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EVANSTON PLAN COMMISSION

Group D Zoning Update Recommendations

1 CITY OF EVANSTON

2 PLAN COMMISSION

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4 RE: Group D. Zoning Update Recommendations. Specify
5 Standard for Authorization of Restoration of Non-
6 complying Structures in the Case of Major Damage or
7 Destruction.

8 Transcribed Report of Proceedings of a Plan
9 Commissioner Meeting, held October 14, 2009, at the
10 Evanston Civic Center, 2100 Ridge Avenue, Council
11 Chambers, Evanston, Illinois, at 7:00 p.m. and presided
12 over by Mr. Opdycke, Chair.

13 PRESENT:

14 S. OPDYCKE, Chair

15 D. GALLOWAY

16 J. NYDEN

17 C. STALEY

18 S. FREEMAN

19 STAFF:

20 C. SKLENAR, Planner

21 D. ARGUMEDO, Zoning Administrator

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1 CHAIRMAN OPDYCKE: Okay. The meeting is
2 called to order. We do in fact have a quorum. I was
3 expecting to introduce Lenny --

4 MR. SKLENAR: He had a previous speaking
5 engagement before he got assigned night -- so he'll be
6 here November --

7 COMMISSIONER FREEMAN: What does he do that he
8 had a speaking engagement?

9 COMMISSIONER NYDEN: He's an attorney. He has
10 Zoning -- Smith, Matthews.

11 CHAIRMAN OPDYCKE: The second item on the
12 agenda is approval of the September 9th meeting minutes.
13 Is there a motion?

14 COMMISSIONER STALEY: I have an issue with
15 the --

16 CHAIRMAN OPDYCKE: Mr. Staley.

17 COMMISSIONER STALEY: Yes, thank you. Under
18 Item 3 here. This may be what I said, but it's not what
19 I intended, as someone once said. But I said obviously
20 something here. It says, Mr. Staley stated that while
21 changing it just for the purpose of the pending case,
22 and then, that this use should be removed. I think what
23 I said was something to the effect, might be
24 questionable, changing it just for the purpose of the

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1 pending case might be wrong or might be questionable. I
2 must have said something, because it makes no sense, to
3 go on with just that this use. I can't remember.

4 MR. SKLENAR: I was paraphrasing from
5 transcripts.

6 COMMISSIONER STALEY: Well, but there has to
7 be something in there, because this doesn't, and this
8 particular thing will probably be looked at by the
9 courts at some point, this year. So, maybe they'll go
10 back to the transcripts, but I want something in there
11 indicating that I think what I meant was that, because I
12 had some question about just removing this for the
13 purposes of litigation. But in my own feeling was that
14 when I reviewed it, I didn't think it fit in there, and
15 so I was perfectly happy for ruling to go along with it.
16 So, what I would suggest is inserting after pending
17 case, might be questionable, the words might be
18 questionable.

19 COMMISSIONER FREEMAN: Did I say, I got to go
20 back and look, but I read it already once. I don't
21 think I did say just to make this case better. I think
22 I was concerned that by doing this, it could be implied
23 that way.

24 CHAIRMAN OPDYCKE: Craig, let me suggest you

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1 do this, that you go back, review the transcript and
2 amend this so it accurately reflects what in fact was
3 said.

4 MR. SKLENAR: I will, verbatim.

5 CHAIRMAN OPDYCKE: All right. That will be
6 what we suspect what Mr. Staley said --

7 Any other questions on the minutes? Any
8 comments? Is there a motion?

9 COMMISSIONER STALEY: I move we accept the
10 many amendments in the way that they're going to be
11 amended.

12 COMMISSIONER NYDEN: Can we continue the
13 minutes?

14 CHAIRMAN OPDYCKE: Yes.

15 COMMISSIONER NYDEN: I move to continue the
16 approval of the minutes from September 9th to our
17 November meeting.

18 CHAIRMAN OPDYCKE: With the amendments that
19 we've already talked about.

20 COMMISSIONER NYDEN: With the amendments.

21 CHAIRMAN OPDYCKE: Is there a second?

22 COMMISSIONER STALEY: Second.

23 CHAIRMAN OPDYCKE: Those in favor say aye.

24 (Chorus of ayes.)

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1 CHAIRMAN OPDYCKE: Opposed?

2 (No response.)

3 CHAIRMAN OPDYCKE: Motion carries. Thank you.

4 Mr. Court Reporter, is my microphone on?

5 THE COURT REPORTER: No, sir.

6 CHAIRMAN OPDYCKE: How about now? Okay.

7 The third item on the agenda is Group D
8 Zoning Update Recommendations.

9 MR. ARGUMEDO: Good evening, members of the
10 Commission. Dominick Argumedo, Zoning Planner filling
11 in for Bill Dunkley, Zoning Administrator, speaking on
12 Group D Zoning Update Recommendations and I believe
13 everybody here is also a member of the Zoning Committee.

14 As you recall, the last item from the
15 group of two items for Item D, one was forwarded from
16 the Zoning Committee to the Plan Commission for
17 recommendation to the plan, for the City Council, and
18 that was to specify standards for authorization of a
19 restoration of a non-complying structure in the case of
20 major damage or destruction, a rebuild letter. Let me
21 just pass out something where we have the correction
22 from the Zoning Committee's recommendations, and I'll
23 just go over those very briefly.

24 COMMISSIONER FREEMAN: What zoning meeting was

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1 this from, if there was one.

2 MR. ARGUMEDO: Yes, there was, I believe
3 because I just read the transcript.

4 COMMISSIONER FREEMAN: There was one last
5 month, but I don't believe --

6 MR. ARGUMEDO: I believe it was earlier in
7 October, maybe.

8 COMMISSIONER FREEMAN: I don't think I was at
9 that one.

10 CHAIRMAN OPDYCKE: No, it was in September.

11 MR. ARGUMEDO: Okay. I'll go over this one.

12 CHAIRMAN OPDYCKE: What's the difference
13 between this that you just handed us and the one that we
14 received via the internet?

15 MR. ARGUMEDO: Probably nothing, but Bill just
16 gave it to me as he left.

17 COMMISSIONER FREEMAN: It's a nicer format, it
18 looks like.

19 MR. SKLENAR I'm sorry, there is a larger
20 description of the proposal and, that you guys wanted,
21 but the rest seems to be --

22 CHAIRMAN OPDYCKE: Say that again, Craig.

23 MR. SKLENAR: There's an expanded description
24 under the proposal section at the top, as well as under

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1 issues --

2 CHAIRMAN OPDYCKE: Okay, all right.

3 MR. ARGUMEDO: Just to briefly recap what this
4 issue is and why we're bringing this forward, we're
5 receiving lots of calls right now in the present
6 economic situation for people trying to do refinancing
7 and a lot of times they'll need refinancing for
8 buildings that are non-complying structures in certain
9 environments. To get that financing or to receive that
10 financing, they'll need rebuild letters to say that if
11 this property is destroyed, they are able to rebuild it.
12 For example, in an R3 District, which only allows two
13 residential units, they may have had a long standing,
14 three unit structure that we've certified as being
15 allowed there for, because it's been established there
16 for a long time.

17 Currently, the Zoning Code at its top
18 says that once something non-complying has been
19 destroyed, you must build it to the present code. The
20 rebuild letter allows the Zoning Administrator's
21 determination to say that yes, if this has been
22 destroyed, you can rebuild to the present state of
23 nonconformity, and it's something that can be allowed.
24 The problem we have though is we have no standards for

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1 issuing that rebuild letter by the Zoning Administrator.

2 The zoning, and Bill Dunkley likes to
3 joke around, sure it could be at the whim of it, but in
4 terms of a legal challenge, we just don't have any
5 letters establishing the standards that we would adhere
6 to. Our corporation counsel recommended if we close
7 this chink in our armor to establish standards such that
8 we have for variances, such that we have for special
9 uses, to establish some kind of guideline for issuing a
10 rebuild letter that they could rebuild this non-
11 complying structure, which you'll see at the bottom of
12 this page, are the three standards we pulled and were
13 discussed at the Zoning Committee. They're based
14 largely on other standards we have for variances.

15 The one change in the discussion from
16 Zoning Committee to here is the third statement at the
17 bottom where it says, the restoration of the structure
18 would not have a significant adverse effect upon the
19 values or enjoyment of adjoining properties. When we
20 originally brought this to you it said, it just said,
21 adverse effect upon the values of adjoining properties.
22 One of the members, I forget who it was, wisely stated
23 that we should add enjoyment into it, which made sense.
24 We have done that. So, we're looking to establish

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1 this --

2 CHAIRMAN OPDYCKE: I think that was Mr.
3 Freeman. I think that was your suggestion.

4 COMMISSIONER FREEMAN: No, I don't think so.
5 But, I don't think I was at this meeting actually, so,
6 but I do have a question here. Isn't that kind of
7 subjective?

8 MR. ARGUMEDO: It is still subjective, but it
9 provides some type of guidelines. When we look at our
10 major variance guidelines, that's one of the standards
11 we have, is that it does not have an adverse effect or
12 impact on the neighbor's enjoyment of their property.
13 So, in terms of subjectiveness, at least we're being
14 consistent in the subjectiveness of a standard across
15 all ways that committees in Evanston would review it.

16 COMMISSIONER STALEY: But does enjoyment, is
17 enjoyment anywhere else or was this just added here?
18 Value you can determine, but enjoyment is kind of a,
19 people enjoy their property in different ways.

20 MR. ARGUMEDO: One of the ways we looked at
21 it, the variance, I'll go look at my Zoning Ordinance
22 right now and then we'll just read off the major
23 variance to see if it's there. But an example in terms
24 of enjoyment of a property may be, we talked about, when

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1 we first talked about air conditioners and we wanted to
2 allow air conditioners to be within ten feet of the rear
3 property line, and I believe through discussion of that
4 committee, someone said well, what if the neighbor puts
5 their patio in their rear yard and then they're close to
6 that air conditioning unit. That's impacting their
7 enjoyment of that property right there, to have a nice
8 summer night out on the patio. So, that's one way we
9 would subjectively, as much as we can, objectively look
10 at the issue.

11 COMMISSIONER FREEMAN: Do we actually say
12 enjoyment --

13 MR. ARGUMEDO: Let me go check right now. I
14 know exactly where it is.

15 COMMISSIONER FREEMAN: I just think that
16 that's, and I just think that's too subjective. You
17 know, you build something and then all of a sudden some
18 light's blocked on your property and, is that impacting
19 the enjoyment of your property.

20 MR. ARGUMEDO: Reading from the second
21 standard for minor variations, it says, the requested
22 variation will not have a substantial adverse impact on
23 the use, enjoyment or property values of adjoining.

24 COMMISSIONER FREEMAN: Okay.

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1 MR. ARGUMEDO: Adjoining properties.

2 CHAIRMAN OPDYCKE: Any other questions? That
3 being the case, I would move to approve the text
4 amendments, concerning the standards for authorization
5 of restoration of non-complying structures in the case
6 of major damage or destruction.

7 MR. ARGUMEDO: Should we say the standards
8 that it's going to City Council.

9 CHAIRMAN OPDYCKE: Yeah, I'll pick up that
10 later.

11 MR. ARGUMEDO: Okay.

12 CHAIRMAN OPDYCKE: But first, okay, there's a
13 second. All those in favor say aye.

14 (Chorus of ayes.)

15 CHAIRMAN OPDYCKE: Opposed?

16 (No response.)

17 CHAIRMAN OPDYCKE: Motion carries. Next, it
18 is my finding that the proposed text amendments are
19 consistent with the goals, and objectives and policies
20 of the comprehensive general plan, and that the proposed
21 text amendments as well will have no adverse impact on
22 the value of adjacent properties. So, I find that those
23 standards have been met. Does anyone disagree with
24 that?

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1 That being the case, I would move that
2 the Plan Commission acknowledge that the standards, as
3 far as the proposed text amendment is concerned, have
4 been met. Is there a second?

5 COMMISSIONER STALEY: Second.

6 CHAIRMAN OPDYCKE: Those in favor?

7 (Chorus of ayes.)

8 CHAIRMAN OPDYCKE: Opposed?

9 (No response.)

10 CHAIRMAN OPDYCKE: Motion carries.

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Downtown Zoning Implementation Update

1 CITY OF EVANSTON

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4 RE: Downtown Zoning Implementation Update.

5 Transcribed Report of Proceedings of a Plan

6 Commissioner Meeting, held October 14, 2009, at the

7 Evanston Civic Center, 2100 Ridge Avenue, Council

8 Chambers, Evanston, Illinois, at 7:00 p.m. and presided

9 over by Mr. Opdycke, Chair.

10 PRESENT:

11 S. OPDYCKE, Chair

12 D. GALLOWAY

13 J. NYDEN

14 C. STALEY

15 S. FREEMAN

16 STAFF:

17 C. SKLENAR, Planner

18 D. ARGUMEDO, Zoning Administrator

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1 CHAIRMAN OPDYCKE: Next item is the Downtown
2 Zoning Implementation Update. Dominick?

3 MR. ARGUMEDO: Thank you very much again,
4 members. I have just five quick points I want to go
5 over as we move forward with this very large project,
6 exciting, but large project and explain some of the
7 things. I want to pass out a revised schedule, interim
8 schedule we are using as we go forward.

9 CHAIRMAN OPDYCKE: This one that we got last
10 time is no good anymore, is that it? I like the colors.

11 MR. ARGUMEDO: We've been informed you're kind
12 of looking for a color printing --

13 COMMISSIONER FREEMAN: Is it possible to get
14 electronic copies?

15 MR. ARGUMEDO: Yes. As you know, most of
16 these members, all the members here on this Board know,
17 we've revised this schedule to move the Zoning Committee
18 meeting from October to the 11/4, sometimes called
19 November 4th, where we'll talk about the administration
20 and district-wide regulations. We've just noticed that
21 in the Evanston Review, and we, and that's what we'll
22 talk about, an ongoing discussion. The Administration
23 District-wide materials is substantial. It is not
24 intended that we complete it in one Zoning Committee

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1 meeting. Rather expect that it will be continued
2 throughout the length of the effort, as we move toward a
3 favorable recommendation at the end, along with
4 everything else.

5 It's important that we get it out there,
6 and these are Dunkley's words, at the start of the
7 process so that we have a framework into which
8 everything else will fit. We're talking about the
9 administration and the public benefits part that will
10 cover all the approved districts in the adopted downtown
11 plan, such as the public benefits that come by
12 administration, how things will be reviewed and
13 approval, the decision making criteria, submittal
14 requirements and the design standards and guidelines.
15 Again, the design standards and guidelines won't just
16 apply to an RT District or DT District or DC District,
17 but across all guidelines. So, that's one way we're
18 looking to get out in front of everything.

19 We plan to use the website for status
20 updates, distribution, schedule and more. We're looking
21 at using zoning information list serve. I plan, when I
22 send out notices, to heavily emphasize that we are
23 implementing an adopted downtown plan that has been
24 vetted many times so that people, we don't want to give

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1 the impression that people can come and reshape the
2 adopted downtown plan, but it's an implementation of
3 that downtown plan, as much as we can, as we move
4 forward.

5 Right now we're also in the process, City
6 staff is in the process of reviewing the strategy,
7 determining allowed uses in these new districts, the DC
8 Districts, DT Districts, and RT Districts. The adopted
9 downtown plan just has gaps and says City staff and Plan
10 Commission will do these new adopted uses, which is a
11 nice chunk of work to leave for us, challenging work.
12 Right now City staff is going out and walking these
13 districts and we're using maps to, our first cut or
14 guideline is an RT District, kind of covers, for
15 example, an RT District covers DT, downtown, R6,
16 residential and like a D1 District. It kind of makes it
17 it's own little Yugoslavia, throwing all these different
18 uses that are allowed in there.

19 Example, a DT District allows media
20 stations, an R6 District doesn't. So, we're kind of
21 trying to figure out, well, what is the proper uses for
22 these districts right now. If a use goes across all of
23 them, for example, like retail services, that probably
24 makes our first cut. And then as we go out and walk

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1 about it, we'll say, yeah, we can see a retail service
2 going in here. For example, an example, since we're not
3 discussing it, I'm just giving an overview of something,
4 if a power utility is allowed, and it's mainly a
5 residential district, you may decide that goes better
6 for a little downtown area. Not that we're including
7 power districts there, but just giving an overview what
8 we're doing. We're using a base of the uses that are
9 there in trying to figure out how do they mesh together
10 properly, to go with the adopted downtown plan.

11 The Preservation Subcommittee has been
12 working on figuring out the public benefit for facade
13 improvements. Again, they adopted a downtown plan, it
14 gives ten benefits, ten public benefits, anything from
15 parking to plazas, certified buildings and they provide
16 a formula. It's a pretty easy formula to come up with
17 parking. So many parking spaces underground equals so
18 many square footage of FAR. For facade improvements,
19 it's a little bit harder to come up with a formula that
20 says, this facade is ten times prettier than what exists
21 there. So, the Preservation Commission has headed two
22 subcommittees to meet to come up with standards and
23 guidelines, then to come up with a formula. That will
24 be, get sent to the Zoning Committee for your perusal,

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1 and then discussion of that benefit.

2 So, we have been making some progress as
3 we go forward on those aspects. One thing we'd like to
4 bring forward in an effort to alleviate the members'
5 time and make it much better use of it, as you see on
6 the, we want to see what your thinking is on this. As
7 you see on the schedule that was just handed out, and
8 this is a work in progress, we have in November --
9 pardon me, my wife has bronchitis, I may be catching it
10 -- in November, November 4th we have a Zoning Committee
11 Meeting and November 11th, the Planning Commission, and
12 then November 18th, schedule the Zoning Committee. We
13 were thinking of moving that Zoning Committee to the
14 first Wednesday in December, which would eliminate, and
15 moving the 16th December to the first week of January,
16 or second week. That would alleviate the holiday season
17 more and that would not force Commissioners to come
18 three straight weeks in November to the Zoning Committee
19 and Plan Commission, Zoning Committee, if that would be
20 approved. That would not set us back --

21 COMMISSIONER FREEMAN: There's an Economic
22 Development Committee too, which sometimes meets on the
23 same day.

24 MR. ARGUMEDO: Okay. So, that's something to

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1 discuss and figure out.

2 CHAIRMAN OPDYCKE: Go ahead. Yes, please
3 comment.

4 COMMISSIONER NYDEN: Thank you. I would say,
5 and first of all, I don't know how people feel about the
6 11th, if that's going to present problems, because that
7 is Veteran's Day. I don't know, I know I won't be able
8 to attend, but I don't know if that means other people
9 -- that is when the regular Plan Commission meeting is
10 on Veteran's Day, it falls on Veteran's Day. So, is the
11 City even open?

12 MR. SKLENAR: The City is open.

13 COMMISSIONER NYDEN: Okay.

14 CHAIRMAN OPDYCKE: It's not a problem for me.
15 I'm a Veteran. I will be here.

16 COMMISSIONER STALEY: Sorry, I did not serve,
17 I still feel guilty.

18 CHAIRMAN OPDYCKE: Is that a problem for
19 anybody, the 11th of November for a Plan Commission
20 Meeting? Apparently not, so that stays. What about the
21 other dates that Craig mentioned.

22 COMMISSIONER NYDEN: So you want to move the
23 18th meeting to the first week of December?

24 MR. ARGUMEDO: We're proposing it. I mean, I

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1 definitely will be here on the 18th, if that time
2 schedule works better for everybody else. That will be
3 fine.

4 CHAIRMAN OPDYCKE: What's wrong with the dates
5 that we have on there right now?

6 MR. ARGUMEDO: Nothing's wrong with it. We
7 were just suggesting as we were, you had been generous
8 with your time to move the 21st to the November 4th, and
9 that just set up a kind of a three week -- well, we're
10 very comfortable with that schedule. Just wanted to --

11 CHAIRMAN OPDYCKE: Okay.

12 COMMISSIONER GALLOWAY: I actually prefer it,
13 I have more in November than December.

14 MR. ARGUMEDO: All right.

15 COMMISSIONER NYDEN: Yeah, I'm okay with that
16 too.

17 CHAIRMAN OPDYCKE: I'm happy with it.

18 MR. ARGUMEDO: So far, I'm very happy.

19 CHAIRMAN OPDYCKE: Mr. Staley? Mr. Freeman?

20 COMMISSIONER STALEY: I'm easy.

21 COMMISSIONER FREEMAN: Whatever.

22 CHAIRMAN OPDYCKE: Okay, it looks like the
23 schedule is going to stand. Any other questions from
24 Commission Members?

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1 I do have a question. I notice on the
2 November 4 Zoning Committee Meeting, Public Benefits is
3 discussed. When does that subject then come before the
4 Plan Commission? I mean, I assume everything that's in
5 Committee eventually finds its way to the Plan
6 Commission.

7 MR. ARGUMEDO: That is correct.

8 MR. SKLENAR: That would be on the 11th.

9 MR. ARGUMEDO: That will be, we would look to
10 move that to the 11th, with a good, as long as it's kind
11 of had doubt, this could be a long topic that could be
12 held in Committee for a while. That's not going to hold
13 up the rest of the process, if we continue to talk about
14 it, so I don't want, I'd rather have it, we'd rather
15 have it that it very well in Committee before it comes
16 to Plan Commission. As I recall, we're going to bundle
17 everything to send to City Council, rather than send the
18 Public Benefits part.

19 CHAIRMAN OPDYCKE: Right, sure.

20 MR. ARGUMEDO: That may have been left off
21 because we're envisioning quite a bit of discussion and
22 just tabling it, moving it to the next meeting, talking
23 about it and moving it as we go.

24 CHAIRMAN OPDYCKE: At some point it's going to

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1 go to the Plan Commission.

2 MR. ARGUMEDO: Without question.

3 CHAIRMAN OPDYCKE: How much time do you think
4 should be devoted to, let's say for example, November
5 11th, to these issues?

6 MR. ARGUMENDO: At the November 11th for the
7 Map Amendment?

8 CHAIRMAN OPDYCKE: Yes, how much time were we
9 going to spend, I just want to get a sense of the,
10 scheduling the agenda items and so on. How much time do
11 you expect that we'll spend at the Plan Commission
12 level, let's say on the 11th of November, and going
13 forward?

14 MR. ARGUMEDO: We're hoping not to spend much
15 time in the Plan Commission because we're hoping to have
16 all the, not all the discussion, but the gist of the
17 discussion and answering those questions, and figuring
18 out what the next level of things we may have missed or
19 we need to fill in or need to provide more information
20 will be at the Zoning Committee, much like we've done
21 with our Zoning Plan Update. As we've gone through, we
22 passed out those issues in discussion at Zoning
23 Committee, so that when we come here, there are a few
24 questions for members that haven't been on Zoning

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1 Committee, but at Zoning Committee we've talked about
2 all the issues that have been raised and wording and
3 discussion and the potential side effects or benefits.

4 So, getting back to your question, how
5 much at Plan Commission, this is a new process for me,
6 implementing such a large downtown plan, but I'm
7 expecting that our heavy lifting to be done at Zoning
8 Committee.

9 CHAIRMAN OPDYCKE: So you were thinking the
10 Plan Commission is going to be kind of rubber stamp,
11 once it comes out of Committee.

12 COMMISSIONER FREEMAN: I don't think it will.

13 CHAIRMAN OPDYCKE: Because I don't think
14 that's going to be the case.

15 COMMISSIONER FREEMAN: For those that are not,
16 I see us going through, repeating deliberations and
17 history, is in a guide that we will be repeating a lot
18 of those deliberations or just going over deliberations
19 here at the Plan Commission.

20 CHAIRMAN OPDYCKE: Johanna?

21 COMMISSIONER NYDEN: I think while we've been
22 over this a few times, this is confusing. I think it's
23 going to be incredibly confusing to the public, if they
24 decide to come. So, I think there needs to be, I mean,

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1 I understand what's going on here, the Zoning Committee,
2 I think we all understand what the idea here is, the
3 Zoning Committee to Plan Commission. But this order
4 isn't necessarily completely intuitive and I think it's
5 going to be very, very confusing to anybody who comes to
6 some part of the process, and then is upset if they've
7 missed out on something that they thought that they were
8 coming to comment on, because this is not how we did it
9 when we went through the downtown plan.

10 CHAIRMAN OPDYCKE: Okay.

11 COMMISSIONER NYDEN: So, I think, I mean, I'm
12 more than happy to proceed with this, but I'd like to
13 see something that's public friendly and also that there
14 is something on the web site and also that the various
15 media outlets are apprized of this so there can be maybe
16 even stories about this.

17 MR. SKLENAR: If I could interject, I am
18 working on a public friendly flow chart as far as how
19 this is all going to work out and Bill and I had some
20 discussions today as far as how that should be divulged.
21 But I'm basically taking some of this text and placing
22 more emphasis on public hearing and votes, rather than
23 the full detail of everything and dates. So, hopefully
24 I'll have that information.

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1 COMMISSIONER NYDEN: Because I think, I mean,
2 I don't know how, I imagine if this was like Central
3 Street when people came and sort of sat, I mean, we were
4 doing, this is different than West 7th and it's
5 different than Central Street, I mean, they're all
6 unique and I think each one of those implementation of
7 the zoning was very different. So, just so people can
8 understand what there, how they fit in, and I think that
9 there will be less opportunity then for people to say
10 oh, let's rewrite this, let's redo this.

11 MR. SKLENAR: Do you think we should develop
12 some maps that show just, if we're doing downtown?

13 COMMISSIONER NYDEN: Yes.

14 MR. SKLENAR: Highlight just the downtown
15 zones that are going to be interested.

16 COMMISSIONER NYDEN: Yes, and put a date on
17 them.

18 MR. SKLENAR: And put a date of when the
19 next --

20 COMMISSIONER NYDEN: And the body that will be
21 reviewing it.

22 MR. SKLENAR: Yes.

23 COMMISSIONER NYDEN: So, maybe even a flow
24 chart that says Zoning Committee, Plan Commission, City

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1 Council, one, two, three.

2 MR. SKLENAR: That's it.

3 CHAIRMAN OPDYCKE: David.

4 COMMISSIONER GALLOWAY: Yeah, I was going to
5 suggest exactly what you mentioned. If on the website,
6 you could make it as color coded or something, but yeah,
7 if the topic is RD Residential Downtown, there would be
8 a corresponding map that has those districts shaded.
9 And then there may be references to the body of text
10 that pertains to that. We don't want anybody with an
11 excuse for not knowing what goes together and nobody
12 wastes any time on text in areas that are not going to
13 be discussed.

14 COMMISSIONER NYDEN: You guys have like a
15 plotter, right? Do you have a plotter? I mean, print
16 off the map, so there's a map hanging somewhere that
17 people, and an exhibit that people can look at when they
18 come here so they know.

19 MR. SKLENAR: Including, I think we should
20 even print off the diagrams --

21 COMMISSIONER NYDEN: Absolutely.

22 MR. SKLENAR: Spacial suggestions and bonus
23 and all that.

24 MR. ARGUMEDO: And we can definitely include

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1 those maps and ideas in our notices that we'll be
2 mailing out and the signs we'll be putting up in the
3 various neighborhoods. We definitely appreciate that
4 input, and we've been, Zoning and Planning have been
5 working together for, with the previous contact list
6 that was used throughout the downtown process, we
7 understand that was awhile ago, but it gives us the
8 basis as to be reaching out to the community. But all
9 of those suggestions in terms of making a visual on the
10 website and making it much more community friendly to
11 interpret, we'll definitely appreciate it and we'll work
12 on that.

13 CHAIRMAN OPDYCKE: Ben, I understand why you
14 think this might not generate a lot of interest, but I
15 can assure you the downtown, the downtown plan was in
16 Committee for two years, Committee. And then when it
17 got to the Plan Commission, if memory serves, we were
18 six, eight months, a year, whatever it was and there was
19 a lot of citizen input. So, I would expect this will
20 occupy a good, that's my guess, it will occupy a lot of
21 the agenda time on given evenings.

22 MR. ARGUMEDO: Completely understand, and
23 we're trying to figure out the best way to notice it in
24 terms of using the words adopted.

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1 CHAIRMAN OPDYCKE: I mean, some of this isn't
2 controversial, but when you start talking about core
3 text and certain things and bonuses --

4 MR. ARGUMEDO: I definitely, definitely can
5 imagine the discussion that will occur when we talk
6 about the uses that will be allowed.

7 CHAIRMAN OPDYCKE: Uses, of course.

8 MR. ARGUMEDO: And special uses and everything
9 like that. Definitely see quite a discussion.

10 COMMISSIONER NYDEN: Why are we talking -- I'm
11 sorry.

12 CHAIRMAN OPDYCKE: Go ahead, Johanna.

13 COMMISSIONER NYDEN: I think Dave --

14 CHAIRMAN OPDYCKE: Oh, Dave, sorry.

15 COMMISSIONER GALLOWAY: Along that line, I
16 think it would be beneficial if before any of these
17 meetings commence, that someone, whether it be you, Stu
18 or somebody from the Planning Department or Zoning
19 Department, discusses what the purpose of the meeting
20 is, what the parameters of the discussion will be, i.e.,
21 we are talking about revisiting the concepts or the
22 general intentions of the plan, but here's what the
23 intention of the meeting is and here are the types of
24 items that are open for discussion.

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1 CHAIRMAN OPDYCKE: Thank you, Dave. I would
2 expect to do that at the beginning of, that's a very
3 good --

4 COMMISSIONER GALLOWAY: Of every meeting.

5 CHAIRMAN OPDYCKE: Of every meeting.

6 COMMISSIONER FREEMAN: I think you should do
7 it in the announcements, I'm sorry.

8 CHAIRMAN OPDYCKE: Seth?

9 COMMISSIONER FREEMAN: I think you should do
10 that in the announcements of the meetings, if that's
11 what you're saying, not just the beginning of a meeting,
12 I mean, the announcement of a meeting.

13 MR. ARGUMEDO: You mean the notice.

14 COMMISSIONER FREEMAN: The notice for the
15 meeting.

16 COMMISSIONER GALLOWAY: What do you mean by
17 that? You mean --

18 MR. ARGUMEDO: You mean in a publication when
19 we announce the meeting for the Evanston review and in
20 the mailings we'll do to people in that --

21 COMMISSIONER GALLOWAY: Surely, but also at
22 the meetings.

23 COMMISSIONER FREEMAN: Oh, of course, at the
24 meeting, but yeah -- you want to set expectations as to

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1 why somebody is coming to the meeting.

2 COMMISSIONER GALLOWAY: Right.

3 COMMISSIONER FREEMAN: Not find out when they
4 get to the meeting, oh, you mean, this isn't, we're not
5 opening the -- again for this conversation.

6 COMMISSIONER GALLOWAY: Right.

7 MR. ARGUMEDO: Right, a prime example would
8 be --

9 COMMISSIONER FREEMAN: Which is why I think is
10 the whole point of articulating the purpose of the
11 meeting, right?

12 COMMISSIONER GALLOWAY: Yes.

13 MR. ARGUMEDO: For example, heights are
14 identified in the plan. That's how heights have been
15 approved by the City Council. So, if anyone comes with
16 a decision to talk about heights, something that we can
17 point to it and say no, that's part of the approval.
18 But those are all there.

19 CHAIRMAN OPDYCKE: Johanna.

20 COMMISSIONER NYDEN: Should we adopt new
21 rules, some of these rules, committee rules before we do
22 this, because I think that there's some things here that
23 would make this smoother and give us more, just make a
24 smoother process, particularly, I mean, we know there

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1 will be certain people who will line up here at 6:45 to
2 get on the sign-up sheet to speak and they will speak at
3 every meeting. So, I mean, for 15 minutes too, so.

4 CHAIRMAN OPDYCKE: Well, Committee Reports is
5 Item No. 6 on the agenda, and I'm not on the Rules
6 Committee, but I did read a number of these suggestions
7 and implementations, and so on. Perhaps we can take
8 that up in a few minutes. Before we leave Item No. 4
9 though, I did bring up the question with Bill about
10 television coverage when we get into some of these
11 anticipated controversial aspects of the downtown plan.
12 He said he was going to survey the Council members or
13 the City Manager, whomever, but I know this will be of
14 some civic interest. That's the reason I mention it.

15 And also, we were going to get hard
16 copies of the final version of this downtown plan. We
17 don't have those copies.

18 COMMISSIONER STALEY: There's one right here.
19 They were sitting there when you sat down.

20 COMMISSIONER FREEMAN: I didn't realize what
21 it was either, until now.

22 CHAIRMAN OPDYCKE: Oh, okay.

23 COMMISSIONER STALEY: They were waiting for
24 us.

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1 CHAIRMAN OPDYCKE: Oh, all right. February
2 9th, oh, okay. So, we have that then.

3 COMMISSIONER STALEY: Yes.

4 COMMISSIONER NYDEN: That was easily resolved.

5 CHAIRMAN OPDYCKE: That takes care of that.
6 Thank you, so much. I'd love to know what the changes
7 are that are reflected in here from the last version
8 that we have. Is there a log of those changes, by
9 chance, or are they highlighted in this?

10 MR. SKLENAR: I would have to research, but
11 from my casual viewing, a lot of it was quick edits,
12 cleaning up some language as far as making it flow
13 properly, more grammar oriented.

14 CHAIRMAN OPDYCKE: If there are some
15 substantive changes, can you furnish those to us, so we
16 don't have to compare page by page by page.

17 MR. SKLENAR: I'm trying to figure that out
18 myself.

19 MR. ARGUMEDO: When is the last copy you would
20 have had would have been --

21 CHAIRMAN OPDYCKE: November 10th, 2008.

22 COMMISSIONER FREEMAN: Manage to compare --

23 MR. SKLENAR: We actually don't have the
24 master documents, because they were done in a format

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1 that we don't have software for. But, we are working on
2 that.

3 CHAIRMAN OPDYCKE: All right. Any further
4 comments on Item No. 4, Downtown Zoning Implementation
5 Update?

6 MR. ARGUMEDO: I guess we'll say, I think one
7 of the substantive updates is the, where the districts
8 are, I don't know if it's on Page 89 or what, I'm not
9 sure about that page, but I was working off a,
10 previously on the November page and there was one area
11 of the downtown on the eastern portion that said, to be
12 determined or we'll figure out at a later part. I know
13 on the February 9th aspect, that has been filled in with
14 either RD2 or RD1, so I know that's one substantive.

15 CHAIRMAN OPDYCKE: Okay. Send us a memo then,
16 will you include that, you know, just so we have an idea
17 of what the substantive changes have been.

18 MR. ARGUMEDO: Yes.

19 CHAIRMAN OPDYCKE: Good, thank you. All
20 right.

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CITY OF EVANSTON

PLAN COMMISSION

RE: Committee Reports. Rules Committee Report
Transcribed Report of Proceedings of a Plan
Commissioner Meeting, held October 14, 2009, at the
Evanston Civic Center, 2100 Ridge Avenue, Council
Chambers, Evanston, Illinois, at 7:00 p.m. and presided
over by Mr. Opdycke, Chair.

PRESENT:

- S. OPDYCKE, Chair
- D. GALLOWAY
- J. NYDEN
- C. STALEY
- S. FREEMAN

STAFF:

- C. SKLENAR, Planner
- D. ARGUMEDO, Zoning Administrator

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1 CHAIRMAN OPDYCKE: Craig, you're next.

2 MR. SKLENAR: Since we're already talking
3 about rules, could we switch the two agenda items really
4 quick.

5 CHAIRMAN OPDYCKE: I have no problem with
6 that. Anybody else have a problem with switching an
7 agenda item?

8 MR. SKLENAR: You received in your packet a
9 memo from Sue Guderley, describing some of the changes
10 that have been implemented by the Committee, and items
11 of recommendation for change. And then items for
12 further discussion. The first thing I would like to
13 propose is establishing a time for the Rules Committee
14 to actually meet and seek more than one member of the
15 Plan Commission to be on the Rules Committee.

16 CHAIRMAN OPDYCKE: I think Mr. Staley,
17 you're --

18 COMMISSIONER STALEY: I think Seth is on the
19 committee too.

20 COMMISSIONER FREEMAN: I was on the committee.

21 COMMISSIONER STALEY: You were?

22 COMMISSIONER FREEMAN: Yeah, I'm on the total
23 of three, so if I've got to get on Rules, go back to
24 Rules, that makes four.

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1 COMMISSIONER STALEY: All right. Well, then I
2 guess I have the Rules.

3 COMMISSIONER NYDEN: Well, maybe once we
4 get --

5 COMMISSIONER STALEY: I should ask Mr. --

6 COMMISSIONER NYGEN: Let's just tell Lenny he
7 has to be on Rules, the new Plan Commissioner.

8 COMMISSIONER STALEY: I thought that --

9 COMMISSIONER FREEMAN: He's going to enjoy
10 that when he reads the minutes.

11 CHAIRMAN OPDYCKE: That leaves you, Mr.
12 Staley, because Robin, who was on the Rules Committee is
13 no longer with us.

14 MR. SKLENAR: Mr. Peters is --

15 COMMISSIONER STALEY: Peters would be possible
16 because he has the zoning background and all that sort
17 of thing.

18 COMMISSIONER GALLOWAY: I think the new
19 attorney would be a good one.

20 COMMISSIONER NYDEN: Well, both have, both I
21 think have comparable experience, I think, but Mr.
22 Peters served on ZBA and was previously a chair there.
23 So, he might --

24 COMMISSIONER STALEY: Well, I can tell you, I

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1 looked this over and I commend Susan, because I looked
2 back and I had notes that were pretty much consistent
3 with this, but she found more and planned this, she had
4 to go through and parse many, you know, this wasn't just
5 sitting out there, otherwise I would have brought it in.
6 And I do remember, some of these I don't remember, but
7 most of them I do. But my thought would be that, and I
8 don't know if maybe we want to discuss it, but Item 2
9 here, most of these shouldn't be very divisive or
10 confrontational. They're mostly to try to make it more
11 transparent, make it easier for people so they're not
12 lined up. Just basically not annoy the public is what a
13 lot of this first group is.

14 And some of it, a lot of this is from
15 Jessica Feldman's memo, which was very thorough and
16 covered many, many things, this beaucoup, in other
17 words, going out of our way to give notice for people,
18 you know, that we might not be thinking about, but would
19 actually see it, would come. And so I would think, you
20 know, I think maybe we should look at this and then I
21 could just prepare a motion for, you know, the Item 2
22 issues, and maybe bring that to the next Plan Commission
23 Meeting. And then at that point, obviously it can be
24 amended to delete or if somebody else has got something,

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1 but we could do a lot of work. Colleen particularly,
2 did a lot of work and so did Robin, and I was at the
3 meeting when this was done.

4 So, as I went back through them, I think
5 these things that are under Item 2, are all things that
6 really could be set forth in a motion, and if there is
7 somebody who objects to it, then we can talk about it
8 and delete that. I don't know if you want to discuss,
9 spend any time tonight. I know, Stu, you have some
10 feelings about limiting people, or at least my
11 recollection is that you said that you had. And so,
12 maybe, I don't know if you want to discuss that.
13 Probably just makes more sense to discuss it at that
14 time, at the next meeting, I suppose, or unless we want
15 to discuss it now.

16 This is limiting, well, the people on the
17 Rules Committee have a basic agreement there should be
18 some time limits, I mean, there wasn't anyone, even
19 Robin, who feels that everyone should be able to be
20 heard. She was the one who was the most resistant to
21 that, but my recollection is at the end, even she agreed
22 that it was better to have some. It should be generous,
23 but that there ought to be some sort of a limitation.
24 We shouldn't have people up there just going on and on

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1 and on, and people should know the rules when they come.
2 Then there was the issue of, what about groups, should
3 they be, how much time should they be given. Should
4 they go first, should they not go first. And we really
5 couldn't, we couldn't really hash all that out. But we
6 all felt that there ought to be some time limits.

7 CHAIRMAN OPDYCKE: David?

8 COMMISSIONER GALLOWAY: Is there any reason
9 why we can't discuss and, items, itemize the number 3
10 tonight?

11 COMMISSIONER STALEY: No, well I don't know,
12 excuse me, I don't want to be vague --

13 COMMISSIONER GALLOWAY: There aren't that many
14 and they predominately relate to exactly what we're
15 talking about right now, which is time.

16 CHAIRMAN OPDYCKE: Okay, let's take up Item
17 No. 3. Any comments from anybody? Johanna.

18 COMMISSIONER NYDEN: I would say, I would be
19 in favor of limiting minutes, but I think that there's,
20 but under the guise of prepare something that you can
21 deliver in five minutes, and then if that person is
22 saying something that we would like to hear more of,
23 it's at the discretion of the chair to allow them to
24 continue. But I don't think it should be, it shouldn't

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1 be implied that you can prepare ten minutes worth of a
2 speech and then at five minutes, request it, five more
3 minutes. That you should be understood that it's five
4 minutes.

5 COMMISSIONER FREEMAN: I would agree with
6 that, but I think you should be able to request in
7 advance, I would like ten minutes instead of five
8 minutes. So if you know you're going to want to talk
9 ten minutes, I just, I think five minutes can be
10 limiting, especially after the experience on the
11 downtown plan and some of the presentations that were
12 made, that were by citizens that were very, very good,
13 very detailed and well thought out, and quite frankly
14 wish that some of the consultants had presented stuff as
15 well analyzed. So, I think five minutes is limiting,
16 but in most cases it's probably okay. You just have to
17 have a way to extend that and I don't think it should be
18 up to us to say well, no, you can't present more than
19 five minutes.

20 COMMISSIONER GALLOWAY: I have a question, or
21 some clarification then. What is the difference between
22 five minutes for individual citizen comments and 20
23 minutes for citizen presentations? Because I think
24 maybe what you're discussing is some individual citizens

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1 had an actual presentation, with AV materials and so
2 forth. And others just simply had a text from which
3 they were reading. Am I correct in understanding that
4 is the --

5 COMMISSIONER STALEY: It doesn't say it here,
6 but my recollection was more the presentation was
7 reserved for a group. I mean, that's, I don't remember
8 any discussion where we thought that an individual would
9 somehow have a different handle on your thinking. But,
10 we did definitely think, if there's someone there and
11 they're, it's part of the Central Street neighbors, or
12 something, if you've got, you know, Mr. Smith up there,
13 you know, putting that on, then I think we agreed that
14 that should have a longer period. I don't recall
15 anything about someone who is making a presentation. I
16 mean, they're all making a presentation.

17 COMMISSIONER FREEMAN: One does say here, 20
18 minutes for a citizen presentation. So, is that for a
19 group or again, is that an individual?

20 COMMISSIONER STALEY: It was still, it was a
21 group when we discussed it, I'm sure.

22 COMMISSIONER GALLOWAY: I.E., a citizen that
23 represents a group, is that correct?

24 COMMISSIONER STALEY: Yes, when they're

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1 speaking for it.

2 COMMISSIONER NYDEN: Well, I mean, what I this
3 is, I'm sorry. All right, I think if somebody talks,
4 here's what I see. I see, let's say we have a hedge
5 issue with 20 people who have signed up to speak. If we
6 say, well, you know, some people can talk for five, some
7 people can talk for ten, there's going to be some people
8 who cannot speak, will not come again in 30 days.

9 COMMISSIONER FREEMAN: Good point.

10 COMMISSIONER NYDEN: And I think if somebody
11 needs to go on for another ten minutes or five minutes,
12 they can get at the end of the line. It's sort of like
13 kids and water fountains, after gym class. It's like if
14 there is a bunch of kids that all need water, they each
15 have to take their turn.

16 COMMISSIONER FREEMAN: I kind of think that's,
17 what's the word I want to use, I don't agree with that,
18 it goes against the line. I do agree if there's, you
19 know, enough people to fill up the evening, then you
20 should try to limit it to five minutes. But if there's
21 five people here and we have, you know, an hour
22 scheduled, there's no reason why that person should go
23 to the end of the line after five minutes.

24 COMMISSIONER NYDEN: No, I think that's why

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1 the chair, it's at the chair's discretion to extend that
2 time.

3 COMMISSIONER FREEMAN: Okay.

4 COMMISSIONER NYDEN: But, I mean, I'm fine
5 with that.

6 COMMISSIONER GALLOWAY: Well, along those
7 lines then, perhaps the last sentence of this brief
8 paragraph might say that all these interpretations are
9 subject to the chair's judgment, or words to that
10 effect, that allows the chair to make those kinds of
11 decisions. Like you said, if there are 40 people, well
12 then, five minutes is your max. But if there's, you
13 know what I'm saying, --

14 COMMISSIONER FREEMAN: I think we're in
15 alignment, violence agreements, correct?

16 MR. SKLENAR: The one thing I might propose is
17 we define the difference between your presentation and
18 citizen comments and provide that in our rules.

19 MR. GALLOWAY: That's important, because I
20 could see citizens arriving with a great deal of
21 misunderstanding on that.

22 COMMISSIONER NYDEN: What's noticing
23 requirement? 48 hours or 24 hours?

24 MR. SKLENAR: For this meeting?

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1 COMMISSIONER NYDEN: For any meeting.

2 MR. SKLENAR: Forty-eight for this, for a
3 special hearing, I believe it's two weeks.

4 COMMISSIONER NYDEN: Okay. So what if people
5 want to apply to be special presentation for a group,
6 they have to notify within 72 hours of the start of the
7 meeting. So that gives you 24 hours to make a decision,
8 and 48 hours to notice them that they will be on.

9 MR. SKLENAR: If they want to be on the
10 agenda?

11 COMMISSIONER NYDEN: Right.

12 MR. SKLENAR: Yes, that would be --

13 COMMISSIONER FREEMAN: I'm fine with that. I
14 think that's a good point.

15 MR. SKLENAR: And you're talking about the 30
16 minute for special presentation?

17 COMMISSIONER NYDEN: So, right, if Central
18 Street Neighbors wants to come and give a presentation
19 about something, they should --

20 COMMISSIONER FREEMAN: If they want 30
21 minutes, they shouldn't just show up and sign up for 30
22 minutes.

23 COMMISSIONER NYDEN: Right.

24 COMMISSIONER FREEMAN: They need to notify us

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1 in advance that they want 30 minutes to make a
2 presentation.

3 MR. SKLENAR: That's in pursuant to our agenda
4 writing anyway. We try to get that out by Friday, so if
5 they want to be on the agenda, they have to, the week
6 prior.

7 COMMISSIONER FREEMAN: In terms of the point
8 here for effective neighbors, noticed area speak first,
9 shouldn't it just be first come first served.

10 COMMISSIONER STALEY: I kind of think so too.
11 I don't know how you're going to, I mean, talking about
12 who's --

13 COMMISSIONER FREEMAN: First come, first
14 served, and you know, if you sign up, you get on the,
15 and I think the 30 minute presentation should be
16 separate from the time allotted for individual comments.
17 So that's part of the agenda, and the people who come
18 and sign up, it's a different portion of the agenda.

19 MR. SKLENAR: Again, I think it's more
20 organizational in how we present this and I think I
21 agree that we separate instead of having one -- for the
22 entire round of speaking. We divide it out and that way
23 there is a format to that.

24 COMMISSIONER GALLOWAY: Okay. And I have two

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1 comments or suggestions. One is, intuitively, it seems
2 to me that group presentations are larger time, large
3 time presentations might be better to go first because
4 therein you more than likely have someone who spent a
5 great deal of time and is sort of a quasi-expert on
6 these issues and for them to go first, might assuage or
7 answer a lot of questions that people, of the masses
8 that are going to spend five minutes.

9 COMMISSIONER FREEMAN: So that's the, in
10 advance, they get on the agenda and that is an agenda
11 item before public comment, even though it's part of
12 public comment.

13 COMMISSIONER GALLOWAY: Yeah, and then another
14 thing that occurred to me as I was reading this, it
15 really is very important for the chair to know, as soon
16 as possible, how much time is going to be accrued with
17 citizen comment, citizen presentations, so that the
18 agenda can be adjusted as early as possible, so as not
19 to inconvenience someone who has worked for three months
20 and is looking forward to making their presentation that
21 evening. Do you follow?

22 COMMISSIONER FREEMAN: Another reason for some
23 of the --

24 COMMISSIONER GALLOWAY: So, the earlier, I

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1 think obviously then, the 72 hour requirement for large
2 group is very important because obviously if you have
3 three groups at 20 minutes and you've only got, only
4 budgeted an hour for the whole thing, and you have
5 another item on the agenda, then you're going to, then
6 at least three days in advance, notify the other item on
7 the agenda that I'm sorry, it doesn't look like we're
8 going to be able to accommodate you.

9 COMMISSIONER NYDEN: But I don't think that we
10 should, I think it should be 30 minutes is the limit,
11 for a group presentation.

12 COMMISSIONER FREEMAN: Yeah, sure.

13 COMMISSIONER NYDEN: Okay. Just want to make
14 sure. And then what are we, when we say group
15 presentation, you know, what about, I mean, Central
16 Street Neighbors versus the Evanston Chamber of
17 Commerce, those are two very different entities, and
18 then are we treating them, every, every membership
19 organization the same way?

20 COMMISSIONER FREEMAN: Well, I think it
21 depends on the circumstances of what's being presented.
22 So, if the Chamber of Commerce is coming to make a
23 presentation, like they do at the Economic Development
24 Committee, on their budget and stuff, that's different

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1 than whether they want to make a comment on the plan.

2 COMMISSIONER NYDEN: I mean, the other thing
3 that I worry about is what if some of these, some
4 membership, I could just see this happening, I could see
5 this happening in the past with this rule. What if
6 several organizations decided to put themselves together
7 to do a filibuster or something. You know, like if four
8 people sign --

9 COMMISSIONER FREEMAN: You still have to, but
10 you still have a set amount of time for public comment,
11 so, you know, so are they going to, so you're saying
12 they're going to filibuster for an hour and a half when
13 we only have an hour of public comment.

14 COMMISSIONER NYDEN: No, but I'm saying like
15 what if the two, and when we still have ten people who
16 want to sign up and talk. So, if we have two membership
17 organizations that want to make a presentation, and we
18 grant that to them, and then we have ten people who also
19 want to speak.

20 COMMISSIONER FREEMAN: So then perhaps what
21 you should, we should limit the number of 30 minute, of
22 presentations per public comment meeting, for meeting.

23 CHAIRMAN OPDYCKE: This highlights a problem.
24 There are so many scenarios that one can envision.

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1 That's why I want to retain and share as much discretion
2 as possible. So, I would propose these as guidelines
3 only, subject to change without notice by the chair.
4 So, I can live with all of this stuff as long as I have
5 the authority to be able to change. But given the
6 agenda, given the number of people out here, there's all
7 these variables that I have to take into account, the
8 number of people, the issues.

9 COMMISSIONER FREEMAN: So you can say at the
10 blanket at the start, we have so many people that we're
11 going to limit conversation to two minutes. But you
12 wouldn't do it in the middle of it and say, okay --

13 CHAIRMAN OPDYCKE: Well, exactly, exactly.

14 MR. SKLENAR: One key point to the
15 presentation, if there is any item that has to go on the
16 agenda, they have to give me materials to go into the
17 packet, and then that way presents to us exactly what
18 they are presenting. And I think that should be written
19 into the guidelines that a, materials must be provided
20 at time of notice. So that helps us with part of that,
21 but I agree there should be a provision for, at chair's
22 discretion.

23 COMMISSIONER STALEY: Listening to this, I'd
24 kind of like to go back to the 30 minutes. I think it

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1 might be better if we limit it to 20 minutes, except in
2 extraordinary situations, because you know, 20 minutes,
3 a group ought to be able, I mean considering what we're,
4 ought to be able to get their --

5 COMMISSIONER FREEMAN: Agree.

6 COMMISSIONER STALEY: You know, 30 minutes is
7 a long time, unless they really are, 30 minutes, they're
8 kind of redoing it for us and pointing out, you know,
9 why we're off in left field, which we might be, but, if
10 it's, well, anyway, I --

11 COMMISSIONER GALLOWAY: Absolutely. I would
12 much rather have the chair be in the position of
13 granting someone an extension of time rather than
14 everybody, including other citizens, sitting through a
15 regurgitation of stuff, simply because people think
16 well, I've got 30 minutes then we're going to fill 30
17 minutes.

18 COMMISSIONER FREEMAN: I think we're all in
19 agreement, finally. I have an issue here. I had a what
20 the heck moment here on the, an hourglass? Would you
21 give me, how about a stop watch or something. But you
22 know, an hourglass, all this was pretty funny. Place it
23 on the podium so the speaker can turn it over. You're
24 on your own.

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1 CHAIRMAN OPDYCKE: Forget the hourglass. If
2 I'm the chair, I'm the hourglass.

3 COMMISSIONER FREEMAN: That's right, you're
4 the timekeeper. That's a clock right there.

5 COMMISSIONER STALEY: Yellow sheet, red
6 sheet --

7 COMMISSIONER FREEMAN: Okay. I wasn't the
8 only one who had a what the heck moment on that one,
9 huh?

10 MR. SKLENAR: These are just recommendations.
11 We still need to draft it into a motion.

12 CHAIRMAN OPDYCKE: Okay. This last point,
13 workshops throughout the City. Does anybody want to
14 pursue that one? Mr. Staley?

15 COMMISSIONER FREEMAN: I think we can delete
16 that.

17 CHAIRMAN OPDYCKE: Okay. Any objection to
18 that?

19 COMMISSIONER STALEY: Is there anyone in the
20 audience? Let the record show that no one opposed this.
21 No one citizen.

22 CHAIRMAN OPDYCKE: Is there anything else we
23 want to talk about with respect to some of these --
24 rules.

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1 COMMISSIONER FREEMAN: Well, I do think the
2 one, the last point there, about the physical layout and
3 other constraints, we all have voiced that concern. So,
4 I don't know how we address that.

5 CHAIRMAN OPDYCKE: It doesn't have to be a
6 rule, does it? Can't we just suggest to staff, if they
7 see a better way to sort of situate this.

8 COMMISSIONER STALEY: How were you thinking?
9 Was it going to be that last row over there, kind of in
10 line, like that? Was that what you were thinking about?

11 MR. SKLENAR: These were all written before
12 I --

13 COMMISSIONER STALEY: I might have written
14 them myself.

15 COMMISSIONER GALLOWAY: No, but this is, this
16 really is a problem, and if the presentation is not
17 oriented so that both Commissioners and the attending
18 public are afforded the same opportunity to view and
19 understand it. We're setting us up for a lot of
20 justifiable animosity, and this room does not, period,
21 in its present layout, afford that opportunity. So,
22 we're not going to move the dias. We might be able to
23 orient say that wall for the presentation and then have
24 the chairs loose or oriented so at least people are at

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1 somewhat of an angle, or at least oriented toward the
2 presentation, so that we're at least saying to them, we
3 are not what you're supposed to be looking at. You're
4 supposed to be looking at the content of what we're all
5 trying to understand.

6 COMMISSIONER STALEY: It's a great idea. You
7 must be an architect. If we could actually move those
8 chairs, I mean, it could be, the focal point could be
9 over there.

10 COMMISSIONER GALLOWAY: It's worth the
11 assessment of that.

12 MR. SKLENAR: I don't know if that's a rule,
13 per se, but definitely keep an eye on what's being
14 presented and then, that's sharing that there's enough
15 time for me to come in here and help set up properly.

16 COMMISSIONER GALLOWAY The biggest affront was
17 a couple of presentations where the developers came in
18 and they put the boards all across here, oriten towards
19 us, and all the audience is looking at the back of the
20 boards, I mean, what kind of message is that.

21 MR. SKLENAR: I guess maybe submittal
22 requirements should state that printed copies for
23 Commissioners as well as any presentation boards be
24 submitted ahead of time. That way you have what's being

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1 presented and if they do bring boards along with them,
2 that you have something in front of you as well as
3 something for the audience to view.

4 COMMISSIONER GALLOWAY: Yeah, but we still
5 have to address the physical layout of this room and
6 like I said, I think the only way that we could really
7 improve on that is how the chairs are arranged. I mean,
8 at least let's experiment, you know, these aren't nailed
9 to the floor.

10 COMMISSIONER STALEY: So, how are we going to
11 do this? Am I going to put together a motion or is
12 staff going to put together a motion and we're going to
13 look at it or what --

14 CHAIRMAN OPDYCKE: Well, there's a lot to talk
15 about here, and some of these suggestions, I don't know
16 if we want to talk about them tonight, what is your --

17 MR. SKLENAR: Where are you at, Stu?

18 CHAIRMAN OPDYCKE: Well, we just finished Item
19 3, and now I'm looking at Item 2, which are I guess
20 recommended changes. And then there's Item 1 that have,
21 I guess, already been implemented. I didn't know all
22 this had been done. I'm looking at Item 1. There's a
23 web page, a Plan Commission FAQ web page.

24 MR. SKLENAR: Yes.

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1 CHAIRMAN OPDYCKE: I mean, is that this, this
2 one-page thing that we can get off line, on line,
3 rather, is that their web page? I mean, it doesn't have
4 any reference to frequently asked questions, but I don't
5 know.

6 COMMISSIONER FREEMAN: What do you have there?

7 CHAIRMAN OPDYCKE: Well, this is all the, the
8 website and it describes the Plan Commission, the
9 composition, the terms --

10 MR. SKLENAR: Does that say plan, or
11 committees? Is that a committee's page?

12 COMMISSIONER FREEMAN: That's different than
13 what's in here.

14 COMMISSIONER NYDEN: It's appoint boards,
15 commissions and committees.

16 COMMISSIONER FREEMAN: Is that what it is?

17 MR. SKLENAR: There's an actual Plan
18 Commission page on the planning web sites.

19 CHAIRMAN OPDYCKE: Okay.

20 MR. SKLENAR: That does have FAQ, it talks
21 about the downtown planning, those things.

22 CHAIRMAN OPDYCKE: Okay.

23 MR. SKLENAR: But I do know there is an FAQ, I
24 don't know how up to date it is, and maybe that's

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1 something that we need to address.

2 CHAIRMAN OPDYCKE: There's reference to a flow
3 chart. Do we have that already? Apparently, we do.
4 We talked about that earlier tonight with respect to the
5 downtown plan discussion. I'm looking at item,
6 Paragraph No. 1, right in the middle where it says
7 create a flow chart diagram showing plan development,
8 public hearing status, that is printed on legal size
9 paper and place on the table nearest the door of the
10 meeting room. Is that done?

11 COMMISSIONER STALEY: A thought that I, I
12 don't know, maybe this is for different things, but this
13 was either Colleen or Robin, and it was a pretty good
14 idea, it was sort of like, you know, you are here
15 pointing with an arrow. When people come in to see
16 what's going on, there would be the line out of this
17 flow chart the various steps to get all the way through
18 the City Council, and be kind of an arrow that this is,
19 you know, this is what's going on now. And that would
20 change, obviously, depending on which project that you
21 were talking about. That's what I think you were
22 talking about.

23 CHAIRMAN OPDYCKE: But we have that now in
24 place?

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1 COMMISSIONER STALEY: That I don't know. I
2 mean, I didn't know we had anything in place.

3 CHAIRMAN OPDYCKE: Well it says items that
4 recently have been implemented.

5 COMMISSIONER STALEY: I don't know who
6 prepared this, so I guess it must have been. I could
7 ask her, I guess.

8 CHAIRMAN OPDYCKE: Okay, okay.

9 MR. SKLENAR: We haven't had a PD submittal
10 come up since this has been --

11 COMMISSIONER STALEY: That's right. The arrow
12 was there or it was way over to the left, wherever it
13 is, the left-hand column.

14 MR. SKLENAR: I can research through Tracy's
15 folders and see if she's created anything, prior to my
16 arrival.

17 CHAIRMAN OPDYCKE: Well, you know, I guess
18 we're not of a mind to go into all these things tonight.
19 You want to do a memo, Chuck, and give us your
20 recommendation as to which of the items, No. 2, on
21 Paragraph No. 2, that you would recommend for
22 implementation?

23 COMMISSIONER STALEY: I'll do that or else
24 I'll give a footnote indicating for what the discussion

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1 was. Most of this, I think most of this is kind of non-
2 controversial. Yeah, there are a couple things that are
3 maybe about the relative, there was some discussion
4 about what to do with, you know, the letters that are
5 written in and them becoming a part of the record, the
6 same as anything else, and available to everybody and I
7 don't know the logistics or whether that all makes
8 sense, and whether it should be, that's about, I don't
9 know if that's in here. That must be in here.

10 MR. SKLENAR: Yes, revise the rules to note
11 that written comments will be forwarded to the Plan
12 Commission members, become part of the record, and made
13 available for public viewing.

14 COMMISSIONER FREEMAN: If it's electronic,
15 that's pretty easy to do.

16 MR. SKLENAR: Yeah.

17 CHAIRMAN OPDYCKE: Well, how much of this ends
18 up, say we approve all of this, how much of this
19 actually ends up as text in the rules, in the Plan
20 Commission rules. I mean a lot of these are just sort
21 of suggestions.

22 MR. SKLENAR: Right. I would imagine those,
23 like the item that I just said, would have to have
24 actual text that would go into the rules. But beyond

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1 that, I can't imagine it being more than just
2 recommendations for staff members.

3 CHAIRMAN OPDYCKE: Okay, not then to be
4 incorporated as an official rule.

5 MR. SKLENAR: Right. The largest item that I
6 think that would be a rule is Item 3, detailing a public
7 comment process.

8 CHAIRMAN OPDYCKE: Okay, all right. Okay.
9 Thank you. Any further discussion on -- oh, Dave?

10 MR. SKLENAR: If you want to work with me in
11 the next couple weeks on drafting that --

12 CHAIRMAN OPDYCKE: David?

13 COMMISSIONER GALLOWAY: I have a question for,
14 I guess for Chuck. Under Item 2, it would be the, one,
15 two, three, four, fourth paragraph from the end.

16 COMMISSIONER STALEY: Starts with there?

17 COMMISSIONER GALLOWAY: Yeah. What does that
18 mean?

19 COMMISSIONER STALEY: That was --

20 COMMISSIONER NYDEN: I think that's -- a good
21 point.

22 MR. SKLENAR: I think that's spacing
23 between --

24 COMMISSIONER STALEY: Things coming up from

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1 the Zoning Committee.

2 MR. SKLENAR: Right.

3 COMMISSIONER STALEY: In other words, at the
4 Zoning Committee, we ought to be thinking about the Plan
5 Commission. I mean, we can't send them six things
6 knowing that, you know, we need to kind of work our
7 agenda in a reasonable, logical fashion so that it moves
8 smoothly and we don't get everything logged up. That's
9 what I think it was.

10 COMMISSIONER GALLOWAY: Okay.

11 COMMISSIONER STALEY: It isn't smooth now, of
12 course. But it won't be again, because life is
13 cyclical. They'll be back. They'll be back.

14 CHAIRMAN OPDYCKE: So the only thing I've seen
15 that really qualifies as a rule change is found in
16 Paragraph No. 3 where we talk about limitations.
17 Everything else is sort of a suggestion to staff or
18 procedure. Okay.

19 MR. SKLENAR: A big digital clock.

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EVANSTON PLAN COMMISSION

Evanston Plan2030

1 CITY OF EVANSTON

2 PLAN COMMISSION

3

4 RE: Evanston Plan2030. ULI Community Action Grant.
5 Subcommittee.

6 Transcribed Report of Proceedings of a Plan
7 Commissioner Meeting, held October 14, 2009, at the
8 Evanston Civic Center, 2100 Ridge Avenue, Council
9 Chambers, Evanston, Illinois, at 7:00 p.m. and presided
10 over by Mr. Opdycke, Chair.

11 PRESENT:

12 S. OPDYCKE, Chair

13 D. GALLOWAY

14 J. NYDEN

15 C. STALEY

16 S. FREEMAN

17 STAFF:

18 C. SKLENAR, Planner

19 D. ARGUMEDO, Zoning Administrator

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Evanston Plan2030

1 CHAIRMAN OPDYCKE: All right. Let's move on
2 to the next agenda item. Craig.

3 MR. SKLENAR: The Subcommittee Meeting will
4 meet after this if there's enough members for the
5 Comprehensive Plan. And the one item I did have is I
6 have submitted to the Urban Land Institute for \$25,000
7 to help with our public participation as it pertains
8 to printed materials and our additional websites that
9 we want to create, just for the Comprehensive Plan
10 itself.

11 There is a letter of recommendation from
12 one of the Trustees who is an Evanston resident, Greg
13 Hummel, and I have received a final letter of
14 recommendation from the ULI Chicago Director, who has
15 submitted that for this grant.

16 Beginning words I've been hearing is it's
17 a very positive response from ULI, and we should know by
18 the next meeting.

19 COMMISSIONER FREEMAN: This is -- if you were
20 to hire outside resources in to help you?

21 MR. SKLENAR: Correct, correct. Yeah, help
22 develop an actual web page that would be direct,
23 funneled through the City, then its website will have
24 its own distinct characteristics.

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1 COMMISSIONER FREEMAN: -- is still managed by
2 you and all that.

3 MR. SKLENAR: Correct.

4 COMMISSIONER FREEMAN: You'll be hiring some
5 consultant, I'm assuming.

6 MR. SKLENAR: Correct.

7 COMMISSIONER NYDEN: Getting --

8 MR. SKLENAR: Yes, yes. We talked about that
9 in the last meeting.

10 COMMISSIONER NYDEN: We didn't have that here
11 -- available.

12 MR. SKLENAR: Oh, yeah, and --

13 COMMISSIONER NYDEN: Maybe we should go on to
14 something else.

15 CHAIRMAN OPDYCKE: All right. Is there a
16 motion to adjourn.

17 COMMISSIONER NYDEN: Motion to adjourn.

18 CHAIRMAN OPDYCKE: Is there a second?

19 COMMISSIONER STALEY: Second.

20 CHAIRMAN OPDYCKE: Those in favor.

21 (Chorus of ayes.)

22 CHAIRMAN OPDYCKE: Opposed?

23 (No response.)

24 CHAIRMAN OPDYCKE: Motion carries. We are now

1 adjourned.

2 (Whereupon, the above meeting was
3 concluded at 8:11 p.m.)

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EVANSTON PLAN COMMISSION

Evanston Plan2030

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, RONALD N. LEGRAND, SR., depose and say that I am a direct record court reporter doing business in the State of Illinois; that I reported verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

RONALD N. LEGRAND, SR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 20_____.

NOTARY PUBLIC