

**Planning & Development Committee Meeting
Minutes of June 12, 2017
7:15 p.m.**

James C. Lytle Council Chambers - Lorraine H. Morton Civic Center

MEMBERS PRESENT: M. Wynne, A. Rainey, J. Fiske, E. Revelle, D. Wilson, T. Suffredin, R. Rue Simmons

STAFF PRESENT: J. Leonard

OTHERS PRESENT:

PRESIDING OFFICIAL: Ald. Rainey

I. CALL TO ORDER/DECLARATION OF QUORUM: ALDERMAN RAINEY, CHAIR

A quorum being present, Ald. Rainey called the meeting to order at 7:15 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF MAY 22, 2017

Ald. Rainey moved to approve the minutes of the May 22, 2017 meeting, seconded by Ald. Rue Simmons.

The committee voted unanimously 7-0, to approve the May 22, 2017 minutes.

III. ITEMS FOR CONSIDERATION

(P1) Ordinance 7-O-17, Amending Portions of the City of Evanston Zoning Code Regulating Generators

The Plan Commission and staff recommend adoption of Ordinance 7-O-17, Zoning Ordinance Text Amendment to establish regulations for allowed location of generators.

For Introduction

Ald. Rainey called for the introduction of the Ordinance 7-O-17.

Ald. Fiske moved for approval, seconded by Ald. Rue Simmons.

Ms. Leonard clarified to Ald. Revelle that by establishing regulations for allowed location of generators, the regulations for noise levels applicable to mechanical equipment as given in the Zoning Ordinance shall be applicable to generators also.

Ald. Wilson stated that regulations for allowed location of generators should be based on noise levels rather than setback requirements, due to the fact that many institutional buildings such as schools and hospitals may not be able to accommodate the given setback requirements. Ald. Wilson

recommended that Ordinance 7-O-17 be limited to portable generators and rewrite the ordinance to base the regulations for allowed location of generators on noise-levels.

Ald. Rue Simmons seconded Ald. Wilson's recommendation and also stated that it was unclear on how institutions could follow the regulations. Ald. Rue Simmons questioned the driving force behind the amendment. Ms. Leonard clarified that the amendment in the code addresses the regulations for allowed location of generators which was previously absent.

Ald. Wynne suggested that the amendment should clarify that it addresses regulations for the residential districts where generators will only be used for short period of time in the event of a power outage.

Ald. Fiske stated that there were complaints in Ward 1 regarding the noise generated due to the regular testing carried out for generators and that Ald. Fiske supported the general opinion that the amendment should exhibit more clarity.

Ald. Rainey proposed that the committee could either move it to the Council with directions to staff to provide clarity on the amendment or hold it in Committee to discuss it in the next meeting.

Ald. Wilson moved to hold the amendment to Ordinance 7-O-17 in the Committee, seconded by Ald. Rue Simmons. The Committee voted unanimously, 7-0, to approve.

(P2) Ordinance 47-O-17, Granting Landmark Status to Building and Lot of Record at 1726 Hinman Avenue

The Preservation Commission and City staffs recommend adoption of Ordinance 47-O-17 designating 1726 Hinman Avenue as an Evanston Landmark. This Ordinance was continued from May 22, 2017 to the June 12, 2017 City Council meeting.

For Introduction

Ald. Rainey called upon the applicant and the owner of the property to present before the public.

Ald. Fiske stated that there was interest on part of the owner of the property to hold the hearing before the Committee.

The attorney, Mr. Flores, on behalf of the owner, clarified to Ald. Rainey that the party was hoping for an extension in order to evaluate their property options, given the estimated renovation costs to be around three million dollars and that they would like the opportunity to thoroughly consider all alternatives.

Ald. Rainey stated that the owners had previously requested an extension and clarified with the attorney regarding a second extension. The Deputy City Attorney clarified that according to the City Council code 18-12, an item for discussion cannot be held more than once by the Committee.

Ald. Rainey proposed that matter be introduced to the committee along with the presentations by the owner and applicant and the statements by the speakers from public be heard before further discussion.

Ald. Rainey clarified to Ald. Fiske that the owner could introduce the item to the Committee after which it will be moved to the Council and the item could then be presented to the Committee again if the owner wishes so.

Hal Morris, attorney representing the Sigma Chi Foundation, along with partner Manny Flores and Noah Phelps, representative of the owner of the property, presented to the Committee few of the fundamental issues that the application presents.

Mr. Morris stated that the request to adopt Ordinance 47-O-17, to designate 1726 Hinman Ave as an Evanston Landmark did not come from the City of Evanston or its staff, but from a member of the general public, which is unusual. Mr. Morris also stated that the request faced a split vote (5-3) at the Preservation Commission hearing to recommend 1726 Hinman Avenue to be designated as a landmark.

Mr. Morris also stated that the structure does not satisfy conditions given by the City Code in section 2-8-4-A (specifically 2-8-4-A3, A4) and 2-8-4-B:
2-8-4. - CRITERIA FOR DESIGNATION.

Every nominated landmark or district must meet one or more of the following specified criteria for designation.

A.3. Its exemplification of an architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship;

A.4. Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City, the State, the Midwest region or the United States;

B. Integrity of Landmarks and Districts. Any area, property, structure, site or object that meets any one or more of the criteria in Subsection 2-8-4(A) shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration.

Mr. Morris said that the property has been under the City's radar on multiple occasions – the property has never been identified by the City or the Preservation Council as a contender for landmark designation, the property was not identified during the creation and re-review of the Lakeshore historic district and the City staff granted permits to suspend utilities to the property in the fourth quarter of 2016. The property has also never been nominated by

the City to be included in the historic register or marked eligible for any kind of historic designation.

Mr. Morris stated that the structure, on architectural terms, is not a representation of any distinct style or derivation of any style. It is also not historically significant. He also stated that the architect of the structure, John Nyden, even though noted, cannot be considered in the same prominence that is typically associated with architects. Lastly, he stated that the structure lacks integrity and the immense cost of renovation (approximately three million dollars) would be a huge burden on the Sigma Chi Foundation that is a not for profit organization. He also mentioned that the staggering costs would curtail the mission of the Sigma Chi Foundation which is to provide monetary help to students in need.

A prior covenant on the property which existed in 1970 made no suggestion that the landmark designation be applied on 1726 Hinman Avenue. Mr. Morris stated that, if the city deems it necessary to designate the property as an Evanston Landmark, the Foundation is willing to sell the property for the price of one dollar and share the costs of its relocation with the City.

Mr. Scott Hezner, Architect and Vice President of Hezner Corporation, provided expert testimony regarding the criteria for designation of 1726 Hinman Avenue as a landmark.

Mr. Hezner stated that 1726 Hinman Ave does not contain any of the unique characteristics of the Colonial Revival Style such as façade symmetry, rectilinear plan, mirrored elevations, centered entrances, brick building with slate tile or asphalt shingle roofing and hence does not satisfy section 2-8-4-A3 of the Code.

Mr. Hezner stated that according to his research, there is no mention of John Nyden in any literature about famous architects or literature published by the American Institute of Architects about famous architects of Chicago. He also stated that none of John Nyden's surviving kin requested for landmark designation to the structure in the 1970s. Mr. Hezner also evaluated the costs involved to restore the exterior and interior to meet the requirements of a landmark structure and arrived at a figure of approximately 3.2 million dollars.

Mr. Morris summarized Mr. Hezner's recommendation by saying that the structure does not meet the necessary conditions given in the Code for it be designated as a landmark structure as well as the extremely high costs that the renovation would impose on Sigma Chi Foundation. He summarized that by designating the structure as a landmark, the City might be creating a white elephant and it would not be economically feasible.

Mr. Jim Kollross, applicant, began his presentation by reiterating the testimonies of two architectural historians, Tim Samuelson and Terry Tatum from Chicago, which spoke in favor of 1726 Hinman Avenue being a fine

example of the Colonial Revival style of architecture.

Mr. Kollross continued to present a detailed description of the architecture of 1726 Hinman Ave, proving the existence of traits of the Colonial Revival style and reasoned that such a structure must be preserved. He also highlighted John Nyden's contributions to the built environment of Evanston and Chicago and stated that he was a highly recognized and exemplary architect. Lastly, Mr. Kollross stated that as per an evaluation by a local historian, a museum quality restoration of the structure would cost around \$335,000.

Mr. Kollross presented other works of John Nyden upon Ald. Fiske's request.

Ms. Mary McWilliams clarified that the Preservation Commission's Evaluation Committee did not identify the said property as part of the Lakeshore historic district in 1977 because of the strict rules of the National Park Service on district boundaries which do not allow crossing of street midblock to include a single building. The recent re-review of the Lakeshore historic district aimed at reviewing and updating the historic information of existing buildings and not add new buildings to the district. Hence 1726 Hinman was not identified as part of the Lakeshore historic district. Ms. McWilliams stated that she fully supported the designation of 1726 Hinman Ave as an Evanston Landmark. Ms. Mary Singh seconded Ms. McWilliams.

Ms. Peggy Reitz, member of the public, stated that while she was sympathetic to the Sigma Chi Foundation, the upkeep of the building and its maintenance was the responsibility of the Foundation and thus the costs of renovation should be borne by the Foundation.

Mr. Morris stated that the structure faces substantial issues when scrutinized carefully and if the estimated cost were to be only \$335,000, he recommended that the City could invest in the renovation of the property.

Ald. Wilson suggested to Ald. Rainey that if the owners were considering other options, the Committee should provide them the opportunity to present the alternatives. Ald. Fiske expressed preference to hold it in committee.

However, as suggested by the Deputy City attorney, the item cannot be held more than once by the Committee and hence it has to be pushed to the Council for consideration.

Staff member Carlos Ruiz clarified to Ald. Fiske that preservation deadlines require that the Council is given 120 days to make a decision after it receives the report.

Ald. Wilson moved to introduce the adoption of Ordinance 47-O-17 designating 1726 Hinman Avenue as an Evanston Landmark, seconded by Ald. Revelle. The Committee voted unanimously, 7-0, to approve.

Ms. Betty Ester, member of the public, recommended an amendment to the tools present in the Inclusionary Zoning Ordinance with respect to affordable housing. Ald. Rainey suggested that Ms. Ester speak to staff member Sarah Flax for more details.

IV. ITEM FOR DISCUSSION

There were no items for discussion.

V. COMMUNICATIONS

There were no communications.

VI. ADJOURNMENT

Ald. Rainey moved to adjourn, seconded by Ald. Wilson.

The committee voted unanimously 7-0 to adjourn.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,
Kalyani Agnihotri