDEN: I just, I walked past a Buck building that they're building downtown.

CHAIRMAN WOODS: Yes, they talked about being pre-certified.

COMMISSIONER NYDEN: Pre-certified Silver.

So, I don't know, maybe we say pre-certified Silver and then we hope for certified.

CHAIRMAN WOODS: Yes, that's fine.

MR. LaMOTTE: Just to clarify again, you're really looking at the levels, rationing up the levels that --

CHAIRMAN WOODS: Yes.

MR. LaMOTTE: Could there be based on LEED's or could be the City of Evanston's levels down the pipe.
CHAIRMAN WOODS: Yes.

MR. LaMOTTE: And how do you inspect it and all that that will come, and it's a cost --

CHAIRMAN WOODS: Yes, and I know that there's a whole another group that's working on some sort of environmental thing or policy code, whatever you want, ordinance for the City relative to buildings. So, we need to ultimately coordinate somewhat with that.

MR. LaMOTTE: So, there's the qualifier in there about the backup if needed.

CHAIRMAN WOODS: Yes.

MR. LaMOTTE: Okay.

COMMISSIONER OPDYCKE: So, as I understand this, before you can ask for any bonus whatsoever in any category, you have to come to the table with LEED certification?

CHAIRMAN WOODS: Environmentally responsible building.

COMMISSIONER OPDYCKE: LEED certification?

CHAIRMAN WOODS: Yes.

MR. LaMOTTE: Or equivalent, right.

COMMISSIONER NYDEN: Silver or LEED, I mean, pre-certified Silver just to raise the bar and hope that
CHAIRMAN WOODS: Okay, pre-certified Silver.
COMMISSIONER NYDEN: But you have to vote.

You have to call it.

CHAIRMAN WOODS: I'm calling the motion.
COMMISSIONER O'PDYCKE: Before I vote, I'd like to know exactly what Silver includes.

CHAIRMAN WOODS: You can't know because there's an infinite number of ways of getting to Silver.

Because it's all on a point space system.

COMMISSIONER O'PDYCKE: Okay. How onerous is this from a developer's point of view? For example, on Emerson Street, are either of those two buildings? And I just can't recall whether they have Silver certification.

CHAIRMAN WOODS: The 5067 Maple is advertising itself as LEED Silver, or no, LEED Gold, I believe.
COMMISSIONER O'PDYCKE: How about the Oak Street?

CHAIRMAN WOODS: Which one?
COMMISSIONER O'PDYCKE: How about the Oak Street? Is that 1881 Oak?

CHAIRMAN WOODS: Oh, I don't know that either,
any of those are anything right now. I don't even remember.

COMMISSIONER OPDYCKE: So, then that may not even be LEED certified, the one on Oak Street?

COMMISSIONER NYDEN: We're getting some shakes of heads no from the audience.

CHAIRMAN WOODS: Yes, I don't think so. I don't think so.

MR. MARINO: Certainly 1881.

CHAIRMAN WOODS: Yes, I don't think either one of them are.

SPEAKER: I'm not sure that --

COMMISSIONER OPDYCKE: Well, I guess I would like to know what obligation this places on a developer.

CHAIRMAN WOODS: My understanding, and having had this rather lengthy discussion recently with a professional cost estimator is that they are saying that 0 to 2 percent of construction cost to get you to certified, 2 to 5 percent to get you to Silver, 5 to 7 percent to get you to Gold, and 7 to infinity to get you to Platinum because at Platinum you could be doing all sorts of things that are totally innovative in which point you should be getting research and development
credits from the federal government on your taxes.

COMMISSIONER OPDYCKE: Okay.

CHAIRMAN WOODS: Okay. Colleen?

COMMISSIONER BURRUS: Yea.

(Chorus of yeas.)

COMMISSIONER STALEY: No.

CHAIRMAN WOODS: Anyway, that one passes. So, next one is 5.2.2, affordable housing in excess of minimum requirements. And is this both for contributions and housing on site?

MR. BISHOP: As written, yes. I know that's been a subject of conversation, that's why I answer it this way.

CHAIRMAN WOODS: Okay. Do we want to take those issues separately?

COMMISSIONER NYDEN: Yes, I do. I think you take them separately because one deals with the physical structure and one deals with a monetary donation.

CHAIRMAN WOODS: So, for starters, let's take affordable housing in excess of minimum requirements as a financial donation.

COMMISSIONER FREEMAN: Is this donation ongoing or is it a one time if it's financial?
CHAIRMAN WOODS: One time.

COMMISSIONER FREEMAN: So, if it's a financial and it's not in your building, it's a one-time?

CHAIRMAN WOODS: Right. I think in all cases those things have always been one time. So, financial contribution, the proposal is to have it in, so either vote it up or vote it down. I'm calling the motion.

COMMISSIONER NYDEN: What, financial contribution? Vote up or down, right?

CHAIRMAN WOODS: Financial contribution, up or down.

(Three ayes, four nays.)

CHAIRMAN WOODS: That's like 4-3. 4-3, no. So, then the next one is affordable housing in excess of minimum requirements on site.

(Chorus of ayes.)

CHAIRMAN WOODS: So, that one is 7-0. Okay. Next one is landmark preservation. And this is financial contributions, right?

MR. BISHOP: In reality, it is but it can be either. You can do the work yourself, take the value of those improvements, translate it into land square footage, multiply it by the FAR and take the bonus that
MR. BISHOP: And I misspoke previously, I've been told, on the public art one, too. If you know an artist, it could go either way. So, just keep that in mind.

CHAIRMAN WOODS: We'll get there.

MR. BISHOP: Yes. Okay. From your lips to God's ears.

CHAIRMAN WOODS: So, do we need to separate this one out? Yes, okay. So, landmark preservation as a bonusable item when you're contributing dollars to do it elsewhere.

(Two ayes, two nays.)

COMMISSIONER FREEMAN: I have a question on what we're voting on here. So, we have historical, federal preservation towers and then are we talking about contributing to that? Or are we talking about -- so, okay. Yes.

CHAIRMAN WOODS: What about your question?

COMMISSIONER FREEMAN: Well, because they just answered.

COMMISSIONER BURRUS: I answered it, I'm
COMMISSIONER FREEMAN: She answered it.

CHAIRMAN WOODS: I'm confused. I don't remember who voted what.

COMMISSIONER BURRUS: I voted yes. Johanna voted no.

CHAIRMAN WOODS: 2 yes, 2 noes.

(One aye, one nay.)

CHAIRMAN WOODS: That sounds like a tie. 4-3, yes? Okay. And then, the next one is landmark preservation if you're doing it for -- yes, absolutely.

4 to 3 yes to have it as a bonus.

MR. LaMOTTE: Yes to have it as a bonus for landmark preservation.

CHAIRMAN WOODS: Yes, for contributing it to something offsite.

MR. LaMOTTE: To some other building --

CHAIRMAN WOODS: Yes.

MR. LaMOTTE: Okay.

COMMISSIONER OPDYCKE: Mr. Chairman, might I ask the rationale for voting against a cash contribution in lieu of onsite landmark preservation?

CHAIRMAN WOODS: It's really offsite and
onsite.

COMMISSIONER ODPYCKE: Or offsite and onsite.

What is the rationale for voting against offsite preservation?

CHAIRMAN WOODS: For me?

COMMISSIONER ODPYCKE: Yes. Or anybody who voted against it, offsite. Well, I'd like to revisit that a little bit.

COMMISSIONER NYDEN: Right. I can speak first.

CHAIRMAN WOODS: Go ahead.

COMMISSIONER NYDEN: I would like to vote personally because I want to see if the building is going to affect a landmark or is going to involve incorporating, I mean, I know Robin doesn't like facade-ectomies but I'm not completely against them all the time. I think they can be done nicely. That's the kind of public benefit I would like to see.

And again, it's if you're donating something, it's an old building, ten years it might need help again and that money has been spent and it's not coming back and it's not maintaining the built environment. So, that's why I'm not opposed to, you know, preserving
landmarks. I feel very strongly about preserving Evanston landmarks, but I don't want to give developers the opportunity to build a bigger building and preserve something or help something only for a shorter period of time.

COMMISSIONER FREEMAN: But they're contributing to a fund that hopefully other developers will contribute to as well so it's sustainable, right?

COMMISSIONER NYDEN: I mean, that's only as long as we're building stuff, that's all. You know, as long as there's developers to keep putting money in that pot, I mean, we might have a lull in development.

COMMISSIONER BURRUS: But at the same time, if you're doing it onsite, it's the developers just benefitting themselves. In reality, they're not, I mean, even though they may be preserving the building but it's still their building and they own it. So, it's almost like they're double dipping.

COMMISSIONER FREEMAN: So, but this is an example of the Hahn building, right, where they're talking about maintaining the facade and keeping that?

Isn't that a public benefit though?

CHAIRMAN WOODS: Well, the Hahn building --
COMMISSIONER BURRUS: No, because they're asking for money from the City's --

CHAIRMAN WOODS: -- the whole building and they want money from the TIF fund to do it.

COMMISSIONER NYDEN: And I think that's a different instance because --

COMMISSIONER FREEMAN: Okay, it's a different issue. Okay.

COMMISSIONER NYDEN: They are also, I mean, what a lot of people have thought about is --

COMMISSIONER FREEMAN: I'm sorry for bringing that up.

COMMISSIONER NYDEN: No, what I'm just saying is I sit on the Economic Development Committee and this was a very long discussion and, you know, some people felt that this was just enhancing the marketability of their particular building because it is preserving and creating a three-street face shopping experience.

COMMISSIONER BURRUS: Commissioner Woods?

CHAIRMAN WOODS: Yes?

COMMISSIONER BURRUS: Carlos I think wanted from our --

CHAIRMAN WOODS: Carlos. Somebody who
MR. RUIZ: Thank you, Commissioners. My name is Carlos Ruiz, I'm the Preservation Coordinator for the City. And I'd like to speak about what it means to preserve a landmark onsite. I think that if you take the context of development and you have, let's say hypothetically a landmark building, a new buyer comes in and wants to develop. It goes in front of the Commission and either to demolish or to alter dramatically that building. In my opinion, the likelihood of that happening is very small if not nil. In other words, you are encouraging somebody to alter the landmark and giving a bonus for it. Whereas in my opinion if you are encouraging somebody to put funding towards preserving landmarks within the downtown, I think that has more benefit. I think that what you want to encourage is to retain the landmarks as they are, not to alter them.

COMMISSIONER GALLOWAY: I may be under a misunderstanding but what I voted for in that was that the developer would provide, would contribute to a fund which would be used by the City to either restore or maintain landmarks within Evanston.
COMMISSIONER BURRUS: I think you're right.

That's what I voted for, too.

COMMISSIONER GALLOWAY: Okay, good.

COMMISSIONER NYDEN: I'm not, I mean, I'm not opposed to preserving landmarks in Evanston. I just, I don't want a bigger building in downtown and a developer's one-time purchase of that bonus essentially to be the vehicle for preserving Evanston landmarks, that's all. I completely want to preserve buildings. I don't want to build buildings on top of great landmark buildings, but I just don't want to see developers being able to buy their way into, yes.

COMMISSIONER HUNTER: Could it be rephrased that you see the cost as being greater than the benefit? Did you get that?

COURT REPORTER: No.

COMMISSIONER HUNTER: Could it be rephrased that you see the cost as being greater than the benefit?

COMMISSIONER NYDEN: Absolutely, yes.

CHAIRMAN WOODS: Yes, Carlos?

COMMISSIONER GALLOWAY: But don't forget though, we also haven't gotten to the point here where we can establish what degree of bonus is acquired for...
each of these.

CHAIRMAN WOODS: Absolutely.

COMMISSIONER GALLOWAY: So, I mean, if you're, I mean, you could be concerned about that and I don't want to see developers get an opportunity to buy their way to a bigger building, but on some of these bonuses we may grant only a maximum of 5 percent say as an increase in your FAR to do that as opposed to some of the other ones where we might say we'll give you 25 percent if you put your parking below grade or something like that.

COMMISSIONER OPDYCKE: I agree with Dave's point there. But if a developer wants to put up a project and it's really not suitable for onsite preservation, he's got really no choice. Even though he may be a preservationist and wants to contribute to a fund, to some other ongoing effort for example that the City has undertaken, he's really foreclosed from doing that. And I think as Dave said, we have to remember that whatever mechanism we finally settle on for determining the percentage of bonus that is conferred upon an applicant, you know, that could be 1 percent, 2 percent. It doesn't have to be 10 percent or 15
percent. It's up to whatever body is charged with making that determination.

MR. LaMOTTE: I think in basic terms the idea here is that we all know there's very few funds out there to do good historic preservation. There's not a lot of money and you've got to kind of hunt and peck for anything. So, whenever the dollar amount comes and the math comes down the pipe, it will be a dollar that isn't there now. So, if there's a fund that says we've got these three buildings in town or downtown that need help, we're going to get money from this.

And part of it, I think where Kirk was going earlier to kind of clarify some of the bonuses, some of these heights you've got as of right in downtown. We're saying drop it down, and to get back up to as of right, you're going to help out with some of these things that either help the immediate downtown or some things globally in town without being so onerous that we never see ever a development.

So, I think that's the balancing act we have.

Is this an opportunity to start preservation? Yes, because then that site isn't developed and it contributes to the community but somebody helped pay for
it. And if it's two bucks and it goes in the pot and
someone else puts two bucks, it's four bucks more than
anybody's found you had today for some of these things.

COMMISSIONER FREEMAN: Well, we hope it's a
little more than four dollars, okay.

MR. LaMOTTE: Yes, we hope it's, maybe it's
five, you know.

COMMISSIONER FREEMAN: And if I'm correct, the
vote was for putting the bonus in.

MR. LaMOTTE: Yes -- almost to the ninth
inning now.

CHAIRMAN WOODS: Yes, Carlos?

COMMISSIONER OPDYCKE: So, that's, we voted in
favor of onsite and --

CHAIRMAN WOODS: No, offsite so far.

COMMISSIONER OPDYCKE: Offsite.

CHAIRMAN WOODS: We haven't voted on onsite
yet.

COMMISSIONER OPDYCKE: Okay. Okay, fine.

Then I'm satisfied so far.

MR. RUIZ: You just voted, I believe,
unanimously on Section 5.2.1 for the LEED certified
green movement. Right now, the preservation community
is working very hard to use preservation as another LEED certify point. In other words, they're saying there's no greener building than an existing building. So, there is no greener building than an existing building.

COMMISSIONER FREEMAN: That's correct, yes.

MR. RUIZ: For instance, one of the issues that we deal monthly with the Commission is replacement of windows. People want to replace windows that are energy efficient, double glazed and so on and so forth. But at the same time, they have not taken the time to look at restoring windows that could be fully functional and energy efficient if they are done correctly.

COMMISSIONER FREEMAN: I have a Victorian you can come look at.

MR. RUIZ: Okay. But my point is that by not removing more old material that could be easily restored but is labor intensive, perhaps sometimes even more expensive than a brand new product, there is a potential for hiring local workers or architects, preservationists, plus you are saving a material that otherwise would end up in the landfill. So, that's what I'm suggesting, that by allocating funding to preserve a landmark within the downtown has, in my opinion, more
benefit than allocating onsite because onsite means that you are going to alter that building rather than preserve it.

COMMISSIONER FREEMAN: I have a question for you --

CHAIRMAN WOODS: Well, it doesn't necessarily mean you're going to alter the building. For example, your site could include a historic building in an empty piece of property. You preserve the historic building and build on the empty piece of property, so you're not necessarily altering in a negative way the existing building.

MR. RUIZ: I think that that's another option. But for instance, the developer on Central Street where the old theaters were located, there was a landmark there. They proposed initially to restore the landmark next to the theater, but they asked the Commission to be able to use part of the site of the landmark house so they can increase the parking. And that was well received --

CHAIRMAN WOODS: But the neighborhood --

MR. RUIZ: But the neighborhood had a different opinion on it.
CHAIRMAN WOODS: The neighborhood is the one that created that situation.

MR. RUIZ: Well, not getting into that necessarily but, well, my point is that there was an opportunity to do that, but for whatever reason was not accomplished.

COMMISSIONER FREEMAN: So, are you saying then there is no benefit then for somebody who purchases a building and wants to maintain the facade of the building?

MR. RUIZ: There is no bonus system in place.

COMMISSIONER FREEMAN: There is no benefit for that?

MR. RUIZ: No.

COMMISSIONER BURRUS: Did you want to vote on the onsite?

CHAIRMAN WOODS: Yes, I do want to vote on the onsite. I'm just checking one thing about this landmark thing. Basically, the landmark thing has to follow the City of Evanston guidelines for a landmark preservation. So, okay, so next is landmark onsite.

(Chorus of ayes, one nay.)

CHAIRMAN WOODS: So, that one is in, in both
forms.

Next one is public plazas. And this, I believe that public plazas in this case refers to plazas that are part of the development project. 5.2.4, public plazas is plazas that are part of the development project, whereas 5.2.5, public park and open space improvements are contributions to open space and parks.

MR. LaMOTTE: Yes, we've just been -- about public plazas and open space category with the subsets underneath.

CHAIRMAN WOODS: That's fine. But for now, let's just take them as lie. Okay. So, bonus for providing public plazas, chips, corner chips.

MR. LaMOTTE: Onsite.

CHAIRMAN WOODS: Onsite.

(Chorus of ayes, one nay.)

CHAIRMAN WOODS: That one is in. Bonuses for providing contributions to public park and open space improvements offsite.

(Chorus of ayes, two nays.)

CHAIRMAN WOODS: So, that was what, you were keeping score on that, Larry?
COMMISSIONER WIDMAYER: 5 to 2, yes.

CHAIRMAN WOODS: Okay, thank you. Next one --

COMMISSIONER OPDYCKE: What's the rationale again for not voting in favor of an offsite contribution?

COMMISSIONER FREEMAN: That was her, so that's the same one that she had probably for the, this one time thing at the cost of potentially having a building go higher.

COMMISSIONER NYDEN: Particularly, plants die. I mean, it's like, that's all.

COMMISSIONER OPDYCKE: Okay. I just wanted to know if it was the same rationale.

COMMISSIONER STALEY: My position is consistent throughout. I think the bonuses ought to basically derive and be a part of the project and be benefitting the project, not something scattered all over Evanston. I think that's a mistake.

COMMISSIONER NYDEN: Yes. That's exactly how I feel, too.

COMMISSIONER OPDYCKE: Why is that a mistake?

COMMISSIONER STALEY: Because then it becomes sort of like a popularity contest between public art and...
public parks and, I mean, you know, fund it some other way. I mean, why should it be funded out of this particular project? If it's that important, then there ought to be some way that the City can fund those things. It shouldn't be tied to a particular project.

COMMISSIONER NYDEN: A lot of cities will do impact fees and then a portion of the impact fee will go to things like surrounding parks, will go to the preservation of landmarks and, you know, because you're trying to preserve the character of a community and you're building and you're paying to build there basically. So, I don't have a, I mean, if we want to talk about impact fees at another time or for another committee or something, I'm all for that and I think that should happen. But, yes, I mean, it's, you know, if you're going to build, you should be doing something for the building in and of itself.

COMMISSIONER GALLOWAY: I disagree. I think this is a wonderful way for the City to fund projects, you know, throughout the downtown in a manner that otherwise would not be available. I do think we have to be very judicious in how we award it and how we weight it.
COMMISSIONER FREEMAN: And how we spend it.

COMMISSIONER GALLOWAY: Well, you know, I don't think --

COMMISSIONER FREEMAN: I have a concern that the funds actually go to where they're supposed to go.

COMMISSIONER WIDMAYER: Seth, I don't think that's part of, that's not part of our purview as to how it's --

COMMISSIONER FREEMAN: That's true.

COMMISSIONER NYDEN: I guess my other sort of global concern about the public benefits and the ones that are onsite and offsite is that it doesn't create a very transparent process for the public because I think it's very difficult for people to understand, you know, these different formulas and the different, you know, how things are, different bonuses are weighted and how much money gets contributed to this fund and how, you know, which park is first in line with the first thing. It's like, it's a lot of process to follow.

You know, you have to maybe go to a Parks and Forestry meeting to understand it, to find out how that gets to be, and I just, you know, if a building is going to be built and there's going to be some kind of review
and people are going to know about it, we should know how the benefits are going to happen right there in that space and not sort of have to figure out based on formulas and other departments how that works out.

MR. LaMOTTE: If I could just clarify that? Because that gets into what's coming down the pipe as far as how much dollars, who gets what. The intent was that an open space fund for downtown would be created to fund and fix and do all the things that have to be done for the downtown parks. So, if there's a park or an open space now, Fountain Square or the other parks, then that money could be used to fix those up at a priority level or create a new one if somebody has to buy the property or switch properties. But as we know, it's like landmarks, it's scarce funds.

There's not a lot of funds to do these things and a lot of people wanted Fountain Square fixed up forgetting the configuration right now, where does that money come from? So, even if two buildings contribute two dollars, again that's funds that haven't been ever done. And they are in the downtown that are part of this system that everybody is working off of, like your squares or greens and savanna that are serving this
So, that's what it is. And not having the math and the formula and the fund all set up yet, that's the intent of this bonus.

CHAIRMAN WOODS: So, it's public parks, open space improvements for downtown.

MR. LaMOTTE: Correct.

COMMISSIONER WIDMAYER: I understand what you're saying in terms of the complexity, but there certainly is a mechanism even in place today that I think helps resolve that. And that would be through the SPARC and their meeting because they do a pre-review anyway. And it could be included as part of a requirement from staff and any project that then comes before Plan Commission and Council, not necessarily providing a definitive this is where it's spent but providing if it's parks and something like that. A recommendation would have to come out of SPARC with it that this is going to contribute $50,000 and our priority items at this time to apply that are.

Now, that at least gives everyone some logical feel that of course would have to be approved through the final approval process, but some logical feel as to
where some of this money would go. And I can see it, you know, probably on the parks issue because if the plan as designed here is approved, there will be designated areas. It becomes a little harder with such things as public art although the Public Art Commission has done a pretty reputable job, I think, in coming back with, you know, good pieces of art and putting them in public spaces.

But at least with some of these, you could go back and just make part of the process a staff requirement to provide that as a report to the Commission and the Council as it goes through the process. So, that might help at least a little bit in removing some of that confusion factor.

CHAIRMAN WOODS: Okay. The next one is public art installation. And I guess this category is actually bigger than just public art installation, I believe. It's actually public art installation/arts support. And I would like to take those as two separate items.

COMMISSIONER FREEMAN: Yes. Absolutely.

CHAIRMAN WOODS: So, public art installation as a bonusable item.

COMMISSIONER GALLOWAY: Can someone describe
what that actually means?

COMMISSIONER BURRUS: Thank you.

MR. SMITH: Well, it does mean an installation that the developer would buy a piece of art and put it in a plaza or in a corner space that was viewable to the public, accessible to the public.

COMMISSIONER GALLOWAY: So, this will be the developer chooses the piece of art, he provides it onsite.

MR. SMITH: Yes.

COMMISSIONER GALLOWAY: On the very site that he's seeking the bonus for? Correct?

MR. SMITH: At his building. That's correct.

That's correct.

COMMISSIONER WIDMAYER: Yes, today we have a process for public art. Is that correct, Dennis?

MR. MARINO: We do.

COMMISSIONER WIDMAYER: So, that would go through that process I would assume, which means that there would be a review. Would you describe that?

MR. MARINO: Yes, there's a process for public art on public space and public land or public facilities in that regard. That's been our experience.
Conceivably, a building could do public art on its own site and that would have to go through site plan.

COMMISSIONER WIDMAYER: But to get the bonus, we could say it has to go through the process?

MR. MARINO: You certainly could.

COMMISSIONER WIDMAYER: They can do it for no bonus any way they want to. But to get the bonus, you could say that has to go through the same process as public art on public space.

CHAIRMAN WOODS: And I'm not sure that we'd necessarily want the developer choosing the art.

COMMISSIONER FREEMAN: Agreed.

CHAIRMAN WOODS: So, it better go through the public process.

COMMISSIONER FREEMAN: Is any of this public art process tied back to Evanston artists and supporting Evanston artists?

MR. MARINO: The Arts Council has this, I mean, currently it has a significant program in that regard, yes. But certainly most of the public art on public sites tied to a development project like a parking garage is a competitive process.

COMMISSIONER HUNTER: Question.
CHAIRMAN WOODS: Yes?

COMMISSIONER HUNTER: As you envision it, is there a fuzzy category here of an architect having a sculptor do a bar relief on a frieze and saying, you know, I'm not going to do this but if I get public art credit for it I will do it?

MR. SMITH: I think when we first started these discussions of bonus --

COMMISSIONER HUNTER: I don't know, I'm just asking.

MR. SMITH: We said that it had to be changed, too, that these bonuses may be granted. And we talked about the Plan Commission and City Council, the Plan Commission making a recommendation and City Council accepting. We don't anticipate that these bonuses are just easily granted, okay. It's a process subject to public review, subject to public notice, subject to public hearings, subject to people taking a look at what the City is getting in return for the bonus space.

CHAIRMAN WOODS: So, conceivably --

COMMISSIONER HUNTER: So, it could be fuzzy, I think.

CHAIRMAN WOODS: Conceivably a project could
come in with the level of detail of the original Carson Pirie Scott building and try and get through us a public art.

COMMISSIONER HUNTER: Yes. Or they may come in with a plain facade and say, look, I will contribute a much fancier Carson Pirie Scott if I get.

COMMISSIONER FREEMAN: You know, there are also spectacular buildings in Rome that have those incredible facades. You were just --

MR. LaMOTTE: The question is, again, the onsite versus the offsite, and the onsite can be tricky. I think the idea of letting the developer go out and do their thing, we've seen developers, well, you know what I'm saying. If there's a wonderful public art function already in the City that you can build from, then you're contributing to that fund rather than saying, okay, you put something up in your corner and then you're good to go. That's the question for a vote.

Public art, it can be very slippery because it's the eyes of the beholder. If you have a process already in place, it's a lot easier to get things done right than just, oh, whatever he comes up with, wants ten bucks for that or, you know, more square footage.
CHAIRMAN WOODS: But we're really talking about financial contribution to the City's process for funding public art.

COMMISSIONER GALLOWAY: And I presume that we are not talking about some snake oil developer saying, okay, well, I'll make my building pretty for you if I get the art bonus. Absolutely not.

CHAIRMAN WOODS: No. Okay. So, public art contributions to the, financial contributions to the public art process that exists in the City of Evanston as a bonusable item.

COMMISSIONER BURRUS: Not onsite.

CHAIRMAN WOODS: Not onsite. Well, as a site that goes through the process from the City. The City could choose through the public process to put it on that site.

COMMISSIONER BURRUS: Okay.

MR. LaMOTTE: I think financial contribution versus them doing the installation. That's the case.

CHAIRMAN WOODS: Right.

MR. LaMOTTE: So, separate, that's the vote. Even if they chip their corner and there's a cool corner plaza, go through your process to put the --
CHAIRMAN WOODS: Yes. If they want to put public art on their property, then they go ahead and do that. They just don't get a bonus for it.

COMMISSIONER GALLOWAY: I think, I need to comment on this, that a number of design and art professionals have been encouraging the City to develop a master plan for art work. In other words, there are a lot of views and vistas in the City that would benefit by the placement of a specific piece of art as a focal element. However, it's exceedingly difficult for us to achieve that given that many of these products lie on, you know, private property, some land on public property. But the funds that are available for these objects are, you know, extraordinarily limited.

So, what we often find now is that the only art we're getting is the art the developer is willing to put on his own property which may or may not be conducive for a piece of art, quite frankly. So, I think that there is great potential benefit, you know, provided we write this well and weight it accordingly for this money to go into a fund. And then, when the City does have a master plan for locations where specific pieces of public art would really, truly
benefit the street scape and improve the connectivity from one side of the railroad tracks to the other, I think it could be very beneficial.

CHAIRMAN WOODS: Up or down?

(Three ayes, four nays.)

COMMISSIONER STALEY: One won, I think, huh?

COMMISSIONER WIDMAYER: 4-3, no.

CHAIRMAN WOODS: Okay. So, then the next one is contributions to the support of, how is it phrased here, visual and performing arts organizations.

COMMISSIONER STALEY: Where is that?

CHAIRMAN WOODS: If you look at page 98 in your book under 5.10.1(A), it's for outdoor public art installations and financial support of visual and performing arts organizations, and we're separating the issue. And this would be where you could contribute, for example, monetarily to a fund that would go into restoring the old Varsity Theater to be a City cultural events center.

MR. LaMOTTE: Art related, correct.

COMMISSIONER FREEMAN: But it's not specifically saying, you know, what I have written down was, you know, public arts buildings or its performing
arts in general. Do we have a fund today in the City of Evanston for redevelopment of the Varsity Theater as an example?

CHAIRMAN WOODS: No.

COMMISSIONER FREEMAN: So, there is no fund for theater development or --

CHAIRMAN WOODS: But we can recommend the creation of such.

MR. MARINO: No, but it's in the TIF district. I mean, there are other tools and techniques but not for this specific purpose you raised.

CHAIRMAN WOODS: Is there, but there's an arts fund that the City of Evanston has for the support of the Evanston Arts Council?

MR. MARINO: There's a grant based program where grants are made, yes.

COMMISSIONER FREEMAN: But it's not for buildings.

MR. MARINO: But it's not for, not necessarily for buildings.

COMMISSIONER FREEMAN: Right.

MR. MARINO: No, not in most cases.

CHAIRMAN WOODS: It's for the support of the
arts organizations themselves.

MR. MARINO: Right, right. Yes.

COMMISSIONER FREEMAN: So, the arts organizations that exist in the City of Evanston.

CHAIRMAN WOODS: Right.

MR. MARINO: I mean, TIF funds could be applicable for redevelopment or rehabilitation, obviously not for operating support for an organization.

CHAIRMAN WOODS: Okay. So, this is for financial support of visual and performing arts organizations.

COMMISSIONER BURRUS: Not that I'm against art at all but, just to go on record in saying that, but I think you are making a distinction, why wouldn't it be for educational programs or why wouldn't it be for sports programs if we're going to be talking about giving, putting into a fund for organizations overall. We're somehow putting a higher value on arts versus education or sports or something else. Just throwing it out for discussion.

MR. BISHOP: Just to provide the initial rationale for this even showing up in here, all of these things sort of flow from the input that we received in
this building last summer, the things that make downtown 
so special, the things that we lament the loss of, the 
theater, the things we'd like to bring back, the things 
that add vitality.

That's how this ended up on the list. I 
understand that it was a bit of stretch, you know, but 
we thought it was worthy of putting before you. So, 
that's how it ended up here. And that's how we chose 
arts as opposed to education or softball. Softball 
didn't come up.

COMMISSIONER FREEMAN: And we don't have 
softball downtown. But the issue is, I mean, my kids 
are in school here and, you know, they get art not as 
often as I got it when I was in school here and it is 
something that bugs me. So, I would like to see more 
art programs and public arts or performing arts or 
musical arts. I don't know whether this is the proper 
vehicle for it.

COMMISSIONER BURRUS: That's my point. And I 
think, too, there is a distinction between a piece of 
public art that you can go walk up to and enjoy and not 
have to pay a fee to join or something. You know, a 
theater, you still have to pay for a ticket, you have
to, you know, maybe enroll in an art program and pay another fee. And so, I'm not, again I'm not opposed to anything like that, but I just don't think that, it's such a nebulous thing right here and I wouldn't want to --

COMMISSIONER FREEMAN: But as an example, a theater does provide significant benefit to a community even if you do have to buy a ticket because, as an example, you may not have a theater unless there is a mechanism to fund that existence.

COMMISSIONER WIDMAYER: Do you know what this sounds like? This sounds like a typical federal government catch 22.

COMMISSIONER FREEMAN: That's correct. It does, doesn't it?

COMMISSIONER WIDMAYER: Yes. You fund, you set up a program, you fund it for a year, and then the funds are done and the program still exists. This is not ongoing funding.

COMMISSIONER FREEMAN: It's pork, right?

COMMISSIONER WIDMAYER: Well, no, it's not pork. It's just, you know, the way a lot of things start and then they become all of a sudden programs that
are in place that become unfunded. I mean, we've seen it in public safety, we've seen it in a number of other things. And I think all you're going to do here is the same kind of thing with some sort of an arts movement to it.

You're going to start something, you're going to fund it for a year or two, and then that development is over, all of a sudden the program is there and it's unfunded.

COMMISSIONER FREEMAN: But we currently have a program, an arts fund in the City.

COMMISSIONER WIDMAYER: Then fund it through that current mechanism.

COMMISSIONER FREEMAN: But what this is saying is, my understanding is that we'd put money into that existing fund, is that correct?

COMMISSIONER WIDMAYER: To give it a temporary bump. You'd add staff, you'd add this, you'd add that, and then the temporary bump would go away and there you are. Shitting out at the end of the swimming pool with no more diving board.

COMMISSIONER GALLOWAY: I also think we need to keep in mind that the whole intention of this
exercise is to improve the urban environment. If this money goes into supporting an arts organization so they can buy new costumes and go on the road, I think we're way off the mark. I think the only way that this even got introduced was our desire for a theater in the downtown, maybe in the old Varsity Theater, a live theater there. And if some developer was willing to, you know, throw some cash into the revitalization of that structure such that a theater could be created, wow, that would be good.

And that I could see as a somewhat related benefit and an appropriate bonus. But everything else seems way off the mark here.

CHAIRMAN WOODS: Okay.

(Two ayes, five nays.)

COMMISSIONER WIDMAYER: 5-2, no.

CHAIRMAN WOODS: Okay. Next one, okay, sidewalk widening.

COMMISSIONER FREEMAN: Yes, my favorite.

CHAIRMAN WOODS: Can I get some explanation here? What, can somebody explain sidewalk widening to me? Can't we just require that they do the sidewalks to be 15 feet wide and be done with it?
MR. BISHOP: I think we already did it.

CHAIRMAN WOODS: Okay. So, this one is out?

COMMISSIONER FREEMAN: But I think this is to include things like a space for sidewalk cafes.

CHAIRMAN WOODS: But can't we do that under plazas and --

COMMISSIONER BURRUS: Yes, I think that that goes back to the point of having, as you mentioned previously, Seth, that some things just need to be required versus having a bonus for it.

COMMISSIONER FREEMAN: But we're not there yet as to whether or not these bonuses will become requirements.

COMMISSIONER BURRUS: That's right.

COMMISSIONER FREEMAN: We're still going to have a discussion as to whether or not this indeed will be required or will be bonuses.

COMMISSIONER BURRUS: Right. And I guess at this point it's --

CHAIRMAN WOODS: I guess what we're discussing is we make the 15-foot sidewalk a requirement.

COMMISSIONER BURRUS: A requirement.

MR. LaMOTTE: Yes, that clarifies it. It's
either it's a requirement and it's done, or if we're taking the private land and make the walk wider, this was to give a bonus to say put your land in there and you're going to get a bonus for it.

CHAIRMAN WOODS: No bonus. You just, you have to do it.

COMMISSIONER WIDMAYER: Make the 15 feet and we'll let you build. That's the bonus.

COMMISSIONER FREEMAN: Yes, but within here, we have, there are other things besides the 15 feet, right? There is the maximum total width of a sidewalk for which a floor area bonus may be granted as 25 feet or --

CHAIRMAN WOODS: Understood. So, why can't we apply a bonus relative to the plazas thing?

MR. LaMOTTE: Well, the zones that's in there already, there's a 15-foot but you voted 25 and you can figure out --

CHAIRMAN WOODS: Okay.

MR. LaMOTTE: This was like that. So, this goes the way, you have that in your massing and stuff like that.

COMMISSIONER FREEMAN: But it says --
COMMISSIONER BURRUS: It's called a plaza now, it's not called a sidewalk widening.

CHAIRMAN WOODS: The intent is still into the plaza one, but we just don't want any category, we still accomplish the same thing.

5.2.8, green roofs, as far as I'm concerned, green roofs ought to be prerequisite along with the LEED Silver thing so let's get that out of here. Except for that aspect of the roof that has to be taken up by mechanical equipment which is a foregone conclusion.

COMMISSIONER FREEMAN: I just want to review the changes that were made to the plaza if there is anything here in -- okay.

COMMISSIONER STALEY: Did we actually vote on public park/open space?

MR. BISHOP: Not yet.

COMMISSIONER STALEY: No, we didn't. I thought maybe I dozed off there.

COMMISSIONER NYDEN: Stu, that's the one we won.

COMMISSIONER WIDMAYER: 5-2, correct.

COMMISSIONER NYDEN: Or Stu, I'm sorry, Chuck.

COMMISSIONER STALEY: Public park/open space?
CHAIRMAN WOODS: Okay. What are we doing here? Underground parking and loading.

COMMISSIONER FREEMAN: What happened to green roof?

CHAIRMAN WOODS: We made it a prerequisite to having any bonuses like the LEED.

COMMISSIONER FREEMAN: Where did we make it part of a prerequisite?

CHAIRMAN WOODS: I just said that. Everybody said okay.

COMMISSIONER FREEMAN: But did we vote? Did I miss something?

COMMISSIONER BURRUS: No, okay, let's vote.

CHAIRMAN WOODS: Okay, vote.

(Chorus of ayes.)


COMMISSIONER STALEY: Yea.

CHAIRMAN WOODS: Yea, yea and yea?

COMMISSIONER STALEY: Here's something that actually does pertain to the building. I mean, it's right there at the foundation and central to the core.

Oh, the wrong term there, I mean, not the central core.
but one has to be so careful, you know.

CHAIRMAN WOODS: The base.

COMMISSIONER STALEY: At the base. The base of the building. It's where everything starts.

(Four of ayes.)

CHAIRMAN WOODS: Okay. Now, let's see.

Above-grade parking concealed from view by habitable residential or commercial floor space.

(Three nays.)

COMMISSIONER OPDYCKE: Well, I'd like to hear some discussion on it.

COMMISSIONER STALEY: One more nay and we don't need it. I think he's calling the --

COMMISSIONER OPDYCKE: I know you had some issues with respect to this, Jim.

CHAIRMAN WOODS: Well, my point of view of this is that we've already got in here the requirement that the parking above-grade has to look like it's part of the building, its architecture. And that in many of the lots that we're talking about, if you actually force this to occur, you're going to have almost unusable either parking or unusable habitable space. So, it doesn't really gain you anything in my point of view and
that's why I would vote nay.

MR. SMITH: But it's not just screening the building, it's actually occupying that portion.

CHAIRMAN WOODS: I understand that. My point is it's screening the parking.

MR. SMITH: Yes, it's --

CHAIRMAN WOODS: But my point is that the sites are so small in general that you will either have unworkable parking or unworkable occupiable space at that level.

MR. LaMOTTE: Parking gets squished in the middle and out into the building.

COMMISSIONER WIDMAYER: Yes, we've seen a lot of, you know, 20-foot deep retail spaces that we're trying to figure out who is going to occupy.

COMMISSIONER OPDYCKE: But what was the rationale out of committee on this? What was --

CHAIRMAN WOODS: It's to hide the parking.

COMMISSIONER OPDYCKE: Where did this come from?

CHAIRMAN WOODS: To hide parking. The committee of consultants seem to view --

COMMISSIONER FREEMAN: Does that mean there is
no opportunity to do that, to hide parking?

CHAIRMAN WOODS: No, you can do that if you want. You just won't get a bonus for it.

COMMISSIONER NYDEN: You don't get a bonus for it.

COMMISSIONER HUNTER: It's not required, right? I mean, it's a bonus.

COMMISSIONER STALEY: You have to do it, don't you, we're going to make it required?

MR. BISHOP: We believe it does far more than conceal the parking from view. We believe it activates the public realm with actively used spaces. You know, these are above the first floor. They could be 20-foot in depth. They could be small office spaces. They could even be residential spaces. And those eyes on the street, that sense of activation provides far more benefit at the street level than does architectural treatment.

CHAIRMAN WOODS: But at the street level, we've said we've got to have 50 feet of retail.

MR. BISHOP: Well, but it's just those floors, okay, those floors above, at the street level looking up to the second, third and fourth floors of the building.
CHAIRMAN WOODS: Yes, but once we require the parking to be underground, this whole plan will be moot.

MR. BISHOP: Well, I'm only speaking to the rationale. I'm not arguing in defense of it. I must say that you're swimming upstream in terms of not requiring liner space or at least bonusing it around parking garages.

COMMISSIONER HUNTER: I don't see the cost of providing this as a bonus, a potential bonus. If a developer can do it, do it and get a bonus.

COMMISSIONER STALEY: Maybe I don't understand something. What's going to happen if they don't, we're not going to permit any more, are we, just open parking garages? I mean, they're going to be concealed, aren't they?

CHAIRMAN WOODS: Yes. We said that. They have to look architecturally like the rest of the building.

COMMISSIONER STALEY: Like the rest of the building. So, I mean, what's the benefit then whether there is 20 feet of occupancy behind that?

COMMISSIONER HUNTER: Well, you just said, it goes -- I'm sorry.
MR. BISHOP: Did you ever see those parking
garages with the architectural treatment? It's
sometimes cartoonish.

COMMISSIONER STALEY: Well, I described the
ones with the window shades as falling down on Sherman
Plaza right now.

MR. BISHOP: It's far different from --

CHAIRMAN WOODS: Mic, use the mic.

MR. BISHOP: I'm sorry. That's just a far
different look to the exterior of a building than
occupied space with real light coming through and real
shades and real people looking out the window from time
to time.

CHAIRMAN WOODS: But we've also discussed in
this committee many, many times the parking garage that
is on Sherman that is north of Church, that for the most
part many people in this community realize that's a
parking garage. And it doesn't have any habitable space
lining the street.

COMMISSIONER HUNTER: But it goes beyond the
visual. I mean, you're addressing the visual, what it
looks like. I think also what you're addressing is that
there is a functionality to it that it's not just a
visual question, that if indeed you can create, you
know, 20-foot office spaces that are going to be used by
the, for example, the office space that we might be
losing on Church Street where you might have, you know,
social workers and other people in those kinds of
spaces, that's a functional use. You've got people
coming in and out. I think that's what you're
addressing.

COMMISSIONER WIDMAYER: If there's a
profitable --

COMMISSIONER HUNTER: And you've got people
coming in and out. You've got a tax base. You've got
everything that go with it.

COMMISSIONER WIDMAYER: If there's a
profitable functional use.

COMMISSIONER HUNTER: If they can do it, let
them do it and get a bonus for it.

COMMISSIONER WIDMAYER: If there's a
profitable functional use, they'll do it to make money.
They don't need a bonus for that. That's part of their
business plan. If there was any bonus given for this,
you know, it would have to, to me it would be a slightly
larger percentage for the underground parking, but it
would definitely be tied to underground parking. Yes, because of the cost of going underground, but it would definitely be tied to underground.

COMMISSIONER HUNTER: That's fine.

CHAIRMAN WOODS: Personally, I'm trying to, from my personal standpoint, I'm trying to get rid of some of the items on this list to make it simpler and to be able to put more emphasis on certain things as opposed to having a list of 50 items of which I could get things. I can tell you right now that if this thing was on this list, there's no way I'd give it 15 percent as a potential maximum. I would, you know, move it way down to 5 percent or something because I just don't think that this is where I want the developer spending his time and effort.

COMMISSIONER HUNTER: Well, that's the second question.

MR. LaMOTTE: Yes, first is, is it going to be on the list.

CHAIRMAN WOODS: I know. But going to that point is my idea, my personal point of view is that we should have fewer things on the list with putting the emphasis on the things we really, really want which I
think was part of Chuck's point way back.

COMMISSIONER OPDYCKE: I think one of the reasons you never see those cars on Sherman is they never wash the windows. And that's the way it's been for years. But unless there's some incentive here, what's to prevent a developer from putting a sort of open air parking starting at floor 3 and going up two or three floors?

CHAIRMAN WOODS: We've already said elsewhere in here that we have to have it as part of the building facade. It has to be treated as part of the overall building facade.

COMMISSIONER OPDYCKE: But you'll still be able to see the cars, will you not?

CHAIRMAN WOODS: Sure.

COMMISSIONER NYDEN: We can turn around and make this a requirement.

MR. BISHOP: Well, therein you do run into a problem in terms of usable, this is only going to be an option on large sites where you've got 180 feet to do a double helix ramp behind it. Also, like one final pitch for the increased cost of doing this, this is not simply carving out 20 feet on the edge of the parking garage.
You're really talking about a two-part building because if you're going to use that space for office or even residential, you don't want to connect it to the parking garage because of vibration and other issues.

COMMISSIONER FREEMAN: Well, isn't an example of that Sherman Plaza on Benson? On the back end where you have like GNC, that's not very deep, right? You've got the ramps, the parking lot going up in front of the ramps. You've got some retail.

COMMISSIONER WIDMAYER: That's reasonably deep.

COMMISSIONER FREEMAN: It's about 30 feet.

COMMISSIONER WIDMAYER: It's deeper than that, I think. I don't remember exactly but, I don't remember exactly how deep it is but it's deeper than 15-20 feet.

COMMISSIONER FREEMAN: I'm thinking it's like 30 feet, but the point was that's the type of an example, I think, of what this would do.

CHAIRMAN WOODS: Okay. So --

COMMISSIONER OPDYCKE: Would you be happier, Jim, if we reduce the percentage that could be applied to the bonus here? Let's say down to about 7?

CHAIRMAN WOODS: That's fine. If we want to
start over and re-vote that's fine. So, Colleen?

COMMISSIONER BURRUS: No.

COMMISSIONER NYDEN: No.

COMMISSIONER OPDYCKE: Well, I'm in favor of keeping this as a bonus if we reduce the percentage.

CHAIRMAN WOODS: You can just say you're in favor of having it as a bonus now and we'll talk about the percentages somewhere.

COMMISSIONER OPDYCKE: Okay. I'm in favor of keeping it as a bonus.

CHAIRMAN WOODS: And I'll vote aye this time.


COMMISSIONER GALLOWAY: Aye.

COMMISSIONER STALEY: No.

COMMISSIONER WIDMAYER: 4-3, yes.

CHAIRMAN WOODS: Okay. Street scape and alley improvements. As a bonusable item.

COMMISSIONER BURRUS: Nay.

COMMISSIONER NYDEN: No.

COMMISSIONER FREEMAN: I think this should be a requirement.

CHAIRMAN WOODS: And I think you're speaking for the group actually so far.
COMMISSIONER NYDEN: We're not removing it from the list. We're just deciding if it's a bonus.

COMMISSIONER FREEMAN: Okay. I'm sorry, I'm tired.

CHAIRMAN WOODS: No, that's all right.

COMMISSIONER OPDYCKE: I would like to hear some discussion on this. You know, after all, I mean, this was in committee for two years. Two years.

CHAIRMAN WOODS: Right. This was discussed.

COMMISSIONER OPDYCKE: This was in discussion. It's not bonusable, it's a requirement.

COMMISSIONER NYDEN: Right, yes.

MR. LaMOTTE: Why don't you vote on that first?

CHAIRMAN WOODS: We'll vote on that first.

COMMISSIONER OPDYCKE: Well, I'd like to know what it means to be a requirement. And right now --

CHAIRMAN WOODS: Take out to combine with sidewalk widening bonuses.

COMMISSIONER OPDYCKE: You know, we said earlier today on how you want to have windows wrap around into the alley. To me, that's an alley improvement. Right?
MR. LaMOTTE: Jim, can we clarify? I think --

CHAIRMAN WOODS: Yes, this is --

MR. LaMOTTE: Maybe we don't have quite the intent yet. The idea would be if you are going to build a building, especially most buildings are going to rip up the front of the site anyway and you're going to have to put the nice street scape in following the City's requirements. At your expense. So, the trees, the pavers, the curbs, they've got to match.

This was intended, and it may not be there but I think as Kirk said we're just trying to get things on the list for checking on or off, if you go beyond the call of duty. Now, you fix up in front of your site, you've got to do that. You mess up your alley which you usually will, you're going to do that. But if you fix the alley up and down the block and then you take the street scape up and down the block because it might be later on the City's capital improvement program, the City is not going to get to it for five years but you go all the way up and down, that's what the bonus would be.

Not for the linear feet in front of your project but going all the way to the corner. And it might not be quite the right direction you want to go.
on, but the thought was with all the dollars that have
to be spent to fix up street scapes and parks and
plazas, that that might be a way to get that done. And
the developer may say this is great because I want to
address the whole block out and make it look good.

COMMISSIONER GALLOWAY: And that's how I
remember this being created. That was, your explanation
was the genesis of this which was so long ago that many
of us can't remember, which is why, you know, I've got
to say thank you to Stuart for saying give me some
explanation.

MR. LaMOTTE: Street scape on your block.

COMMISSIONER WIDMAYER: Or street scape of the
alley or just include it in, roll it into that as one of
the public space options.

CHAIRMAN WOODS: Well, you could certainly
make it a subset and have it have its own separate sort
of bonusable max.

MR. LaMOTTE: And the discussion then on the
SPARC would be that, okay, street scape isn't on the
priority list, the thing is the park is. But at least
if someone was willing to clean up a whole block, the
visioning sessions that we had way back, people were on
to this, we wanted all the blocks be connected and be
clean and green.

COMMISSIONER FREEMAN: I think it should stay
as its own thing.

MR. LaMOTTE: Yes, on the site.

COMMISSIONER FREEMAN: I don't think it should
be moved.

MR. LaMOTTE: Yes, we'll just make sure it
says beyond the site requirements.

CHAIRMAN WOODS: Okay. So, now that we've
clarified what it is --

COMMISSIONER NYDEN: Beyond the site, yes,
because I'm for something that goes, I think, beyond the
site and does it in a meaningful way where, you know, it
takes a whole block and you don't have that nice street
scape right in front of the building and then it stops
five feet later. So, I guess it's a little, I don't
want to vote on something before we talk about the terms
of it, because I think that's an important piece of it.
This is one of those that you sort of need to know the
nuts and bolts and how far and how much.

MR. LaMOTTE: Well, if you're --

CHAIRMAN WOODS: We can decide that.
MR. LaMOTTE: Yes, the next step. If you're giving us guidance --

CHAIRMAN WOODS: In terms of how much bonus and how you get those bonuses.

MR. LaMOTTE: The minimum of one block was discussed, but you're giving us guidance to put this into the Council and say this is a good thing. It's still got to be worked out.

CHAIRMAN WOODS: Anyway, it sounds like we actually don't need to vote, that there is impetus to continue to discuss this item.

MR. LaMOTTE: Except I just want to be clear because formulas -- we were just saying one block. The capital improvement folks in the City will be able to help us understand is that right, is that enough, do we turn the corner, is it not even one that's going to work? But at least it's --

CHAIRMAN WOODS: There was something in here about located within two blocks. And it was under 5.15.2(A).

MR. BISHOP: Yes, that was just --

CHAIRMAN WOODS: Right.

MR. LaMOTTE: Yes, not five blocks down but --
CHAIRMAN WOODS: No.

MR. LaMOTTE: Within the two blocks.

CHAIRMAN WOODS: And I think there also -- something about here in contiguous to the site, you know. I don't think you want it to go your site and then skip half a block and be two blocks away.

COMMISSIONER BURRUS: Yes, I would agree. I think it's written poorly and needs to be changed. I mean, a straight is two sides also, so you'd make one side of the street, I mean, contiguous, is that meaning both sides of the street or just, you know, if you're walking and keeping the building to your left at all times?

COMMISSIONER STALEY: Smaller buildings.

MR. BISHOP: Well, that is true. I mean, if we for a second put aside the poor wording and said that at a minimum you have to do the full block face of the subject block in order to qualify. If you do more than that, then you could based on review by the Plan Commission and the Council get an additional bonus up to whatever maximum cap you come up with. But for the purpose of giving us guidance for exploring this further, could we say minimum threshold, full block face
of the subject block that the building is primary frontages.

COMMISSIONER FREEMAN: And full block faces both sides?

MR. BISHOP: No, full block faces one side.

COMMISSIONER FREEMAN: Okay.

COMMISSIONER WIDMAYER: We also need to see how this interacts with -- is responsible for maintaining.

MR. BISHOP: Yes. And I think that's kind of John's point about let us, as a concept, know whether you're even interested in exploring it, then talk to the actors and find out does a single block face even make sense and take it from there. But to know whether that's a fruitful exercise, if you could give us your sense of full block face as a minimum threshold, that would be really helpful.

COMMISSIONER OPDYCKE: What do we do about alleys?

MR. LaMOTTE: That was the same situation that you would fix obviously behind your building because you'd be ripping it up.

COMMISSIONER OPDYCKE: Both sides?
MR. LaMOTTE: But if you go, no, just beyond your site, if you fix the alley up going beyond to three neighbors to the end to the street, that would be bonusable, too, because the alley may be shut and it's not in the capital improvement program for five or ten years.

COMMISSIONER OPDYCKE: Okay, yes.

MR. LaMOTTE: And again, the Public Works, Planning, SPARC folks have lists and priorities and things to pick from.

COMMISSIONER WIDMAYER: Dennis, when you start talking about tearing up alleys and replacing them, isn't that just part of what we require of a new project? We don't give a bonus for that. I mean, if you tear --

MR. MARINO: No. The area that's immediately abutting the property that's parallel to the property that's under construction would be the responsibility of the developer. But what John is suggesting here is basically the rest of that block of the alley, if you will, until you hit the next street, if you were to improve the entire alley. There are cases where planned developments, that's been one of the conditions is
improving the alley beyond the site.
So, as to the full block issue, those of us who work on Chicago Avenue trying to achieve a full street scape there which we've been doing incrementally, we would love to have whole block requirements. You know, so I think that would also work downtown with the appropriate sensitivity to the Evmark program.

CHAIRMAN WOODS: Okay.

COMMISSIONER NYDEN: Yes, I guess I just want to, I mean, Chicago Avenue and downtown are, I guess I would like to see both sides of the street done. You know, thinking about the Sherman Plaza or the 708 Church block, you know, if a developer comes in and they do a nice street scape on their side of Orrington, but then the other side of Orrington doesn't get that treatment, it sort of makes a lopsided street-scaped street. I guess that's all I'm saying.

COMMISSIONER GALLOWAY: I'm not so sure we can place that kind of, we'd want to place that kind of requirement on it. I mean, the other side of the street might have been developed at some other time --

COMMISSIONER NYDEN: No, I'm not saying that we'd place a requirement. It's just, I'm wondering what
that would actually look like if it got built.

CHAIRMAN WOODS: I think that gets back to what John was talking about in terms of a minimum requirement of a full block on your side but you could get more if you do more.

COMMISSIONER BURRUS: So, it would only be bonusable if you do both sides of the block?

MR. LaMOTTE: No, your minimum is your side because that's the block face you're working off of your street wall. If you go across --

CHAIRMAN WOODS: In other words, let's say that there's 10 percent, you get 5 percent for doing your block and then there is this other 5 percent that you might be able to get for doing more.

COMMISSIONER BURRUS: Okay. I think that the requirement should be that they just do their full block and then they only get a bonus if they do the other side.

MR. LaMOTTE: Well, one of the things you have to be careful of, a street scape is very expensive. So, the bonus should be pretty big for this one. Street scape in an urban environment with sewer and water and caps and things, the Public Works Department and
Planning, ourselves, a lot of people have experience in this and I think the key would be if they go beyond their site which they should fix their own site up, what's the dollar value of that and then that would be the first thing because that's the walk you're on, that's the street wall you're going on. If they then say, well, we're on a roll, we'll go ahead and do the cross street, that should be a double or whatever bonus in there because it is a huge cost. And to say it's equal to some other smaller bonuses, I mean it's a big dollar value.

COMMISSIONER NYDEN: So, just so I have, again, if somebody builds a building today, they have to replace the sidewalk that they tore up and they have to replace the alley that they tore up. Okay. So, a developer, if they're going to redevelop an entire block, and I don't know what the nuts and bolts say about this, but if they did a street scape for that entire block and they have, you know, if there's another Sherman Plaza out there and they've redone the whole block, they could get a bonus because they did their block?

MR. LaMOTTE: No, let's go through it again.
COMMISSIONER NYDEN: No, no. But that's what I'm saying, I'm wondering if that's what this bonus --

MR. LaMOTTE: No.

CHAIRMAN WOODS: No, because if you're doing a whole block development, you're required to do your whole block.

MR. LaMOTTE: Well, let's be clear, all right. So, the front of your property and back of your property, you have to do. You have to fix it up.

COMMISSIONER NYDEN: Right.

MR. LaMOTTE: If you go along your frontage, not all the way around the block, your frontage from one corner to the other, you might be the middle piece or the end piece and you're going -- you're dressing up the facade of the whole street is what you're doing. And there is a dollar value that you can put on that. Then if you said, oh, you know what, I really want to do the two sides and get it balanced because it's going to be out of balance, you go and do the next across the street, you know, with the City's guidance to make sure it's done right, then you get more bonus for that because it is a big cost.

Now, what might also happen is the City may
say, you know what, next year we're scheduled to pull all the sewers out, give us money towards the street scape.

CHAIRMAN WOODS: Right.

MR. LaMOTTE: That's fine, as long as the street scape is going to get fixed sooner than later.

CHAIRMAN WOODS: Which is your requirement --

MR. LaMOTTE: So, if you take a four-sided block, it would be the side you're on, your front facade side is your first bonus. Across the street would be your second bonus.

CHAIRMAN WOODS: So, for Sherman Plaza, as an example, as they had simply done from mid block along Church where their building starts and gone all the way around to the edge of the parking garage on Benson, that would have been the requirement that they had to do it as part of their project, period. They would have gotten a bonus potentially under this system for completing it along the bank parking lot, the front of the bank building, and the rest of those buildings on Church.

MR. LaMOTTE: Exactly. Exactly. And if there --
CHAIRMAN WOODS: And then they could have gotten more by going across the street and doing other things.

MR. LaMOTTE: Right. And then, strategically, then maybe that's great or, you know what, that site is going to be developed or street scapes happening earlier.

CHAIRMAN WOODS: Right, you can contribute your money.

MR. LaMOTTE: It just gives the flexibility to you but the money can come in as a bonus to help do this.

CHAIRMAN WOODS: Voting.

(Some ayes and some nays.)

COMMISSIONER WIDMAYER: Well, that was a big mistake, folks. Big mistake.

COMMISSIONER OPDYCKE: What was the big mistake?

CHAIRMAN WOODS: How do you want it rewritten?

Hold on, how do you want it rewritten or rephrased or re --

COMMISSIONER BURRUS: I really think that to get any bonus, that they should be doing both sides of
the street.

COMMISSIONER NYDEN: Even just, I mean, maybe we talk equations now and you're doing, you know, if your frontage is a certain percentage of the block, you have to do --

COMMISSIONER FREEMAN: The whole block.

Sorry.

COMMISSIONER NYDEN: Well, no, you have to do a certain percentage above that. So, if you're 50 percent of, like what you were saying, yes, so if your frontage takes up 50 percent of the block, okay, and you're required to do 50 percent of the block anyway if you're doing redevelopment, and then you decide to go another 50 percent, you're doing 50 percent extra there or, you know, twice what you would have otherwise done. But if you're only 25 percent of the way there and then if you do the entire block, you're doing three times what you would have done.

So, I guess it's like the person who is doing 25 percent is doing --

CHAIRMAN WOODS: That's this equation thing.

MR. BISHOP: It is. You're not getting the same bonus. And let me make another point. I know you
all know but this only gets you in the door to even ask for the bonus. Pursuant to our discussion, the Plan Commission is authorized to recommend, the City Council is authorized to approve. You can say no if it doesn't make sense, if it does result in an unbalanced street scape. If you don't like it, say no.

But don't close the door on people coming in and saying, hey, we can complete this street scape, and you're ahead of the game. And again, if it's only, if they're only going to, if completing the remainder of the street results in 35 feet of build out of street scape, their bonus is directly proportional to the dollar value of those improvements. So, it's a very small bonus.

COMMISSIONER BURRUS: Actually, Chairman Woods, I would actually like to just sort of make that a motion to say can we, and I hate to park it but to bring it back with different language to vote on it.

COMMISSIONER NYDEN: Yes.

COMMISSIONER BURRUS: Because I really do not feel comfortable voting on it as it's written even though we've been talking about how we would change it. I don't necessarily know that, and nothing against you
guys, that you're really capturing that. And so, if we come back with different language, I think we can re-vote on it because I believe that we really are all on the same page on it, it's just our comfort level is not all there.

CHAIRMAN WOODS: So, we're going to just table that for the moment.

MR. LaMOTTE: And if I could clarify, I think Johanna's got a right point. You know, a 25-foot storefront having to do the whole block versus a guy that's got half a block, that's --

COMMISSIONER FREEMAN: Yes, absolutely.

MR. LaMOTTE: So, the calculation formulas come for equity. And it may be in the long run it's just a financial contribution to the street scape pot, but ideally we get the stuff done right away when the other guy is fixing up his own thing. But it's got to be equitable, that's key. So, let's work on the wording and then --

COMMISSIONER WIDMAYER: And would you also look into the responsibility that Evmark has for some of the stuff? Aren't they responsible for the sidewalks?

MR. MARINO: Evmark is responsible for funding
50 percent of the capital initially on the sidewalk when the new sidewalk improvement program was done through a bond issue. The City is responsible for the rest. Basically, any new development that occurs has to incur the expense of matching the street scape or replacing it when they tear it up.

COMMISSIONER WIDMAYER: And do they have an ongoing maintenance responsibility, Evmark, or not on that?

MR. MARINO: They have a maintenance responsibility. The City does as well. Probably both need to upgrade their maintenance intensity, you know, in terms of some of the bricks and so on. And we have a replacement program that I think is City led and funded at this point in terms of some brick replacement in some key target areas.

MR. LaMOTTE: And if I could just add, I think it might help move this forward. Design Evanston gave us a lot of input back in those early visioning days about the need to do connective tissue and make everything look good and fit good and get under the viaducts and whatnot. So, maybe we're getting too detail oriented and say it's like the parks. We want to
fix up the street scape, we'll figure out a formula when
you get into the zoning. You're passing on to the
Council get the street scape potential in there and then
make it equitable.

The City folks may come back and say, you know
what, that's great but we are going to rip all the
sewers up there. We don't want to do that now. We're
going to do it next spring but throw it in the pot to
help us to leverage another block. Or maybe that's
great, go ahead, and your construction crew is there and
you get it done right now.

But the main thing is you get a bonus for
doing extra street scape at some level that we will all
determine later at a calculated rate. Because I think
Kirk's got it right. We're moving at a good pace now,
and if we start coming back on formula language, we're
going to get hung up again later.

MR. BISHOP: We're not assuming that any of
the formulas are good yet. You're helping us establish
the broad parameters. We're narrowing down the list.
Then we'll come up with the percentages and then you'll
give us guidance about the criteria that you want to see
reflected. But we haven't assumed for a minute that any
of those that you've approved you've signed off on the
formula or the guidelines or the criteria.

COMMISSIONER FREEMAN: So, we're getting mired
in minutia right now.

MR. LaMOTTE: Yes, we are.

MR. BISHOP: And again, we weren't expecting
to perfect that guideline language as a part of this
eexercise. What we really wanted to do is get those
broad parameters established.

CHAIRMAN WOODS: And so, I think the last
broad parameter is the affordable office space.

MR. LaMOTTE: -- the vote. Last vote was the
vote not to have street scape improvements.

CHAIRMAN WOODS: Okay. We're going to table
that. We're tabling it. The intent is going to be to
have it. We just need a little bit better understanding
of the language. Higher comfort level with the
language, thank you.

And then, so the last one was affordable
office space, or did we already --

COMMISSIONER BURRUS: We already voted on it.

CHAIRMAN WOODS: We already voted on it.

Okay, so that one is in. So, then the next thing to
look at here would be the maximum bonus percentages. And again, I'm not sure that we need to get to the specific number here, but more to give them and a guidance in terms of where the priorities ought to lie.

COMMISSIONER GALLOWAY: What page are you on?
CHAIRMAN WOODS: It's really 5.3. It's says table which gets to these maximum bonuses. Right now it's a table that, you know, sort of just lists things in order and the numbers go up and down. Anyone?

COMMISSIONER FREEMAN: Oh, I'm way above you. I'm over at 100 something. Yes, I'm reading the actual bullet points.

CHAIRMAN WOODS: Language of benefits. So, for me, quite frankly, the number one priority in my mind is underground parking.

COMMISSIONER NYDEN: I'll go with that.
CHAIRMAN WOODS: And it should have the highest level of bonus that --

COMMISSIONER NYDEN: It does.
COMMISSIONER FREEMAN: Well, before we do this, don't we need to determine what's, like requirements, what is bonus and what's not bonus? So, meaning what is required and then we have the bonus and
then we can start putting in the percentages or what's the --

CHAIRMAN WOODS: Of the things --

COMMISSIONER FREEMAN: Does that make sense?

CHAIRMAN WOODS: Yes. Of the things that we've talked about, what things do people feel ought to be requirements?

COMMISSIONER STALEY: Ought to be what?

CHAIRMAN WOODS: Requirements.

COMMISSIONER STALEY: Requirements.

COMMISSIONER NYDEN: So, can we just go down the list again?

CHAIRMAN WOODS: Yes. We've already talked about what's required for whole building sustainability. Affordable housing, we know that what is, there's minimum requirements. Landmark preservation, I'm not sure that that --

COMMISSIONER FREEMAN: So, what's bonus and what's not bonus? So, we're talking LEED is required, and then if you want to go above a certain level, you get bonus for it. Correct?

CHAIRMAN WOODS: LEED is required to get bonuses, not required of the project. If they don't
want any bonuses, they can come in with a non-LEED
project since the City at this point has no --

COMMISSIONER FREEMAN: So, at this point, we
cannot say in order to develop in Evanston it must be
LEED?

CHAIRMAN WOODS: Well, there's a whole, you've
got to understand, there's a whole another process going
on in the City right now of a proposed green building
ordinance.

COMMISSIONER FREEMAN: Okay. So --

CHAIRMAN WOODS: That needs to get coordinated
in here. Because for all I know, you know, if they come
back and they recommend an ordinance that says that all
buildings need to be LEED Gold, I know they won't but
I'm just saying if they did, then our bonus system would
only be for LEED Platinum. So, until we --

COMMISSIONER FREEMAN: Understood. I
understand.

CHAIRMAN WOODS: And maybe, Dennis, you could
update us on the status of all that discussion?

MR. MARINO: Yes, and I'll pass this on to
Tracy as well. She's been more directly involved.

There was a Human Services Committee meeting Monday
night where this was discussed at the committee level for the first time. And there was some debate over, I think nearly everyone was on board with some level of LEED certification or equivalency. The threshold, Silver, Gold, whatever, was being debated and still is being debated.

The other thing that was debated was what's the minimum size for this requirement. I think one draft of an ordinance had 10,000 square feet. Other people felt that was too low a standard, that a number of properties that size couldn't afford to absorb the cost of a higher standard. So, that's being debated as to what the right standard is in square footage and building size.

The other thing being debated, not necessarily a related Plan Commission issue, is what penalty provisions should be. So, that debate continues.

CHAIRMAN WOODS: So, but the intent at least of that group in general that's making the presentation to Human Services Committee, not the Human Services Committee at this point, is that there would be an ordinance that would require some level of LEED certification of buildings of some minimum size.
Sorry, too far from the mic. Anyway, the intent then is that there would be a requirement for some level of LEED certification of some minimum size project throughout all of Evanston. And it just needs to be worked through its process and either accepted or rejected ultimately by City Council.

Okay. So, where were we? Okay. I guess the simpler way here is to ask people what they think ought to be requirements.

COMMISSIONER FREEMAN: Sidewalk widening.

CHAIRMAN WOODS: Which I think we've already said we're doing 15 feet as the minimum.

MR. SMITH: Before, you said that LEED certification, some level is required, green roofs are required, sidewalk widening is required.

CHAIRMAN WOODS: Right. And now, I think the next debate or question is the whole underground parking, perhaps, issue.

COMMISSIONER NYDEN: I would love if that was required.

COMMISSIONER FREEMAN: So would I. The issue is it's got to be based on some type of building size or, I mean, you can't have, or can you have a, you know,
a couple-story building have underground parking? Isn't it extraordinarily expensive or no?

CHAIRMAN WOODS: Let's put it this way. There are some condominium buildings along Central Street that have underground parking that are only three or four stories in height.

COMMISSIONER FREEMAN: Okay, I'm a novice. I take it back.

CHAIRMAN WOODS: And then, there are other ones that don't, for whatever reason.

COMMISSIONER FREEMAN: Is it more expensive to develop with --

CHAIRMAN WOODS: Absolutely.

MR. LaMOTTE: Let's give you a range.

COMMISSIONER FREEMAN: Okay.

MR. LaMOTTE: A parking lot, surface parking lot is $5,000 to $8,000 a space depending on how many trees are in there. Then you start going up to 20 to 25 for a basic raw deck. If you do a deck with architecture, you start going 25, 30, 35. You start going underground, you start going 40, 45, $50,000 a space to get done underneath. And if you're putting two, three levels of parking, that just keeps spiraling.
So, it is a huge cost. Now, somebody doing it and he's going to get more square footage to help pay than not, that's possibly something to be balanced. It's not easy. And it's great to get it all under there and you don't see anything, but it is a huge cost.

CHAIRMAN WOODS: Well, and based on my understanding at least of the geology in Evanston is that two floors is something that's relatively doable. If you go anything below to anything more than two floors below grade, you're talking about extraordinary expenses. Because you've got water, big time.

COMMISSIONER STALEY: You got the Lake.

COMMISSIONER NYDEN: Yes, I was talking to one of the aldermen recently and she told me, and I don't recall this because I was too young to remember, but when they were building the library, the new library, they hit water and it was kind of a disaster, I think, right? A mini disaster.

CHAIRMAN WOODS: I don't know if it was a mini disaster but I mean, they had water to deal with on the site.

COMMISSIONER STALEY: Some pumps are still running.
COMMISSIONER NYDEN: Yes.

CHAIRMAN WOODS: And I think it's, I mean it's probably --

COMMISSIONER WIDMAYER: I remember 1600 Orrington has two floors of parking underground.

CHAIRMAN WOODS: Right.

COMMISSIONER WIDMAYER: So, it could kind of be done.

CHAIRMAN WOODS: Right.

COMMISSIONER WIDMAYER: And the other thing, you know, when you're giving a bonus, it's more expensive. So, it's worth a bonus. By the same token, that's three floors they now convert to rentable or saleable space. So, there's a little bit of a tradeoff there.

CHAIRMAN WOODS: Right.

COMMISSIONER WIDMAYER: So, you don't have to pay for the whole underground parking, but you've got to recognize the fact that each space is costing more. And if you run into water, it's costing even more than that.

But it can be.

COMMISSIONER GALLOWAY: Minor clarification though, Orrington is one and a half below because you
1 walk up to the plaza.
2     CHAIRMAN WOODS:  Al?
3     COMMISSIONER HUNTER:  Yes, are you through
4 with the parking or not?
5     CHAIRMAN WOODS:  No, we're not through.  I
6 guarantee you we're not through.
7     COMMISSIONER HUNTER:  I wanted to visit green
8 roofs again.
9     CHAIRMAN WOODS:  Okay.
10     COMMISSIONER HUNTER:  What if you're not
11 planning on a flat roof?
12     CHAIRMAN WOODS:  A green roof is only required
13 if you have a flat roof.
14     COMMISSIONER HUNTER:  Okay, I didn't hear
15 that.
16     COMMISSIONER WIDMAYER:  See, they don't have
17 to put in thatched roofs after all.
18     CHAIRMAN WOODS:  Yes, we don't need to have
19 coats on.
20     COMMISSIONER WIDMAYER:  Grass doesn't grow on
21 an angle?
22     CHAIRMAN WOODS:  Depends on the angle.
23     COMMISSIONER WIDMAYER:  On hills.  Mount --
CHAIRMAN WOODS: I think if you're really putting a pitched roof on a building, you don't need it to be green.

COMMISSIONER HUNTER: If you make it a requirement -- flat roofs, then you might not always want that.

CHAIRMAN WOODS: Yes, that's true. I think that by and large you're going to get flat roofs. And I think we've seen that. Because, Al, even the buildings that have, what, may look like a pitched roof on it is only 10 feet deep and then there's a flat roof behind it.

COMMISSIONER HUNTER: I'm just worried about -- building dictate design.

CHAIRMAN WOODS: Okay. So, the requirement is for a green roof if it's flat. So, we're talking about --

COMMISSIONER NYDEN: Yes, where are we?

CHAIRMAN WOODS: Where are we on parking? What I'm hearing is that we all want underground parking, dearly want underground parking. And there seem to be some folks who feel that economically you have to give a bonus in order to get it because it's so
expensive to do it. Am I correct in --

COMMISSIONER WIDMAYER: You're correct as far as I'm concerned.

COMMISSIONER STALEY: Yes.

COMMISSIONER OPDYCKE: It should be, I think it should remain a bonus.

COMMISSIONER STALEY: I do, too.

MR. BISHOP: If you want to be more proactive in terms of really pushing people towards the underground parking thing, I might recommend that you consider, there's two approaches you could use. One is you could limit the height of any parking floor. You could say that no parking floor may be over 45 feet in height. So, you're essentially saying if you want to accommodate that building --

CHAIRMAN WOODS: 45 feet?

MR. BISHOP: 40, 58 --

MR. LaMOTTE: Above the ground, you mean?

MR. BISHOP: Above the ground.

CHAIRMAN WOODS: Oh, okay.

MR. BISHOP: That the top of your highest parking floor can't be over 48 feet above, I'm just making this up, and therefore, if you want to get that
big building, you're going to have to go underground or
do some, you know, do something. The other thing you
can do is to only exempt a certain increment of parking
from your FAR cap so that it does start to count against
you in an above-ground fashion.

So, I guess what I'm saying is there are ways,
and we could help you push people towards the
underground parking but, gosh, our experience is you
really need to keep it as a bonus.

CHAIRMAN WOODS: I buy keeping it as a bonus
and adding these other requirements to help push people
in that direction.

MR. BISHOP: Okay. Let us explore the type of
tools you can bring to bear on that and make it work.

CHAIRMAN WOODS: Because, like I said, we all
much prefer as much underground parking as we can
possibly promote in a reasonable fashion.

So, is there anything else that people think
should be requirements?

COMMISSIONER NYDEN: I think, from my
position, I think that the things that I thought should
be required have become essentially required.

CHAIRMAN WOODS: Okay. Anyone else? So, what
else do you need from us on public bonuses right now?

     COMMISSIONER BURRUS: Do we want to do percentages?

     CHAIRMAN WOODS: Oh, yes, we should look at, let's look at it this way. Not as literal percentages but a priority.

     MR. SMITH: Ranking.

     CHAIRMAN WOODS: Ranking. Yes, weight.

     COMMISSIONER BURRUS: Jim, can I also propose that we go through the percentages and then call it a night and then start next week on actually going through the bullet points? So everybody kind of knows where we are. There are very few audience members that are left.

     CHAIRMAN WOODS: I'm just wondering if we need to go through the bullet points because the reality is this whole thing is going to get re-crafted, revised through a committee, Zoning Committee process that's going to -- you know, I think, I guess what I would ask everybody to do as homework is read through it. And if you find things that are totally objectionable or you think are wrong, then let's bring those back. But otherwise, let's try to leave it alone because it is going to get totally re-crafted. Because I think the
real discussion next week has to do with the exact role of various reviewing processes and public agencies through this thing. Am I correct, Dennis?

MR. MARINO: That would be the next.
CHAIRMAN WOODS: And then the parking lot issues.

MR. MARINO: Right, correct.
CHAIRMAN WOODS: So, those would be the two items to tackle next week.

COMMISSIONER NYDEN: Well, Colleen, if you wanted to discuss some of the issues, you could join the Zoning Committee.

COMMISSIONER BURRUS: You told me not to join the Zoning Committee.

COMMISSIONER STALEY: You're the only one not there.

COMMISSIONER BURRUS: I'm on a lot of other committees.

CHAIRMAN WOODS: Okay. So --

MR. SMITH: You want to rank them like 1 to 5?
CHAIRMAN WOODS: Yes.

MR. SMITH: A, B, C, D or 1 to 5. Okay. So, whole building, the --
COMMISSIONER STALEY: Sustainability.

CHAIRMAN WOODS: Yes, he's got it.

MR. SMITH: Okay. So, in a ranking of 1 to 5, where is that? 5 being most important, 1 being --

MR. LaMOTTE: So-so.

MR. SMITH: Yes.

MR. LaMOTTE: Least important. Less important.

CHAIRMAN WOODS: But Larry can also, and Al can both exercise their opinion here as well as far as I'm concerned. This is not really a vote. This is more guidance.

COMMISSIONER OPDYCKE: I'd say 5.

COMMISSIONER BURRUS: I would say 4.

MR. SMITH: The higher the number, in other words --

CHAIRMAN WOODS: More important.

MR. SMITH: More important.

CHAIRMAN WOODS: Thank you for clarifying.

COMMISSIONER STALEY: Well, underground parking obviously I think is 5.

CHAIRMAN WOODS: But we're going to go one by one. Whole building sustainability.
COMMISSIONER STALEY: Is there more than one or --

COMMISSIONER WIDMAYER: Let's see. We've got 1, 2, 3, 4, 5. We've got --

CHAIRMAN WOODS: Yes, but this is the weighting.

COMMISSIONER STALEY: Oh, so it's not 1, 2, 3, 4, 5.

MR. SMITH: No, it's a weight.

COMMISSIONER STALEY: Okay. You know, I'm going to have to study this. I'm sorry, I can't shoot from the hip on this one.

CHAIRMAN WOODS: Okay. So, next meeting, homework for everybody, bring back from 1 to 5 each item what your opinion is of how important it is, 5 being most important, 1 being least important. But each one is a weight of the new group of whatever which hopefully, Tracy, maybe you could e-mail out to us shortly so that we all have it?

MR. BISHOP: Or e-mail it back so it could be calculated and already weighted --

CHAIRMAN WOODS: Yes, that's fine, too.

COMMISSIONER NYDEN: So, that could just be in
a quick Excel spreadsheet probably.

CHAIRMAN WOODS: Yes, you could do that, too.

It will tally itself. It is bowling, it's not golf.

So, for next time, we'll know how we've all felt about the importance of these issues. We'll come back with any major points about the text of these bonus issues. And then we will proceed with discussion of public process and the parking lot issues.

COMMISSIONER FREEMAN: And that is next week, is that not correct?

CHAIRMAN WOODS: That is next Wednesday, 7:00 o'clock, this room, also televised. And so, with that, I would like a motion to adjourn.

COMMISSIONER FREEMAN: Motion to adjourn.

COMMISSIONER GALLOWAY: Second.

CHAIRMAN WOODS: All in favor?

(Chorus of ayes.)

(Whereupon, the hearing on the above-titled cause was concluded at 10:40 p.m.)