

**Planning & Development Committee Meeting  
Minutes of March 24, 2008  
Council Chambers – 6:30 p.m.  
Evanston Civic Center**

**Alderman Present:** S. Bernstein, D. Holmes, A. Hansen, L. Jean-Baptiste, E. Moran, A. Rainey, E. Tisdahl, C. Wollin, M. Wynne

**Staff Present:** J. Wolinski, J. Aiello, J. Brownlee, J. Carroll, J. Chambers, K. Cox, B. Dunkley, S. Drazner, D. Marino

**Presiding Official:** Alderman Holmes

**DECLARATION OF QUORUM**

Chair Holmes called the meeting to order at 7:05 p.m. She reminded all that the next regularly scheduled meeting for the Planning & Development Committee and City Council will be the Annual Township Meeting which is always held on a Tuesday; date April 8, 2008.

**APPROVAL OF THE MEETING MINUTES OF MARCH 10, 2008**

Ald. Jean-Baptiste moved approval, seconded by Ald. Tisdahl. The meeting minutes were approved unanimously with a vote of 9-0.

**ITEMS FOR CONSIDERATION**

Chairman Holmes changed the order of the agenda beginning with item (P2).

**(P2) Ordinance 32-O-08 – Plan Commission Recommendation for a Map Amendment & Planned Development at 708 Church Street**

Mr. Steve Friedland, Attorney for the applicant, requested on behalf of his client for a continuance regarding the referenced project to the next regularly scheduled P&D meeting on April 8, 2008. He clarified the purpose for the continuance request is to permit the applicant to revise their plans to address community and aldermanic concerns expressed. He noted that one of the revisions to the plan include reducing the building height as well as some specific financial and public benefit concerns

**Ald. Moran made a motion to accept the applicants request for a continuance, seconded by Ald. Bernstein.**

Ald. Jean-Baptiste expressed his concern for adequate time at the April 8<sup>th</sup> meeting since that evening includes the joint Township agenda items. He assumes the applicants revisions to their plan will require the need for a new presentation which time should be allotted for; approximately 20-30 minutes. He also said it is very important that the applicant address the financial concerns that have been noted in their new presentation as well. The other Committee members agreed and discussed the options of holding this time over to the second meeting in April or possibly scheduling a special meeting in between these dates.

Ald. Bernstein stated that one of his main concerns is for the applicant to come back with a list of more meaningful public benefits. He would like to see the applicant's revised project address the following public benefits: 1) The overall reduction in square footage for retail and office space; 2)

Restoration of the Hahn Building without City funding; 3) Silver-level LEED certification, not just trying for it but actually receiving.

Ald. Hansen agreed with Ald. Bernstein's list of concerns that need to be addressed by the applicant. She also questions the procedural directive with the amendments to the plan presented; what is the actual extent of these changes? Is there a need for the plan to go back before the Plan Commission?

Ald. Wynne also agreed with the concerns expressed by her fellow Committee members. She looks at the current economic engine that this property exudes with the businesses at this location and would like to see the applicant provide a comparison of what they foresee as the replacement economic engine in the proposed Planned Development. She expressed her support with the proposed LEED certification and the "green" contribution presented with this development, however she does agree with Ald. Bernstein's position that Silver-level LEED certification actually be obtained with this project. Ald. Wynne pointed out, as an example, Sherman Plaza's huge economic benefit with the public parking garage included with that Planned Development which is a powerful economic tool for the downtown district. She agreed with Ald. Hansen's concerns on procedural correctness with regards to if the applicant's amendments to the plan presented may require the need to go back to the Plan Commission for review.

Ald. Jean-Baptiste stated that he would like to add to Ald. Bernstein's list the renovation of Fountain Square as a public benefit from this developer. Ald. Wollin responded that she recalls the City originally said they would take the responsibility of maintaining and upkeep for the Fountain Square area. Therefore, she questions the right to ask this developer to take on the full responsibility of renovating the Square. She feels it is City Council's responsibility from the beginning on the condition of Fountain Square and the future of Fountain Square as well. We should only expect or request a donation from the developer to the City towards renovation cost for Fountain Square. Ald. Bernstein acknowledged that the applicant has indicated their willingness for such a contribution already.

With no further discussion, **the vote was 9-0 in favor of the motion to continue this case to April 8, 2008.**

(P3) Time Extension Request – Ordinance 93-O-03 – Planned Development for 1710 Orrington & 1717-1725 Sherman Avenue

**Ald. Bernstein moved approval, seconded by Ald. Rainey.**

Mr. Wolinski informed the Committee that although the applicant is requesting a time extension of five years to file for a building permit to complete the residential phase of this project and acknowledge the majority completion of the project as a whole with the hotel phase; staff recommends a two-year extension only.

Mr. Dave Reifman, Attorney for the applicant, made note of the appreciation for staff's recommendation for the two year extension, if the Council sees fit. However, on behalf of the owner and developer of this property, he explained the development of the final residential phase of this project remains critical to the developer's financial ability to complete due to the market conditions and the slowing economy. He noted that this situation has temporarily delayed the developer's plans to move forward with the residential phase. Mr. Reifman concluded this is why they felt a five year extension would allow them more than sufficient time to deal with the

crippling market conditions, however he reiterated that the applicant would be willing to accept staff's recommendation if need be.

Ald. Moran said that the developer's situation might warrant the need for more time than a two year extension. He also pointed out that this owner and developer has made a major commitment towards this project with the majority completed on the hotel phase. He suggested that more time be given with the extension. **Ald. Moran moved to amend the original motion for a (3) three year extension period, seconded by Ald. Tisdahl.**

Ald. Bernstein also noted that the owner, Mr. DeStefano, has done major work with his hotel renovation without any assistance from the City and should be commended for this. The Committee members agreed.

**The vote was 9-0 in favor of the motion.**

#### (P1) Ordinance 42-O-08 – Registration of Rental Residential Buildings

Mr. Wolinski gave an overview of the changes made by staff as outlined in the staff's memorandum. First, staff was asked to replace the \$50 flat fee per building to a graduated fee schedule. The fee schedule ranges from Single Family and Rental Condo units at \$20 per building or condo, 2-4 units at \$30 per building, 5-12 units at \$50 per building, 13-24 units at \$100 per building, 25-50 units at \$150 per building, 51-100 units at \$300 per building, and 101+ at \$500 per building. The consensus of the Committee was in agreement to this fee schedule.

Mr. Wolinski reminded that there were concerns raised regarding proper information to request of the owner. It was suggested to eliminate the need for information concerning the mortgage holder and insurance holder on the property and eliminate the need for information on the number of bedrooms in each dwelling unit. He stated that the elimination of either point is not a problem because the City can have other sources to ascertain information if necessary. Mr. Cox noted that one of the sources of information can be obtained through Real Estate Transfer Stamps, which the City of Chicago has a model that can be used as an example.

#### Citizen Comments

Howard Handler, representative of the North Shore Association of Realtors, said this ordinance is acceptable except for the following provision: 1) in Section 5-8-3: Registration Required, (A) (2) regarding the age requirement from 21 to 18. He questions why Evanston should go above and beyond the ruling already set by Cook County.

Tina Paden, 1122 Emerson, said that she resents the statement that was made at the last meeting that if you can't afford to pay \$50 per building then the landlord is in the wrong business. She informed the Committee that she has paid over \$80,000 in property taxes for the past year and should not have to pay any extra fees for any of her property that should not be taken care of with the huge amount of money property owners pay each year to the City of Evanston in tax dollars. She disagrees with the City requesting information regarding proof of insurance; this is too much information. Most property owners have to be insured because of their mortgage, and other reasons. Ald. Bernstein said that when it comes to tenant's safety, the City does have the right to ask the building owner to show proof of insurance.

Ald. Hansen said that she is still going to vote no to the ordinance. She still stands firm on the fact that the City has many programs, regulations and ordinances in effect that they are not

utilizing. She feels this is not they way to go after the minority number of bad landlords in Evanston. Also this ordinance does not include the modification that staff has worked on as listed in their memorandum. Mr. Wolinski responded that staff was only reacting to the recommendations that were mentioned. Mr. Cox said that the changes to the ordinance can be made and ready to present on the Council floor.

**Ald. Bernstein moved to amend the ordinance to include the graduated fee schedule, seconded by Ald. Jean-Baptiste. The vote was 8 to 1 voting nay (Ald. Hansen).**

**A motion was made by Chair Holmes to eliminate items (2) and (3), seconded by Ald. Wynne. The vote was 8 to 1 voting nay (Ald. Hansen).**

**Ald. Bernstein moved to eliminate part of (5) pertaining to the number of dwelling units, seconded by Ald. Wynne. The vote was 8 to 1 voting nay (Ald. Hansen).**

### **ITEMS FOR DISCUSSION**

#### (PD1) Consideration of a Recommendation to provide TIF and Sales Tax Assistance for the Redevelopment of 1603 Orrington Avenue

Ms. Aiello asked the sense of the Committee with regards to this recommendation which staff believes is a good opportunity and a chance to provide more parking spaces as well on Orrington Avenue.

Mr. Dave Reifman, Attorney for the Developer, gave a brief overview of this request and Mr. Stephen Yas, Architect for the project, went over the Site Plan. He demonstrated where the relocation of the ramp would still have the same square footage as in the original PUD and will provide better circulation on Orrington and gain approximately 15 more parking spaces as well.

Ald. Bernstein believes that this partnership will benefit the City. Ald. Wollin agreed and stated that the street will be better off without the ramp. Ald. Rainey asked what the exact status of this project is. Mr. Reifman responded that in December the applicant asked for an extension to April 30, 2008. He assured that they plan to begin construction immediately with the time extension coming to a close.

Ald. Moran made clear as he has from the beginning, that he does not favor this project and is against the closing of the open space area that now exists at the corner of Orrington, Davis and Sherman. These open areas are becoming very rare and he feels this will be a detriment to the downtown area.

Ms. Aiello clarified the majority consensus to bring back an agreement before the Committee for their review.

### **ADJOURNMENT**

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

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Jacqueline E. Brownlee