CITY OF EVANSTON

JOINT MEETING OF THE

PLAN COMMISSION

and

ZONING BOARD OF APPEALS

CASE NO.: 08PLND-0120

RE: PLANNED DEVELOPMENT FOR 1200 Davis Street. An application by the Roycemore School, contract purchaser, for multiple forms of zoning relief. The applicant proposes to relocate their current facilities from 640 Lincoln Street in Evanston, Illinois to 1200 Davis Street and operate a private educational institution on the site, providing education from junior kindergarten through 12th grade.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held January 14, 2009 at the Evanston Civic Center, 2100 Ridge Avenue, Room 2200, Evanston, Illinois, at 7:10 p.m. and presided over by R. Creamer, Chair.
1/14/09 Joint Meeting of the Plan Commission
and Zoning Board of Appeals
1200 Davis Street

PRESENT - ZONING BOARD OF APPEALS:
1. R. CREAMER, Chair
2. M. RODGERS
3. L. SUMMERS
4. D. WILSON
5. B. McLENNAN

PRESENT - PLAN COMMISSION:
6. S. OPDYCKE, Chair
7. J. NYDEN
8. C. BURRUS
9. S. FREEMAN
10. C. STALEY
11. J. WOODS
12. D. GALLOWAY
13. L. WIDMAYER
14. A. HUNTER

STAFF:
15. D. ARGUMEDO, Zoning Planner
16. B. DUNKLEY, Zoning Administrator
17. S. GUDERLEY, Interim Asst. Director for Planning
CHAIRMAN CREAMER: Good evening everyone.

Before we begin the meeting let me set a good example by shutting off my phone. I know your calls are very important, but we have other things going on.

All right. We will call the meeting to order.

This is the continuation of the public hearing for proposed Zoning Amendments of Special Use and Major Variations for Case No. 08PLND-0120 regarding 1200 Davis Street.

Before we continue the hearing we have some procedural matters that we need to get out of the way. First of all, I wanted to mention that since we last met the Plan Commission has elected new officers, and the new Chair is Stuart Opdycke, who is sitting at my left. And so he will be fulfilling those duties at this hearing and hereafter.

We also need to determine who is here and declare a quorum. From the Zoning Board of Appeals, Beth McClennan, Lori Summers, Donald Wilson are here. I'm Robert Creamer, the current Chair. So therefore, the Zoning Board of Appeals has a quorum.

I observe that Mr. Woods, Mr. Freeman, Ms. Burrus, Ms. Nyden, Johanna Nyden is here, Mr. Galloway, and Mr. Opdycke are here. So does that make you a quorum?
quorum?

CHAIRMAN OPDYCKE: Yes, the Plan Commission has a quorum.

CHAIRMAN CREAMER: Thanks. So we therefore declare a quorum.

On the Zoning Board of Appeals side all of the members who are here tonight were here at the first hearing so we don't need to talk about certification that you have read the record. But I believe, Stu, that your folks need to approve the minutes. Is that correct?

CHAIRMAN OPDYCKE: Yes. Is there a motion to approve the minutes of the December 10th meeting?

COMMISSIONER NYDEN: Well, actually, I'd like to make a correction to those minutes.

CHAIRMAN OPDYCKE: Okay, sure.

COMMISSIONER NYDEN: I believe the minutes indicate that if you are elected mayor I would take over as chair, but that contradicts the rules of the Plan Commission because there would have to be an election.

CHAIRMAN OPDYCKE: Okay, that makes sense. Is there any --

COMMISSIONER NYDEN: So I just want that to be --
CHAIRMAN OPDYCKE: -- any view to the contrary?

COMMISSIONER WOODS: I would agree with Johanna so we can part it at the time.

COMMISSIONER NYDEN: Yes.

CHAIRMAN OPDYCKE: Other than that, is there any discussion on the minutes of the December 10th meeting? Is there a motion to approve?

COMMISSIONER NYDEN: Motion to approve.

COMMISSIONER GALLOWAY: Second.

CHAIRMAN OPDYCKE: All those in favor?

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Opposed? Motion carries, minutes approved.

CHAIRMAN CREAMER: All right. With that taken care of we will return to the business at hand. I noticed that while the approval of the minutes was going on with the Plan Commission we have one additional member of the Zoning Board of Appeals join us, and that's Matthew Rodgers. So welcome, Matt.

CHAIRMAN OPDYCKE: But we still have the minutes of the joint meeting, do we not, to approve the minutes, the December 2nd meeting?

CHAIRMAN OPDYCKE: Well, we normally don't
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approve our minutes. So if the Plan Commission wishes
to do so we'll be the last to stop you.

CHAIRMAN OPDYCKE: All right. I will ask for
a motion from the members of the Plan Commission to
approve the minutes of the joint meeting December 2,
2008.

COMMISSIONER NYDEN: Motion to approve the
meetings of the joint, minutes of the joint meeting,
excuse me.

COMMISSIONER WOODS: Second.

CHAIRMAN OPDYCKE: All those in favor?
(Chorus of ayes.)

CHAIRMAN OPDYCKE: Opposed? The minutes are
approved, at least from the perspective of the Plan
Commission.

CHAIRMAN CREAMER: And we have no objection.

All right. We are now back to the continuation of the
public hearing which began on December 2nd.

Those of you who were here recall that at the
conclusion of evidence and public comment we did declare
that the record had been closed. But we said that, and
I'm referring now to page 140 of the transcript, that if
the applicant has some additional information or anyone
else has additional comments that have arisen between
that time and this that, and I quote, we would favorably react to a motion to re-open the record.

So with that, let me ask the applicant first, and then others, if there is some additional information that they would like to introduce?

MR. FRIEDLAND: I assume this is on, is it not? Thank you.

For the record, Steve Friedland from the law firm of Applegate & Thorne-Thomsen representing Roycemore School.

We would like an opportunity to present some information as -- inclined there were some questions asked about internal traffic on the site, and we prepared an exhibit, and we'll be prepared to speak to that and a few other items if you'd like to open that up again.

CHAIRMAN CREAMER: Hearing that I would be pleased to entertain a motion to re-open the record.

Don?

COMMISSIONER RODGERS: I move to re-open the record.

CHAIRMAN CREAMER: Second?

COMMISSIONER SUMMERS: Second.

CHAIRMAN CREAMER: All those in favor?
(Chorus of ayes.)

CHAIRMAN CREAMER: It seems unanimous, please proceed.

MR. FRIEDLAND: Thank you. Let me do this first just to re-introduce our team that's here.

Joe Becker, maybe just wave guys as I call your name, is the Headmaster of Roycemore and spoke at our last meeting.

Our architects are from Yas Architecture.

Steven Yas, And Joe Macneil. Our landscape architect, Nick Patera, is here again. And our traffic consultant, Luay Aboona, is here.

At the last meeting Neil Koenig from from KLOA spoke. Luay was actually principle draftsperson of the report that you have in our package, he just wasn't able to be here at the last meeting, and he's here. So I think when he does get up to present his exhibit he'll need to be sworn in.

We really only have two things to address to all of you initially, and certainly we would take any questions. One has to do with the traffic flow on site for pick-ups and drop-offs, and we have some exhibits to show that, and I'd like Luay to present it. And then we'd like to speak once again to the issue of R-4.
zoning, which is new classification that we've
requested.

So with that I'd ask Luay to present. Is this
on or are you hearing me? It's seems to me like it's
not. We'll talk loud if that helps picks up on, all
right.

CHAIRMAN CREAMER: Okay. Do we need to swear
this witness? I think we do.

(Witness sworn.)

COURT REPORTER: State and spell your name
please for the record.

MR. ABOONA: It's Luay Aboona, first name (L-
u-a-y) last name (A-b-o-o-n-a).

Good evening, my name is Luay Aboona, I'm a
traffic engineer with KLOA. I apologize for not being
present at the meeting last time. My understanding,
there were some questions related to the drop-off and
pick-up activities that would occur at the school and
terminal to the building and to the parking structure.

So what we have attempted to do is we prepared
some exhibits that would explain what we envision the
drop-off and pick-up activities would be, and I can go
through them and I could certainly try to answer your
questions. And where is the best place to place the
exhibits?

MR. FRIEDLAND: I think we'll do it there so
that everyone can see them.

CHAIRMAN CREAMER: Okay. While we're putting
up the exhibits I should have the record reflect that
Commissioner Staley and Commissioner Hunter from the
Plan Commission have now joined us.

Okay. Mr. Aboona, you've handed us, for the
record, an exhibit that has one, two, three, four
sheets. Is that right?

MR. ABOONA: Correct.

CHAIRMAN CREAMER: And it's titled Drop-Off on
Upper Level, Drop-Off on Lower Level, Pick-Up on Upper
Level and Pick-up on Lower-Level.

MR. ABOONA: Correct.

CHAIRMAN CREAMER: And does staff have a copy
of this for the record? Well, we have some difficulties
with the room here, let's try to accommodate everyone.
Can you move it around a little bit, Mr. Aboona?

MR. ABOONA: Well, start drop-off and see
where we go with it. The first exhibit is the Drop-Off
on the Upper Level, the upper level is where the upper
school is going to be. What this exhibit shows, the
drop-off path of the vehicles as they come into the
school, drop off their kids at the drop-off area by the canopy, which is on the west side of the north wing of the building.

What you can see from the exhibit there are two paths going into this area. One coming off Davis Street, cars will head southbound, go through the southerly aisle, and then go into a counterclockwise motion, drop off their kids, and then go out onto Davis Street.

The other route would be for vehicles to come in at the Grove Avenue, come in all the way, and then basically merge into that same lane where the vehicles from Davis Street will be coming in and dropping off their kids, and then leaving on Davis Street.

What we have done since the last meeting is we have determined that for better circulation, to reduce the number of conflicting movements, to reduce the amount of traffic on Grove Avenue, that the entrance of Grove during the drop-off and also the pick-up would be a one-way inbound election only.

This way, like I said, it will improve the circulation. And then for the pick-up condition allow as much stacking as we might need for parents as they come in and pick up their kids.

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So for the Grove Avenue it will be an inbound only during the pickup and drop-off operations. It will remain two-way the rest of the time.

There will be signage, probably a cone placed. Parents will be informed of this restriction so that as people come in they will be restricted to this type of circulation, and they'll be, and going out on Davis they won't have the opportunity to circulate back internally and go out onto Grove Avenue.

So as you can see, this provides a very smooth operation. The school is committed to having staff members out there during the drop-off operation for both the upper and lower school. So as cars come in they'll be directed to come into the northerly most point of the drop-off zone. The car comes there, doors open, the kids get off on the passenger side, they'll be received by the staff members, and they'll be directed into the school, and will be a continuous flow of traffic.

As a result, we don't anticipate any congestion or any backups that might occur on either Davis Street or Grove Avenue.

Any questions so far on this or should I just keep going through and then we'll go to questions?

CHAIRMAN CREAMER: Go ahead.
COMMISSIONER FREEMAN: Well, let me ask one question. So there will only be one lane exiting and that will be that one on Davis Street?

MR. ABOONA: Correct.

COMMISSIONER FREEMAN: Is that correct?

MR. ABOONA: Yes.

COMMISSIONER FREEMAN: And I'm sorry, how many vehicles do we anticipate entering and exiting during peak hours, pick-up and drop-off?

MR. ABOONA: The school has and did some surveys a couple weeks in December before the holidays. And the focus of that was on the pick-up activity because the pickup is where you get the people --

COMMISSIONER FREEMAN: Okay.

MR. ABOONA: -- parked and wait. And I was going to address that when I get to the, that --

COMMISSIONER FREEMAN: Okay.

MR. ABOONA: So if you just bear with me --

COMMISSIONER FREEMAN: Sure.

MR. ABOONA: -- for a couple minutes.

The second diagram, it addresses the drop-off on the lower-level, and that's where the lower school, the younger kids would be. And once again, it's all occurring internally, which is all going to be covered.
obviously, so it's going to be away from the weather and, you know, snow, and rain, and so forth. So it's all going to be covered, which is conducive being younger kids and so forth.

And once again, it's coming in off Davis Street, and this is only one option, you come in off Davis and exit onto Davis Street. Once again, it'd be a counterclockwise operation. They come into the southern aisle, they come around into the drop-off area, there will be staff members again receiving the students, and they'll be directed into the building, and the vehicles would leave.

One change that we have made since last time is we had this short-term parking along the southern edge, there'd be seven parking spaces. We have since removed that and placed it on the north side.

This way would allow parents if they want to park their kids, the younger kids, the kindergarten kids, they could park here, walk their kids in, without interfering with the flow of traffic during both pick-up and drop-off. So that separation, we felt, would be very conducive for the flow of traffic.

The third exhibit is regarding the pick-up. And what we have shown here is the number, potential
number of vehicles that can stack on the site before they would spill onto Davis Street. On Grove Avenue we didn't show all the way to Grove, because we don't feel that would happen, but we have room for 12 additional vehicles.

What we show here is stacking for upward of 20 vehicles. So a 20 car split stack onsite, not including parking spaces, not including double stacking in the parking aisles, just basically single-file cars stacking internally you can still stack up to 20 vehicles during the pick-up period.

Going back to the question earlier about the number of cars. Like I said, the school did go out and did two weeks worth of surveys before the holidays in terms of how many cars were waiting for their kids to be picked up after the school. And they found that on average it was about eight vehicles that were waiting for their parents. The maximum that occurred was 14.

We have upward of 20, like I said, we can have another 12 on Grove. So we've got plenty of stacking for the upper school.

Once again, you know, like other schools, kids are not all leaving at the same time after school. Some have after-school activities, some have, they stay there.

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for sports, music, and so forth. So it's more like staggered program, and that's why we don't see, that spike of vehicles arriving at the same time waiting for their kids to be picked up.

But, nevertheless, we feel there is plenty of stacking on site. And Grove will be one-way, so that would once again promote smooth circulation and out onto Davis Street.

COMMISSIONER FREEMAN: You had just said stacking additional on Grove. Did you mean on the driveway?

MR. ABOONA: I'm sorry. Yes, on the driveway they'll be --

COMMISSIONER FREEMAN: Okay.

MR. ABOONA: Yes. There will be no stacking on Grove, once again, because there's plenty of stacking on the site.

COMMISSIONER FREEMAN: Okay.

MR. ABOONA: I meant the driveway leading to Grove, yes.

COMMISSIONER NYDEN: How many cars can stack in the circular driveway not including Grove, cars stack and Grove?

MR. ABOONA: Right here?
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1  COMMISSIONER NYDEN: Yes.
2  MR. ABOONA: Eliminate those? It'll be 12.
3  COMMISSIONER NYDEN: So 12 cars could stack
4  and --
5  MR. ABOONA: And we could stack four more here
6  if we want, double stack them in this aisle, so we could
7  have an additional four, so it would be 16.
8  COMMISSIONER NYDEN: So with the circular
9  driveway you could essentially accommodate what stacks
10  now --
11  MR. ABOONA: Yes.
12  COMMISSIONER NYDEN: -- at the current
13  Roycemore site --
14  MR. ABOONA: Correct.
15  COMMISSIONER NYDEN: -- without Grove?
16  MR. ABOONA: Correct.
17  COMMISSIONER NYDEN: The access-way off Grove?
18  MR. ABOONA: Correct.
19  COMMISSIONER NYDEN: Okay.
20  MR. ABOONA: Obviously, Grove provides the
21  flexibility of access with this property so it's not all
22  coming off Davis Street.
23  And the last exhibit relates to the pick-up
24  for the lower level. As you can see here, we are double
stacking them here. Once again, this looks at the maximum that could be stacked onsite for the lower level school. We've got the cars stacked in this aisle, double stacked in here single-file, and then we've got these short-term parking. But all of that is being utilized, we can stack upward of 26 vehicles.

And then the school, once again, during that period when they went out and did surveys for a couple weeks the average the found was about 13. There were instances with only, like, four or five cars. The maximum they found was 19 on one occasion. And we have 26 spaces or 26 places for the vehicles to stack during those time periods.

So there's plenty of room, once again, for them to wait for the, to pick up their children all on site without backing up onto Davis Street.

COMMISSIONER FREEMAN: I don't know if I should direct this question at you, but on this lower parking are there any emergency exits, or are the exits only the up and down ramp and then going back into the building?

MR. ABOONA: Any emergency vehicle --

COMMISSIONER FREEMAN: No, no, pedestrians.

So, you know, I see there's some, west there are towers,
and there are other places to exit, but I don't see any
exits anywhere on the, so if you're downstairs and --

MR. MACNEIL: There is no exit into this
parking lot.

COMMISSIONER FREEMAN: So if there's any type
of emergency down there and you needed to get people out
of the parking lot quickly?

MR. MACNEIL: There's no exit from the
building parking lot.

COMMISSIONER FREEMAN: Okay. So you'd have to
go back out through the building.

Do you know what the regulations are on that?

Are there any regulations for parking structures,
underground parking structures and the ability to exit?

Does anyone here know what they are?

MR. DUNKLEY: Other than the required site
lines.

COMMISSIONER FREEMAN: So for a parking garage
that's underground --

MR. DUNKLEY: And it would be the same as for,
for an -- the triangle is formed 20 feet from the
intersection of the two curbs. It has to be --

COMMISSIONER NYDEN: You're talking about
people? I mean, there's --
COMMISSIONER FREEMAN: People.

COMMISSIONER NYDEN: There's travel distances that need to be --

COMMISSIONER FREEMAN: You know, let's talk about emergency exits, you know, for, like, if there's a fire in a car down there and you got to get people out. I mean, I only see, you know, the exits going into the building, and I see then exits for the up and down ramp. But, you know --

MR. DUNKLEY: This project was reviewed by fire safety and SPARC, and --

COMMISSIONER FREEMAN: Okay. So that's been reviewed already then? Okay.

COMMISSIONER WOODS: Why don't you ask them to review it again.

COMMISSIONER SUMMERS: It is a cross between, I mean, because it's an existing building they might not have thought about it that much. But based on the amount of renovation they're doing I would consider you above the threshold to have to become compliant with those things.

MR. YAS: We'll comply with whatever we need to with the building department.

COMMISSIONER FREEMAN: Okay. Because just
looking at this, and if I had kids and I was down below
with a bunch of cars stacking up, and I'd want to be
able to get out of there quickly, to have some exits,
and I don't see any.

MR. ABOONA: Now, once again, I mean, this is
worst case scenario. On average you're not going to see
that many vehicles, you know, you're going to have this
aisle open. So there's, you know, plenty of room for
cars to circulate in and out of there.

COMMISSIONER FREEMAN: I'm a little more
concerned about pedestrians, less than cars, you know,
kids, children, parents. Okay.

CHAIRMAN CREAMER: All right. Any other
questions? Yes, sir. And you are?

MR. JOSEPH: I'm Jeff Joseph.

CHAIRMAN CREAMER: And where do you live, Mr.
Joseph?

MR. JOSEPH: 1501 Asbury.

CHAIRMAN CREAMER: Fire away.

MR. JOSEPH: I understand the notion on making
it a one-way entrance off Grove Avenue, and I feel the
-- traffic flow there. But knowing how things get
grandfathered, why shouldn't that just not be a
permanent one-way street? The idea of the change in
pick-up it would be -- and who's monitoring that then
they get one-way during pick-up and drop-off, and
someone has to go through the pylon there and block the
street. Why not make it a permanent one-way street to
make sure that no cars are going to be pulling out
there, which is right adjacent to where the playground
is anyways, and right across from a residential street,
and on both sides of the busy street.

But if you ever -- traffic on that street it's
the congestion. Right here on the front of, on the
corner of Grove and Ridge I witnessed two extremely
serious accidents, it's a right, it's a corner that
meets south of the stop light and doesn't have it.

But there should be no reason why there would
ever be two-way traffic coming down, adjacent to a
playlot and residential area between two very busy
streets. It's just creating potential.

And if you leave that to the discretion of
somebody putting a pylon there it doesn't make sense, it
should be a permanent one-way street so you'll always
have to figure out what --

COMMISSIONER FREEMAN: Jeff, are you saying
permanent one-way street or driveway?

MR. JOSEPH: One-way driveway.
COMMISSIONER FREEMAN: Okay.

MR. FRIEDLAND: Mr. Chairman --

MR. JOSEPH: Although I'm not sure I understand the distinction.

MR. FRIEDLAND: -- just a point of order so I understand what's, I certainly would expect that if people are here and they want to testify and make comments, that makes sense. I didn't think this was necessarily an open session to ask my consultant questions, they usually come through from all of you.

So, I mean, if that's the way we want to do it that's fine, but I'm just not, I expected that you would have us present what we have, and then people can come up and speak. It's just a little unorthodox to do it in this fashion, but if that's the way you want to do it --

CHAIRMAN CREAMER: Well, counsel, one of our rules, and I believe I cited this back on, I know I did because I read it off my script, that under our Ordinance, at least as far as the ZBA is concerned, residents who live within 500 feet of the project, and Mr. Joseph certainly does, have the right to presumably question any of the witnesses for the applicant.

And it's a matter of timing, and I thought since Mr. Aboona was here and willing to answer
1 questions that we would let any resident falling within
2 the 500 feet ask a question now. If Mr. Aboona would
3 rather we wait and have neighbors' questions later we
4 can do that too. But I thought --
5
6 MR. FRIEDLAND: That's fine. Again, I just
7 want to make sure I understand where we're going, if
8 that's the way you'd like to do it then that's fine.
9
10 CHAIRMAN CREAMER: That's the way I have to do
11 it.
12
13 So why don't we let Mr. Aboona finish his
14 direct testimony, and then any other, I thought he was
15 finished. But if you have some more then why don't you
16 make it and then we'll go back and pick up the questions
17 from the neighbors. Okay?
18
19 MR. ABOONA: I'm basically done. I mean, that
20 was what we prepared and, you know, I just completed my
21 presentation relative to the drop-off and pick-up.
22
23 COMMISSIONER FREEMAN: In follow-up to Jeff's
24 question then, I would, Mr. Joseph's question, I'd like
25 to understand then what other usage, this driveway would
26 be, what would the driveway be used for besides drop-off
27 and pick-up?
28
29 MR. ABOONA: Well, it would be definitely used
30 by the staff members as they come earlier for, before
the school, you know, students arrive, and then after.
So that would allow them to use this access to exit onto
Grove.

Service vehicles, that's where we anticipate
them, you know, come in and come out. The days when
there are activities and gym, perhaps that would allow
people to be able to either enter and exit.

So, you know, it gives the school the
flexibility of the access and for people to come in and
come out. It's not large amounts of traffic. The
larger amount of traffic occurs during pick-up and drop-
off, and that's why we considered making this one-way in
to basically, you know, cut by half the amount of
traffic that would be using Grove, and direct all the
exiting traffic onto Davis Street.

We don't foresee this being a, highly-used
during most of the day. But, you know, it's one of
those things, we'd like to have it, you know, for
emergency, for service, for, you know, staff, and, you
know, perhaps with visitors during, you know, off-peak
hours. So that's why we think it would be essential and
beneficial for the school to have.

MR. FRIEDLAND: And additionally, Joe Becker,
the Headmaster, could speak to this if you'd like. But
I think what Joe would speak to is it's very common in most schools and certainly at Roycemore that staff would be out in these pick-up and drop-off situations to make sure that, you know, these movements are, you know, do occur.

So it's not simply putting a cone out there and hoping that people acknowledge it. It would be, you know, working with the parents and making sure that we have staff available to do it. And that's something that's very common in school situations.

COMMISSIONER SUMMERS: I'm not sure if this is really for Mr. Aboona, but it's sort of related to that drive still, and you may have been part of deciding how wide to make that driveway based on the ability to do radius, et cetera.

But I notice that driveway, if I'm reading it correctly, 67-feet wide? Maybe that's --

MR. ABOONA: It's 24 feet. I don't know where --

COMMISSIONER SUMMERS: Down on the lower portion.

MR. FRIEDLAND: I see that.

MR. ABOONA: Yes, that is something, if you look at this where it says 45 feet you can see that
COMMISSIONER SUMMERS: Well, visually it's more than 40, visually it's wider than the 45. So the 67, visually, seems reasonable.

MR. ABOONA: It's 24 feet, it's going to be 24 feet.

COMMISSIONER SUMMERS: Okay.

MR. ABOONA: That's all you need for two-way traffic, you don't need anymore than that.

COMMISSIONER SUMMERS: That was precisely my point.

MR. ABOONA: Yes, absolutely.

COMMISSIONER SUMMERS: So have the impervious surface calculations been based off of this drawing?

MR. ABOONA: Yes.

MR. FRIEDLAND: Steve --

COMMISSIONER SUMMERS: But your CAD created this --

MR. FRIEDLAND: Steve, if I may, what's in your original application, the site plan drawing that was submitted, and that is what the Zoning Department based all their calculations off, shows that drive as 22 feet wide. And I apologize, I don't know why it says 67
on the other drawing here. But the plan submitted with
the application indicate 22 feet for that side.

COMMISSIONER SUMMERS: Okay. So essentially
all of the dimensions on this one --

MR. FRIEDLAND: I apologize for that, that's --

CHAIRMAN CREAMER: Are we sure now whether
it's 22 or 24?

MR. FRIEDLAND: Actually it's 22.

CHAIRMAN OPDYCKE: So is it fair to say that
this, that is would be not to scale --

MR. FRIEDLAND: I think it's the scale, I just
think that it's mislabeled.

MR. ABOONA: Yes, it's mis-labeled. I'm
sorry, yes, the scale is 22 feet, so this is mis-
labeled.

COMMISSIONER SUMMERS: Stu, all the setbacks
are --

CHAIRMAN OPDYCKE: Okay. Because to the west
of the driveway there's another reference to a space
that's 82 feet. Is that also wrong? That's incorrect?

COMMISSIONER SUMMERS: 27 feet on the original
site plan, yes.

CHAIRMAN OPDYCKE: Okay. So the dimensions
MR. FRIEDLAND: The dimensions are correct there were submitted with our application are correct. The dimensions that Luay is speaking to on this exhibit for pick-up and drop-off purposes are incorrect.

MR. ABOONA: Everything scale is correct, it's just the dimensions are --

CHAIRMAN CREAMER: Now that we have that straightened out, are there any more questions from the Commissioners for the ZBA Members of Mr. Aboona before we go on to questions from neighbors? I see none. So we'll go back to Mr. Joseph. Do you have any more questions for Mr. Aboona?

MR. JOSEPH: Yes. To follow-up on that, knowing, it's not just a concern about the drop-off and pick-up times, but any times the school would have, like, parent night functions, after hours playing games, family orientations, a play, any event at school that that would be a two-way opportunity, it will only be excluded during drop-off periods. What I expect you to do then is follow -- allows for two-way traffic.

Moreover, currently there are probably five or six parking spots on both sides of that drive on the north side of Grove. If you know that neighborhood well
1 there is no street parking, visitors in my home park
2 three blocks away to get anywhere near my house. You're
3 going to pull out another six parking spots, because
4 there's no way you can have a driveway without having
5 visible access coming in and going out of that -- there.
6 So the idea of that being a one-way street to
7 improve traffic flow makes a lot more sense than ever
8 allowing it to be two-way access, which will only allow
9 at that street. Which, of course, I would reiterate is
10 directly adjacent to a playlot.

11 CHAIRMAN CREAMER: Any response, Mr. Aboona?
12 MR. ABOONA: Well, you got, I mean, you're
13 definitely going to lose on-street parking, but, you
14 know, you're looking at probably three at most.
15 Narrowing it down to one-way you're not going to,
16 probably not gain another space. So, you know, once you
17 break access you're going to lose most of these spaces.

18 MR. JOSEPH: No, because if it's one-way you
19 don't need visibility coming out when you make a right
20 coming out, so you have to take out a lot of cars spots
21 on the right side to allow from the southbound. Because
22 there's only one-way, you wouldn't have to remove those
23 spots.

24 MR. ABOONA: No, you still need certain

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clearance to allow for the cars and the radius to turn into the driveway.

MR. JOSEPH: That's right, some clearance, but you're only saying three cars, you're only allowing for the width of the driveway and not the side lanes, making that accessible coming in. So you lose more spots than three there.

MR. ABOONA: Well, even if it's one-way you need the turn radius so the, for the service vehicles to go in.

COMMISSIONER FREEMAN: I would like to ask a question. Would the school be willing to let neighbors use your parking lot for visitors in periods where you don't have school activities?

MR. BECKER: So long as there was not any incurred liability we absolutely would. In other words, you understand what I'm saying?

COMMISSIONER FREEMAN: Yes. So that if something fell off your building onto somebody's car --

MR. BECKER: I mean, my attitude and the school's attitude is we would absolutely, if we have spaces available that are not being used we would be happy to let neighbors use them.

Now, if that becomes a huge insurance
liability we would have to reconsider it. But I don't believe that would be a problem.

COMMISSIONER HUNTER: Yes, I'd like to ask a question. I understand the idea that it would be one-way during drop-off/pick-up and possibly two-way the other times. And the primary uses you spoke of were staff, I believe, and service vehicles. Is that correct? Is there any reason they couldn't use simply one-way?

MR. ABOONA: Absolutely. I mean, there's --

COMMISSIONER HUNTER: They could just use one-way.

MR. ABOONA: There's no question that they could.

COMMISSIONER HUNTER: Yes.

MR. ABOONA: But we don't feel that --

COMMISSIONER HUNTER: What is the cost if simply using one-way for the staff and the service vehicles?

MR. ABOONA: I don't think cost in terms of --

COMMISSIONER HUNTER: Time or anything?

MR. ABOONA: I mean --

COMMISSIONER HUNTER: Pardon?

MR. BECKER: Could I respond to that?
COMMISSIONER HUNTER: Sure.

MR. BECKER: I think as far as the staff is concerned, I mean, my attitude is once they're there they stay. So I'm not as concerned about that. I think the real significance is we have our cafeteria in this area and we anticipate that there will be deliveries for the cafeteria --

COMMISSIONER HUNTER: Right.

MR. BECKER: -- that there would be garbage to be picked up.

COMMISSIONER HUNTER: Right.

MR. BECKER: The fact of the matter is I would much rather on those occasions have those vehicles coming in from this end rather than coming through where there may be foot traffic of parents parking or something.

COMMISSIONER HUNTER: Well, that's exactly what we're saying the one-way would be. Correct?

MR. BECKER: What I'm saying is, if the delivery truck needs to come in to drop off the food stuffs --

COMMISSIONER HUNTER: Right.

MR. BECKER: -- I would much prefer that they be able to come in off of Grove and leave that way.
rather than have them work their way through our parking area in order to exit on Davis.

MR. YAS: Actually, the fact of the matter is that the delivery trucks won't work with the existing ramps off of Davis, and we need the Grove Street access in order to get them in and out.

COMMISSIONER HUNTER: Okay, now you're answering the question I had.

COMMISSIONER SUMMERS: Can I have you entertain why, or maybe you probably already have, but what if the actual entrance off of Grove is two-way, however, so that your trucks can back in there and get back out.

However, there would be a Do Not Enter sign at the north end of the entrance to the drive, right where you just pointed, so that cars may not enter in a southbound fashion, but if a service truck is already there. That way you're eliminating the possibility that cars traveling through the site are heading out onto Grove. But at least you get your service truck access --

COMMISSIONER HUNTER: Yes.

COMMISSIONER SUMMERS: -- but we eliminate the pass through traffic that would go all the way through.
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1 this aisle.
2
3    COMMISSIONER HUNTER: Yes. So if you
4 restricted it only to service.
5
6    COMMISSIONER SUMMERS: So it's, that way, more
7 or less, as far as drop-off and pick-up, or as far as
8 anyone who is driving through it will always act as a
9 one-way street, except for someone who is going to the
10 back service area, and then they would be traveling all
11 the way through.
12
13    MR. FRIEDLAND: That suggestion would work for
14 us.
15
16    COMMISSIONER FREEMAN: So we make it, the
17 driveway a one-way except for service vehicles
18 essentially?
19
20    COMMISSIONER HUNTER: Right.
21
22    MR. FRIEDLAND: Well, actually, no. I think
23 what we were saying is that we would place a Do Not
24 Enter sign here.
25
26    COMMISSIONER HUNTER: Right.
27
28    MR. FRIEDLAND: And that the lane itself would
29 otherwise not be restricted, but you'd have a sign here,
30 which in effect does the same thing. I'm not sure --
31
32    COMMISSIONER SUMMERS: It wouldn't say one-way
33 only, there wouldn't be a one-way only signage. But by

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not letting people in from the northbound it's essentially --

COMMISSIONER HUNTER: Right, yes.

MR. FRIEDLAND: That would work.

COMMISSIONER HUNTER: That's good.

COMMISSIONER WILSON: Could I ask a question about the, I guess the logistics of the service vehicles and how they're going to access the garbage area? It looks to me like there's not enough room for them to turn around. So my concern was if they're going to pull up on Grove, back in off of Grove down that long stretch, and that caused me some concern. How would they access that area?

MR. FRIEDLAND: I think we'll let Steve speak to that.

MR. YAS: Basically, the service vehicle would come in off of Grove Street, come in here, and then turn here. So it would back in from this point. So there's no turning or backing in off of Grove Street, it's all on site.

COMMISSIONER WILSON: All right. You know, I wouldn't want them backing up past the parks.

MR. YAS: Right.

COMMISSIONER WILSON: Okay.
CHAIRMAN CREAMER: All right. Any other questions from board members? All right. Back to Mr. Joseph.

MR. JOSEPH: Thank you. How do you define the service vehicle --

MR. BECKER: I'm sorry, what was the questions?

MR. JOSEPH: How many service vehicles --

COMMISSIONER WILSON: How do you define --

MR. BECKER: Currently food is delivered, supplies are delivered to the cafeteria three times a week, the garbage is collected three times a week. And those are the only ones I'm familiar with right now.

Now, this is a different site, it might be slightly different, but that's what we currently have.

MR. JOSEPH: How many delivery trucks --

MR. BECKER: Delivery trucks, the end of August just before school there would be a UPS delivery once a day, during the regular school year a UPS delivery once maybe twice a week.

MR. JOSEPH: So in light of the small amount of delivery traffic that actually occurs why can't you then make it a one-way access point with only delivery trucks allowed? So no, thru traffic prohibited,
MR. BECKER: I think that's what we effectively have agreed to.

MR. JOSEPH: But not if it's a two-way, not if it allows for two-way access. You're talking about only making it one-way during pick-up and drop-off.

MR. BECKER: Well, no, I believe we agreed that we were going to put a Do Not Enter sign --

MR. JOSEPH: Yes, but not down there off of Grove.

MR. FRIEDLAND: Right, this will be entrance off of Grove, this will be an entrance for cars off of Grove.

MR. JOSEPH: Right. But will it be an exit to cars off of --

MR. BECKER: No.

MR. JOSEPH: What about during the month of August?

MR. BECKER: No, only for service.

MR. JOSEPH: Only for service?

MR. BECKER: Yes.

MR. FRIEDLAND: The way that we're proposing to manage that is to put a sign here which says, no entry. And that's what we're proposing and we'd be
happy to accommodate you with that.

MR. JOSEPH: So the only time that cars would be coming out of the Grove Entrance would be under what circumstances?

COMMISSIONER SUMMERS: None.

MR. JOSEPH: None?

MR. BECKER: Unless they're a service vehicle, right?

COMMISSIONER SUMMERS: Unless they --

MR. FRIEDLAND: Unless they drove in and turned around --

COMMISSIONER SUMMERS: -- drove into the dock area, they would have to drive into the docking area there and make a U-turn or some sort of three-point turn in order to get out of there, something they certainly wouldn't be doing on a normal traffic flow scenario.

MR. ABOONA: Correct.

CHAIRMAN CREAMER: Anything else, Mr. Joseph?

MR. JOSEPH: No, thank you.

CHAIRMAN CREAMER: Okay. You were next, sir.

MR. GORDON: I'm Gerald Gordon, I live at 528 Lakeview --

COMMISSIONER HUNTER: Can you spell your name please, Gerald?
MR. GORDON: Sure. (G-o-r-d-o-n), Gerald. I have several comments or questions.

First is, the traffic, I'm sorry, I didn't get your name, did not discuss the effect of the traffic coming out of the property onto Davis at the Davis and Asbury stop there. That, I think, is going to back traffic up onto their lot.

MR. ABOONA: We have another traffic study, analyzed that intersection, as well as the Ridge Avenue intersections. And once again, the pick-up, front of the school when cars during the non-peak hours, the first of the afternoon 3:00 and 3:30. The peak hour in the area is after that, it starts at 5:00 p.m. So the two traffic volumes do not coincide with each other.

But we have looked at the intersections, and it's all stated in our traffic report. They will continue to operate under an acceptable level of service where we measure the operations of the intersection. And we don't foresee backups at the intersections or neighbors to impact the operations of the traffic exiting onto Davis Street from both the upper level and the lower level.

MR. FRIEDLAND: Excuse me, I would just remind everyone that not only was that our testimony last time.
and it's in the report, but we reminded everyone that
this site is an office building that at times had
several hundred people working in it, and they were able
to exit out on Davis. This is an existing condition,
we're not creating anything new here.

In fact, you know, the traffic flow from this
site it would be much less than anything that would be
produced from a fully occupied office building.

MR. GORDON: I believe that --

CHAIRMAN CREAMER: Okay, Mr. Gordon.

MR. GORDON: I believe in your documentation
you state that there's going to be, when you're at 350
students, 250 cars in the morning and 195 in the
afternoon.

I think getting those cars through that
intersection on Davis is going to be a problem. All the
traffic is a problem from this supposed installation.
And that's all I wanted to say about traffic.

But as far as the width of your driveway, I
believe that Ridge was, has just been re-paved, is 36-
feet wide, four lanes. So maybe your driveways are too
wide, maybe you don't need that width.

And I believe that your drawing, your
landscape drawing, so that you're going to cut down a
21-foot tree of heaven, a 28-foot large maple in the parkway on Grove. Also, two cross-arm, a crabapple tree and some birch and crabapples on Asbury, and a large pine and ash in your square foot, all those trees are going to be cut down.

CHAIRMAN CREAMER: Is that a question for Mr. Aboona?

MR. GORDON: Yes. Is it necessary?

MR. FRIEDLAND: Mr. Aboona would not be able to speak to that. We have a landscape architect here who testified to that last time, and certainly Nick Patera could speak to it. But, frankly, this is where it's a little bit, you know, difficult. We'd like to take these things as they come, we can do it that way, but --

CHAIRMAN CREAMER: Well, we'll see what Mr. Aboona has to say and then we'll finish with his testimony and move on to landscaping at a later time.

Mr. Aboona, do you have any response with regard to the trees?

MR. ABOONA: No.

CHAIRMAN CREAMER: Okay, all right. Are there any other neighbors who have questions with regard to traffic or the testimony by Mr. Aboona? I see a couple
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of hands here.

MR. MILLER: I'm Robin Miller, 1564 Asbury.

Mr. Aboona, I just was curious about this data that was collected on pick-ups at Roycemore School. Can you just walk us through the methodology, how these cars were being counted, where they were being counted, what was considered a pick-up at the school and at what distance was it considered not a pick-up at the school?

MR. ABOONA: We ourselves did observations, the school itself for a two-week period had a teacher and a staff do the observations over that time period for both pick-up and drop-off. And basically, you know, focused on the Orrington and the alley side where most of those activities take place.

And Mr. Becker would definitely attest to that, I mean, but it was done by the school relative to that data for that two-week period.

MR. MILLER: Were there monitors at Long Park on any of the streets along Long Park where people could be waiting for kids there too?

MR. BECKER: No. I do not profess that this is a scientific study with counters and things of that sort. We literally know who our parents are. And at 2:45 we went out and we counted the number of cars that
were owned by our parents that were in the alley and that were along Orrington Avenue, which is the only two places that people stack to pick up their children.

MR. MILLER: Okay, so --

MR. BECKER: We counted again at 3:00, and we counted it again at 3:15, and we counted it again at 3:30.

MR. MILLER: So it'd be unusual for people to just be picked up on Orrington by Long Field?

MR. BECKER: Absolutely.

MR. MILLER: Okay, thank you.

CHAIRMAN CREAMER: Okay. Any other questions for Mr. Miller?

MR. MILLER: No, thank you.

CHAIRMAN CREAMER: All right, thank you. Next to Mr. Miller?

MS. SCHEIDT: Kathleen Scheidt, I'm at 1513 Asbury.

COURT REPORTER: Spell your last name please?

MS. SCHEIDT: (S-c-h-e-i-d-t). I was hoping, Mr. Aboona, you could show where the residential driveway that's pretty much directly across the street, as far as I can tell, from the access-way off of Grove. Could you show me where that would appear?
MR. ABOONA: This is the residential driveway right here.
MS. SCHEIDT: So it is directly across the street from --
MR. ABOONA: Just about, yes, this is slight off that.
CHAIRMAN OPDYCKE: Could you show us the --
MR. ABOONA: I'm sorry. This is the existing driveway, and this is where the proposed driveway is.
CHAIRMAN OPDYCKE: So does the driveway to which you're referring is directly across the street from the subject property, is that it, on Grove?
MR. ABOONA: Yes. It's a slight offset to the left.
MR. YAS: And actually, by doing that the two driveways could, and look at one another, and people don't have to look at cars and headlights that's going to be right in their living room, the cars and headlights will be driving into their driveway, or presumably people aren't --
MR. ABOONA: And the fact this is an inbound now, it's going to become inbound all the time --
MR. YAS: Right, right.
MS. SCHEIDT: All right. That certainly
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helps. And I ask because that's my driveway, and it

certainly does help, I appreciate the willingness to
make, to eliminate or reduce the southbound traffic off
of this. That certainly alleviates some of my concerns.

I just wanted to find out where it is because
it's hard to tell from some of the drawings that we've
seen. And also, there's not a lot of service trucks
right now. I'll be curious to see how the City
accommodates that really narrow width of that street
frankly. Especially when cars are parked on one side at
night.

I was hoping you could comment on the usage of
the property and then on the traffic expected on the
weekends. When there's parking on both sides of Grove
Street, understandably, if we're only allowing access to
the north on that driveway it's less of an issue. But I
just could foresee a lot of congestion on Grove Street,
but we already deal with a lot with parking on both
sides of the street, you know, I just wonder if you
considered usage of the property on the weekends.

MR. BECKER: Currently there are probably four
Sunday afternoons a year that our middle-school girls
play a basketball game. We do not do things on
weekends. And again, I shouldn't say never. But, you
know, seven boys may come to practice basketball on a Saturday morning, there may be rehearsal for a drama production.

But large events, parent events, significant events are during the week, they do not occur on the weekends. So for all intents and purposes, other than me, it's a fairly deserted place.

MS. SCHEIDT: It's to that point, I guess, that if you, there's a couple of churches very close by that usually use the area. And if the parking were reduced I wonder if you'd be willing to accommodate or, you know, provide a partnership to --

MR. BECKER: Absolutely. I mean, we have lived on the premise that we want to be a good partner and good neighbor. And so to the degree that we have parking space that can be used by community groups, local groups, so long as it doesn't incur outrageous liability issues we are more than happy to accommodate that. That is no problem whatsoever. And it's been our history for years, and years, and years.

MS. SCHEIDT: And could you comment just for me on when the service vehicles would be, what time of day the trash pickup is and the food delivery?

MR. BECKER: The food deliveries, well, first,
what my cook would tell you is they always come right in
the middle of lunchtime, that's probably not quite true.
It's more likely to be from 9:00 to 11:00 in the
morning. Sysco is the big provider.

And I forgot one thing before and that is that
the Coke machine, or the man comes once every two
months, and he's always there between 9:00 and 10:00 in
the morning.

The garbage collection is usually between noon
and 2:00.

MS. SCHEIDT: I wondered because there's,
obviously, another elementary school very nearby with
very similar hours. So lots of frustrating traffic.
But again, if the access is --

And I think a question for the Commission and
the Board, I don't know how the process works as far as
figuring out parking restrictions or access, you know,
the eight feet within driveway, no-parking standards.
But given the proposed case here how would the City
handle assessing needs from this particular street,
speaking of Grove Street?

CHAIRMAN CREAMER: We'd have to defer to the
staff for that. Does any of the staff people --

MS. SCHEIDT: And, I guess, is there any
community or neighbor input on that as far as actual
usage and what we witness being, living there?

MR. DUNKLEY: Bill Dunkley, I guess I'm able
to. And, but unfortunately, I can't answer the question
because I'm not as familiar with the processes for the
first part which handles public areas as I am with
districts and private land. So I can't tell you whether
there is a, what the public processes are for -- I can
certainly find out that information.

That process is one, there's certainly --
based on the development that's being proposed here --
to make a change -- as I say, unable to make a change to
landscape -- public area.

MS. SCHEIDT: Thank you.

CHAIRMAN CREAMER: Okay. Mr. Miller?

MR. MILLER: Yes, just one more quick one.

How large are these Coke delivery trucks and these Sysco
trucks?

MR. BECKER: Not large, they're not semis if
that type you're worried out. And I don't know how to
describe them, they're bigger than a bread box and
smaller than a semi. But, I mean --

MR. MILLER: They're not going to be a 18-
wheeler?
MR. BECKER: No.

MR. FRIEDLAND: And, Joe, wouldn't they be the same type of trucks that would deliver Coca-Cola to an office building?

MR. BECKER: Yes.

MS. SCHEIDT: So, Mr. Becker, like the size of a UPS truck --

MR. BECKER: Again, these are the vans not the big semis that, you know, bring us a box of gloves or at Christmastime a basket of fruit or whatever it might be.

MR. GORDON: Mr. Becker, the Sysco trucks that are not semis?

MR. BECKER: Yes, yes.

CHAIRMAN CREAMER: All right. Mr. Joseph, I saw you --

MR. JOSEPH: Just to clarify, so what specifically would be the signage that would be on the entrance of the Grove Drive, what would that signage read?

MR. FRIEDLAND: Do Not Enter. On the Grove side? I'm sorry, I misunderstood. There would be no signage on the Grove side.

COMMISSIONER SUMMERS: We're proposing no signage.
MR. JOSEPH: So then it wouldn't restrict two-way access all day long?

COMMISSIONER SUMMERS: At the north end of the drive there would be a Do Not Enter sign so you would not be able to enter from the southbound.

MR. JOSEPH: At the south end of the drive right at Grove what would be the signage for east or westbound traffic?

COMMISSIONER SUMMERS: Nothing.

COMMISSIONER RODGERS: There is no signage here. There is a Do Not Enter sign here preventing cars from coming on this way. Once you enter here the only way you'd have to go is out.

MR. JOSEPH: So that won't say one-way? It won't say one-way during drop-off --

COMMISSIONER RODGERS: It'll say Do Not Enter here, because once you're in this way it doesn't matter where, you don't need to know that you're going in a one-way direction because you only have one way to go, unless you back out, which there is nothing, no signs to prevent that from happening.

CHAIRMAN CREAMER: I think we've wrestled that one to the ground.

All right. Any further questions for Mr.
Aboona regarding traffic? I see one person. Yes, sir?

MR. FIELD: My name's Nigel Field (F-i-e-l-d), I live at 1554 Asbury. That, I know we discussed that in the ground, is that reaching us -- two-way, is that what you're putting in?

COMMISSIONER SUMMERS: Yes.

MR. FIELD: And wanted it to be changed to one-way?

MR. BECKER: Correct.

MR. FIELD: Okay, great. And just a quick one on the service vehicles, I just wanted to confirm the numbers. You're saying that right now it's, you're getting three garbage, three food? Is that right?

MR. BECKER: Correct.

MR. FIELD: Okay. And that's based on the current pupil numbers?

MR. BECKER: Yes.

MR. FIELD: So that may go up a little bit?

MR. BECKER: It could.

MR. FIELD: Okay. That's all, thank you.

CHAIRMAN CREAMER: Okay, all right. Last call for questions from neighbors within 500 feet for Mr. Aboona regarding traffic? I see none. So we'll close that area of questioning and move on.
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MR. FRIEDLAND: Well, we do, what we have is I was going to present an exhibit with respect to the zoning classification.

CHAIRMAN CREAMER: All right.

MR. FRIEDLAND: We didn't have that last time. Hopefully you can see that. This is the zoning map that's blown up. Unfortunately, it's not labeled, I know you're going to want to call it something, Mr. Chairman, so we'll call it the Color Zoning Map.

CHAIRMAN CREAMER: We'll call it the Colorful Zoning Map.

MR. FRIEDLAND: What I wanted to speak to was the appropriateness of the R-4 zoning request, because that is really speaking directly to the Planning Commissioners who have to make that determination.

As we stated last time, we believe R-4 zoning is the appropriate classification for the subject property. And we think it comes clear when you examine the site from a number of different perspectives.

First of all, this is sort of a restatement of what we said before. Roycemore School has been at its current location for 100 years, just shy of 100 years. And we hope with this move that we're going to start a
new run of another 100 years. So the notion of what the 
underlying zoning, from our perspective, it shouldn't be 
something that you really need to worry about. 

But nonetheless, we understand, we need to 
consider the underlying zoning separate and apart from 
the special use that we're asking for for the 
educational, the private educational institution. 

First of all, any consideration of zoning, the 
appropriateness of the zoning classification under 
Illinois Law would look first and foremost to the 
existing uses of, and zoning of nearby property. 

Once again, let me orient you. This is our 
site, this sort of odd L-shaped kind of piece. And it 
has to the east and the north, some rather dense zoning. 
We've got office zoning, O-1 zoning across Davis Street 
to the north. To the east we have R-6 zoning, the 
densest residential zoning district in the city. To the 
west we have R-1 zoning along Asbury. On the same block 
we do have Alexander Park, which is zoned as open space. 
But to the south of Grove Street you've got R-1 zoning. 

So you got a parcel which has very dense 
zoning on two sides and the most restrictive zoning on 
the other side. And our belief is that that really 
calls for a transitional type of zoning classification,
which R-4 fits quite nicely. R-4 permits all types of dwelling units, but the density in R-4 is really quite minimal.

Another important factor to point out is the historic use of a subject property. For that case it's been an office use. And really with the adjacent office property on the other side of Davis it's really formed the western boundary of Downtown Evanston for a long time. And really most closely relates, frankly, to that office property, it really doesn't relate and hasn't historically related to the R-1 zoning to the west, another reason why we didn't think R-1 or a less dense classification would be appropriate.

And a good example of this is really this R-4 zoning on the west side of Ridge on both sides of the church. That site is really quite similar to our site. You've got office zoning to the north, you've got R-6 zoning on the other side of Ridge to the east, and you have R-1 zoning to the west. And the City has deemed that R-4 zoning district to be the appropriate district because it does sort of form that transitional location. That would be very similar and analogous to what we're proposing here, putting an R-4 designation.

One of the points we wanted to address was
something that was suggested by one of the speakers at
the last meeting, which is that there is R-1 zoning on
the west side of Ridge near this location, and there is.
But again, the R-1 zoning which exists on the west side
of Ridge exists in situations where there is R-1 zoning
on the east side of Ridge. The subject property abuts
R-6 zoning. And there isn't that condition, that
condition does exist south of Grove.

But again, it attests to the fact that this
property really relates as a western boundary to
Downtown Evanston. And certainly, as you know, Evanston
is planned with the densest zoning downtown and then you
sort of reduce that as we go out from the downtown area.
And Grove and the other properties to the south of it
really don't tie into Downtown Evanston from our
perspective.

Another fact to consider is the existing
zoning of the site, which is office zoning. And in
fact, I received a copy of a staff memo that I assume,
well, was written to the Planning Commission, so I
assume you have it, which really sort of highlighted
this next point. And that is that when you compare the
existing O-1 zoning to a proposed R-4 this is really a
significant reduction in density for this site.
Office zoning has a building height of 52 feet, R-4 has a building height of 35 feet. Office zoning has a potential residential density for this site of 255 units, R-4 density has a potential of 40 residential units for this site. There is no maximum building lot coverage or impervious surface limits in an office district.

So as I say, effectively an R-4 zoning is a significant reduction in the density that could be permitted on this site.

And sort of a final point to make is also noted in the staff memorandum. Even if this property were zoned Underlying R-4 and Roycemore didn't establish its school there the total number of residential units that you could establish by right are 23 under Evanston zoning. Because if you want to establish 24 or more units, if you wanted to achieve the full 40 unit density, which again is much less than the 255 units that could occur there now, you have to go to Plan Development, so you'd have to come back before your body, you'd have to go to the City Council.

So the notion that R-4 zoning would permit some as of right greater density just isn't the case under the Evanston Ordinance.
1 So with all that, and again, I think it, from
2 our perspective, it's clarified by sort of seeing the
3 colors and seeing the exhibits, R-4 zoning is the
4 appropriate underlying classification.
5 That's all we have by way of direct additional
6 testimony. But we're certainly prepared to take
7 questions.
8 CHAIRMAN CREAMER: All right. Questions from
9 the Commission?
10 COMMISSIONER WOODS: I assume that this falls
11 under the thoughts, or are you going into the R-1
12 District, and therefore it falls under the five foot
13 height plus 15 degree angle for the, blah, blah, blah.
14 Can somebody tell me what the distance is between the
15 zoning line and the, which I assume is the center of the
16 street?
17 MR. FRIEDLAND: Yes, the zoning district goes
18 to the center of the street.
19 COMMISSIONER WOODS: What's the right-of-way
20 of the street and what's the setback of the building
21 from --
22 COMMISSIONER FREEMAN: You don't have that
23 computer going off in your brain today?
24 COMMISSIONER WOODS: Not to mention the metric
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1 calculator to figure out what the --
2 I suspect it's lower than the building?
3 MR. FRIEDLAND: Well, I've got a survey.
4 MR. DUNKLEY: -- under actual --
5 COMMISSIONER WOODS: Yes.
6 MR. YAS: It's 65 to 70 feet from the edge of the proposed gym to the center of the road.
7 MR. FRIEDLAND: I don't know if you, Asbury is the 80 foot right-of-way. Asbury's an 80 foot right-of-
8 way, so 40 feet would be the center --
9 COMMISSIONER WOODS: Plus another 32 or so feet to the building --
10 MR. YAS: Yes, it's about 70 feet.
11 COMMISSIONER HUNTER: Mr. Chairman, I'm sorry, I didn't mean to interrupt --
12 CHAIRMAN CREAMER: Well, that's all right.
13 COMMISSIONER HUNTER: -- while they were fumbling.
14 CHAIRMAN CREAMER: Do we have any questions from the Commissioners? So, Jim, did you get your question answered?
15 COMMISSIONER WOODS: Yes, I have my information.
16 CHAIRMAN CREAMER: All right. Mr. Hunter?
COMMISSIONER HUNTER: Yes. Well, I think it's, well, I could formulate it as a question. But I would simply encourage the Commissioners and the members of the board to think about it in the light of operating under the assumption that Roycemore will not establish a school there. And that we should then figure out what we think our optional use for that particular site would be. Because it seems like that you have a variety of different options under which you could, in fact, establish the school there, whether it's R-3, R-2, R-1, R-5, R-6, but none of those would preclude the establishment of Roycemore.

So why a particular designation of a, given residential designation of R-4, I think we should figure out what it is we think in terms of the plan of what that should be under the assumption that, God forbid, Roycemore does not establish this school there.

So that's just a point I would like to make.

COMMISSIONER WILSON: My recollection was that the proposed ordinance provided that if they did not establish a school it would revert back to the original zoning. Is that, am I not remembering that correctly?

MR. DUNKLEY: I'm not sure about that, it's possible.
COMMISSIONER WILSON: Well, it can't do that, once we change the --

COMMISSIONER NYDEN: It's a map amendment so --

COMMISSIONER WILSON: Okay. Well, if it happens it happens.

COMMISSIONER NYDEN: -- we change that map. We just went through this with a site, the old Schur site where Bill was very eloquent about saying once we've made that choice to go to a different zoning designation that that is, it's over. It doesn't matter what happens --

COMMISSIONER WILSON: Right.

COMMISSIONER NYDEN: -- what they propose could or could not happen.

COMMISSIONER HUNTER: Okay.

MR. FRIEDLAND: I think what you may be speaking to was what we did talk about at the last meeting which is our contract with the general board, we're the contract purchaser of the property from the general board. And this is really not something we plan on taking up with this, these bodies but rather with the Council. The general board did not want their property
re-zoned to anything if we don't buy it. So if we
didn't close, if we never acquire or purchase the
property our intention is to work with counsel to make
sure that the zoning would not change, because that's
what our seller is requesting of us.

   The fact is that, it sort of does speak, I
don't disagree that I think your deliberation needs to
be as you've stated it.

   COMMISSIONER HUNTER: Right.

   MR. FRIEDLAND: But as a practical matter,
Roycemore, if they do spend the money that they're going
to have to spend to acquire the site they're going to
establish their school there.

   COMMISSIONER HUNTER: Yes, but I'm thinking
who knows what five year, 10 year --

   MR. FRIEDLAND: Yes.

   COMMISSIONER HUNTER: And once you've got it
established I think we should have some sense of a
rationale for why we're picking the particular zoning.

   CHAIRMAN CREAMER: Mr. Staley?

   COMMISSIONER STALEY: Al and I were actually
thinking along the same lines, it was a joke. I was
thinking about this and what you've said jogged, you
know, what I have been thinking earlier is one
possibility here it seems to me since R-1 and R-4 both permit the schools, if we do something it does permit the school that we could bifurcate this, and I'd have to look at the Zoning Director to see if he spreads too much on this. And actually it would --

But the west half could be zoned R-1 right in front of the people who are R-1 people, and the east half could be R-4, which is clearly, you know, perhaps zoned at the site, and I think the property is big enough to do that.

MR. DUNKLEY: I don't know that I could say strongly enough what an administrative challenge split-zoned blocks are, even though we have the ability, I have the ability to determine that what with one or the other of those districts apply to the entire lot. Split-zoning is very difficult to administer. If there is a solution that can avoid that as a tool I would encourage it. It also is, it's hard conception wise.

COMMISSIONER STALEY: It's what you call a bad idea then?

CHAIRMAN OPDYCKE: But if we could do it it would make sense. I mean, the Asbury side is a good place for R-1, and the east side would be a good place for R-4, I mean, if you could do that.
MR. DUNKLEY: It can be done. You'd have to be very careful about where that demarcation runs.

COMMISSIONER NYDEN: Can I ask a question?

CHAIRMAN CREAMER: Sure.

COMMISSIONER NYDEN: I'm trying to remember, I partially blocked it from my mind, what is R-6 under the new downtown plan scheme? Like what does that, that R-6 that we've sort of re-zoned in the downtown plan process or recommended. What would that look like against an R-4? You know, I mean, R-6, did we go down with our downtown west edge core two sub-A, you know? I mean, what happened there? We've block it, that's so 2008.

MR. DUNKLEY: Actually, I can go down the hall and I'll get the latest version of the Downtown Plan and we can find out.

COMMISSIONER NYDEN: Yes.

COMMISSIONER FREEMAN: Say hi to the Council while you're there. If they have any questions you can send them our way.

CHAIRMAN CREAMER: Okay. While we are seeking further wisdom are there any other questions or comments from neighbors? I see four hands. So we'll start, this lady hasn't had a turn tonight. And you are?

MS. CLARKE: Moira Clarke, and I'm at 1550
Asbury. Moira Clarke (M-o-i-r-a C-l-a-r-k-e).

CHAIRMAN CREAMER: Okay. And your question or comment?

MS. CLARKE: I have a couple questions. So how do you determine, because, I mean, at least from my vantage point looking at this I see a real division between the R-1 and the, you know, the stuff to the east. So how, not only make a decision to change zoning for an area like that from O-1 to R-4? What do you include in that?

CHAIRMAN CREAMER: You want to respond, Bill?

MR. DUNKLEY: A designation of exactly what properties do you change, and that's what the legal description, and also a, as I mentioned, a map that shows precisely what the boundaries would be, that's really it. And then we, the additional text that would come with the ordinance, that's included in all the whereas' and wherefores' and the we hereby re-designate, very specific hocus pocus legal, that basically says we've changed the zoning.

COMMISSIONER FREEMAN: Are you asking about the deliberations?

MS. CLARKE: Yes.

COMMISSIONER FREEMAN: You're asking about the
1 deliberations?

   MS. CLARKE: I'm essentially asking for what purpose, in general, do you change a, that seems to me like a significant zoning change. So my question is, for what reasons are deemed good reasons to do that in light of the fact that it's surrounded by a very near residential area in Evanston?

   MR. DUNKLEY: There are four specific standards which have to be met in order to recommend a re-zoning, a map amendment for re-zoning. Other than that it is left, in the Zoning Ordinance, up to the wisdom of the City Council as to the benefit of any map amendment.

   So it's identified as a very significant change, so it controls what value, what can and can't be built. To say specifically -- whether it's a good change or a bad change, it's not always possible to deduce, because you have to -- of the City Council.

   MS. CLARKE: Okay. But in general, let's just say that Roycemore is, you know, really, obviously, a valued institution in Evanston, could do everything that it wants to do under one designation and still be a very viable, vibrant organization, which is it seems very committed to, what would be the reason other than
increasing the value of the property to change it from one designation to another? I'm puzzled by that. Because it seemed to me that in order to be able to do what they wanted to do.

MR. DUNKLEY: Well, the question of the map amendment goes far beyond Roycemore or any one particular occupant of the property. Zoning designations change very infrequently. It's really a matter of looking at -- of General Plan and understanding what zoning would meet the goals of the, on this plan, which is a very long -- document.

It is true and I'd like to reiterate it, that in this case that we do somewhat have to separate the applicant from the rest of the application because the special use, the variances all can be conditions upon which they, especially, particularly expires after a year if it's not used, the applicant does not, map amendments -- the value of the land.

In this case we're actually, the proposal from O-1 to R-4 for it to decrease the value of the land, O-1 allows them to -- FAR for a ratio of 2.0 to two times the amount of lot size could be developed -- so hotels, national institutions, government institutions, there is no coverage maximum for O-1.
There could be significant development, and that is by right. They do not have to ask anyone's permission to do a development.

So right now with the current occupant leaving -- quite well. But it really, really you need to consider what can happen in --. So I think the thought is a good way to approach protecting the lower density residential community that's there.

And I'd like to correct something actually that Mr. Friedland said. R-4 does not allow any type of residential development, it allows only single-family detached, two-family development, the single-family attached, which are townhomes. It does not allow multi-family buildings either by primary or by special use.

So in many ways it does represent the --

MS. CLARKE: Yes, and I understand that. And I guess, I guess I'm of the, I understand that a compromise might be necessary, I guess I'm looking for what kind of reason is --

CHAIRMAN OPDYCKE: Ms. Clarke, let me interrupt just for a moment. You do understand that under the current zoning you can't put a school on the property whether it's a private or a public school?

MS. CLARKE: Yes, right, I do, I understand --
CHAIRMAN OPDYCKE: So the zoning itself is going to have to be changed, you can't have a school, well you can't have a school under an O-1 zone.

MS. CLARKE: But you're going to change it to R-1?

CHAIRMAN OPDYCKE: Well, you can change it, I suppose to anything, anything you wanted but you can't put a school up there --

MS. CLARKE: Okay.

CHAIRMAN OPDYCKE: -- under an O-1 zone. So you got to find an appropriate change if in fact you want to accommodate a school.

MS. CLARKE: Right, you're right. And I thought a less impact one was R-1. Is that incorrect?

MR. DUNKLEY: Well, that would be the least impact.

MS. CLARKE: And legally it'd be the smallest change?

CHAIRMAN OPDYCKE: It's the biggest change from what it is now.

MS. CLARKE: From what it is now, yes. Okay. So R-1 allows what?

MR. DUNKLEY: Single-family detached houses on a minimum of 7,200 square foot lots.
CHAIRMAN OPDYCKE: Yes, I think it's even bigger than that.

MR. FIELD: Dewey is right there, is that in the R-1, Dewey Elementary?

CHAIRMAN OPDYCKE: Dewey is an R-1, yes.

MR. FIELD: It is an R-1, okay.

MS. CLARKE: So a similar school -- that's R-1? I'm still not, maybe I'm just, you know, not getting it. But I'm wondering, you know, is there a way of creating the least impact, getting Roycemore what it wants, and also meeting the needs of the current community there, that would have the least impact and kind of the most broadly, yes, yes, or no.

COMMISSIONER FREEMAN: What do you define as the least impact? Are you saying that making it an R-1?

MS. CLARKE: I believe that in making it a multi-family use, or a townhome being allowed is a bigger change than R-1, or is that R-1?

COMMISSIONER FREEMAN: An R-1 is only single-family homes, okay, 7,200 square foot lots, okay. R-4 enables, I believe, 2,400 square foot multiple unit dwellings, so up to, so townhomes. That property would support 40 of those but there would be, need to be a special, or it would have to go before the Council and
us to approve 40, by right there could be 24. Is that correct? That's what the memo said?

MR. FRIEDLAND: 23.

COMMISSIONER FREEMAN: 23. 24 triggers having to come to this Commission as well as going to the City Council. If what you're asking was that if that building was torn down and you wanted to make it like the rest of the area is today that would be R-1. Roycemore has put in for, a request for R-4. They have come to us requesting a change to R-4, not an R-1. So my belief is it is up to us to decide whether or not we approve an R-4. Correct?

COMMISSIONER NYDEN: Yes.

COMMISSIONER FREEMAN: That is all we can do.

MR. DUNKLEY: But to us to recommend to the Council.

COMMISSIONER FREEMAN: An R-4. We cannot say, no, make this an R-1. We cannot say, we recommend an R-1. Can we?

COMMISSIONER HUNTER: We can say no to the R-4, come back.

MR. FRIEDLAND: And if I could speak just to make two comments to these comments.

One is, I do want to make sure we do correct
the record, and I was just talking with Bill as there
was off time. R-4 does permit multi-dwellings.

COMMISSIONER FREEMAN: That's right, right.

MR. FRIEDLAND: So I don't know if we cleared
that up, I just want to make sure --

And, you know, the way that we've approached
this is exactly the way that you're approaching this,
which is when we looked at how to achieve a school at
this site with the knowledge that office zoning didn't
permit it, even special use, we had certain options.
And certainly one option would have been to amend the
Zoning Ordinance to permit a school in an office zoning.

Staff certainly didn't like that, I don't know
who might like that, that seems like a very bad change
and something that we didn't even consider. So it went
to, look to the zoning districts that permit a private
educational institution as a special use. And you're
right, in all of the residential districts that exists.

So then we said to ourselves, really, what's
the, under Illinois Law what's the most defensible
zoning district for this site. And frankly, R-4 is,
when the analysis that I presented, R-4 not only is it
something that the counsel has done before to the
owners, but taking into consideration where this
property is located, it has never related as an R-1 property to the R-1 neighborhood to the west.

COMMISSIONER FREEMAN: I would say that I think it does relate because of the hill it's on the properties are very, the building is very low. So it's, you know, while on Ridge it is a multi-story building, from Asbury it looks like a single-story building.

So I would say that I think it relates very well to an R-1 because of that. It's very --

MR. FRIEDLAND: Commissioner, with all due respect, the same building height exists in an R-4 and an R-1, 35 feet in bulk. So again, its building height is going down --

COMMISSIONER FREEMAN: But you have to judge what could happen if Roycemore doesn't buy this and you make it an R-4 --

MR. FRIEDLAND: You can only do 35 feet.

COMMISSIONER RODGERS: But you also have to consider what's the best use for a --

COMMISSIONER FREEMAN: That's correct.

COMMISSIONER RODGERS: -- parcel of land.

COMMISSIONER FREEMAN: Right, that's correct.

COMMISSIONER RODGERS: -- re-zone the neighborhood R-1 and not allow anybody to build anything
except a single-family home. So you have to look at where does it make sense for your larger buildings to be placed.

COMMISSIONER FREEMAN: Right, I agree.

CHAIRMAN CREAMER: Okay.

MS. CLARKE: Thank you.

CHAIRMAN CREAMER: All right. Thank you, Ms. Clarke. Yes, Johanna?

COMMISSIONER NYDEN: Okay, I just want to make a comment. I really think that this section relates more to the R-1. And I think that if the City and the Plan Commission at one time had perhaps thought that it did relate more to the density to the east it might have been included in our downtown planning process, and in fact it wasn't.

And I don't know if that was because we assume that nothing was planning for Pension, you know, would be there forever and that we didn't need to touch that, but we did cut Ridge off as the line. I think that is something that's noteworthy. I mean, to spend a year, more than a year working on this, and I think we're all sort of still aware that Ridge was our boundary.

COMMISSIONER SUMMERS: It seems sort of like I've forgotten the cases, someone who lives in one of
the transitional buildings along that Ridge Corridor
that should have been considered.

CHAIRMAN CREAMER: Okay. Speaking of
boundaries, my job here tonight is to get this hearing
finished. So, Bill, you have --

MR. DUNKLEY: Yes, a couple other pieces of
information to add to the deliberation.

We did considerable research, and the property
has actually never been zoned anything lower than R-5 in
the past. It has been O-1 for recent history. And the
Comprehensive General Plan identifies a future land use
of the site as office.

So it would be an aberration, a departure from
it, from the Comprehensive General Plan because it's
excluded from the downtown area does not mean it's not,
it is not in proximity to downtown. And we all know
what the primary goals are of the Comprehensive Plan is
to preserve the building density and transitions within
walking distance of --

Very, very key reason why downtown seems to
work. So I would suggest, I hope that you would take
that into your deliberations.

CHAIRMAN CREAMER: Okay. Thank you, Mr.
Dunkley. Yes?
MR. MILLER: I want to comment on this map if I may.

CHAIRMAN CREAMER: Are you referring to the Colorful Zoning Map?

MR. MILLER: Yes, the Colorful Zoning Map. First of all, I really appreciate the board member who made the point that the new downtown plan specifically excludes all the property on Ridge that is west from the downtown zone. This area is not a transitional zone in the least bit, it's an incredibly stable neighborhood. The only issues in the entire neighborhood are this site and the sight line across the street, what's going to happen to both of them, that's really the only issue. You got a very stable housing stock, you got very kept properties, there's no blight anywhere in this neighborhood. So, I'm sorry.

COMMISSIONER McLENNAN: That's not what transitional means.

MR. MILLER: There's nothing in the Zoning Ordinance that I saw that says that this is transitional. It's not labeled transitional in anything that I've read.

COMMISSIONER McLENNAN: Right. I think what they mean when they're talking about transitional is the...
fact that if you've got super dense to the east and
single-family residential to the west that it's
sometimes optimal to have a medium type of zoning in
between the two, it's a step.

It doesn't mean that the Village is going to
be blighted, or overgrown, or anything like that. So I
just, I want to kind of clarify what we're talking about
when we say transitional.

MR. MILLER: That's fine. But from, you know,
from the standpoint of this area, if you go all the way
down to Main Street everything is R-1 through all the
way up here except for this area and five townhouses
over here. There's nothing in this neighborhood, in
this area, other than five townhouses that are R-4.

Now, the notion that somehow across the street
on Ridge, which is really considered almost part of the
downtown area, somehow that that should have an impact
on this side of Ridge, yeah, respectfully, I disagree.
You are bringing multi-family housing into an area that
doesn't have it, okay, for all intents and purposes.

And the other thing here is this, I think,
Moira was getting at this, is the whole contradiction in
the, this is about money, it's about value of this site.
The applicant could apply for R-1 and ask for all the
variances and the special use and there would have been
no objections from the neighbors. Everything that
Roycemore wants to do could be accomplished in an R-1
District without having any negative impact on Roycemore
if it proceeds with its own development plans, okay.
If it fails with its development plans what
you have effectively done is you could now move multi-
family housing into a neighborhood that doesn't have it,
okay, it doesn't exist over there other than these five
townhouses you don't get multi-family homes.
So, you know, to be saying the Plan Commission
has to determine whether it's consistent with the
neighborhood, we would define the neighborhood as
everything west of Ridge, okay. And if you look at the
entire neighborhood it's not consistent, there is really
no R-4 of any substance in that area. And you guys are
putting 23 townhouses over there, that's a significant
change in this area. And we are seeing a lot of these
townhouse developments in Evanston, they are rather
dense. I don't know what 23 would look like.
But again, this is a single-family home
neighborhood, and there's no reason to create, to push
this into a transitional zone that may be a higher
density when what it's going to accomplish can be

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accomplished by a lower density zone, I mean in R-1.

CHAIRMAN CREAMER: We have your point.

MR. MILLER: Okay. And that's my point.

CHAIRMAN CREAMER: Okay, thank you.

COMMISSIONER SUMMERS: And I would just quickly clarify that going, if you consider the neighborhood of R-1 not just south of the property but north of the property, I don't know if you consider in your mind part of the neighborhood --

MR. MILLER: All the way up to Emerson.

COMMISSIONER SUMMERS: All the way up to Emerson, the majority of what you're looking at is multi-family on the west side of Ridge. Other than the Y and I think four single-family homes.

MR. MILLER: Well, you mean single-family, I mean, there's very little multi-family, there's some --

COMMISSIONER SUMMERS: But that's what, that R-5 is multi-family, the next building is multi-family, the next building is multi-family, and then 1800 is another multi-family.

MR. MILLER: Right, but I think if you walk --

COMMISSIONER SUMMERS: There's four or five multi-family --

MR. MILLER: If you walk through the whole
area you would see that this whole area is very consistent. Yes, along this portion of Ridge there has been a change, and we accepted there's change in the area. But if you were throwing this directly into an area that's primarily single-family homes at this point. And if the City wants to change that and make it an R-5 or R-4 area, obviously that would be something that they should really do not in connection with one parcel, they should do it in connection with neighborhood and make these decisions.

COMMISSIONER SUMMERS: One of the things that I think that they've been considering on has been the case of the Silver Properties, and I know that this board has considered many of these, is all these buildings, they've been there for, a lot of them almost 100 years. The two that we're looking at are, I mean, the one that we're looking at is a little bit newer. But a lot of these buildings have been there for a long time and they're previous use.

And I think this gets to other one's question. It's not necessarily the most viable option at this juncture, it doesn't necessarily fit the neighborhood anymore and maybe there are bigger and better uses for the property. And --
MR. MILLER: Or smaller and better uses.

COMMISSIONER SUMMERS: Or smaller and better uses. But I don't mean bigger as in size, but, you know, more reasonable uses for the property. I just think you have to look at the whole corridor, and there's a lot going on there that's not necessarily, you know, re-invention necessarily.

MR. MILLER: Well, and obviously that's what this is all going to be about.

CHAIRMAN CREAMER: Thank you.

CHAIRMAN OPDYCKE: Mr. Miller, if I may? Mr. Miller?

MR. MILLER: Yes, I'm sorry.

CHAIRMAN OPDYCKE: If this were a vacant piece of property would it be your wish that it be zoned R-1?

MR. MILLER: Yes, absolutely it would be my wish.

CHAIRMAN OPDYCKE: Can you envision single-family residents, single-family dwellings on the east side of Ridge?

MR. MILLER: There are single-family dwellings up and down the east side of Ridge right now. Absolutely I can envision it.

CHAIRMAN OPDYCKE: But aren't those in areas
where there is R-1 on both sides of Ridge? I'm talking
about this particular place. Would you want a single-
family dwelling on the west side of Ridge where this
property is located?

MR. MILLER: I think that it should have a
single-family dwelling where the homes are actually
pointing inward, there's cul-de-sacs in some of these
properties, it would be just fine.

I mean, I don't think that the fact that you
have some, you have a parking lot across the street,
then you have two apartment buildings, that's basically
it. I don't think it would much matter in that area.

But more importantly, I think what really
doesn't matter is in terms of what Roycemore wants to do
they're not negatively impacted by having an R-1.
That's really what my biggest at this point is.

CHAIRMAN CREAMER: I think we've heard this
point made enough, so let's move on. When I asked for
comments I saw two other hands, Mr. Gordon's and the
gentleman in the back. The gentleman in the back hasn't
had a turn so why don't you come up?

MR. PORTNOY: Hi, my name is David Portnoy, at
1560 Asbury directly across the property.
I had a few questions. If we re-zone this as
R-1 today is there any reason why somebody can't come back later and say, and ask for this to be R-4? Because right now, like several people already said, there's no good reason why it should be R-4. So if at some point the developer, let's say Roycemore didn't go through, if at some point the R-1 is an issue, it's no longer good, couldn't they just come back and ask for an R-4 then?

COMMISSIONER RODGERS: Can I answer that question? If somebody came into one of these R-1 districts right now and asked for it to be zoned R-4 would everyone here be back out again saying, we don't want it zoned up to R-4? It's always much harder to increase density than to decrease.

MR. PORTNOY: Then wouldn't we have a proposal and we'd be able to speak to exactly what they're, what they want to put on the site? Because right now we now have drawings of what Roycemore wants to put on the site. We don't know what --

COMMISSIONER RODGERS: And I'm not a developer, but I think a developer would not want to invest the amount of time and money into fighting that battle.

MR. FRIEDLAND: If I could respond to the question, Mr. Chairman, maybe this could shortcut it for
all of you. Which is, please, I take Mr. Portnoy's comment to be that he would not, he does not believe R-4 is the appropriate zoning district.

But the question with respect to you re-zoning this is immaterial, you have an application before you for R-4 zoning. So I don't know that we really have to go down a path that isn't even before this body.

COMMISSIONER HUNTER: We have to make a thumbs up, thumbs down.

CHAIRMAN OPDYCKE: Yes, that's the narrow question for the Plan Commission. Do we recommend the change from O-1 to R-4, that's it.

MR. FRIEDLAND: Correct. And as I say, I take it from Mr. Portnoy's comment that he believes R-4 is inappropriate for the site, I understand that. I just think to raise the question of, could we do an R-1 and then something else is just not something that's before this body.

MR. DUNKLEY: I believe the question also has to be answered, why is O-1 inappropriate?

CHAIRMAN CREAMER: Well, I think we addressed that, Bill.

COMMISSIONER WOODS: No, I don't think we have.
COMMISSIONER NYDEN: No, I don't think so.

CHAIRMAN CREAMER: You can't build a school, you can't have --

COMMISSIONER WOODS: -- appropriate for their use, but relative to a zoning change we're supposed to, one of the standards of the Comprehensive General Plan. The Comprehensive General Plan says that it's Office going forward.

This is a property that has been zoned O for quite a long period of time and has always had a non-profit institution on the site, so it has never been a tax-generating property. And so on the surface the fact that it's passing from one non-profit to another and continues to not generate taxes for the city seems okay.

The question, I think, is really whether that is okay, or whether O-1 should be the continued use, and throughout this downtown planning process there's been numerous discussions about the lack of B office space in the City, and this building provides a perfect opportunity for that.

CHAIRMAN CREAMER: Fair enough.

COMMISSIONER BURRUS: And I would echo, Chuck, you're agreeing with Al, I'm going to agree with Jim, it happens so infrequent.
But I think that that really actually is a good point is should this no longer be office. And throughout the Downtown Plan and throughout, you know, looking at the city, and we talk about economic development, and we talk about do we need to bring more money into the City, and we complain about the not-for-profits that aren't generating taxes. And we just had this discussion last month with the Schur Property, and I go back to that again. I'm sorry, you guys, you guys saw it first, right, the Schur Property? Then never mind, sorry.

But we talked a lot about, you know, taking it off the tax roles and making it, you know, a not-for-profit and basically changing the zoning. That's something that we do need to talk about, about economic development and should this continue to be office.

And there was a huge discussion throughout the Downtown Plan and 708 Church, one of the reasons why some of us in the minority were against tearing down that building because we were throwing out 120 businesses, sole proprietors.

And so we have to look at, we're complaining about taxes but we're continuing to put not-for-profits where we could be putting businesses. So I agree with...
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you, Jim.

CHAIRMAN CREAMER: All right. Any further questions, sir?

MR. PORTNOY: I have a couple. I think we've kind of danced around the question, maybe he said it earlier but I didn't quite get it. What is the underlying reason for wanting R-4?

MR. FRIEDLAND: Because we believe it's the appropriate zoning district for this parcel of property.

MR. PORTNOY: But besides that, I mean, is there --

MR. FRIEDLAND: That's a big besides. It is the most appropriate so therefore it's what we ask for. The idea being that if someone were to come in and challenge the zoning change, the way that I approached it in the analysis that we gave to it is what's the most defensible zoning district for the site zoned residential, and with its proximity to highly dense property on the east, and other examples of R-4 zoning, and the historic use of this property, and the fact that you have 255 dwelling units that could be permitted on the site today, we felt, and believe, that R-4 zoning is the appropriate and most defensible zoning district.

R-1 zoning does not relate for this site. And
that's why we didn't ask for it, and that's why we're asking for R-4 because we want to ask for the most appropriate zoning district.

MR. PORTNOY: Okay. So financing has nothing to do with it, or is there, I just want to understand because we're obviously arguing about this for a really long time. Is that something that you, can you talk about, or is that --

MR. FRIEDLAND: We're buying the property.

MR. PORTNOY: Okay.

MR. FRIEDLAND: So, I mean, we're spending money and purchasing the property. I don't disagree with you that there is an economic issue with respect to the value of real property. But frankly, the reason why we've chosen R-4 is because we think it's the right district for this location. R-1 doesn't make sense.

MR. PORTNOY: Okay. And just one more brief question, sir, I apologize, I don't know your name. You said that it's going to be a big headache if we divide the property into two zonings. Can you give me a couple of example of what would be the problem?

MR. FRIEDLAND: Again, if I may, I don't know that that's really something, if it's a good conversation then I can have it, but we're not, the
request before you is not for split zoning on this site, the request before you is for R-4 zoning.

CHAIRMAN CREAMER: Yes, I agree with counsel that that's beyond what we're thinking about here, or should be thinking about.

MR. PORTNOY: Thank you.

CHAIRMAN CREAMER: All right. Mr. Gordon, one last shot.

MR. GORDON: Mr. Friedland, in the beginning of this discussion, reference to the remarks and the same phrase a couple times through, he said, from our perspective, he did not say, from the neighbors perspective.

And he talked about the property on the north side of Davis and on the east side of Ridge. He didn't talk about the property, the desires of the property owners on the west side of Asbury and the south side of Grove, and they're just as important as Roycemore is here. So I don't think that you're, that you are required to take his remarks as cast in concrete.

Furthermore, the concept of this being a transition zoning, that's just a, begging the question, I think. We don't need transition zoning there, we need low density, low elevation buildings.
And they say R-4 is what they should have, and he said that's what's before you and that's what you have to consider. If that's the case then turn them down and have them come back for an R-1 zoning.

CHAIRMAN CREAMER: All right, thank you.

Seeing no other neighbors within 500 feet with questions or comments, Mr. Field, something brief?

MR. FIELD: A quick comment. I think we were talking about what R-4 was, and I heard 23 units would be the maximum. Then right at the end of that someone came and said, actually, we can have multi-family dwelling units in it. Did I hear that correct? So what is the maximum number of units that can be in that R-4 based on that size? You say it's not 23, it's more than that?

MR. FRIEDLAND: It's 40 units.

MR. FIELD: 40 units. And that --

MR. DUNKLEY: 23 units could be done by right, anything 24 and above would require a Planned Development process.

MR. FIELD: And so the largest would be a townhome? Did I hear --

MR. DUNKLEY: No, the R-4 doesn't allow multi-family.
MR. FIELD: Okay.

MR. DUNKLEY: It's still within the height requirements and the setback requirements.

MR. FIELD: All right, that was it. Thank you.

CHAIRMAN CREAMER: All right. With that I think we've heard from everyone and given the applicant an opportunity to complete the matters that they wanted to do so. So with that we will indeed close the record.

COMMISSIONER FREEMAN: Could I ask just one question about the trees? Somebody did bring up the trees and how many we are losing, just really quickly.

CHAIRMAN CREAMER: All right. At the last second here can we address the trees.

COMMISSIONER FREEMAN: Well, we had said we were going to address the trees back when it was brought up by --

CHAIRMAN CREAMER: Well, nobody else brought it up, Mr. Freeman, so we're --

COMMISSIONER FREEMAN: Nick Patera did.

CHAIRMAN CREAMER: Okay.

MR. PATERA: Nick Patera is my name, I'm a landscape architect. We did --
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COURT REPORTER: Would you please spell your last name, sir?

MR. PATERA: Yes, (P-a-t-e-r-a).

CHAIRMAN CREAMER: And he's been sworn last time.

MR. PATERA: Yes, I was. Let me put up landscape plans. But while that's coming up there are 12 trees on the site we're considering for removal. The answer is that these trees are in the, yes, thank you, these are in various forms. Some of them are mature trees, the maple tree that was mentioned and the tree of heaven, and a pine tree, and an elm tree are the largest of the 12.

The remainder are, if I was to say sickly it wouldn't be too scientific but you'd get the point, not in great shape, a Hawthorne, a crabapple, another birch tree has kind of served its time and seen better days. Another smaller Hawthorne and a crabapple on the north parking lot, west side, that are not of significant character.

I think the answer that I can give you and is probably the most effective is that we're really proposing 37 new trees of better quality that are going to come in and replace. Of the larger shade trees the
elm, the tree of heaven, the maple, and the pine,
there's another ash tree in there, it's also a little
suspicious these days with the emerald ash borer so that
may be of variable concern from an urban forestry point
of view.

The tree of heaven is here, although big, it's
probably at its mature point. A tree of heaven, if you
know what those are, is basically a kind of tree you'd
find along a railroad embankment, not the most desirable
tree.

The maple tree as a street tree is along here,
it's a nice tree, but nonetheless, I think testimony has
been given as to the location and the reasons for having
that inbound drive curb there.

COMMISSIONER FREEMAN: What is the shape of
the elm tree?

MR. PATERA: The elm tree is at that location,
and it's in generally fair condition.

COMMISSIONER FREEMAN: How big is it?

MR. PATERA: That elm, I think, is 20, I'm
sorry, I can't read it, 10 inch elm, it's hidden in the
text but I could clarify that.

But generally the caliper inches of removal
and the caliper inches of replacement will be
compensated with the replacement of trees, and also the shrub plantings, as I had mentioned, along Asbury are going to be replenished. There are some shrub plantings that exist to shield the north parking lot and they continue on.

But there's some gaps and intermittencies that we are going to fill back in with groups of six, and then three, and six, and three groupings of trees that we're replacing both on the west side, as well as some supplemental planting around the play area, I think is the intent to compensate for what's being removed.

COMMISSIONER FREEMAN: Thank you.

CHAIRMAN CREAMER: Okay. Any other board members have any questions about the landscaping? I see none, so thank you very much.

Before I close the record, Dominick, would you take custody of the Colorful Zoning Map pursuant to our standing orders of making sure that we have all the exhibits?

All right. With that then having secured the exhibits and answered questions about the trees we will close the record and begin deliberations. And if, Stu, there's anything else you want to take of, turn this over to Stu because you guys in the batting order go...
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CHAIRMAN OPDYCKE: Thank you, very much. As I
said before, our narrow question is whether or not the
application to change this zone from an O-1 to an R-4
should be allowed, whether a recommendation to the City
Council should reflect that fact.

So I would invite discussion on any and all
aspects of this from Commission Members.

COMMISSIONER FREEMAN: How about a break?

CHAIRMAN OPDYCKE: All right, we'll take 10
minutes.

(Off the record.)

CHAIRMAN OPDYCKE: Okay, we're back in session.

So we left off, and I've invited members of the Plan
Commission to comment on the applicant's petition.

Anybody have anything they'd like to say? Mr. Freeman,
you look like you're getting ready to say something.

COMMISSIONER FREEMAN: You know, I do have a
few questions still that I should have asked Mr.
Friedland but I don't know if I'm allowed to do that.

CHAIRMAN OPDYCKE: You are allowed to do that.

COMMISSIONER FREEMAN: Is there complete
funding to move ahead with this project?

MR. BECKER: We anticipate the funding is
1 absolutely there, we're certainly engaged in fundraising
2 at this point. But we have reason, having consulted
3 outside consultants that we have the capacity to raise
4 the appropriate money and to complete the deal.
5 COMMISSIONER FREEMAN: Okay.
6 CHAIRMAN OPDYCKE: Anything else?
7 COMMISSIONER FREEMAN: Not for Roycemore. I
8 mean, I don't know if, well, I mean, I like Commissioner
9 Staley's option of, you know, creating an R-4 on the
10 east side of the property and an R-1 on the west side of
11 the property but that's not what they applied for.
12 CHAIRMAN OPDYCKE: That's correct, it's a real
13 narrow question here.
14 COMMISSIONER FREEMAN: Yes.
15 CHAIRMAN OPDYCKE: Should this be changed from
16 an O-1 to an R-4? I mean, I suppose we could always
17 make some recommendation whatever our decision happens
18 to be, but that's the narrow question.
19 COMMISSIONER WOODS: Well, --
20 CHAIRMAN OPDYCKE: Would you speak into a
21 microphone so they can hear.
22 COMMISSIONER WOODS: Yes. I guess the way
23 that I view this is really there's two questions. One
24 is a zoning change, and the second is a special use if
you make a zoning change to a district that allows for
the special use.

And so I'm going to ask to take these
backwards in terms of my comments because quite frankly
I have no problem with the adaptive use of this building
as a school. In fact, I think it's very wonderfully
thought out and planned.

I think that with the kind of limited concerns
that have already been addressed tonight in terms of the
site circulation, and we need to maybe take a look again
at the emergency exiting from the garage, which is
really a building code kind of issue. That it would be,
potentially a very wonderful use of the existing
building, a nice addition. And so don't I really have a
problem with any of that.

My problem is with the zoning change. And
quite frankly, it is that we are decreasing the
potential taxable value of the property. And in a city
where revenue is a huge issue I don't see or understand,
given the Comprehensive General Plan, why we should do
that.

Quite frankly, I would rather, and this is,
again, outside the purview of what we're deciding upon,
but I would rather have seem them pursue the idea of a
change in the Zoning Ordinance to allow special uses in
an O-1 District where we don't have to affect the
underlying value, taxable value of the property, but
could still allow them to be using that in the district.

I mean, the truth of the matter is, and trying
to do a little bit of thinking about this, why don't,
why aren't schools a special use, as they are in other
districts, allowed, you know, most of the zoning as an
institution in America really came about in the fact
that America wanted to separate all its uses.

And I think over time that's necessarily come
to agree that all of the uses should be in totally
separate places in the world and that we live in a much
more sort of messy and mixed use kind of environment
today than maybe we thought we did back then.

And given that we don't really have giant O
Districts in a community where you'd be putting a, you
know, a little school in the midst of a sea of office
buildings, I don't really see why a special use to allow
private educational institutions to exist in an O-1
District is a problem any more than it would be in a
residential district or a, you know, multi-family or
single-family district.

And so, you know, by way of my comments is
that, you know, I really don't see the reason to make a zoning change to the site, and I would like to see the applicant pursue a different avenue.

CHAIRMAN OPDYCKE: Thank you for your comments.

COMMISSIONER STALEY: I'd like to just add something. And Jim, even under your scenario though in the foreseeable future we would, the City would receive no tax revenue. Is that correct?

COMMISSIONER WOODS: That is correct.

COMMISSIONER STALEY: That is correct. So --

COMMISSIONER WOODS: We aim for taxable value of the property. I mean, if you're, if one of the things that we're looking at is what would happen if for some reason Roycemore was to go out of existence, and obviously that's not in their best interest, they don't have any intention of doing that, there's every reason to believe they are a well-run institution and will be around forever. But we also have to consider the alternatives if that doesn't turn out to be true. And for that reason I would like to see the taxable value of the property maintained.

CHAIRMAN OPDYCKE: Why do you reach the conclusion that the taxable value of the property would
be diminished with the change from an O-1 to an R-4?

COMMISSIONER WOODS: Because I think any person who calculates taxes could usually tell you that would be the case.

COMMISSIONER BURRUS: Right. In Cook County between residential and commercial --

COMMISSIONER WOODS: I'm certainly not an expert but --

COMMISSIONER BURRUS: Yes. No, it's a huge difference.

CHAIRMAN OPDYCKE: I think it's twice, it's twice the rate, is it not?

COMMISSIONER BURRUS: Yes.

CHAIRMAN OPDYCKE: 32 percent and then it goes to 16. Other comments?

COMMISSIONER GALLOWAY: And I agree that we have to make a decision on the motion as put before us, but that should not restrict us from the kind of investigative and creative scenarios that we've discussed tonight. Because how else can we really make a decision on the validity and overall beneficial nature of the proposal put before us?

I agree with everything Jim said. I mean, it seems rather odd that we are spending the vast majority of LeGRAND REPORTING & VIDEO SERVICES (630) 894-9389
of the time this evening discussing the, what we, how we
will plan for what is likely a very remote scenario that
this project doesn't go forward, especially a project
that I think we're all very much pleased with.

But nevertheless, that subject was raised by
the residents, and it should be raised by us.

The potential for a demand in office space in
this City I believe will only increase after we get out
of this present economic downturn. So once again, I
concur with what Jim said.

CHAIRMAN OPDYCKE: Yes, Johanna?

COMMISSIONER NYDEN: I think while these are
two separate issues, what we had before us in regards to
the Yakhov School and this property I think, for me in
voting to not recommend the zoning change for the Yakhov
School the issue was that if the project did not go
forward we were, we would have a property that could not
be used as commercial.

And so I think the same might apply here, sort
of echoing what Jim just said, that if this project
didn't go forward we would still have an office space in
our downtown near to major transportation nodes, or we
would have, I mean, I think this needs, we need to
really think hard about getting rid of this as an office
spot because we're really going to need this if this
doesn't, and that's not to say I really believe that
this should be Roycemore, and I think this is a good
project. But I just don't, I don't know if we need
more, we need to zone more residential in this community
seeing as we already have a lot of projects that are not
going forward right now.

CHAIRMAN OPDYCKE: Seth?

COMMISSIONER FREEMAN: Yes. As a resident of
that neighborhood I would prefer seeing residential
there if Roycemore didn't go forward than seeing that
building replaced with a larger office complex.

I too though, as a member of the Commission,
am concerned about taking property taxes or potential
future property tax. But again, if history taught us
anything about Roycemore hopefully it would be there for
100 years.

So I would be inclined to, I don't know what
the timing ramifications are for Roycemore to move
forward with the, with the deal. So if we turn down the
change is there opportunity for the organization to come
back and ask for something else?

CHAIRMAN OPDYCKE: You know, that's really not
a question for us I don't think. I would suspect that

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there is ample opportunity down the road. But again, the narrow question which, should we approve this change from O-1 to R-4. And I don't think we have to get into a lot of collateral questions. But, perhaps relevant but not for purposes of our mission here tonight.

Chuck?

COMMISSIONER STALEY: I was sort of hoping the point would get further over there somewhat, because I didn't particularly want to, I wanted to jump in on this rather than raise it, but I don't have any problems with the project. I think it's a great project, and it's a great school, and I know a lot of great people that send their kids there. I never did but, you know, a neighbor does.

But the tax issue is a big issue and it's bigger really than anything that's been said so far. And I'm not really clear in my own mind as to what the Plan Commission is supposed to do with respect to this. It ultimately goes to the City Council.

I mean, the City Council has to make a determination if we know our, we know our financial, you know, no one's financial situation's any good, but Evanston stinks. We have so much property that's off the tax roles, so I'm not really thinking, you know, 100
years from now, I'm thinking, you know, next year.
Because it's conceivable if we, if we do turn
this down and do not create a zoning that permits a
school there or a, the Methodist Church is going to have
to do something. Now they may sell it to the Lutheran
Church or somebody else and it may never get back on the
tax roles. I mean, there's that possibility.
But on the other hand they may not. They may
sell it to, you know, some developer who will carve it
up into Class B Office Space and it will go back on the
tax roles and we make a lot of money.
And I think we need to, you know, I don't know
where I come out on that right now. But I think we need
to either have a discussion of that or we need to agree
that, it'd be the City Council that discusses that and
we need to direct them that we're either approving it,
or we're approving it on the basis that they're going to
analyze that.
I don't understand how that works out. But I
think that's, as far as I'm concerned that's the issue
here for us.
CHAIRMAN OPDYCKE: Colleen?
COMMISSIONER BURRUS: Chuck, and I think that
that's why it was brought up before is that I think it's
really important that we keep this as office, and it is a tax issue, and we talked about it on the Schur property as well. And we can't just let this go.

And if the City Council decides that they want to take it off, you know, and make it residential we can throw that to them. But I think our best recommendation, we have to look at the Comprehensive General Plan, and we have to look at what we believe is best for the City. So and I think that just a few of us are in agreement on sort of the economic development part of it.

And I also echo, you know, we are in a budget crisis situation, and if we don't start focusing on economic development, and it looks like the City Council will most likely allow 708 Church to be turn down, which then will throw out tons of office people that need office space.

COMMISSIONER FREEMAN: They're gone already anyways.

COMMISSIONER BURRUS: But they need places to go, and this is an ideal place that would be someplace where people could go that's close to transportation as well.

CHAIRMAN OPDYCKE: Anyone else? Do I have any
motion? I should say that I do share the concerns of many of my fellow Commissioners here on the tax issue. I mean, there's no question that Roycemore is an institution, a wonderful, wonderful institution.

And, as a matter of fact, the Comprehensive General Plan said, among other things, that Evanston institutions should be supported so long as their growth does not have an adverse impact upon the residential zones adjacent to it. But Roycemore's been here forever, it's a beloved institution.

But as Colleen said, rather eloquently, we've got some serious financial matters that this community is facing down the road here, and we can't ignore those. Absent that I would be very much in favor of granting this application, though I'm very troubled about the tax consequences.

Would anybody else like to say anything? And is there a motion? Commissioner Woods?

COMMISSIONER WOODS: Yes. I would move that we deny the zoning change.

CHAIRMAN OPDYCKE: Say that again?

COMMISSIONER WOODS: I recommend denial of the zoning change.

COMMISSIONER BURRUS: I second.
CHAIRMAN OPDYCKE: Okay. So denial of the zoning change from O-1 to an R-4?

COMMISSIONER WOODS: Correct.

CHAIRMAN OPDYCKE: There's been a second.

Discussion, any further discussion? Okay. Role call vote. Jeff?

COMMISSIONER FREEMAN: Still thinking. Yes.

CHAIRMAN OPDYCKE: Was that a yes for the change?

COMMISSIONER BURRUS: No, that is to deny.

(Role call vote taken.)

COMMISSIONER FREEMAN: No.

CHAIRMAN OPDYCKE: The motion carries. The application for the change in zoning is not recommended by the Plan Commission with regret, at least on the part of this Chair.

Now, we need a date, we need to have a findings, do we not?

CHAIRMAN OPDYCKE: You want to weigh in Jim, or do you want some time to think about it? Does that, we still have to go through your --

COMMISSIONER SUMMERS: I don't think it does, I don't think it renders us useless because there's nothing to say that the City Council is not going to
overrule our dear friend across the board.

CHAIRMAN OPDYCKE: Absolutely.

COMMISSIONER SUMMERS: So in that case I think we need to have on the record what we recommend they do if they decide to do --

COMMISSIONER HUNTER: I think that's good.

CHAIRMAN OPDYCKE: Well, why don't we turn it over at this juncture to the ZBA. And in the meantime, Jim, perhaps you could frame some comments relative to the standards. Mr. Chairman?

CHAIRMAN CREAMER: Thank you. Mr. Dunkley?

MR. DUNKLEY: Yes, I'm sorry. In going over again the role of the City Council in these matters the Zoning Ordinance states that the City Council can, at its discretion, choose to support the recommendation of the Plan Commission, to not support the recommendation of the Plan Commission, or to support some variation of the recommendation of the Plan Commission.

So the opportunity for perhaps a little bit more re-writing than you may be presenting at this point is possible at that level.

So a motion that may support some other solution, I think, would not be inappropriate, and the City Council may choose to do what they will with that.
COMMISSIONER FREEMAN: So what you're saying is we can pass something that says, well, we don't want to make it an R-4 but we recommend you perhaps looking at this?

MR. DUNKLEY: Okay, make recommendations. But in the form of a recommendation, yes, that's possible.

COMMISSIONER FREEMAN: Well, I would be all for that guys.

CHAIRMAN OPDYCKE: I don't think I really want to get into alternative zoning designations. I think we're going to leave that to Council to perhaps find an alternative avenue there. Well, do you want to take on that discussion right now as to what --

COMMISSIONER FREEMAN: Well, Jim has already suggested coming back and asking for a --

CHAIRMAN OPDYCKE: Special use --

COMMISSIONER FREEMAN: -- special use in O-1, and that we would, and that he would support that, and I would support that, you would support that, and you would, so I think we have almost unanimous support on that that says, hey, if they came, if they had, that we would recommend a special use for this.

CHAIRMAN OPDYCKE: Mr. Dunkley, you want to weight in on this?
MR. DUNKLEY: That would be a text amendment
to the O-1 District, adding private educational
institution as a, to list its special uses.

COMMISSIONER FREEMAN: Does that apply to all
O-1's, then?

MR. DUNKLEY: Yes.

COMMISSIONER BURRUS: Oh, oh, wait.

COMMISSIONER FREEMAN: That's a Pandora's Box.

COMMISSIONER BURRUS: That's a, yes. If we do
that that opens up for all of downtown to be taken over
by other --

CHAIRMAN OPDYCKE: No, because downtown's not
an office use. It's just --

COMMISSIONER BURRUS: Oh, that's true, you're
right.

CHAIRMAN OPDYCKE: There are very few O-1's in
Evanston, just a couple of them, there's a few of them
on Central Street and there's a couple more to this
property.

MR. DUNKLEY: The special use does, requires a
vote, requires public scrutiny and --

COMMISSIONER BURRUS: All right. I just --

MR. YAS: The Colorful Zoning Map, reads,
there's a limited number.
COMMISSIONER BURRUS: I was thinking of what, we started talking about educational uses and office we may, yes, open a door that, citizens may not be all that happy about in the long run.

MR. DUNKLEY: Yes. And you may recall that --

COMMISSIONER BURRUS: Right.

CHAIRMAN OPDYCKE: But that's one reason I raised it, the notion that perhaps this isn't something that we should take on at this juncture. I mean, I suppose we can suggest to the Council --

MR. DUNKLEY: There is at least a month between, for the Council there certainly would be time to make some consideration that, and then the way that you may phrase a recommendation does not have to be definitive. It can certainly be a support in the direction of, you see what I mean, rather than, you may want to leave the possibility open for an alternative rather than to start the process again. And that possibility is there without the Council --

CHAIRMAN OPDYCKE: Okay. So Jim, perhaps you could somehow interject the notion that a special use in the O-1 will accommodate educational institutions, might be something that the Council might want to consider.

COMMISSIONER WOODS: As an amendment to the
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1 original motion or?
2 COMMISSIONER HUNTER: It could be a separate
3 motion, as I understand it, in terms of this is advisory
4 to the Council. So we could have advisory, you can have
5 many different motions.
6 COMMISSIONER WOODS: Okay. So I would move
7 that the Council examine the potential of allowing a
8 private educational institution as a special use in an
9 O-1 District as an alternative.
10 CHAIRMAN OPDYCKE: Right. Is there any way we
11 can get that into the text of the standards?
12 COMMISSIONER HUNTER: I don't see we can get
13 it into the text of the standards. I think it's a
14 separate thing by itself. That's not a standard.
15 CHAIRMAN OPDYCKE: I just hope it's seen by
16 the Council. I mean, there's a lot of discussion that's
17 gone on and I want them to see that.
18 COMMISSIONER WOODS: Well, that's why I'm
19 making it as a separate motion.
20 CHAIRMAN OPDYCKE: Okay, yes.
21 MR. DUNKLEY: We'll make sure that everything
22 that's voted upon by the Plan Commission is seen in
23 bright lights by the Council.
24 COMMISSIONER HUNTER: Right. And let me
recommend, if we do have a motion of that effect, or did you make a motion?

COMMISSIONER WOODS: Which I made and had a second.

COMMISSIONER HUNTER: That we do have, for the record, for the advice of the Council some discussion of pro and con with respect to that particular motion rather than just laying it out there.

COMMISSIONER WOODS: Well, that's what I mean, you want to take that on --

COMMISSIONER HUNTER: Well, but what you're saying is --

COMMISSIONER WOODS: We can have a motion, a second, and discussion.

COMMISSIONER HUNTER: Right.

COMMISSIONER WOODS: Because --

COMMISSIONER HUNTER: I'll second it.

CHAIRMAN OPDYCKE: Let us have the motion then, Jim.

COMMISSIONER WOODS: We just did.

COMMISSIONER FREEMAN: He just did and I seconded it. All in favor?

COMMISSIONER HUNTER: Read the motion again?

CHAIRMAN OPDYCKE: Just so we're still clear
here, articulate the motion.

COMMISSIONER WOODS: The motion was that the Council examine the alternative of allowing a private educational institution as a special use in the O-1 Districts.

CHAIRMAN OPDYCKE: And is there a second?

COMMISSIONER FREEMAN: Second.

CHAIRMAN OPDYCKE: Discussion?

COMMISSIONER STALEY: There's still the same issue, is there, is everyone basically in agreement that we don't care if it produces any taxes over the next hundred years as long as Roycemore is there? Because that's what you're saying in effect.

I don't know, I'm ambivalent on it. I mean, that's what you're saying.

CHAIRMAN OPDYCKE: That's why we're having a discussion.

COMMISSIONER WOODS: That is ultimately the issue because I fully believe that they'll purchase the property and be there for the foreseeable future.

COMMISSIONER STALEY: I do too. And there won't be any Class B office space in there?

CHAIRMAN OPDYCKE: Right. But it allows for the potential that if for one reason or another they
were to cease to exist, or move elsewhere, or whatever, from, you know, who knows --

COMMISSIONER BURRUS: Right, or they don't get the financing.

CHAIRMAN OPDYCKE: That's right.

COMMISSIONER BURRUS: I mean, the reality is the philanthropy community, or philanthropy, to get money right now is really very difficult, it's what I do for a living. So it's not like this is the best time to be raising money for capital projects. So they very easily could not meet their goal.

And depending on when their advisors looked at how fast that they would raise money, it could have been before August of 2008, which is a different ball game than it is in January of 2009. So this could be, they could not come up with the money to do it.

COMMISSIONER STALEY: No, I understand. I was trying to figure out where we are. Are we --

COMMISSIONER FREEMAN: And there's no guarantee that whoever the property goes to, wouldn't be non-profit as well.

CHAIRMAN OPDYCKE: Any other comments?

COMMISSIONER FREEMAN: And I would like to see Roycemore in that location first of all.
CHAIRMAN OPDYCKE: Mr. Dunkley, would you like to weigh in on this? Or perhaps not.

MR. DUNKLEY: Well, I will pass on that opportunity as much as it, opinions, I mean, certainly don't ever like to offer on the record in this type of deliberation, call it drive-by staff report. An opportunity to examine and discuss with staff --

CHAIRMAN OPDYCKE: All right. With that in mind are there any other comments from Commission Members on this motion and second? All right. We'll have the role call vote.

CHAIRMAN OPDYCKE: Mr. Woods?

COMMISSIONER WOODS: Aye.

CHAIRMAN OPDYCKE: Mr. Freeman?

COMMISSIONER FREEMAN: Aye.

CHAIRMAN OPDYCKE: Mr. Widmayer?

COMMISSIONER WIDMAYER: Aye.

COMMISSIONER NYDEN: No.

COMMISSIONER BURRUS: No.

COMMISSIONER GALLOWAY: Aye.

COMMISSIONER HUNTER: Aye.

CHAIRMAN OPDYCKE: Mr. Staley?

COMMISSIONER STALEY: Aye.

CHAIRMAN OPDYCKE: It seems that the ayes have
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it four to three. All right.

COURT REPORTER: I'm sorry, there were three
nays?

COMMISSIONER BURRUS: Two nays.

CHAIRMAN OPDYCKE: I'm sorry. Five to two,
okay. Motion then carries.

All right, Mr. Creamer.

CHAIRMAN CREAMER: Thank you. As was
discussed a few minutes ago your decision really doesn't
relieve us of the necessity to consider the application
for the special use on the assumption of a possibility
that the City Council would either decide to make this
an R-4 or decide to change the text of the Ordinance to
permit private educational institutions as a special use
in O-1 zones. So for that reason we need to go forward
with the application for a special use.

And under the Zoning Ordinance, the Ordinance
requires us to make specific findings with regard to
nine questions. And before we review the standards and
decide whether the ZBA agree that they are met, it is
our procedure, is there general discussion from, that
the ZBA Members would offer at this point?

COMMISSIONER WILSON: Well, first of all, I
think it's a little bit ironic because I think we've
heard a lot of information and opinions from the neighbors, and fortunately many of whom have appeared as well.

But the suggestion was that, and I understand the desire to, you know, protect the character of the neighborhood, but really the suggestion that moving from the O-1 to the R-1 was the best thing and the most likely course really, it turns out as we see not to be maybe the best analysis.

You know, I think you have to look at things with a broader global perspective, and when you consider the economic circumstances that we're in there are other concerns. And perhaps the neighbors might view this as more of a, it's a good thing as opposed to a bad thing. I think it was less likely that this would be changed from O-1 to R-1 than R-4 based on those economic reasons, and hopefully we've all learned from that.

I'm going to proceed on the premise that something does get approved, because this is really just a question of a special use, right?

CHAIRMAN CREAMER: Correct.

COMMISSIONER WILSON: And I would be in support of the special use. I think Roycemore is an important Evanston institution. Whatever the City
Council does with regard to the zoning, they'll do what they're going to do. But assuming that's the case my suggestion would be that the special use be granted. I do think that the standards are met, assuming that the zoning is approved.

CHAIRMAN CREAMER: Lori?

COMMISSIONER SUMMERS: I as well believe that in terms of the special use that it's, there are areas of the property in terms of the amount of load that will be coming in and out of there. I think that we have taken care of some of the traffic issues that would come with the special use that I was more concerned with previously.

Maybe it's like, I think where I actually had a few more considerations for, on the variances that were requested. I noticed that the impervious surface is one that if it was done as residential would still be in play.

And I would note to the Council and to the applicant that in light of our discussion about the one-way drive it seems like everything past the turn to go to the service area might be able to be a narrower drive allowing more of a landscape buffer along Asbury, and also reinforce the fact that it is not a passable zone.
So I would recommend that to both. And based on my very rough calculations that would decrease the impervious surface variance that they would be required to have by up to a couple percent.

And then the other requested variance that they have is based on the setback, which is 15 feet. And I looked up really quickly, based on the Plan Commission's recommendation to maintain in the O-1, and if they maintained in the O-1 there would still be a variance for that setback construction because a side yard abutting a street I see says 27 feet for the O-1 District, so back to variance.

It would be greater for that case, although it is basically still relegated, it seems to me to be applicable to that north stair tower that is already at issue here.

I'm fairly comfortable with the variance. I looked at the plans because it seems like they're so close, to see if there's much space that could be taken out of there, and it just doesn't really seem possible unless they --

The one comment I did want to make a recommendation is that I got sort of scared by the concept that this could be an open stairwell look. I
know that I was mentioned at the last meeting. And the aesthetic of that, especially jumping out towards the street, just really at that point is not appealing whatsoever to me.

So it just seems like the type of, to take something that could, you're proposing as sort of a glass prism and then turn it into something that I just, I don't know, I view as sort of dungy and collecting litter, and all sorts of things like that. It's just, I can't really support it at that level.

So I think those were all my comments.

CHAIRMAN CREAMER: All right. Well, we'll address those as possible conditions when we look at the major variation. Beth?

COMMISSIONER McLENNAN: Yes. I'm happy that Lori addressed the permeable surface, I do think that if that could be changed a little bit that would certainly be a good thing. I'm definitely very pleased with the adaptive re-use component of this plan, and I do think it's a, it seems to fit very well what's, with the building that's there.

I understand Plan Commission's hesitations to lose the possible value of the property in the future. But as far as we go I think it meets our standards and
I'm inclined to grant the variances.

CHAIRMAN CREAMER: Matt?

COMMISSIONER RODGERS: I have to agree. I think it's a unique building, and I think that this is a very good re-use of a building that otherwise could sit vacant for a while. Given our current economic situation I don't see people out buying up office buildings to try to make money.

So I think it's a very, very good use of an existing property and modifying it with minor changes to make it fit their needs.

CHAIRMAN CREAMER: All right. Well, now that we have the sense of the Board we need to march through the standards as they are listed in the Ordinance in Section 6-3-5-10.

The first standard is that the requested special use is one of the special uses specifically listed in the Zoning Ordinance.

We've come up short there because as we meet it is not a special use in the O-1 district. And we will have to await the action of the City Council to know if they're inclined to make a zoning change whether the requested special use would be listed in the various relevant section.
So that standard I'd have to leave open, I guess, is the only procedural thing we can do with it.

COMMISSIONER SUMMERS: So can make a condition of the motion?

CHAIRMAN CREAMER: Right. That there'd be an applicable section.

Okay. The second standard is that the requested special use is in keeping with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance.

And we've heard a lot of testimonies about that. First of all, I would say that we've heard about the adaptive re-use of an existing building in a sensible and sensitive fashion, we seem to have consensus on that.

We also heard, during the discussion by the Plan Commission, that the Chapter 6 of the Plan provides that one of the goals for Evanston is to support the growth and evolution of institutions while recognizing the residential surroundings.

Another objective of the Plan is to recognize the benefits of mixed residential, commercial, and institutional uses.

And a third goal of the Comprehensive Plan is
to encourage the use of public transportation of which
this proposal would do.

So for those reasons and the other testimony
that we heard I believe that standard has been met. Do
we have consensus?

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. Number three, the
requested special use will not cause a negative
community affect once affect is considered in
conjunction with the cumulative affect of various
special uses of all types in the immediate neighborhood,
and the affect of the proposed type of special use upon
the City as a whole.

We've heard a lot of testimony again about
this particular aspect. As far as property values are
concerned it would seem to me that the adaptive re-use
of this building would certainly not detract, well, I'm
getting ahead of myself here, but would not detract from
property values or the impact to the neighborhood.

We've heard that there's an active office
building there now with traffic going in and out. We've
heard a lot of testimony about traffic. And we've heard
the various plans that were discussed in detail about
how to handle traffic. We also heard testimony about
the plans for the landscaping and other improvements to
the building.

So with that I believe that this standard has
been met. Do we have consensus?

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. The third standard
is met.

Now the property values. The fourth standard
is the requested special use does not interfere with or
diminish the value of property in the neighborhood.

As I mentioned a minute ago, the current use
is as an office building, the use as a school seems to
be at least as compatible or perhaps more compatible
with the surrounding uses, both on the Ridge Avenue side
and the Asbury Avenue side.

We heard testimony that Roycemore was existing
in its current location for almost 100 years. And I am
not aware of any diminishing of property value of the
residences or any of the other property along Orrington
or Sheridan where the current school is located. And I
think the same would be true in this new proposed
location.

Do we have consensus there?

(Chorus of ayes.)
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1 CHAIRMAN CREAMER: We do. So the fourth
2 standard's met.
3 Number five, requested special use could be
4 adequately served by public facilities and services.
5 I think we heard substantial testimony about
6 the navigability of public transportation and the other
7 public services, so I believe that standard has been
8 met. Correct?
9 (Chorus of ayes.)
10 CHAIRMAN CREAMER: Okay. We have consensus
11 there.
12 Number six, the requested special use does not
13 cause undue traffic congestion.
14 Again, we heard substantial testimony and
15 questioning about that. I think we have obtained some
16 agreements from the applicant with respect to how they
17 would handle traffic. I would also note that if there
18 are traffic issues, they impact the school perhaps even
19 more than the neighbors, and this is a matter of some
20 acute interest on their part.
21 So working with the City and with the
22 applicant it seems to me that this standard has been
23 met. Do we have consensus?
24 (Chorus of ayes.)
CHAIRMAN CREAMER: Okay. Number seven, the requested special use preserves significant historical and architectural resources.

I don't think that this standard is applicable. The building is what it is, whether it's a significant use of architectural resources I would leave to more learned folks than I certainly.

Do we have consensus that the standard has been met?

(Chorus of ayes.)

CHAIRMAN CREAMER: We do, okay. Number eight, the requested special use preserves significant natural and environment features.

We'll talk about impervious surface coverage later with respect to the major variation. But other than that it seems that the standard as been met. Do we have consensus?

(Chorus of ayes.)

Okay. Number nine, the requested special use complies with all other applicable regulations of the district in which it is located and any applicable ordinances, except to the extent to which such regulations have been modified through the Planned Development process or the grant of a variation. And we
will discuss that variation later.

And the re-zoning, of course, is a matter to
be decided in another forum. So I believe that that
standard has been met. Consensus?

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. So save for the
first standard that is really in the hands of the
Council, we have consensus findings on all of the
required standards. So with that, do I have a motion to
recommend approval of the special use application?

COMMISSIONER SUMMERS: Do you want to do it
together or separately? Like, with the conditions, how
do we want to, because some of these conditions should
apply to special uses.

CHAIRMAN CREAMER: What conditions do you have
in mind?

COMMISSIONER SUMMERS: Obviously the one about
the one that we have to do about it becoming part of the
special use that's allowable, the one about the sign at
the, the traffic sign at the north end of the drive.

CHAIRMAN CREAMER: Okay. Why don't you put
that in your motion.

COMMISSIONER SUMMERS: All right. I guess
they'll just --
CHAIRMAN CREAMER: All right.

COMMISSIONER SUMMERS: All right. You want to just run through them?

CHAIRMAN CREAMER: You move to recommend approval subject to these conditions, right?

COMMISSIONER SUMMERS: Yes. I move that we recommend approval to the City Council of the requested special use variation with the following, also in consideration that the development and use of the property would be in compliance, in substantial compliance with everything that's been submitted and the testimony that's been provided to us.

On top of that we would add the following conditions:

That in order for our recommendation to follow through that the City Council acts favorably in making a special use, a special use within the O-1 District or that it makes the parcel with, or that it transfers the parcel to within a district in which it would be a special use.

That at the west drive that is being proposed at the north end of the west wing there would be a sign indicating that traffic is not to enter in order to create that drive as a one-way.
I would also recommend that the west drive from that north end of the west wing to the 90 degree turn at the east side of the gym have a reduced width in keeping with the single-traffic direction, and that additional vegetational landscaping be provided in this area to create a greater buffer to the street and the residences across the street.

COMMISSIONER RODGERS: Second the motion.

CHAIRMAN CREAMER: Okay. It's been moved and seconded. Any further discussion? All in favor say aye.

(Chorus of ayes.)

CHAIRMAN CREAMER: Five ayes, no nays.

COMMISSIONER RODGERS: I actually have more questions.

CHAIRMAN CREAMER: Oh.

COMMISSIONER RODGERS: Are we giving a recommendation on this or just recommending that it be reduced? My question being, in the one plan they have cars stacked out somewhat into that drive?

COMMISSIONER SUMMERS: Well, the cars would stack down that drive. Are you saying, because you wouldn't be able to --

COMMISSIONER RODGERS: I'm wondering, yes, I
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mean, because you have to allow room for cars to park
for someone to drive by.

COMMISSIONER SUMMERS: What is it?

COMMISSIONER RODGERS: Because at 22 feet you
do not have, an average car is roughly eight feet wide,
so you're at 16 feet.

MR. YAS: -- 22 feet.

MR. PATERA: You need a minimum of 22 feet if
you were to go down to 20 feet, for example, you
wouldn't have the room to maneuver out of a, what's
otherwise a parallel parking space. And you need the 11
foot through lane parallel to the other 11.

CHAIRMAN CREAMER: Okay. So, Lori, you want
to withdraw that section, then we'll vote again.

COMMISSIONER SUMMERS: I would then move that
we remove my condition, I guess my last --

CHAIRMAN CREAMER: Last condition.

COMMISSIONER SUMMERS: -- last, my last
condition about the width and the vegetation.

COMMISSIONER RODGERS: And I'll second that
motion.

CHAIRMAN CREAMER: Okay. The amended motion
has been moved and seconded. Any further discussion?
Okay, all in favor say aye.

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(Chorus of ayes.)

CHAIRMAN CREAMER: And this time we mean it.

Five ayes and no nays.

All right. On to major variations. We have a request for two major variations, a variation to Section 6-8-5-7 permitting a 13 foot side yard rather than the 15 foot side yard on the north boundary of the property. We also have a variation requested to Section 6-8-5-9 that we permit 69 percent for the surface, whereas, a 55 percent is normally required.

I think we can look at the standards available on this, unless someone objects strenuously.

COMMISSIONER RODGERS: No objection.

CHAIRMAN CREAMER: No objections, all right.

These are the seven standards required for major variations in Section 6-3-8-12.E of the Zoning Ordinance.

The first one being that the requested variations will not have a substantial adverse impact on the use, enjoyment or the property values of adjoining properties.

We discussed this at some detail, and we discussed a few minutes ago the request for special use.

And in particular these two variations were the side
yard setback and the impervious surface, seems to me
will have virtually no impact on adjoining properties
much less a substantial adverse impact.

Do we have consensus on that?

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. So that standard is
met.

Number two, the requested variation is in
keeping with the intent of the Zoning Ordinance. Again,
we talked about how the special use was in keeping with
the intent of the Zoning Ordinance.

And again, these two major variations are
consistent with and necessary to carry out the special
use. I believe that standard is met. Do we have
consensus.

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. Number three, the
alleged hardship or practical difficulty is peculiar to
the property.

In this particular situation the hardship and
difficulty that requires these major variations is the
result of the existing building, which is a unique
structure. And so I believe that that standard has been
met.
(Chorus of ayes.)

CHAIRMAN CREAMER: Okay, we have consensus there.

Number four, the property owner would suffer a particular hardship or practical difficulty as distinguish from a mere inconvenience if the strict level of the regulations were to be carried out.

We've been told that the variation with regard to this, the side yard setback is necessary to meet building code requirements and the fire code requirements. So that is, would certainly be a particular hardship or practical difficulty.

And the impervious surface and variations necessary to construct both the gym that's required as well as the parking and roadways that are requested. So do we have consensus that that standard is met?

(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. Number five, the purpose of the variation is not based exclusively upon the desire to extract additional income from the property.

The applicant is a not-for-profit institution, and this is not a request to extract any income from this property. So I believe that standard has been met.
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1 Do we have consensus there?

       (Chorus of ayes.)

2 CHAIRMAN CREAMER: Number six, the alleged
difficulty or hardship has not been created by any
purpose having any interest in the property.

3 The applicant is the contract purchaser of the
property and is not really responsible or involved in
creating any of the conditions that are, that require
the variation. So I believe that standard has been met.

4 Do we have consensus there?

       (Chorus of ayes.)

5 CHAIRMAN CREAMER: We do. Number seven, and
last, the requested variation is limited to the minimum
change necessary to alleviate the practical hardship,
particular hardship or practical difficulty which
affects the property.

6 It appears that the testimony and the drawings
that we have seen show that these are the minimum
changes necessary, and especially with regard to the
impervious surface variation.

7 As hard as we try to make it even more minimum
it didn't appear that we could be successful. So I
believe that that standard has been met. Do we have
consensus there.

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(Chorus of ayes.)

CHAIRMAN CREAMER: Okay. Having reached consensus on the seven required standards do I have a motion? Lori?

COMMISSIONER SUMMERS: Do you want to put in the -- the zoning commission is that --

COMMISSIONER RODGERS: Well, it is kind of, the one is particular conditional to it.

COMMISSIONER SUMMERS: I guess it's not really applicable on this one.

CHAIRMAN CREAMER: No, I don't think so.

COMMISSIONER SUMMERS: I recommend approval --

CHAIRMAN CREAMER: We're the determining body on this one.

COMMISSIONER SUMMERS: We're the determining on this one, aren't we?

CHAIRMAN CREAMER: On this one, yes.

COMMISSIONER SUMMERS: How does that work?

MR. DUNKLEY: The whole application goes to Council, and Council makes a recommendation, they --

CHAIRMAN CREAMER: Oh, that's right.

MR. DUNKLEY: -- the amendment first, and then acts on the special use, and then they act on the variations in conjunction with those or not.
COMMISSIONER SUMMERS: Okay. So we're still recommending on this --

CHAIRMAN CREAMER: Okay. I stand corrected.

COMMISSIONER SUMMERS: All right, Okay. So then, I move that we recommend to the City Council approval of side yard and impervious surface variances requested for the property in consideration that the construction and use of the property would be in substantial compliance with the testimony that we have seen and the materials that have been submitted to us.

And can I put the stair tower in this?

CHAIRMAN CREAMER: Yes.

COMMISSIONER SUMMERS: And in particular we would note recommendation that the stair towers proposed for addition end to the building would remain as a closed element as provided for on the drawings.

COMMISSIONER WILSON: Second the motion.

CHAIRMAN CREAMER: It's been moved and seconded. Any further discussion?

COMMISSIONER RODGERS: No.

CHAIRMAN CREAMER: Okay. All those in favor say aye?

(Chorus of ayes.)

CHAIRMAN CREAMER: Five ayes, no nays. We
have concluded our portion.

CHAIRMAN OPDYCKE: All right. We have to enter findings of fact on the last motion, which was to recommend to the City Council that they consider including private educational institutions --

COMMISSIONER WOODS: And this is findings of fact on the actual map amendment denial, recommendation of denial.

CHAIRMAN OPDYCKE: Yes, okay, all right, turning down the R-4.

There are four standards that apply to map amendments. The first is that the map amendment must be consistent with the goals, objectives, and policies to the Comprehensive General Plan.

This standard is not met. The proposed amendment is not consistent with goals, objectives, and policies to the Comprehensive Plan as the plan calls for continued office use in this area. Also, this map amendment does not maintain the underlying taxable value of the property and the potential for office space within walking distance of transit hubs in Downtown Evanston.

The second one is the proposed amendment must be compatible with the overall character of the existing
development in the immediate vicinity of the subject property. This standard is met to the north and east, and potentially serves as a transition to the R-1 District to the west and south.

The proposed map amendment will not have an adverse impact, this is the third one, the proposed map amendment will not have an adverse impact on the value of adjacent properties. This standard is met. The re-zoning should not impact property values in the adjacent or nearby areas.

And the fourth standard is that there are adequate public facilities and services. And this standard is met as there are adequate public facilities.

CHAIRMAN OPDYCKE: Do we all agree with that recitation of the findings of fact? Is there any dissent?

COMMISSIONER FREEMAN: No, I think it is consistent with the plan to change it, but this is the finding of fact of what we recommend. Correct?

CHAIRMAN OPDYCKE: That's right.

COMMISSIONER FREEMAN: Yes.

CHAIRMAN OPDYCKE: All right. Thank you, Jim.

COMMISSIONER HUNTER: Do we have to vote on the finding of facts?
COMMISSIONER BURRUS: We vote on the finding of fact.

CHAIRMAN OPDYCKE: Yes, so I guess that's a motion. We need to vote.

COMMISSIONER BURRUS: Second.

CHAIRMAN OPDYCKE: All right. All those in favor of the recitation of the findings of fact say aye.

(Chorus of ayes.)

CHAIRMAN OPDYCKE: Opposed? Motion carries.

All right, all we have left, I guess, is the motion to adjourn.

COMMISSIONER STALEY: But foremost and certainly my issue, I came from the airport with my suitcase, I came from Florida, it's very cold, I need a ride home. If I can get it from someone here?

COMMISSIONER HUNTER: I wanted to make an announcement, and that's one of the reasons I came here.

CHAIRMAN OPDYCKE: Are we off the record?

COMMISSIONER HUNTER: Well, I don't know, this doesn't have to be on the record.

CHAIRMAN CREAMER: Again, if we have no further business that needs to be on the record?

CHAIRMAN OPDYCKE: We have no further business. Our Plan Commission meeting, the next Plan Commission of the Plan Commission meeting.
Commission meeting is February 11th, 7:00. And that concludes this meeting.

(Whereupon, the hearing on the above-titled cause was adjourned at 10:25 p.m.)