

MINUTES OF A REGULAR MEETING OF THE COMMITTEE OF THE WHOLE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND PARK, COUNTY OF LAKE, STATE OF ILLINOIS, HELD ON MONDAY, NOVEMBER 24, 2008

The meeting was called to order at 4:30 p.m., and upon roll call the following members were:

Present: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld, Brenner, Kirsch, and Silberman

Absent: Councilman Mandel

Mayor Belsky declared that a quorum was present.

Staff Present: David Limardi, Shirley Fitzgerald, Patrick Brennan, Will Jones, Mary Anderson, Elizabeth Holleb, Michael Blue, Alan Wax, Dave Schwarz, Annette Cardiff and David Mitchell

Also Present: Corporation Counsel Steve Elrod and Hart Passman

APPROVAL OF MINUTES

A. Special Meeting – Committee of the Whole – November 3, 2008

Councilwoman Olian moved approval of minutes of the special meeting of the Committee of the Whole held on November 3, 2008.

Councilman Kirsch seconded the motion.

Upon roll call: Yeas: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld, Brenner, Kirsch and Silberman

Nays: None

The Mayor declared that the motion carried.

B. Regular Meeting – Committee of the Whole – November 10, 2008

Councilwoman Olian moved approval of minutes of the regular meeting of the Committee of the Whole held on November 10, 2008.

Councilman Silberman seconded the motion.

Upon roll call: Yeas: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld, Brenner, Kirsch and Silberman

Nays: None

The Mayor declared that the motion carried.

EXECUTIVE SESSION

Councilman Levenfeld moved that the Committee close its meeting to the public to discuss matters of pending/potential litigation, land sale/acquisition, and approval of closed session minutes.

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Councilman Silberman seconded the motion.

Upon roll call: Yeas: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld,
Brenner, Kirsch and Silberman

Nays: None

The Mayor declared that the motion carried.

At 4:33 p.m., the Committee recessed the public portion of the meeting to meet in closed session for the purpose of discussing matters of pending/potential litigation, land sale/acquisition, and approval of closed session minutes.

Following the closed session, Mayor Belsky reconvened the open session of the Committee of the Whole at 5:42 p.m. and upon roll call the following members were:

Present: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld, Brenner,
Kirsch and Silberman

Absent: Councilman Mandel

Mayor Belsky declared that a quorum was present.

Staff Present: David Limardi, Shirley Fitzgerald, Patrick Brennan, Will Jones, Mary
Anderson, Elizabeth Holleb, Michael Blue, Alan Wax, Dave Schwarz,
Annette Cardiff and David Mitchell

Also Present: Corporation Counsel Steve Elrod and Hart Passman

RECESS

Upon a motion made, seconded and passed by acclamation, the Committee recessed its meeting at 5:43 p.m. At 6:13 p.m., Mayor Belsky reconvened the Committee of the Whole Meeting, and upon roll call:

Present: Mayor Belsky, Councilwoman Olian, and Councilmen Levenfeld, Brenner,
Kirsch, and Silberman

Absent: Councilman Mandel

Mayor Belsky declared that a quorum was present.

Staff Present: David Limardi, Shirley Fitzgerald, Patrick Brennan, Will Jones, Michael Blue,
Mary Anderson, Alan Wax, Elizabeth Holleb, Dave Schwarz, Annette Cardiff,
Barbara Cates and David Mitchell

Also Present: Corporation Counsel Steve Elrod and Hart Passman

Peter and Dino Dimitriou, applicants and owners of 463 Central Avenue
Gene Boldt, project architect for 463 Central Avenue

SCHEDULED BUSINESS

1. Discussion of Issues Related to Parking for a Proposed Commercial Building at 463 Central Avenue

Director of Community Development Blue gave a PowerPoint slide presentation of the issues related to parking for a proposed commercial building at 463 Central Avenue. The applicant requested a Special Exception for the 18 off-street parking spaces required for a proposed 7,500 square foot commercial building at 463 Central Avenue and upon recommendation by the Zoning Board of Appeals, the City Council directed that an ordinance be drafted to grant relief for all 18 parking spaces, as conditioned to provide that: (i) the proposed development must comply with all applicable Codes, (ii) future uses be limited to those requiring a total of no more than 18 off-street parking spaces, and (iii) the applicant submit a fee in lieu payment of \$80,000. The condition limiting future use of the building to occupants requiring no more than 18 parking spaces was unacceptable to the applicant, who is now seeking a revised approval which does not limit the future use of the building based on the parking requirements. Two policy issues are prompted by the revised request: (i) Is the Special Exception process an appropriate method by which to grant relief from the off-street parking requirements at 463 Central Avenue, and (ii) Should buildings for which a Special Exception has been granted for a specified number of off-street parking spaces be eligible for the “Reuse Rule,” which applies to parking for existing buildings built before May 11, 1997?

Testimony was heard from the applicant/owner, Dino Dimitriou, who addressed the Committee regarding the existing building and current parking, the reuse rule and the maximum potential parking requirements with the proposed new building, and petitioned the Committee to consider/approve the revised request.

Following discussion, the sense of the Committee was to: (i) consider the applicant’s revised Special Exception request at the December 8, 2008 City Council meeting - to grant relief for all 18 parking spaces, with amended conditions to eliminate the future uses limitation, (ii) refer consideration of a Code amendment with regard to the reuse rule to the Intra-City Parking Commission for report and recommendation to the Committee, and (iii) ask Corporation Counsel to examine the Special Exception regulations for report and recommendation to the Committee.

OTHER MATTERS

Director of Public Works Anderson updated the Committee regarding the November 14, 2008 site review with Ms. Schulz regarding the issue of sidewalk clearance on Marion Avenue. Ms. Schulz is asking that a 3-foot area, as measured from back of curb along the right of way, that is free from landscaping materials be created on both sides of Marion to provide an area for pedestrians to walk (as opposed to a “safe haven” area). Ten properties would need to clear obstructions from their property (744, 751, 760, 766, 785, 819, 871, 881, 887, and 930). Following discussion, the sense of the Committee was to proceed to enforce the ordinance and direct staff to seek voluntary compliance from the ten property owners.

ADJOURNMENT

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With no further business to conduct, Councilman Silberman moved to adjourn. The motion was seconded by Councilman Kirsch and passed by acclamation. The Committee adjourned its meeting at 7:16 p.m.

City Clerk