



MEETING MINUTES

LAND USE COMMISSION

Wednesday, June 22, 2022

7:00 PM

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers

Members Present: Myrna Arevalo, George Halik, Brian Johnson, Jeanne Lindwall, Kiril Mirintchev, Max Puchtel, Matt Rodgers, Kristine Westerberg

Members Absent: Violetta Cullen, John Hewko

Staff Present: Johanna Nyden, Brian George, Melissa Klotz, Michael Griffith, Meagan Jones

Presiding Member: Matt Rodgers

Call to Order

Chair Rodgers opened the meeting at 7:01pm. A roll call was then done and a quorum was determined to be present.

Approval of June 8, 2022 Meeting Minutes

Commissioner Westerberg then made a motion to approve the Land Use Commission meeting minutes from June 8, 2022. Seconded by Commissioner Arevalo. A voice vote was taken and the motion passed, 7-0, with one abstention.

Old Business

A. Major Adjustment to a Planned Development | 1571 Maple Avenue | 22PLND-0032

1571 Maple Avenue, LLC, applicant, submits for a major adjustment to the planned development approved by ordinance 19-O-15, and amended by ordinances 61-O-16 and 147-O-18 in the D3 Downtown Core Development District. The applicant is requesting to modify the number of required leased parking spaces from 55 to 0, terminating the existing parking lease between the applicant and the City of Evanston. The Land Use Commission makes a recommendation to the City Council, the determining body for this case, in accordance with Section 6-3-9-8 of the Evanston Zoning Code and Ordinance 92-O-21.

Michael McLean provided an introduction and background on the proposal as a transit oriented development (TOD). He explained the initial review of the development with regards to parking, the parking study that was completed for it, and the conditions placed on the development relating to the parking lease. He then explained the subsequent major adjustment in 2018 that reduced the required leased parking spaces

to 55 and the current request before the Commission. He then explained that the request lets the residents and the market determine where they wish to park and there have been no complaints received about building residents parking on the street.

Commissioner Questions

Commissioner Halik asked if it is correct that the ordinance says, as a TOD, this development would be required to have 85 spaces and that there is a standard that applies to these types of developments.

Ms. Nyden confirmed that to be the case. She then stated that Mr. McLean's point is well taken; however, this is a larger policy discussion needed and staff's suggestion is to keep the parking spaces intact but to only require the applicant to pay for the spaces that are being used. Maple is a further distance from the project but the Sherman garage at the time of the project approval was fully parked. Staff's suggestion reserves the block of spaces so that if a tenant comes, they have space available and are not searching. Commissioner Halik stated he believes the suggestion is a good one and a larger policy discussion is needed.

Commissioner Puchtel asked if the request would waive TOD requirements.

Ms. Nyden explained that the parking requirement was different when the project was approved and Council later directed staff to look at parking requirements in TOD areas, which led to a parking study being completed and new parking requirements for TOD areas. 1571 Maple then came back to request parking reductions that were more in-line with those requirements, especially given their proximity to transit. The TOD parking requirements still apply but the applicant is requesting a variation from those requirements (change to the site development allowance that was granted). Ms. Nyden then explained the nature of staff's suggestion.

Mr. McLean added that the development is not a new development and has been leased for 5 seasons with a 98% occupancy rate, with a drop to 89% during Covid but with no increase in vehicle ownership. He then explained that one of the complaints was received from residents at the Winthrop Club which (anecdotally) is leasing spaces to some residents to 1571 Maple. It was not the intention of the parking lease to support the investment of a parking garage in Evanston but to support efforts towards transit oriented developments and be greener, reduce carbon footprint and rebar and concrete used for parking. He then emphasized the proximity of the project to transit and the reduction of retail occupancy on Davis Street since the development was completed. He then expressed appreciation for staff looking to find a creative solution.

Commissioner Halik asked if there is no overnight parking allowed downtown where is the nearest residential parking. Mr. McLean responded that there is residential permit parking located south of Grove and there is also residential parking west of Oak but that the 1571 Maple building residents are not allowed to park on the street. So this leads to the need to lease spaces. There is an on-site surface lot with car-share spaces, and EV charging stations and parklets. Mr. McLean then explained that he has not heard nor has the Councilmember heard of any negative parking impacts from the building

Chair Rodgers asked if those buildings leasing spaces in the City garages charge the market rate for parking. Ms. Nyden responded this would be best answered by the Parking Manager. At one time, the top level of parking at Maple Avenue garage was seen as less desirable and the Parking Manager at that time was attempting to lease blocks of parking so there may have been a reduced price or a “lock-in” price. Generally though, lessees are charged market rate. Mr. McLean stated the lease started at 80% per parking space per month and is now \$110.

Commissioner Puchtel inquired what the current rate is, to which Mr. McLean responded \$110 per month in Maple Ave garage. The cost of leasing spaces can be changed at the City’s discretion. Mr. McLean added that 1571 Maple has been providing the parking to its residents at a discounted rate (below market) to encourage people to use it.

Commissioner Westerberg asked given have been able to decrease spaces over time and City being uncertain of what parking will need, if Mr. McLean is open to the City’s suggestion. Mr. McLean responded that he is not opposed to compromise but there should be more discussion. He believes it would be cleaner to not have the requirement but if staff’s recommendation moves forward, he strongly requested that spaces be in the Sherman garage instead of Maple Avenue.

Commissioner Lindwall asked how the 2 hour time limit during the day is monitored. Mr. McLean responded that on-site staff monitors the parking lot at night to ensure those spaces are utilized by building tenants. During the day, would probably more react to a complaint or if a repeat offender was noticed but try to not kick out people from the lot

Commissioner Lindwall asked who uses the car-share vehicles. Mr. McLean responded that every building resident is automatically signed-up for it but he was not sure of actual usage. He then explained that while many places have lost their car-share spaces while this site has maintained them and seen them be used.

Commissioner Lindwall then asked what year the project is in the lease agreement. Mr. McLean responded he believes they are in year 5 and that the lease was created as a safeguard to make sure building residents did not park in the neighborhood. During the 2018 reduction, Council suggested revisiting the lease in a few years. Commissioner Lindwall then asked how it is determined which resident parks on-site. Mr. McLean replied that it is on a first come-first served basis which has not been an issue. Commissioner Lindwall then asked what would happen if more residents needed space. Mr. McLean responded that off-site parking arrangements would need to be made but a lottery may be needed to determine access to the surface lot.

Public Comment

None

Following public comment, Mr. McLean provided a closing statement stating his appreciation of the questions and discussion and he understands this is part of a larger policy discussion that is being worked through. Has been successful in implementing change and asked that that be considered. He requested additional consideration of the facts of minimal cars being on site and no nuisances being noted since the building was constructed. He is looking for fair thing.

The record was then closed

Deliberations

Commissioner Halik stated he believes the Commission should follow staff's recommendation as outlined earlier. The number of parking requests in recent years suggests this is heading towards a new policy and this may be a good trial case, there will be more of these types of requests and it is not good to say yes to one and not the other.

A brief discussion and clarification on the recommendation occurred. Denial of the applicant's request to go to 0 leased parking spaces but compromise to keep the 55 parking spaces and only charge for spaces being used was generally agreed upon by Commissioners.

Commissioner Mirintchev expressed that the flexible solution is better as he is afraid of creating precedent. Good to have a central policy in such cases. Commissioner Lindwall agreed, explaining it would be bad policy to terminate the lease. Looking at the data, she suggested somewhere in the 25 to 30 parking space range would make sense if the number of spaces is reduced and move the spaces to the closer garage. Chair Rodgers stated that there is an average of 13.8 parking spaces being used per year. He then agreed it would be better to modify the lease instead of terminating it.

Chair Rodgers asked what to do if multiple spaces are held by different developments but not used and if there is a potential for future issues. Ms. Nyden responded that the City is unable to predict the need which speaks to larger policy of how to address that parking need. If this is a problem, staff could figure out what to do in that case. The City does not oversell available parking spaces and there is better data to help monitor parking.

Commissioner Halik stated that he likes the policy approach because it is flexible. The formula used for the initial TOD requirements is likely irrelevant so additional consideration is appropriate.

Commissioner Westerberg stated that because the lease is in the 5th year of the 7 year lease, it is not onerous for the applicant to see what happens after the full 7 years.

The Commission then reviewed the standards for approval relating to the Major Adjustment:

- Applicable standards for Special Use (6-3-5-10) were found to still be met with the added conditions as discussed.
- Standard for a Planned Development (6-3-6-9) was found to still be met with the added conditions as discussed.
- Applicable standards for Planned Developments in the D3 were found to still be met with added conditions discussed.

Commissioner Lindwall made a motion to recommend that the number of required leased parking spaces not be reduced but that the parking lease be modified to relocate the 55 parking spaces leased in the Maple Avenue parking garage to the Sherman garage and only charging the rental company for the parking spaces that are utilized rather than the entire number of spaces. Seconded by Commissioner Puchtel. A roll call vote was taken and the motion was approved, 8-0.

New Business

A. Public Hearing: Map Amendment | 22PLND-0038

City initiated Map Amendment to the Zoning Ordinance, Title 6 of the City Code, to rezone properties known as: 2600 Gross Point Rd., PIN 05-33-318-032-0000; 2608-2620 Gross Point Rd./2620 Crawford Ave., PINs 05-33-318-033-0000, 05-33-318-034-0000; 2628-2636 Gross Point Rd., PINs 05-33-311-054-0000, 05-33-311-040-0000, 05-33-311-053-0000; 2600 Crawford Ave., PIN 05-33-319-001-0000

The properties are proposed to be removed from the existing oCSC Central Street Corridor Overlay District, and will remain within the existing underlying B1a Business District. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-5-8 of the Evanston Zoning Ordinance and Ordinance 92-O-21. June 22, 2022 Land Use Commission Meeting

Ms. Klotz provided an overview of the proposed map amendment and reasoning behind it. She emphasized that no drive-through is contemplated at this time and clarified that with overlay drive-thru is prohibited, without it, it is a Special Use.

Commissioner Questions

Commissioner Halik asked if drive-throughs could be eliminated in the district. Ms. Klotz responded yes but that would apply to all of those districts in the city, not just this area.

Chair Rodgers pointed out that a Special Use review process would still apply for drive-throughs, if the overlay is removed.

Commissioner Halik asked for clarification on density changes and if it is a dwelling issue or floor area ratio (FAR). Ms. Klotz responded that it is a dwelling unit issue. Downzoning this area was more than what the planning process thought it would be. In

conjunction with creating the overlay, properties were also downzoned. This request is just looking at the overlay and does not affect the underlying zoning.

Commissioner Mirintchev asked how this affects planned developments. Ms. Klotz responded that a planned development could occur either way but if the overlay exists the site development allowances would likely increase by perhaps 10 whereas without it would be 5 or 6 total.

Commissioner Westerberg inquired if there is another way for the property to get what it needs as opposed to going through this process. Ms. Klotz responded that another option would be to revise overlay regulations for that subarea (subarea 6) which would include a few more properties. Form based code does not have many differentiations between subareas and may make it a bit more difficult to regulate but could be done. IT would just affect more properties

Commissioner Puchtel asked why this route was decided upon instead of having the properties come in and request variations. Ms. Klotz responded that in theory, anyone could apply for variances from the requirements but they would be so significant on the needed relief, it shows the planning and zoning for the property is not appropriate. If a project that seems appropriate is triggering 15 to 20 variations then there is a problem with the regulations. Ms. Nyden added that the City Council wants to see projects that come before the community that respect the underlying zoning. A project may not seem to be suitable as it does not meet the regulations in which we ask people to operate and use the land. There could be a precedent setting nature where someone who does not like the zoning could request a larger number of variances from the code and staff has been able to work with applicants to get the number of requests down.

Chair Rodgers asked where the recommendation came from. Ms. Klotz responded that there were zoning violations at Sarkis restaurant relating to the tents that are used on the property, to which Councilmember Sufredin asked staff to find a business-friendly way of addressing that.

Commissioner Westerberg asked why these properties were considered. Ms. Klotz responded that this intersection is at the very edge of the Central Street overlay and due this particular intersection creating properties with multiple frontages, it makes it more difficult to comply with the regulations.

Commissioner Halik stated that this intersection is different from the rest of Central Street and is surprised that it is part of the overlay district.

Public Comment

Jeff Smith stated that he submitted a written statement and is President of Central Street Neighbors Association. He expressed that the properties were not downzoned, and residents are not in support of filling the intersection with more pedestrians. He then explained there was a compromise within the Central Street plan/overlay and that

“Respecting zoning” by getting rid of zoning seems ridiculous and the established setbacks were provided at staff’s behest.

Al Turovitz explained he drives everyday down Gross Point Rd. 20 years ago he had an accident at that intersection and expressed that the site lines are bad. He then indicated that every day at 5:00 PM there is high traffic and stated the ordinance should be kept as is with variances provided for Sarkis if there can be.

Sigrid Pilgrim stated that when trying to turn onto Crawford, there can be a 1.5 mile back up. She then explained that there have been 3 proposals for drive-through in this area: Chase Bank and two from Nic’s Organic. She mentioned she has read how developers are asking for variances and asked; if this is the case, why not give Sarkis a variance. She expressed that there is a need to preserve the area’s uniqueness then described traffic back-ups to get to Starbucks and Subway. She then suggested that people come to the intersection in the morning and afternoon and stated that with Kensington School proposed, there will be more traffic. Urged the Commission to keep an open mind as to why the overlay was created.

Kathy Triver emphasized that traffic patterns are an issue and it is always on her mind that she may get rear-ended. She then stated that she also walks there as do kids and not having a setback is a safety concern. She asked the Commission to consider that in their decision.

Jerie Dahlman presented a challenge to staff, asking why this amendment expanded to properties that are not asking for change. Other businesses could sell properties that could ask for a drive-thru and citizens may lose opportunities to challenge that. She then mentioned the precariousness of intersection with accidents and bike lane conflicts. Ms. Dahlman stated that there is no drive thru here now but requests were made in the past and may happen in the future. Opening up the amendment to other properties risks traffic increase and decrease in property values.

Chair Rodgers clarified the review process, stating that all drive-throughs would need to go through a review process where there would be public comment and City Council would be the deciding body.

Mary Rosinski explained that the Central Street Plan was put together with so much time and was the best plan put together with residents and staff. She stated that beginning to dismantle it points to a misunderstanding of the intent. She explained that this area is a gateway into Evanston and residents want it to be safe and welcoming. There is Kensington School proposed, Barbaro pre-school, Lovelace Park and Willard School so it needs to be safe. She then stated she was puzzled by the extension of properties for one property change that everyone seems to support. The Central Street Plan is a good Plan and she does not understand what the plan is keeping properties from doing with the facades; if changes are starting here with these properties, where does it stop.

Joshua Huppert stated that he lives across the alley from several of the properties within the proposed amendment. He then explained that several of the standards are not met citing adverse effects on other properties and lack of adequate public services and facilities. He expressed that the proposal is “killing a fly with an elephant gun”. Sarkis would like a permanent tent but has not applied for variances. Letter sent by staff to property owners says the zoning is “overly limiting” but that is opinion and Council, which approved the district, may think otherwise. Mr. Huppert then stated that the current business district is working fine and the only semi-vacant lot is such because staff has promoted unrealistic uses there.

Megan Lutz stated she requested the continuance due to wishing to submit an official petition that would trigger requiring a supermajority vote by City Council to approve the amendment. She would like to exercise that ability but had to submit a FOIA request to get a mailing list and received it 7 days after her request. The City Clerk set up an online petition but it was closed at 4:00 PM despite being able to submit the petition prior to the close of the hearing. Additionally, it is difficult to get into the condominium building that is within 500 feet of the proposed amendment, thus, she was not able to reach all residents and more time is needed to obtain signatures for the petition.

Discussion followed regarding the request.

Commissioner Halik stated that adequate notice is one subject that has not been addressed; notice was provided for this case about a month or so ago then the case was continued during the Commission meeting to a date certain, many letters have been received regarding this case as well. He then stated he is an east Central Street resident and appreciated Mr. Smith’s comments. Commissioner Halik explained that he drives through the intersection to go down Gross Point and, unless you go down at peak hours, you do not understand the issues that exist. This is a neighborhood issue, and should listen to neighbors. Staff has explained why the change is needed and the neighbors have explained why it is not needed. With regards to the continuance

Chair Rodgers explained that the clock stops when a petition is submitted; no additional signatures can be gathered and a super-majority vote of the City Council would be required to approve the map amendment.

Commissioner Mirintchev asked Counsel if the Commission is obligated to give the continuance in this case and if it was a legal issue if not granted. Mr. George stated that the Commission is not obligated to grant a continuance. That decision could be appealed but it is within the purview of the Commission to continue a case.

Commissioner Westerberg expressed that she would prefer to decide on the amendment tonight. She had concerns that if continuing to debate the amendment at this meeting it would end the opportunity for neighbors to gather signatures for the petition and that does not seem fair.

Chair Rodgers clarified that it does not prevent the neighbors from gathering signatures, just that the stated requirement would not be met. He stated that the online petition has

been up for several months and there has been time to gather signatures; he believes the rules regarding the petition are established and the residents are aware of them. Continuances are typically granted to rebut testimony and he would be against granting the continuance to allow people to gather additional signatures to trigger a supermajority. Chair Rodgers also expressed his concern that the Clerk had established an online petition but not an open petition both for and against the amendment therefore, he would not vote for it.

Commissioner Lindwall made a motion to continue this item to the July 13, 2022 Commission meeting. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion was approved, 6-2.

B. Public Hearing: Planned Development | 3434 Central Street | 22PLND-0012

Charles Marlas, applicant, applies for a Special Use for a Planned Development and a Special Use to demolish the existing church and other site improvements and to construct a new 2-story, 22,416 square foot building for a Daycare Center-Child, Kensington School. The following site development allowances are needed: 1) Off-street parking located within the front yard where parking is not permitted, 2) Off-street parking located within the south interior side yard where parking is not permitted, 3) Detached accessory use, refuse enclosure, located within the south interior side yard where a detached accessory use is not permitted, 4) Reduce the required transition landscape strip along the south property from 10' to 6', 5) Eliminate the required 10-foot wide transition landscape strip along the west property line, and 6) Reduce the two-way driveway aisle width from 24' to 16', in the R2 Single-Family Residential District. The applicant may seek and the Land Use Commission may consider additional Site Development Allowances as may be necessary or desirable for the proposed development. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-5-8 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Mr. Griffith read the case into the record.

Brian Mahoney, executor of the Katherine Mahoney estate, indicated two bases under which the application is incomplete and not complying with Evanston ordinances and should, therefore not proceed. He explained that people with easement rights are not identified and did not sign the application for the proposal. Additionally, the applicant is not the owner, lessee nor have legal interest in the subject property or have equitable interest. The applicant only has contractual rights. Lastly, mailed notice for the meeting was not received by everyone within the mailing radius.

Mr. George responded that the Legal Department determined that the applicant does have an equitable interest as the contract purchaser and having made expenditures towards the project. City code only requires that the property owner and applicant sign the application. Additionally, code states that failure of the mailed notice being received

does not invalidate the hearing. That being noted, the commission can proceed with the hearing and the application can move forward.

Chuck Marlas provided background and an overview of the proposal and introduced Lance Lauderdale (architect), Michael Worthmann (KLOA - traffic consultant), and Jim Kapustiak (engineering). He then provided a brief history of Kensington School and the review process for the current proposal up to this point. He explained that alternate layouts were considered in discussion but the layout currently proposed is more beneficial to the neighborhood though it requires more relief. It eliminates much of the traffic on Central and impacts parking circulation on the residential neighborhood while protecting the play area. He also spoke to the need for additional childcare facilities.

Commissioner Questions

Commissioner Halik asked if one student per car occurs in a worst case scenario, how they will be accommodated in this site plan. Mr. Marlas explained that this is not traditional daycare and that there is a rolling pick-up and drop-off with drop offs and pick-ups happening slowly over several hours. There is not an assigned time. Commissioner Halik responded that in that case everyone could come at the same time. Mr. Marlas stated that in other existing locations operated by Kensington, many have fewer parking spaces and no issues. Parking is for both staff and customers.

Commissioner Halik then asked, when turning onto Gross Point, the entrance is where cars converge near that intersection. He expressed concern that that location will really cause a problem. Mr. Marlas responded that if one has not been to a school, they cannot fully understand parking at their sites. Halik stated that he drops off children at other schools and has seen the issues occur. Mr. Marlas emphasized that the proposed school is compliant with parking, and there is no waiting line; parents park and drop their child off (or pick them up). Mr. Worthmann reiterated that this is not a typical daycare and has a rolling start/end time. Surveys of typical sites have been conducted. At this site there are 34 total spaces with 23 staff, if they are driving, 11 spaces are left. There may be hours that are higher traffic than others but not everyone is there at once. All of the schools are pretty much designed the same.

Commissioner Mirintchev asked if drop-off/pick-up is better in a parking lot versus a drop-off lane. Mr. Marlas responded that the parking lot is better; a static lane is common if there is one pick-up and drop-off time similar to Willard Elementary school. Inclement weather exacerbates the traffic. Over the course of history, Kensington School has seen that having flexibility works better. Commissioner Mirintchev then inquired how typical pick-up and drop-off works. Mr. Marlas responded that a parent goes to the building, signs the child in/out through a digital keypad at the entry, parents enter the building using a key fob and is then able to go to the classroom to pick up their child. In total it takes 5- 10 minutes.

Commissioner Mirintchev then asked if having 2-way driving lanes by all parking spaces is the best way. Mr. Marlas explained that the original plan was to have all access on Central Street but there was severe opposition. Mr. Worthmann added that with a

typical pick-up/drop-off it would be recommended to have one way circulation but in this case with the rolling pick-up/drop-off the flexibility is recommended to get to either access drive faster.

Commissioner Lindwall asked about the status of the IDOT permits. Mr. Worthmann responded that the applicant is working with IDOT, and that it was the preference of City staff to have access on Gross Point Rd. and right-only exit onto Central Street. Commissioner Lindwall then asked what will happen if full access is not granted. Mr. Worthmann responded that several other alternatives are possible such as having a right-in, right-out onto Gross Point Road or left-in, right-out onto Central Street.

Commissioner Westerberg asked if earlier designs with parking near the back could be an option. Mr. Marlas responded that this was considered but access onto Gross Point was not able to be achieved. The main concern was trying to prevent left-out onto Central. A brief discussion followed comparing this site to the current Glenview site and Commissioner Westerberg inquired what alternate approaches can be taken. Mr. Marlas referenced other sites in LaGrange, Wheaton and Elmhurst and indicated staggering pick-up and drop-off times could be added if needed in the future.

Commissioner Arevalo asked if there is a study on parent drop-offs. Mr. Marlas indicated that peak hour traffic information was provided in the traffic study. Mr. Worthmann explained that the proposal's traffic study looked at traffic in the area and accounted for the pandemic changing patterns. The study found that there is sufficient capacity to accommodate the additional traffic that would be generated. He pointed out that traffic is not one child per car and there is no traffic after 6:30 or on weekends. There is also a condition within the staff report that if issues are observed that the applicant would be responsible for the cost of adjusting signal timing at the intersection.

Commissioner Puchtel stated that he has experience with pickups and drop-offs in places with no parking and that this site configuration seems adequate. This case is markedly different since there is a rolling pick-up and drop-off. Mr. Worthmann explained that this is very much a community of families and there is constant communication with them. They do work with staff if something needs to be addressed.

Commissioner Westerberg inquired if inclusion of staff to direct traffic in peak times could be added in order to be in front of possible issues. Mr. Marlas responded that while they do not have that in any other school location, it can definitely be considered.

Commissioner Lindwall asked how easement would be worked out if IDOT doesn't grant access to Gross Point Rd. Mr. Marlas stated that the church will not remain, be it with this project or another use. He explained that Kensington has tried to make contact with the HOA and they responded they do not approve of the plan and know they would like to use the same access point. If access is not granted by IDOT, could do right-in/right-out on Gross Point or left-in/right-out on Central Street. He emphasized that the easement size has not changed. Mr. Griffith clarified that the only information that staff

has is what is on survey, and indicates the easement was likely done with initial subdivision. Additional discussion on IDOT approval and how that may work followed.

Commissioner Westerberg asked that if someone from the Co-op is driving through the lot to enter/exit at peak times, more reason to have staff to review. The current configuration provides access for the co-op and further dialogue is needed with that group. If needed, then adjustments can be made.

Commissioner Lindwall asked if the applicant would consider moving the fence to keep the trees along the west property line that staff recommends be retained. Mr. Marlas responded that the goal is to have as large a play space for children as possible. He indicated he was uncertain what detriment the fence would have to the trees but if the neighbor needs access to this property to maintain the trees, he is happy to do that or work on the trees on his behalf.

Commissioner Westerberg inquired about the setbacks relating to the landscape strip, indicating the importance of having some separation of the use from the residences. Mr. Marlas explained that the intent was to have more space for children to play. That area could be adjusted if required to but he would prefer to have space for children.

Public Comment

Mr. Mahoney stated that procedural advice of the Law Department is wrong and easement owners should be party to the application. The proposed IDOT change would be considered a taking and the project. He added that there are a number of issues related to safety, access and who the community the school would actually serve. He then requested that the hearing not move forward.

Roseanne Mark stated that her chief objection is the context of the school in this area is unlike any other schools and unlike the church. She explained that little consideration has been given to the Co-op to the south of the property. She expressed that she hopes everyone looks carefully at how the proposal affects neighbors and suggested that Kensington School could cut down on their enrollment.

Bruce Hart stated that Kensington School will destroy the neighborhood; it will increase danger of the Central Street, Gross Point Rd and Crawford intersection and decrease property values.

Chris Parker inquired when IDOT will reach a decision and how it will be addressed and shared with the community. He stated that it seems premature to review the project without that determination. Mr. Worthmann responded that the team is hoping to have a response within a week or two. By the time the project goes to Council, that information will be available.

Chris Roothan corrected Mr. Marlas' statement that the Co-op did not want to discuss the project with him and stated that as currently configured, Kensington School is not in the best interest of the Co-op. He stated that the proposed project is too large and does

not fit with the surrounding area. He then discussed the language used for the development allowances and expressed serious issues with intersection traffic and access, First Williamsburg (co-op) being affected and how the project will reduce property values. He also mentioned Mr. Marlas saying the Co-op “Enjoys” the easement when the easement is more of a property right. He explained that First Williamsburg does not wish to block a project. He then suggested that if there is an issue with notice, it is not in best interest to continue with the meeting. Mr. Roothan finished by stating he wants to make sure what is on the property enhances Evanston.

John Cooper stated that discussion on nuances is above his pay grade so appreciates that information that was provided. He stated that the big point is that there is already a traffic problem that needs to be addressed and adding to it is not a good move.

Mr. Marlas made a closing statement explaining that this is a difficult situation which his team is trying to overcome. Initially, the vast majority of opposition to the proposal was from having access along Central Street. The change in layout to having access on Gross Point has not yielded those neighbors to speak in support or opposition of the project, it has largely been from the Cooperative building. He emphasized that he wants to work with the Cooperative and welcomes a conversation.

Record was then closed

Deliberations

Chair Rodgers pointed out that the Commission should be cognizant of the easement issues but that it is an agreement between two property owners and not the City, which is not a party to that agreement.

Commissioner Halik stated that a daycare concept is great but he does not see it at this site. He explained he is very familiar with the site and intersection and sees potential traffic issues because they exist now. He added that without IDOT's decision, it does not seem to make sense to vote without it and he would prefer to wait for IDOT before voting on the project.

A brief discussion followed on upcoming Commission meeting agendas in the event the case is continued to a date certain.

Commissioner Mirintchev agreed with Commissioner Halik and suggested that after the IDOT decision there may be additional site planning needed.

Commissioner Lindwall stated that it is important that the variation to reduce the drive aisle to 16 feet is important to address for emergency access. Mr. Marlas noted that current easement is 16 feet and explained the access to the site. Commissioner Lindwall suggested working on providing more width in the easement. Chair Rodgers added that if the case is continued that additional discussion should occur.

Mr. Roothan spoke to the importance of having these issues addressed. He added that an easement that is adequate for emergency vehicles is something the cooperative would be in support of.

A brief discussion followed regarding continuing the case to a date certain to allow additional signatures for the petition.

Commissioner Westerberg made a motion to continue this item to the July 27, 2022 Commission meeting. Seconded by Commissioner Lindwall. A roll call vote was taken and the motion was approved, 7-1.

Communications

Ms. Nyden stated that a second round of interviews is occurring and the Comprehensive Plan has been decoupled from the Strategic Plan and will likely be taken to Council in July. She then added that a new Planning and Zoning Manager will begin working on July 11, 2022.

Chair Rodgers then inquired about the Special Use application for the Margarita Inn. Ms. Nyden confirmed that no application had been submitted.

Public Comment

No public comment.

Adjournment

Commissioner Westerberg motioned to adjourn, Commissioner Lindwall seconded, and the motion carried, 8-0.

Adjourned 10:32 pm
Respectfully submitted,
Meagan Jones, Neighborhood & Land Use Planner