

AGENDA

Planning & Development Committee

Monday, July 25, 2022

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800
6:00 PM

Those wishing to make public comments at the Administrative & Public Works Committee, Planning & Development Committee or City Council meetings may submit written comments in advance or sign up to provide public comment by phone or video during the meeting by completing the City Clerk's Office's online form at www.cityofevanston.org/government/city-clerk/public-comment-sign-up or by calling/texting 847-448-4311.

Community members may watch the City Council meeting online at www.cityofevanston.org/channel16 or on Cable Channel 16.

Page

(I) CALL TO ORDER - COUNCILMEMBER BURNS

(II) APPROVAL OF MINUTES

- PM1. **Approval of the Minutes of the Regular Planning & Development Committee meeting of June 27, 2022 and July 11, 2022** 4 - 8

Staff recommends approval of the Minutes of the Regular Planning & Development Committee meeting of June 27, 2022 and July 11, 2022.

For Action

[Planning & Development Committee - Jun 27 2022 - Minutes - Pdf](#)

[Planning & Development Committee - Jul 11 2022 - Minutes - Pdf](#)

(III) PUBLIC COMMENT

(IV) ITEMS FOR CONSIDERATION

- P1. **Ordinance 63-O-22, Amending Portions of Title 4, “Building Regulations” and Title 6 “Zoning” to Update the Zoning Code** 9 - 99

The Land Use Commission and staff recommend the adoption of Ordinance 63-O-22, Amending Portions of Title 4, “Building Regulations” and Title 6 “Zoning” to Update the Zoning Code. This is an Omnibus Text Amendment to the Zoning Ordinance to clarify existing requirements and procedures.

For Introduction

[Ordinance 63-O-22, Amending Portions of Title 4, “Building Regulations” and Title 6 “Zoning” to Update the Zoning Code - Attachment - Pdf](#)

- P2. **Ordinance 53-O-22, Amending City Code Title 6 to Add “Billboards” as a Special Use** 100 - 222

The Land Use Commission reaffirms their recommendation for denial of Ordinance 53-O-22, Amending City Code Title 6 to Add “Billboards” as a Special Use in all zoning districts. The Land Use Commission reaffirms the proposed text amendment does not meet the Standards for Approval, specifically the proposal does not meet the goals and objectives of the Comprehensive General Plan (Comp Plan).

For Introduction

[Ordinance 53-O-22, Amending City Code Title 6 to Add “Billboards” as a Special Use - Attachment - Pdf](#)

- P3. **Ordinance 72-O-22 Approving a Major Adjustment Regarding Required Parking at 1571 Maple Authorized by Ordinance 19-O-15 and Amended by Ordinance 61-O-16 and Ordinance 147-O-18** 223 - 325

Land Use Commission recommends adoption of Ordinance 72-O-22 for approval of a Major Adjustment to a Planned Development at 1571 Maple Avenue in order to modify the parking lease condition of approval (Z) modifying the parking lease to relocate the 55 parking spaces currently leased at the Maple Avenue Garage to the Sherman Plaza Garage and only charging the applicant for the parking spaces that are utilized. A resolution amending the parking lease will follow at the August 8, 2022 meeting.

For Introduction

[Ordinance 72-O-22 Approving a Major Adjustment Regarding Required Parking at 1571 Maple Authorized by Ordinance 19-O-15 and Amended by Ordinance 61-O-16 and Ordinance 147-O-18 - Attachment - Pdf](#)

- P4. 326 - 378

Ordinance 74-O-22, Map Amendment to the Zoning Ordinance to remove the oCSC Central Street Overlay District from Certain Properties at Crawford Avenue & Gross Point Road

The Land Use Commission recommends denial of Ordinance 74-O-22, a map amendment to the Zoning Ordinance to remove the oCSC Central Street Overlay District from certain properties at Crawford Avenue & Gross Point Road. The Land Use Commission found the proposed map amendment does not meet the Standards for Approval, specifically the proposal does not meet the goals and objectives of the Comprehensive General Plan (Comp Plan).

A petition in opposition of the map amendment was filed with the City Clerk prior to the close of the Land Use Commission's public hearing on July 13, 2022. Pursuant to Section 6-3-4-7 of the Zoning Ordinance, if 30% or more of property owners within the 500 foot boundary notice area are valid petitioners verified by the City Clerk, then the proposed map amendment requires a 3/4 vote of the City Council to approve.

For Introduction

[Ordinance 74-O-22, Map Amendment to the Zoning Ordinance to remove the oCSC Central Street Overlay District from Certain Properties at Crawford Avenue & Gross Point Road - Attachment - Pdf](#)

(V) ITEMS FOR DISCUSSION

(VI) ITEMS FOR COMMUNICATION

(VII) ADJOURNMENT



Planning & Development Committee

Monday, June 27, 2022 @ 6:00 PM

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800

**COMMITTEE MEMBER
PRESENT:**

Eleanor Revelle, Councilmember, Clare Kelly, Councilmember, Juan Geracaris, Councilmember, Melissa Wynne, Councilmember, Jonathan Nieuwsma, Councilmember, Thomas Suffredin, Councilmember, Bobby Burns, Chair, and Devon Reid, Councilmember

**COMMITTEE MEMBER
ABSENT:**

STAFF PRESENT:

Johanna Nyden, Director of Community Development

(I) CALL TO ORDER - COUNCILMEMBER BURNS

(II) APPROVAL OF MINUTES

PM1. Approval of the Minutes of the Regular Planning & Development Committee meeting of June 13, 2022

Staff recommends approval of the Minutes of the Regular Planning & Development Committee meeting of June 13, 2022.

(III) PUBLIC COMMENT

(IV) ITEMS FOR CONSIDERATION

Resolution 43-R-22 Approving a Plat of Resubdivision for 1214 Maple Avenue

Staff recommends City Council approve Resolution 43-R-22 approving the proposed resubdivision of the property located at 1214 Maple Avenue.

Ordinance 62-O-22, Granting a Special Use Permit for 1026 Davis Street for a Private Educational Institution in the D2 Downtown Retail Core District

The Land Use Commission and staff recommend the adoption of Ordinance 62-O-22 Granting a Special Use Permit for 1026 Davis Street for a Private Educational Institution in the D2

Downtown Retail Core District. The applicant has complied with all zoning requirements and meets all of the Standards for a Special Use for this district.

Resolution 46-R-22, A Resolution approving a plat of resubdivision for 713 and 715 Sheridan Road

Staff recommends City Council adoption of Resolution 46-R-22, a Resolution approving a plat of resubdivision for 713 and 715 Sheridan Road.

(V) ITEMS FOR DISCUSSION

Communication on Referral Regarding Anti-Displacement/Gentrification Efforts

Staff seeks no recommendation at this time and is providing an update to a referral made by Councilmember Burns regarding further discussion of the City's anti-displacement and gentrification efforts.

Discussion on the Evanston Environmental Board's Proposal for a one-year Moratorium of Private Tree Removal

Staff seeks direction from the Planning & Development Committee regarding the preparation of a one-year tree removal moratorium on private trees as proposed by the Environment Board. The attached advisory memo from the Environment Board proposes a one-year tree preservation moratorium. Staff has provided additional information on the feasibility of this action.

(VI) ITEMS FOR COMMUNICATION

(VII) ADJOURNMENT



City of
Evanston™
MINUTES

Planning & Development Committee

Monday, July 11, 2022 @ 5:45 PM

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800

**COMMITTEE MEMBER
PRESENT:**

Eleanor Revelle, Councilmember, Clare Kelly, Councilmember, Juan Geracaris, Councilmember, Melissa Wynne, Councilmember, Jonathan Nieuwsma, Councilmember, Bobby Burns, Chair, and Devon Reid, Councilmember

**COMMITTEE MEMBER
ABSENT:**

STAFF PRESENT:

Johanna Nyden, Director of Community Development

(I) CALL TO ORDER - COUNCILMEMBER BURNS

A quorum being present Councilmember Burns called the meeting to order at 6:00 p.m.

(II) APPROVAL OF MINUTES

PM1. Approval of the Minutes of the Regular Planning & Development Committee meeting of June 13, 2022

Staff recommends approval of the Minutes of the Regular Planning & Development Committee meeting of June 13, 2022.

Councilmember Kelly arrived at the podium after the vote.

Moved by Councilmember Melissa Wynne
Seconded by Councilmember Jonathan Nieuwsma

Ayes: Councilmember Melissa Wynne, Councilmember Jonathan Nieuwsma, Councilmember Eleanor Revelle, Councilmember Juan Geracaris, Councilmember Bobby Burns, and Councilmember Devon Reid

Carried 6-0 on a recorded vote

(III) PUBLIC COMMENT

(IV) ITEMS FOR CONSIDERATION

PM1. Ordinance 71-O-22, Amending Section 3-14-5 of the Evanston City Code, "Location Restrictions"

Staff recommends the adoption of Ordinance 71-O-22 amending Section 3-14-5 of the City Code. *Councilmember Nieuwsma recommends that the City Council suspend the rules for this ordinance and vote for its introduction and action.*

Councilmember Nieuwsma moved the second option presented in the memo which had language to include of "private educational institutions located in any Downtown zoning districts as listed in Title 6, Chapter 11 of the City Code".

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Melissa Wynne

Ayes: Councilmember Eleanor Revelle, Councilmember Clare Kelly,
Councilmember Juan Geracaris, Councilmember Melissa Wynne,
Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, and
Councilmember Devon Reid

Carried 7-0 on a recorded vote

- P2. Ordinance 62-O-22, Granting a Special Use Permit for 1026 Davis Street for a Private Educational Institution in the D2 Downtown Retail Core District

The Land Use Commission and staff recommend the adoption of Ordinance 62-O-22 Granting a Special Use Permit for 1026 Davis Street for a Private Educational Institution in the D2 Downtown Retail Core District. The applicant has complied with all zoning requirements and meets all of the Standards for a Special Use for this district.

Councilmember Nieuwsma recommends that the City Council suspend the rules for this ordinance and vote for its introduction and action.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Melissa Wynne

Ayes: Councilmember Eleanor Revelle, Councilmember Clare Kelly,
Councilmember Juan Geracaris, Councilmember Melissa Wynne,
Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, and
Councilmember Devon Reid

Carried 7-0 on a recorded vote

- P3. Resolution 46-R-22, A Resolution approving a plat of resubdivision for 713 and 715 Sheridan Road

Staff recommends City Council adoption of Resolution 46-R-22, a Resolution approving a plat of resubdivision for 713 and 715 Sheridan Road.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Melissa Wynne

Ayes: Councilmember Eleanor Revelle, Councilmember Clare Kelly,
Councilmember Juan Geracaris, Councilmember Melissa Wynne,

Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, and
Councilmember Devon Reid

Carried 7-0 on a recorded vote

(V) ITEMS FOR DISCUSSION

(VI) ITEMS FOR COMMUNICATION

(VII) ADJOURNMENT

Councilmember Burns adjourned the meeting at 6:06 p.m.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Planning and Development Committee
From: Johanna Nyden, Director of Community Development
CC: Melissa Klotz, Zoning Administrator
Subject: Ordinance 63-O-22, Amending Portions of Title 4, "Building Regulations" and Title 6 "Zoning" to Update the Zoning Code
Date: July 25, 2022

Recommended Action:

The Land Use Commission and staff recommend the adoption of Ordinance 63-O-22, Amending Portions of Title 4, "Building Regulations" and Title 6 "Zoning" to Update the Zoning Code. This is an Omnibus Text Amendment to the Zoning Ordinance to clarify existing requirements and procedures.

CARP:

N/A

Committee Action:

For Introduction

Summary:

Similar to the omnibus text amendment processed and successfully adopted in early 2020 and again in 2021 for Administrative Review Uses, Planning & Zoning staff have identified several text amendments to the Zoning Ordinance that should be addressed to either provide clarification on existing processes, or simple modification to the code to address best land use practices.

The current Zoning Ordinance was adopted in 1993 and is now nearly 30 years old. In Evanston, the Zoning Ordinance is typically re-written or substantially overhauled every 12-15 years. Planning & Zoning staff, community partners, elected officials, developers, and residents have all identified issues within the Zoning Ordinance that need to be addressed. A new Zoning Ordinance should not be written or adopted until there is an updated guiding document to lead those changes. That guiding document is the Comprehensive General Plan (Comp Plan), which is a substantial document that the Land Use Commission will oversee the development of over the next months (and likely for 1-2 years). Once the new Comp Plan is adopted, a new

Zoning Ordinance will be written and adopted. Until then, only text amendments that are deemed absolutely necessary are recommended by Planning & Zoning staff, including the following text amendments.

The omnibus text amendment includes the following:

- Update ADA Parking Regulations to follow current regulations of the Americans with Disabilities Act Standards for Accessible Design and use appropriate wording.
- Move the Sign Code from the Building Ordinance to the Zoning Ordinance, and establish variation regulations so that sign variations follow the zoning variation process and are no longer determined by the DAPR Committee.
- Move the Subdivision Code from the Building Ordinance to the Zoning Ordinance and update requirements and procedures to current practices.
- Establish clear Standards for Approval for all Planned Developments.
- Update and clarify procedural steps for Planned Developments to include current practices such as Neighborhood Meetings.
- Add Automobile Body Repair Establishment as an eligible Special Use in the I1 Industrial/Office District to be similar in nature to other Industrial Districts.

These text amendments to the Zoning Ordinance comply with all other aspects of the City Code, and meet the Standards for Approval for Amendments.

Proposal Overview

Descriptions of each text amendment are listed below. Most of the text amendments requested are very simple, and are proposed as one agenda item package to reduce staff's preparation time, the Land Use Commission's meeting time and agenda schedule, and the City Council's time.

1. Update ADA Parking Regulations to follow current regulations of the Americans with Disabilities Act Standards for Accessible Design and use appropriate wording.

The Americans with Disabilities (ADA) Act was established in 1990 which, in part, established consistent federal requirements for disabled parking spaces. The Department of Justice last updated ADA parking regulations in 2010. The Zoning Ordinance should be updated to follow the current ADA requirements instead of stating specific regulations that become outdated over time. ADA parking regulations are also required by the Building Code (Chapter 11 of the currently adopted 2012 IBC).

The Zoning Ordinance should be updated to eliminate the word "handicap" and use more appropriate terminology provided within ADA regulations such as "disabled" parking, and should not specify exact requirements for the number of parking stalls and parking stall size (which is currently outdated). Instead, the Zoning Ordinance should reference "current ADA regulations". Enforcement of ADA regulations on proposed site plans will continue to be done by both zoning plan reviews and building plan reviewers.

2. Move the Sign Code from the Building Ordinance to the Zoning Ordinance, and establish variation regulations so that sign variations follow the zoning variation process and are no longer determined by the DAPR Committee.

The Sign Code currently exists in the Building Ordinance (Title 4 of the City Code). It varies in the region and nationwide whether or not sign regulations are within a municipality's building code, or zoning code. Signage permits are now reviewed for compliance by zoning staff and should therefore be moved into the Zoning Ordinance. This is appropriate since signage is typically proposed on private property that is already regulated by zoning for use, structure, bulk, etc.

Currently, sign variations are determined by the Design & Project Review (DAPR) Committee. With the Sign Code relocated into the Zoning Ordinance, sign variations can then be processed as Minor and Major Variations in the same manner as other zoning variations.

Minor Variations for signs consisting of the following types shall be for nonresidential uses only, shall exclude vehicular dealerships, and may be granted by a maximum of 35% for:

1. Wall sign height
2. Blade sign height and/or area

Major Variations are required for all other sign variations, with a final determination by the Land Use Commission.

A total of 47 sign variation applications were processed from 2016 - current (or roughly 7 per year). Of those sign variations processed, 16 were related to wall sign height (though not all within 35% of the maximum height regulation of 15.5 feet), and six were related to blade sign height or area (also not all within 35% of the maximum regulation). Generally, requests that were closer to the original regulation were more likely to be approved, and larger requests were more likely to be denied.

The Land Use Commission will also be authorized to establish and/or modify Unified Business Center Sign Plans that are established for shopping centers. The Appeal process for Minor Variations for signs will follow the same process that other Minor Variations follow, with a final determination by the Land Use Commission.

3. Move the Subdivision Code from the Building Ordinance to the Zoning Ordinance and update requirements and procedures to current practices.

Regulations for Subdivisions currently exist in the Building Code (Title 4). The Subdivision process requires review by multiple City departments and is coordinated by Planning & Zoning. The process itself is not codified but is proposed to be, which includes the following (in condensed form - see Ord. 63-O-22 for exact wording):

1. Applicant submits Zoning Analysis application to confirm all proposed subdivided lots will comply with zoning (or process variations to lead to that point).
2. Submit Subdivision application and other required documents (draft plat of subdivision, easements, tree preservation, covenants, etc.).
3. Draft Subdivision is routed for review by staff in Public Works, Building & Inspection Services, Fire, and Planning & Zoning to ensure all proposed property lines, utility connection points, streets and right-of-ways, structures, landscaping, etc. comply with general City requirements and all subdivided properties can be adequately served by City facilities.

4. Planning & Zoning staff coordinate comments/revisions with the applicant, and confirms the draft plat contains all proper legal information including required signature blocks for plat approval.
5. Planning & Zoning staff schedule the Subdivision for the Planning & Development Committee meeting, requests a draft Resolution, confirms the final draft of the plat, requests a staff memo from Public Works stating the proposed Subdivision can be adequately served by City facilities and noting any other concerns, compiles a staff recommendation memo, and coordinates the documentation and applicant expectations for P&D and the final determination by the City Council.
6. Following approval by the City Council, Planning & Zoning staff notifies City staff who must sign the mylar plat, which is then returned to the applicant for final County signatures and recording with the Cook County Recorder of Deeds.

Since the Subdivision process begins with a Zoning Analysis, is coordinated by Planning & Zoning staff, proceeds to the P&D Committee, and includes final steps/signatures coordinated by Planning & Zoning staff, it is appropriate to codify the procedure within the Zoning Ordinance. The Subdivision process is similar to other zoning processes (though a public hearing is only needed when major zoning relief is requested). Existing codified requirements for Subdivisions (such as street access) remain within Title 4 and no changes are proposed to those requirements.

4. Establish clear Standards for Approval for all Planned Developments.

The Zoning Ordinance states clear and concise Standards for Approval for a variety of zoning reviews, including requests for Major Variations (Section 6-3-8-12-E), Special Uses (Section 6-3-5-10), and Amendments (Section 6-3-4-5). Standards for Approval for Planned Developments are listed in Section 6-3-6-9 but are not clear. The Zoning Ordinance currently states Planned Development Standards as the following:

As a special use, planned development involves such special considerations of the public interest that it shall be required to adhere to the specific planned development standards established in the zoning district in which it is located. Compliance with the standards shall govern the recommendations of the Plan Commission applicable to a planned development and the action of the City Council in order to ensure that an approved planned development is in harmony with the general purposes and intent of the Zoning Ordinance. The Plan Commission shall not recommend approval of, nor shall the City Council approve, a planned development unless each shall determine, based on written findings of fact, that the planned development satisfies the specific standards established in the zoning district in which the planned development is located.

While this code section acknowledges “specific standards established in the zoning district in which the planned development is located,” the zoning district sections do not expressly state additional standards. Instead, each zoning district lists “General Conditions” that is a mixture of language that relates to the Comprehensive Plan and other general development policies in terms of land use, intensity, housing, preservation, environment, traffic and parking, schools and public services, neighborhood character, planning, economic goals, taxable value of land, streetscape, pedestrian character, and landscaping. Each zoning district also lists “Site Controls & Standards” that include minimum and maximum Site Development Allowances and additional regulations for Planned Developments such as lot

size, density, setbacks, FAR, height, vehicular access points, and parking and loading areas, underground installation of utilities, market feasibility study, and traffic study.

Since a Planned Development is an eligible Special Use, the nine existing Standards for Approval for Special Uses currently apply and should continue to be applied, but should be stated more clearly within Section 6-3. Additionally, staff suggests the following Standards:

1. The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable Site Development Allowance(s) of the Planned Development location.
2. The proposed development is compatible with the overall character of existing development in the immediate vicinity of the subject property.
3. The development site circulation is designed in a safe and logical manner to mitigate potential hazards for pedestrians and vehicles at the site and in the immediate surrounding area.
4. The proposed development aligns with the current and future climate and sustainability goals of the City.
5. Public benefits that are appropriate to the surrounding neighborhood and the City as a whole will be derived from the approval of the requested Site Development Allowance(s).

Staff suggests elimination of the current wording of Section 6-3-6-9 and replacement with the proposed list of Standards as well as reference to the additionally required Special Use Standards. Existing code sections that state the “General Conditions” and “Site Controls & Standards” will not be modified and will continue to provide guidance on Planned Development regulations within each of the different zoning district chapters.

5. Update requirements and procedures for Planned Developments, including Neighborhood Meeting and Pre-Application steps, to current practices.

Staff recommends updating the codified Planned Development process so that the process steps listed within the Zoning Ordinance mirror the way Planned Development applications are currently processed. This includes the following (in condensed form - see Ord. 63-O-22 for exact wording):

1. Submit a Zoning Analysis application that includes at least a plat of survey, preliminary development plans and Inclusionary Housing Proposal application (if applicable).
2. Planning & Zoning staff circulates these documents to staff across a number of different departments (Public Works, Building & Inspection Services, Fire, Health, Sustainability, Economic Development and Community Development) and conducts a zoning analysis to determine possible Site Development Allowances and provide that information to the applicant in addition to preliminary comments on the development received from other staff.
3. Hold a community meeting. This is not a requirement and is at the discretion of the Councilmember whose ward in which the proposed development would be

constructed. This meeting can occur prior to or following the submission of the official Planned Development application, and prior to the Design and Project Review Committee review.

4. Submit the Planned Development application and corresponding attachments.
5. Planning & Zoning staff circulate these documents to staff across a number of different departments to obtain their comments and questions for various aspects of the proposed development. An additional zoning analysis is done to confirm site development allowances and other zoning related items.
6. Planning & Zoning staff then provides this information to the applicant in a detailed letter and coordinates comments/revisions with the applicant.
7. The proposed development is then placed on the agenda for the Design and Project Review (DAPR) Committee to further review the proposal and any revisions that may be submitted after earlier staff comments are reviewed by the applicant. DAPR then makes a recommendation to the Land Use Commission.
8. Mailed notices are sent to property owners within 1,000 feet of the proposed development lot, providing them details of the proposed development and information regarding when the public hearing for the development will occur at the Land Use Commission.
9. The proposed development is reviewed by the Land Use Commission through a public hearing, where questions are asked by the Commission and public testimony is taken. The Commission then reviews the applicable Standards for Approval and makes a recommendation to the City Council.
10. The proposed development then proceeds to the Planning & Development Committee of the City Council for review where the Committee can vote to introduce the proposal to the City Council.
11. City Council then reviews the proposed development and makes a final vote for approval/denial.

The changes mirror the process that currently occurs for Planned Development application submission and review, and will not alter mandated notification requirements. While it removes a formal pre-application conference meeting, it does add in the standard DAPR meeting review and a community meeting. Currently, community meetings are held at the discretion of the ward Councilmember but are very consistently part of the overall review process.

6. Add Automobile Body Repair Establishment as an eligible Special Use in the I1 Industrial/Office District.

Uses related to the automobile are sometimes considered incompatible uses that may not coexist well with other uses such as single/multi-family residential. These uses are therefore regulated by zoning by allowing them as Permitted uses in zoning districts that do not typically feature the other incompatible uses, and by Special Use in zoning districts that do allow the other potentially incompatible uses so that they can be evaluated on a case by case basis. Automobile uses listed in the Zoning Ordinance include Automobile Repair Service Establishment (mechanic), and Automobile Body Repair Establishment. The two uses are separated due to building code requirements for spray booths for vehicle painting, and the potential for nuisance issues relating to the vehicle painting that may be a part of Automobile Body Repair Establishments.

The Zoning Ordinance currently allows the two uses in the following districts:

	C1	C2	MU	MUE	MXE	I1	I2	I3
Automobile Repair Service Establishment	S	P	S	S	S	P	P	P
Automobile Body Repair Establishment		S					P	P

Both uses are prohibited in all other zoning districts (R's, T's, U's, O1, D's, RP). Specifically for Automobile Body Repair Establishments, zoning regulations leave extremely few options for locating within Evanston. As other desirable uses continue to locate throughout Evanston and change the landscape of the few remaining industrial areas (i.e. C2 and I Districts rezoning to MXE), zoning regulations for needed uses such as Automobile Body Repair Establishments should be considered in other districts such as the I1 Industrial/Office District. The I1 District does not allow incompatible residential uses, and can be appropriately conditioned via Special Use to allow the use at certain I1 District locations.

City staff recently became aware of a variety of small businesses that include single-bay Automobile Body Repair Establishments that have operated in certain areas without proper City approvals for many years. The vehicle repair/body repair shops provide blue collar jobs and have an established customer base throughout the community. Since the properties are now clear of Property Standards violations, staff suggests the aforementioned text amendment to the I1 District and then anticipates a moderate influx of small business owners who wish to bring their I1 body repair shops into compliance with the City and can be appropriately conditioned to ensure future compliance with Property Standards and all City requirements.

Conclusion

The six identified text amendments to the Zoning Ordinance are proposed as one agenda item package to reduce staff's preparation time, the Land Use Commission's meeting time and agenda schedule, and the City Council's time. The current Zoning Ordinance is outdated and should be rewritten. Once the new Comp Plan is completed and adopted, the plan will be used as a guiding document to create a new Zoning Ordinance. Until then, only necessary text amendments such as these identified omnibus text amendments that provide clarification on existing processes, or simple modification to the code to address best land use practices will be undertaken.

Legislative History:

April 13, 2022 - The Land Use Commission unanimously recommended approval of the omnibus text amendment (excluding Billboard regulations, which proceeded separately and was referred back to the LUC at the June 13, 2022 P&D meeting). The Land Use Commission found the proposed text amendments to be appropriate updates to the Zoning Ordinance, and noted a complete re-write of the Zoning Ordinance is needed but should not occur until the new Comprehensive Plan is written and adopted to provide guidance on land use regulation.

[Land Use Commission Packet](#) (item begins on p.30)

Attachments:

[Ordinance 63-O-22 Omnibus Text Amendment to the Zoning Ordinance](#)
[Land Use Commission Meeting Minutes Excerpt - April 13, 2022](#)

63-O-22

AN ORDINANCE

**Amending Portions of Title 4, “Building Regulations” and Title 6
“Zoning” to Update the Zoning Code**

WHEREAS, the Evanston Land Use Commission recommends the below changes to update portions of the Zoning Code and to move several sections of Title 4, “Building Regulations” into Title 6, “Zoning” to update the City’s Code to further align with best practices, and

WHEREAS, the Evanston City Council finds that it is in the best interest of the City of Evanston to update its Code from time to time to align with best practices for the City, and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code 6-16-2-6, “Handicapped Parking” of the Evanston City Code of 2012, as amended, is hereby amended to read as follows:

6-16-2-6. ~~HANDICAPPED PARKING.~~ ACCESSIBLE PARKING.

Accessible parking, including the size, location, and number of spaces, shall be provided as required by the Americans with Disabilities Act (ADA) Standards for Accessible Design, as amended from time to time.

- A. ~~Any parking area to be used by the general public shall provide parking spaces designated and located to adequately accommodate the handicapped, and these shall be clearly marked as such. Handicapped stalls shall be located in close proximity to the most accessible handicapped entrance of the principal building.~~

- B. ~~For up to and including the first twenty (20) parking stalls required on a site, one (1) shall be a handicapped space. When more than twenty (20) stalls are required, handicapped parking shall be provided at the rates indicated in Table 16-C, Section 6-16-3-5 of this Chapter.~~
- C. ~~Each handicapped parking stall shall be sixteen (16) feet in width by eighteen (18) feet in length.~~
- D. ~~The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement of the restriction of such spaces to handicapped motorists by the City.~~

SECTION 2: City Code 6-16-3-5, "Parking Reduction Allowance for the D1, D2, D3, and D4 Districts" of the Evanston City Code of 2012, as amended, is hereby amended to read as follows:

6-16-3-5 PARKING REDUCTION ALLOWANCE FOR THE D1, D2, D3, AND D4 DISTRICTS.

~~TABLE 16-C – HANDICAPPED PARKING STALL REQUIREMENTS~~

Total Off Street Parking Spaces Provided	Required Minimum Number Of Accessible Parking Spaces
— 1 to — 20	4
— 21 to — 50	2
— 51 to — 75	3
— 76 to — 100	4
101 to — 150	5
151 to — 200	6

201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total number
Over 1,000	20 plus 1 for each 50 spaces over 1,000 spaces

SECTION 3: City Code Title 4, Chapter 10, "Sign Regulations" of the Evanston City Code of 2012, as amended, is hereby deleted to read as follows:

~~TITLE 4 BUILDING REGULATIONS, CHAPTER 10 SIGN REGULATIONS~~

~~4-10-1. TITLE.~~

~~This Chapter shall hereafter be known and cited as the SIGN REGULATIONS of the City.~~

~~4-10-2. PURPOSE.~~

~~It is hereby determined that the primary purpose of signage is to help people find what they need without difficulty or confusion. Thus, while not restricting the freedom of expression, regulations must be established for preventing an overload of graphic messages in the environment. The purpose of signs is subordinate to the structures and land use functions they reference. Signs are to be considered accessory components of an overall composition of architectural elements, not as freestanding or dominant architectural elements by themselves.~~

~~This Chapter establishes standards for the erection, display, safety and maintenance of signs which are intended to allow a person to observe or ignore graphic messages, according to that person's own purpose, as well as to encourage the general attractiveness of the community and to protect property values therein. These standards are intended to meet the following objectives:~~

~~(A) Healthy Economy. It is recognized that signs are an economical and effective means of communicating information and are thus an important asset to most businesses. The~~

continued health of business and economic activities shall be encouraged by the use of signs which:

1. Clearly and efficiently identify the goods, services, facilities and locations available to the community; and
2. Express the identity of businesses or the proprietors associated with those activities.

(B) Effective Communication. A reasonable, orderly and effective display of signs is to be promoted by authorizing the use of signs which are:

1. Legible in the circumstances in which they are viewed;
2. Harmonious with their surroundings and consistent with the character of their community context;
3. Protective of the value of architectural resources, ensuring the integrity of the architectural elements and character of the buildings and sites to which signs principally relate;
4. Respectful of the rights of nearby property owners; and
5. Appropriate to the function to which they pertain.

(C) Public Welfare. The public health, safety and welfare is to be preserved, protected and promoted through sign regulations which:

1. Recognize that signs are a necessary means of visual communication for the convenience of the general public taken as a whole, as opposed to the convenience of any individual person;
2. Minimize the blighting influences posed by visual clutter, decay, and neglect;
3. Eliminate confusion and distractions which jeopardize vehicular and pedestrian safety;
4. Prohibit the placement of signs which obstruct vision or access in a manner which creates dangerous conditions;
5. Protect the physical and mental well-being of the general public by encouraging a sense of aesthetic appreciation for the City's visual environment; and
6. Preserve the value of private property by assuring the compatibility of signs with surrounding land uses.

4-10-3. RULES AND DEFINITIONS.

The definitions noted below apply only to this Chapter and supersede any conflicting definitions found elsewhere in other chapters of the City Code.

(A) Rules of Interpretation. The language set forth in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

1. The singular number includes the plural and the plural the singular.
2. The present tense includes the past and future tenses, and the future the present.
3. The word "shall" is mandatory, while the word "may" is permissive.

(B) Regulations. To the extent that any definition below includes regulatory standards, such as height or area limitations, for example, such regulations shall apply in addition to all others contained in this Chapter.

(C) Definitions. The following words and terms, wherever they occur in this Chapter, shall be defined as follows:

ABANDONED SIGN.	Any sign advertising a business, commodity, service, entertainment or activity which has been discontinued.
ADVERTISING STRUCTURE.	A structure, as defined by the Building Code, erected or used for the purpose of supporting or displaying a message or sign.
ARCHITECTURAL ELEMENT.	A prominent or significant part or feature of a building, structure, or site.
ARCHITECTURAL INTEGRITY.	The composite or aggregate of the characteristics of structure, form, materials, and function of a building, group of buildings, or other architectural composition.
ATTENTION GATHERING DEVICE.	A display that utilizes motion or flashing lights to attract attention of passers-by. Examples include strings of pennants, banners or streamers, advertising flags, clusters of flags, strings of twirlers or propellers, flares, balloons, strobe lights, and sequential flashing "runner" lights.
AUXILIARY SIGN.	A sign which provides secondary information such as accepted charge cards, hours of operation, or warnings, and which is not intended to identify the basic nature of a use, specific product or service information, or the identity of the proprietor.
(Ord. No. 10-O-87)	
AWNING.	Any structure entirely supported by the wall to which it is attached, which may project over public property, and which has a frame, being either retractable or in a fixed position, covered by nonrigid material, such as fabric or vinyl.
(Ord. No. 51-O-93)	
AWNING SIGN.	A sign that is mounted or painted on, or attached to an awning.
BOARD.	The Sign Review and Appeals Board.
BULLETIN BOARD.	A sign that identifies an institution or organization on whose premises it is located and which contains the name of the institution or organization and/or message in movable letters of two inches (2") or less in height.
CANOPY.	Any permanent exterior roof structure which extends over, or is suspended above, any public thoroughfare, and which is attached to a building at the inner end and supported on the outer end in conformance with the Building Code of the City of Evanston.
CANOPY SIGN.	A sign that is mounted or painted on, or attached to a canopy.
CITY.	The City of Evanston, Illinois.
CITY COUNCIL.	The City Council of the City of Evanston, Illinois.
COMMERCIAL	A message placed or caused to be placed before the public by a

MESSAGE-	person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities which are the subject of the message that:
	1. Refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities; or
	2. Attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.
COMMERCIAL VARIABLE MESSAGE (CVMS)-	A sign which may be manual, electronic or sign electrically controlled, capable of showing a series of different messages in a predetermined sequence.
COMPATIBLE-	The characteristic of appearance of two (2) or more buildings, structures, or architectural elements in the same vicinity which produces an aesthetically pleasing whole.
COMPREHENSIVE SIGN PLAN-	A set of criteria and a format approved by the Sign Review and Appeals Board for all signs to be located on the premises of a Unified Business Center.
(Ord. No. 90-O-11, § 6, 11-14-2011)	
CONSTRUCTION SIGN-	A sign identifying persons involved in design, planning, construction, wrecking, financing, or development taking place on the premises where the sign is posted.
DIRECTORY SIGN-	A sign which indicates the name and/or address of the occupants of a premises accommodating multiple occupants.
ELIGIBLE FACADE AREA-	That portion of a facade which is below the maximum sign height.
ERECT-	To build, construct, attach, hand, re-hang, suspend, place, affix, enlarge, substantially alter, post, display, or relocate and includes the painting of lettering or graphics for signs. Normal maintenance is not included within this definition.
EXTERIOR-	The outer part or surface of a building; such as a wall or window, which is exposed to outside environmental elements.
EXTERNAL ILLUMINATION-	Illumination of a sign which is produced by an artificial source of light which is not contained within the sign itself.
FACADE-	Any side, surface or wall below the roof of a building which is parallel or within forty five degrees (45°) of parallel with a parcel's frontage on a public thoroughfare, and which faces toward and relates to that public thoroughfare. If a building has a complex shape, then all walls or surfaces facing in the same direction, or nearly the same direction, are part of a single facade.
FESTOON LIGHTING-	A string of two (2) or more unshielded incandescent light bulbs suspended over a premises, (as opposed to being located on a building or structure). Holiday and ornamental lighting strung temporarily through trees shall not be construed to be festoon

	lighting.
FLASHING SIGN:	A directly or indirectly illuminated sign where the source of illumination is not maintained constant or stationary in intensity or color at all times when such sign is in use.
FREESTANDING SIGN:	Any sign which is erected such that it is detached from a building or structure.
FRONTAGE:	A lot line which is coterminous with the right of way of a single public thoroughfare.
IDENTIFICATION SIGN:	A sign which presents the name and/or address of a building, business, development or establishment, and may incorporate a logo, graphic, or image.
INFORMATION CYCLE:	The length of time used to display one continuous message from start to finish on a commercial variable message sign.
INSTITUTION:	An established organization or corporation of a public or eleemosynary character.
INTERCHANGEABLE COPY BOARD:	A sign whereon provision is made for letters or characters to be placed in or upon the surface area manually to provide a message or picture.
INTERNAL ILLUMINATION:	Illumination of a sign which is produced by an artificial source of light concealed or contained within the sign itself, and which becomes visible in darkness through the translucent portion of the sign face.
ITEM OF INFORMATION:	Any of the following: a word, an abbreviation, a number, a symbol, or a geometric shape contained in a sign. In addition, a sign which combines several different geometric shapes, or shapes of unusual configuration are to be assessed one additional item of information for each noncontinuous plane or surface.
LOT AREA:	The gross surface area of land contained within or below a premises. It may be a single parcel or it may include parts of or a combination of such parcels when adjacent to one another and used as one.
MAINTENANCE:	Provision of a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts required to preserve the sign, advertising structure, marquee, canopy or awning in its originally permitted and installed condition.
MARQUEE:	Any hood or canopy of permanent construction supported entirely by the building, and projecting from the building's wall over a sidewalk or pedestrian thoroughfare, constructed for the purpose of permanently supporting an interchangeable copy board.
MARQUEE SIGN:	A sign permanently attached to and supported by a marquee, having all or a portion of its sign surface area comprising an interchangeable copy board.
NAMEPLATE:	A plate or plaque bearing a name, applied directly to or

	incorporated into a facade.
(Ord. No. 10-O-87)	
NEON SIGN.	A permanent sign fabricated entirely from glass tubing, illuminated with electrically-charged neon gas.
(Ord. No. 51-O-93)	
NONCOMMERCIAL MESSAGE.	Any message that is not a commercial message.
OCCUPANCY.	That portion of a building or premises of which is leased, owned, or otherwise controlled solely by an occupant, and of which that occupant has a tangible presence in the form of business, institution, residence or similar inhabitation.
OCCUPANT.	Any one of the following:
	1. A household inhabiting a dwelling unit, or
	2. An institutional, business, commercial or industrial endeavor that inhabits a distinguishable portion of a building or premises such that:
	—(a) The activity is a logical and separate entity from the other activities within the building and not a department of the whole; and
	—(b) The activity has either a separate entrance from the exterior of the building, or a separate entrance from a common and clearly defined entryway that has direct access from the exterior of the building.
OFFICIALLY REGISTERED NAME.	That name registered on legal papers of incorporation, partnership, or similar definition of proprietorship.
PERMANENT SIGN.	A sign that is solidly mounted or permanently affixed in accordance with the mounting requirements of this Chapter, Chapter 4-2 of this Title, or other chapters of the City Code.
PERMITTEE.	That person designated on the application for a sign permit as being responsible for assuring sign maintenance and operation in conformance with the ordinance and the permit.
PERSON.	Any natural person, firm, partnership, association, corporation, company, institution, or organization of any kind.
PLACES OF ENTERTAINMENT.	A business establishment, club, or institution which maintains a regular schedule of performing arts events. Restaurants without such live entertainment schedules are not included within this definition.
PORTABLE SIGN.	Any sign not permanently affixed to the ground, a building, or other structure, which may be moved, or is intended to be moved, from place to place.
PREMISES.	A parcel, or contiguous parcels, of land including related building or buildings, distinguishable from surrounding parcels and buildings by use. A building and grounds that contains many separate occupancies is still classified as a single premises.

	Several buildings and associated parcels of land may in fact be a single premises if their use is unified.
PROPRIETARY INTEREST.	Having partial or exclusive title to, control over management authority over, present use, or legal right to, something.
PROPRIETOR.	An individual who owns or operates a business which is wholly separate and distinguishable from other business entities on the premises, and not merely a part of a larger business entity.
READ.	The capacity to perceive of the sign's message through visual observation by a normal sighted person.
REAL ESTATE SIGN.	A sign pertaining to the sale or lease of the premises or portion of the premises on which the sign is located, or to the sale or lease of one or more structures or a portion thereof located thereon.
SIGN.	A name, identification, description, display, message or illustration which is affixed to, or represented directly or indirectly upon, a building, structure, or piece of land so as to be principally seen from out of doors and which directs attention to an object, product, place, activity, concept, thought, person, institution, organization, or business.
SIGN FACE.	The exterior sign surface area of a single sign which may be read from any one ground position.
SIGN SURFACE AREA.	The total exposed surface within a continuous perimeter composed of a single rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures, together with any material, or color used as an integral part of the display or to differentiate the sign from the background on which it is placed.
TEMPORARY SIGN.	Any sign intended for a limited or intermittent period of display.
TIME AND TEMPERATURE DEVICE.	Any mechanism that displays the time and/or temperature, but does not display any advertising or establishment identification.
UNIFIED BUSINESS CENTER.	A premises containing four (4) or more individual nonresidential occupancies sharing a common building.
WALL SIGN.	Any sign erected upon or incorporated in the facade of any building with the plane of the sign face parallel to the plane of the facade.
WINDOW AREA.	Any transparent area on a facade through which the interior of a premises may be viewed from outside.
WINDOW SIGN.	Any sign, either permanent or temporary, which is affixed or placed so that its message or image is read as part of the total composition of a window area.

4-10-4. ANNUAL SIGN FEE.

All signs subject to this Chapter are not subject to an annual fee.

4-10-5. CONSTRUCTION/ALTERATION PERMIT REQUIRED.

No "sign," as defined herein, shall be constructed, erected, originally painted, converted, altered, rebuilt, enlarged, remodeled, relocated or expanded until a permit for such sign has been obtained in accordance with the standards and procedures set out in this Chapter.

(A) No Permit For Maintenance. No permit shall be required for maintenance of a "sign" as defined herein, nor for certain signs identified as exempt under Section 4-10-6 of this Chapter.

(B) No Assignment Or Transfer. No permit issued hereunder may be assigned or transferred to any other person.

4-10-6. EXEMPT SIGNS.

The following signs shall be exempt from the requirement to obtain a permit and from the limitation on items of information, but shall be subject to the other provisions of this Chapter, and (with the exception of "addresses") shall be included for purposes of determining the allowable total number and size of signs on a premises:

(A) Addresses. Address numerals and other sign information required to identify a location by law or governmental order, rule, or regulation. Such address information cannot exceed two (2) square feet per officially assigned address, or the size required by the law, order, rule or regulation, whichever is greater.

(B) Auxiliary Signs. Auxiliary signs placed in store windows regarding hours of operation, accepted charge cards, warnings or similar information.

(C) Bulletin Boards. Bulletin boards, not exceeding twelve (12) square feet for public, eleemosynary or religious institutions where the bulletin board is located on the premises of said institutions.

(D) Business Nameplates. Non-illuminated nameplates denoting the business name of an occupation legally conducted on the premises, provided that only one nameplate per proprietor may be erected and that such nameplate not exceed one square foot.

(E) Institutional Identify Signs. For an institution such as a college or university campus, an identity sign designating only the name and address of the institution or campus, not exceeding thirty (30) square feet. Such signs shall be located not less than ten feet (10') from a street lot line.

(F) Construction Signs. One construction sign per frontage, identifying individuals or companies involved in the design, construction, demolition, financing or project development when placed on the premises where work is under construction. Such

~~signs shall not be erected prior to the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within ten (10) days of completion of work or the expiration of the permit. Construction signs for single-family residences shall not exceed sixteen (16) square feet. Construction signs for commercial, industrial, multi-family, or planned development uses on parcels of less than one hundred thousand (100,000) square feet shall not exceed forty eight (48) square feet; construction signs shall not exceed ninety six (96) square feet on parcels greater than one hundred thousand (100,000) square feet.~~

~~(G) Flags And Standards. Flags, standards, emblems and insignia of governmental, political, civic, philanthropic, religious or educational organizations, having a size less than fifty (50) square feet, and displayed for noncommercial purposes.~~

~~(H) Garage Sale Signs. No more than two (2) temporary signs per sale which advertise garage sales, yard sales, or similar merchandise sales, provided that such signs do not exceed four (4) square feet, are located with no more than one sign per street frontage either on the premises containing the sale or on other private property with permission of that property owner, and are only in place when the sale is actually taking place.~~

~~(I) Government signs. Signs of a duly constituted governmental body, including traffic signs or other similar regulatory devices, directional signs, Evanston Historic District signs, legal notices, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health, hazards, parking, swimming, dumping, and such emergency or non-advertising signs as may be approved by the traffic engineer for safety purposes or by the City Council.~~

~~(J) Historic markers. Commemorative plaques, memorial tablets, or emblems of official historical bodies, provided that no such marker shall exceed four (4) square feet and provided further that all such markers shall be placed flat against a building, monument stone, or other permanent surface.~~

~~(K) Holiday decorations. Temporary displays of a primarily decorative nature, clearly incidental and customary with traditionally accepted civic, patriotic or religious holidays.~~

~~(L) Interior signs. Signs which are located on the interior of a premises and which are exclusively oriented to persons within that premises.~~

~~(M) Management signs. Signs not exceeding two feet (2') wide by three feet (3') high that indicate the real estate management agent for a premises and the agent's contact information. Management signs may display the words "For Rent" in letters no more than three inches (3") in height.~~

~~(N) Menu board signs. One (1) menu board sign for a drive-in or drive-through facility, provided that the sign does not exceed twenty five (25) square feet or eight (8) feet in height.~~

~~(O) Model home signs. Signs not exceeding four (4) square feet identifying a nonoccupied dwelling unit used as a demonstrator for selling or renting other dwelling units in the same complex. Such signs shall be permitted only when more than one (1) dwelling unit is available on the premises.~~

~~(P) Monument signs. Plaques, tablets, cornerstones, or lettering inlaid into the architectural materials of a building or structure denoting the name of that structure and its date of erection.~~

~~(Q) Noncommercial signs. Noncommercial signs, not exceeding six (6) square feet per occupancy.~~

~~(R) "Open" signs. Signs, not exceeding four (4) square feet, which advertise a premises open for inspection, with no more than one (1) sign per street frontage on the subject property, and an overall maximum of two (2) signs per property. Such signs may not be located in the public right-of-way, nor be directly illuminated. They may only be in place when the related premises is actually open for inspection.~~

~~(S) Political or campaign signs. Signs promoting candidates for public office or issues on election ballots, not exceeding six (6) square feet per occupancy, posted on private property.~~

~~(T) Real estate sign. One (1) real estate sign per street frontage of a premises, advertising the availability of a sale or lease of that premises. Such signs may not be located in the public right-of-way, nor be directly illuminated. They shall not exceed six (6) square feet for residential districts, twenty-four (24) square feet for commercial districts, or forty-eight (48) square feet for industrial districts. Display of real estate signs shall be limited to one hundred eighty (180) days. For nonexempt real estate signs see Subsection 4-10-10(L), "Temporary Real Estate Signs," of this chapter. (Ord. No. 47-0-03)~~

~~(U) Residential and institutional nameplates. One (1) nonilluminated name-plate, not exceeding twelve (12) square feet, for a multiple family dwelling, college, university or theological school building, fraternity or sorority. Such signs shall include only the name and/or address of the building and be located not less than ten (10) feet from a street lot line.~~

~~(V) Service station price signs. Price signs not exceeding the minimum requirements established by state statute for service stations.~~

~~(W) Site information signs. Signs of no more than four (4) square feet which, without including an advertising reference of any kind, provide direction or instruction to guide persons to facilities intended to serve the public, including, but not specifically limited to, those signs identifying restrooms, public telephones, walkways, traffic flow, parking restrictions, and features of a similar nature.~~

~~(X) Special displays. Special displays used for public demonstrations, the promotion of civic welfare, or charitable purposes, provided they are approved by the City Council after submission of a written application, they contain no noncharitable advertising, and they are removed by the deadline established by the Council in its approval.~~

~~(Y) Temporary window signs. Signs temporarily affixed to the inside of a window, advertising commercial situations relating to goods or services sold on premises, provided that the total of all signs in the window area, including temporary and permanently mounted signs does not exceed twenty five percent (25%) of the window area; and further provided that each temporary window sign has the initial date of display permanently and visibly affixed on its face, and that no temporary window sign is displayed for longer than thirty (30) days. For any occupancy using no other signs than a permanent window sign the amount of permanent and temporary window sign area may be increased to thirty five percent (35%) of the window area.~~

~~(Z) Vending machine signs. Permanent, nonflashing signs on vending machines, gasoline pumps, ice or milk containers, or other similar machines, not exceeding four (4) square feet for each exposed face, nor exceeding an aggregate sign surface area of eight (8) square feet.~~

4-10-7. PROHIBITED SIGNS.

All signs not specifically permitted in this Chapter are prohibited in any location in the City.

4-10-8. GENERAL STANDARDS.

~~(A) Applicable Regulations. In addition to the provisions of this Chapter, all signs must conform to the regulations and design standards of all other applicable chapters of the City Code.~~

~~(B) Obscene Messages. No sign shall be permitted to contain statements, words or pictures of an obscene and/or pornographic character.~~

~~(C) Wind Pressure and Dead Load Requirements. Every sign or advertising structure shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and shall be constructed to receive dead loads as required by Chapter 2 of this Title and other applicable chapters of the City Code.~~

~~(D) Obstruction to Doors, Windows, or Fire Escapes. No sign or advertising structure shall be erected, relocated or maintained so as to prevent free ingress to, or egress from any door, window or fire escape. No sign or advertising structure shall be attached to a standpipe or fire escape. No sign shall interfere with any opening required for ventilation.~~

~~(E) Signs Not to Constitute Traffic Hazards. In order to ensure reasonable traffic safety, it shall be unlawful to erect or maintain any fluttering, undulating, swinging, rotating, blinking, or flashing sign or attention-gathering device. No sign or advertising structure nor its associated landscaping shall be erected, installed or maintained in such a manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle by reason of position, shape, color or lighting thereof.~~

~~Pursuant to the foregoing, no sign or advertising structure shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or imitate, resemble, or be confused with any authorized traffic sign, signal or device. Accordingly, no sign or advertising structure shall make use of the words "stop," "go," "slow," "look," "caution," "warning," "danger," or any similar word, phrase, symbol, or character, or employ any red, yellow, orange, green or other colored lamp or light, in such a manner as to interfere with, mislead or confuse traffic.~~

~~(F) Advertising Vehicles. No person shall for the flagrant purpose of providing advertisement of products or directing people to a business or activity, park on the public right of way, public property, or private property so as to be prominently visible from a public right of way any vehicle or trailer which has attached thereto or located thereon any sign or advertising device. The foregoing shall not apply to mobile food vehicle vendors licensed pursuant to title 8 of this Code.~~

~~(G) Electrical Clearance. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Evanston Electrical Code, depending on the voltages concerned. However, in no case shall a sign be installed closer than twenty four inches (24") horizontally or vertically from any conductor or public utility guy wire.~~

~~(H) Face of Sign to be Smooth. No signs or advertising structures which are constructed on public thoroughfares, or within five feet (5') thereof, shall have nails, tacks or wires or other hazardous projections protruding therefrom, except electrical reflectors and devices which may extend over the top and in front of such advertising structures.~~

~~(I) Glass; Limitation. Any glass forming a part of any sign shall be safety glass. In case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.~~

~~(J) Reflectors, Spotlights and Floodlights; Limitations and Prohibition. Gooseneck and similar reflectors and lights shall be permitted on free-standing and wall signs; provided, however, the reflectors and lights shall concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. It shall be unlawful to maintain any sign which extends over public property, and which is wholly or partially illuminated by floodlights or spotlights, unless such lights are completely concealed from view from the public thoroughfare.~~

~~(K) No Tree Mounting. No signs shall be nailed, tacked or otherwise affixed to trees or other vegetation in such a way as to puncture bark.~~

~~(L) No Handbills. No handbills, posters, notices, or similar attention gathering devices shall be posted or affixed on traffic control boxes, signs, lamp poles, utility poles, traffic control supports, viaducts, or other locations as further regulated under Title 3 of this Municipal Code.~~

~~(M) Illuminated Signs. All illuminated signs shall be subject to the following requirements:~~

- ~~1. Electrical Permit. In addition to complying with the provisions of this Chapter, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the City Electrical Code, Title 4, Chapter 6 of the City Code. No permit for the erection of a sign shall be granted prior to approval and issuance of a valid electrical permit for that sign.~~
- ~~2. Voltage Displayed. The voltage of any electrical apparatus used in connection with a sign shall be conspicuously noted on that apparatus.~~
- ~~3. External Illumination. A building or structure, along with signs, awnings, and canopies attached to the building or structure, may be illuminated externally, but all lighting used for this purpose must be designated, located, shielded, and maintained in such a manner that the light source is fixed and not directly visible from any adjacent public rights of way or surrounding premises.~~
- ~~4. Internal Illumination. Internal illuminated signs shall permit light to shine fully through only the lettering and graphic elements of the sign. The background for such lettering and graphics shall be opaque or translucent. If translucent, it shall transmit light at a level substantially less than that transmitted through the lettering and graphics. If the contrast between the lettering or graphic elements and background does not permit adequate legibility (according to the judgment of the sign owner) a translucent white border of up to one inch (1") in width may be placed around said lettering or graphic elements.~~
- ~~5. Brightness Limitation. In no instance shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination, exceed:

 - ~~a. Seventy five (75) foot-candles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign; or~~
 - ~~b. When the sign is located in a residential zoning district, fifty (50) foot-candles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign; or~~
 - ~~c. One foot-candle on adjoining residential property, measured three feet (3') above the surface of the ground.~~~~
- ~~6. Glare. All artificial illumination shall be so designed, located, shielded, and directed so as to prevent the casting of glare or direct light upon adjacent public rights of way or surrounding property.~~
- ~~7. Flashing Signs. Except for commercial variable message signs (CVMS), illuminated signs shall not have any flashing, scintillating, traveling, or blinking lights or rotating beacons, nor shall any beam of light be projected through a mechanism which periodically changes the color of the light reaching the sign.~~

~~(N) Movable Sign Parts. No sign or its parts shall be permitted to be movable or rotating, nor shall any sign have illuminated effects which convey the illusion of movement.~~

~~1. No Changeable Copy. With the exception of marquee signs, gasoline price signs, CVMS signs, and exempt signs, no sign may contain movable letters or other changeable copy.~~

~~2. Items Secured. All manually movable items on a sign, such as covers to service openings, shall be secured by chains or hinges.~~

4-10-9. AREA AND MEASUREMENT STANDARDS.

~~(A) Signs in Residential Districts. Except in conjunction with legal nonconforming commercial and industrial uses, no signs other than those exempted under Section 4-10-6 of this Chapter shall be permitted on property in a residential zoning district.~~

~~(B) Commercial Message Location. A sign which displays a commercial message is permitted only on the premises where the business, profession, accommodation, commodity, service, entertainment, or other commercial activity represented on the sign is located.~~

~~Any sign that may display a commercial message may also display any noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with the other requirements of this chapter.~~

~~(C) Interchangeable Noncommercial Messages. Any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with the other requirements of this chapter.~~

~~(D) Sign Area Limitation. The combined total sign surface area of signs on a premises shall not exceed the greater of:~~

~~1. Area Of Facade. An area equivalent to fifteen percent (15%) of the total eligible facade area of buildings which constitute the premises; or~~

~~2. Area Of Premises. An area equivalent to one-half of one percent (0.5%) of the lot area of the premises.~~

~~At no time shall the combined total sign surface area of all signs pertaining to any occupant, other than exempt signs or temporary window signs, exceed five hundred (500) square feet.~~

~~The maximum aggregate sign surface area may be divided between as many sign types as desired by an occupant, subject to number, location and area restrictions for each sign type delineated herein.~~

~~On a premises with multiple occupants, the maximum permitted sign surface area for each occupant shall be a proportional share of the total permitted sign surface area for the premises. Each occupant's total permitted sign area shall be~~

calculated as the ratio of floor area (or lot area where no principal buildings are present) occupied by that occupant to the total floor area (or lot area where no principal building is present) of the premises.

(E) Sign Face Calculation. The sign surface area of a sign shall be calculated only on the basis of the sign face(s) that can be seen at one time. On a multiple sided sign with opposite faces that cannot be read simultaneously, only one of the faces shall be calculated for purposes of determining sign surface area.

(F) Structure and Base Excluded. Structural supports and bases, bearing no message, copy or graphics, and of a neutral or subdued color(s), shall not be included in calculating the sign surface area.

(G) Items of Information. Subject to the requirements of all other provisions of this chapter, each sign face shall contain no more than seven (7) items of information. However, if the officially registered name of the occupant of the premises to which the sign refers contains more than seven (7) items of information, the name may be displayed on each sign face, provided no other information is displayed on such sign. In calculating items of information, characters two inches (2") or less in height shall be excluded. They are considered to be principally directed toward pedestrian observation.

(H) Maximum Sign Height. With the exception of tall building identification signs, all signs shall be subject to the maximum height limitation of fifteen and one-half (15.5) feet. The height of a sign shall be measured from the adjoining ground level or the elevation of the street upon which the sign faces, whichever is lower, to the tallest portion of the sign.

4-10-10. PERMITTED SIGN TYPES.

(A) Wall Signs.

1. Number. If an occupant displays more than one wall sign on a facade, that occupant's total permitted sign surface area for wall signs on that facade is reduced by an increment of twenty percent (20%) for each additional wall sign.
2. Area. The total permitted sign surface area of all wall signs on a facade shall not exceed ten percent (10%) of the eligible facade area. No individual wall sign shall exceed one hundred twenty five (125) square feet in area.
3. Area Bonus. An occupant's permitted sign surface area for wall signs on a facade may be increased by twenty percent (20%), though not exceeding the two hundred (200) square foot individual sign area maximum, when the following standards are met:
 - a. The occupant is displaying no more than one wall sign on the facade; and
 - b. The sign consists only of individual alphabetic, numeric, and/or symbolic characters without background except that provided by the building surface to which the signs are to be affixed; and

~~c. If illuminated, such illumination is achieved through internal illumination, shielded silhouette lighting, or shielded spot lighting.~~

~~This does not include any lighting where the light source is visible or exposed.~~

~~4. Location. Wall signs may only be located on a portion of an exterior wall that is coterminous with the occupancy to which the signs refer.~~

~~No wall sign shall extend above or beyond the wall to which it is attached.~~

~~Except as permitted below, no wall sign shall extend above the maximum sign height of fifteen and one-half (15.5) feet.~~

~~5. Projection From Wall. No wall sign, including any illuminating device or other structural part, shall project more than twelve (12) inches beyond the plane of the wall to which it is attached.~~

~~6. Tall-Building Identification Sign. On buildings of six (6) stories or greater, where the occupant between the second story and the top story is the same, one tall building identification sign per facade may be placed between the floor of the top story and the top of the wall of the building. This identification wall sign shall not exceed one hundred (100) square feet in sign surface area.~~

~~7. Installation Considerations. To preserve the architectural integrity of any building, no wall sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestrations, or ornamental detailing.~~

~~All mounting brackets and other hardware used to affix a sign to a wall, and all electrical service hardware and equipment shall be concealed by architectural elements of the building or the sign itself.~~

~~(B) Freestanding Signs.~~

~~1. Number. There shall be no more than one freestanding sign for each frontage of a premises.~~

~~On premises having a principal building, no freestanding sign shall be permitted on a frontage unless every facade related to the frontage is set back at least thirty (30) feet from the street right of way. On premises having no principal building, there shall be no more than one freestanding sign for each frontage of the premises.~~

~~2. Area. Except as conditioned below, the total sign surface area of a freestanding sign shall not exceed one quarter percent (0.25%) of the lot area of the premises, nor a maximum of one hundred twenty (120) square feet of sign surface area.~~

~~a. The maximum sign surface area of a freestanding sign on a frontage may not exceed twelve (12) square feet unless that frontage is one hundred (100) or more feet in length.~~

~~b. A fifteen percent (15%) bonus in sign surface area shall be permitted for any freestanding sign which is the only freestanding sign on a premises on which more than one such sign would otherwise be permitted.~~

~~3. Location. No freestanding sign shall extend beyond the perimeter lot line of a premises or within twenty (20) feet of any circulation lane which provides access to a public right of way.~~

~~4. Height. A freestanding sign within three (3) feet of any perimeter lot line of a premises may not exceed three (3) feet in height. The height of any freestanding sign three (3) or more feet from any lot line may not exceed the distance between the sign and any lot line, nor shall the top of the freestanding sign exceed the maximum elevation of a principal building on the premises to which it pertains.~~

~~No freestanding sign shall exceed the maximum sign height of fifteen and one-half (15.5) feet.~~

~~5. Permanent Mounting: All freestanding signs shall be permanently mounted in the ground. No portable signs are permitted.~~

~~(C) Permanent Window Signs:~~

~~1. Area. The sign surface area of permanent window signs in any window shall not exceed twenty percent (20%) of that window area.~~

~~2. Location. Permanent window signs must be confined within the transparent glazed area of the window and shall not encroach upon the frame, mullions or other supporting features of the glass.~~

~~3. Installation Considerations. All permanent window signs which have their lettering or graphic elements directly on the glazing shall be painted, metal leafed, vinyl transferred, or in some other manner permanently applied to either side of the glass of an exterior building or window or door. No application using a temporary adhesive shall be permitted unless the Sign Administrator determines the application to be safe and will be permanent.~~

~~(D) Commercial Variable Message (CVMS) Signs:~~

~~1. Time and Temperature Only. CVMS displaying messages other than time and temperature information shall be prohibited.~~

~~2. Length of Cycle. The total length of the information cycle of a CVMS shall not be shorter than three (3) seconds nor longer than seven (7) seconds. Items of information may not be repeated at intervals that are short enough to cause the CVMS to have the effect of a flashing sign.~~

~~3. Brightness Adjustment. CVMS shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.~~

~~4. Included Area. The illuminated or message displaying areas of the CVMS shall be included within the maximum aggregate sign surface area for the premises.~~

~~5. Maintenance. CVMS must be maintained so as to be able to display messages in a complete and legible manner.~~

~~(E) Marquee Signs:~~

~~1. Number. There shall not be more than one marquee sign on any facade. Advertising and identification messages on any of the vertical or nearly vertical faces of a marquee are calculated as a single marquee sign.~~

~~2. Area. The total sign surface area of a marquee sign shall not exceed five hundred (500) square feet.~~

~~3. Location. A sign may be affixed to or located upon any vertical or nearly vertical face of a marquee, so that no portion of the sign falls above or below the face of the marquee.~~

~~In no instance shall a marquee sign be lower than ten (10) feet above the sidewalk or public thoroughfare.~~

~~In no instance shall a marquee sign be located so that it extends beyond the curb line of the street.~~

~~4. Use Of Marquee. Marquee signs are only permitted for use on theaters, places of entertainment, and hotels.~~

~~(F) Canopy and Awning Signs.~~

~~1. Commercial Message. Use of canopy or awning area for display of commercial messages shall be limited to the name, logo and address of the business or businesses within the building upon which the awning is attached. Canopy or awning signs shall be flush to the face of the canopy or awning.~~

~~2. Area. The sign surface area of a canopy or awning sign shall not exceed fifteen percent (15%) of the area of the vertical section of the canopies and awnings. The vertical section of the canopies and awnings is calculated as the height of the canopy or awning (difference between the highest and lowest point on the canopy or awning) multiplied by the length of the canopy or awning measured parallel to the facade upon which it is attached.~~

~~Signs on any surface of a canopy or awning other than the surface running parallel with the building face shall be limited to letters or graphics not exceeding four (4) inches in height.~~

~~3. Location. Canopies and awnings shall be constructed and erected so that the lowest portion of the projecting frame thereof shall be not less than seven (7) feet six (six) inches, and the lowest portion of the descending skirt shall be not less than six (6) feet eight (8) inches above the level of the sidewalk or public thoroughfare.~~

~~No portion of the canopy or awning sign shall be extended above or beyond the canopy or awning upon which it is attached; however, signs may be hung beneath canopies parallel to the building frontage so long as they do not descend below the minimum six (6) foot eight (8) inches minimum clearance.~~

~~Awnings shall project a minimum of thirty-six (36) inches out from the building upon which they are attached, and a maximum of twenty-four (24) inches from the vertical surface of the street curb line.~~

~~4. Installation Considerations. To preserve the architectural integrity of a building, no canopy or awning, and no canopy or awning sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or~~

window heads, embellishments, adornments, fenestrations or ornamental detailing.

5. Illumination of Awnings And Canopies. Awnings and canopies may be illuminated where the following conditions are maintained:

- a. Both interior type strip lighting and exterior type gooseneck lighting is permitted, not exceeding a maximum light level of eighteen (18) foot-candles measured three (3) feet from and perpendicular to the light source.
- b. Awnings shall be allowed to be lighted whether or not signs are to be displayed on the awning.
- c. Internally illuminated awnings and canopies shall permit light to shine fully through only the lettering and graphic elements. The bottom of any internally illuminated awning or canopy shall be enclosed.
- d. Illumination of canopies, awnings, canopy signs and awning signs is further regulated in Section 4-10-8 of this Chapter.

6. Nonrigid Materials Prohibited. Canopy or awning signs covered by nonrigid materials and supported on the outer (street) end are prohibited.

(G) Neon Signs. The area defined by neon shall not exceed twenty percent (20%) of the window area. Neon signs shall not extend to all edges of the windows.

(H) Scoreboards:

1. Location. No scoreboard shall be erected or maintained such that it is visible from a public thoroughfare.
2. Internal Scoreboard. The number, area, height, and location of scoreboards visible only from within the stadium area are regulated as part of Section 4-10-8 of this Chapter.

(I) Temporary Signs:

1. Number. There shall not be more than two (2) permits for temporary signs issued for the same occupant of a premises within one calendar year.
2. Area. Temporary signs shall not exceed thirty-two (32) square feet in sign surface area for each exposed face, nor sixty-four (64) square feet total sign surface area.
3. Location. Temporary signs shall be located only upon the premises to which the special, unique, or limited activity, service product, or sale is to occur. Temporary signs shall take the form of wall signs or free-standing signs and shall conform to the location requirements of the respective sign type described elsewhere in this Chapter. No temporary signs shall be permitted on vehicles.
4. Time Limitations. Temporary signs shall be erected and maintained for a period not to exceed thirty (30) days, and shall be removed within three (3) days of termination of the activity, service, project, or sale.
5. Materials and Mounting Limitations.
 - a. All temporary signs shall be anchored and supported in a manner which reasonably prevents the possibility of the signs becoming hazards to the public health and safety as determined by the Sign Administrator.

~~b. Any temporary sign weighing in excess of fifty (50) pounds must conform to the safety requirements of the City Code.~~

~~6. Certain Temporary Signs Exempt: Temporary window signs as qualified in Section 4-10-6 of this Chapter are exempt from the conditions of this Section.~~

~~(J) Unified Business Center Signs.~~

~~1. Comprehensive Sign Plan. No permit shall be issued for a sign to be located in a unified business center until a comprehensive sign plan has been approved for the center as described in Section 4-10-18 of this Chapter, and said sign complies with the provisions thereof.~~

~~2. Center Identification Sign. In addition to the signs permitted for each separate occupant, there may be one identification sign for the center itself.~~

~~a. Said identification sign may only include the name, address, or graphic logo of the center.~~

~~b. The permitted sign surface area of said identification sign shall not exceed an area equivalent to one tenth of one percent (0.1%) of the lot area of the premises nor a maximum of one hundred twenty (120) square feet.~~

~~c. Unless specifically exempted by the provisions of the comprehensive sign plan for the unified business center, said identification sign shall conform to all of the regulations (except those governing number and area) for individual sign types found elsewhere in this Chapter.~~

~~3. Directory Signs. In addition to the permitted identification sign for the center, a unified business center may have common directory signs to guide pedestrians to individual businesses on the site. Such signs shall be limited to a maximum of one square foot per occupant listed on the sign.~~

~~(K) Vehicular Dealership Signs.~~

~~1. Number.~~

~~a. Each dealership may have one freestanding sign. Each parcel may have no more than two (2) freestanding signs. In the event a business entity consists of multiple dealerships, no more than two (2) dealership signs may appear on one freestanding pole.~~

~~b. One wall sign per business entity.~~

~~2. Area.~~

~~a. The maximum gross surface area for freestanding signs is one hundred forty (140) square feet per sign face.~~

~~b. For wall signs, the maximum gross surface area must not exceed twenty five percent (25%) of the square foot area of the facade to which the sign is attached.~~

~~3. Location.~~

~~a. Freestanding Signs.~~

~~(1) Freestanding signs are permitted at the lot line.~~

~~(2) Freestanding signs shall be separated by a minimum of fifty feet (50').~~

~~b. Wall Signs.~~

~~(1) Wall signs are not to extend above the roofline of the wall upon which the sign is attached.~~

~~4. Height. Freestanding signs erected after the effective date hereof shall not exceed twenty five feet (25'). Freestanding signs in existence prior to that time shall not exceed their preenactment height.~~

~~5. Uniform Sign Package. When a dealership changes ownership or acquires a new vehicle line, no new sign(s) may be erected and no modifications to existing signs may be made without the owner having filed a sign package with the city and receiving the city's approval therefor.~~

~~6. Flags.~~

~~a. Flags may be used on used car lots only, provided that:~~

~~(1) They are of uniform color; and~~

~~(2) Worn flags are replaced so as to maintain a neat appearance.~~

~~7. Conflict With Other Provisions of This Chapter. In the event of a conflict between this subsection (K) and the other provisions of this chapter, this subsection shall prevail.~~

~~(L) Temporary Real Estate Signs. For temporary, nonilluminated real estate signs for multi-family, residential projects, the permitted regulations are as follows:
5 to 36 dwelling units = 32 square foot maximum, 10'0" maximum sign height
All temporary real estate signs shall be limited to a maximum of twelve (12) months total duration, or until all the units are sold.~~

~~(M) Blade Signs.~~

~~(1) Position. Blade signs shall be project from and be perpendicular to a building's facade, and the top of any such sign shall not be more than fifteen (15) feet six (6) inches above grade at the building.~~

~~(2) Area. Blade signs shall not measure more than two (2) feet wide nor more than three (3) feet high.~~

~~(3) Clearance. The bottom of any blade sign shall be at least seven (7) feet six (6) inches above grade at the building.~~

~~(4) Illumination. Blade signs shall not be illuminated.~~

~~(5) Number. There shall be no more than one (1) blade sign per business.~~

4-10-11. ADMINISTRATION.

~~(A) Administrative Officer. The city manager shall designate the Sign Administrator shall also be the Zoning Administrator for the purpose of administering this chapter. If no such person is designated, the city manager himself/herself shall function as the Sign Administrator. The Sign Administrator, may if he sees fit, designate a person to serve as his designee to administer this chapter of the Zoning Code.~~

~~(B) Permit Approval Procedure. Any sign for which a permit is required under section 4-10-5 of this chapter must receive that permit prior to being constructed, erected, originally painted, converted, altered, rebuilt, enlarged, remodeled, relocated or expanded. The following procedures must be followed for approval of a permit:~~

~~1. Complete Application. A permit application must be submitted to the City of Evanston department of Community and Economic Development. No application shall be accepted until it is complete, along with all necessary fees, bonds, and evidence of ownership or authorization as described below in this section.~~

~~2. Permit Issuance. Once an application is accepted as complete, the Sign Administrator or his designee shall direct an examination of the plans, specifications, and other submitted data, and the premises upon which the sign is proposed to be erected or affixed, and shall request additional plans and information if necessary to determine conformance. If the Sign Administrator or his designee determines the proposed sign or signs to be in conformance with this and other applicable chapters of the City Code, the Sign Administrator or his designee shall issue a permit for the proposed sign.~~

~~3. Permit Denial. If the proposed sign does not conform with this or other applicable chapters of the City Code, the Sign Administrator or his designee shall, on the basis of written findings, approve the sign subject to specific modifications or, on the basis of written findings, deny the sign application.~~

~~(C) Permit Application. Application for permits to erect, construct, or alter a sign shall be submitted on a form and in the manner prescribed by the Sign Administrator or his designee. Each application shall be signed by the owner of the sign and the owner of the property upon which it is to be located. Applications for permits shall be accompanied by such information as may be required to ensure compliance with all applicable regulations, including:~~

- ~~1. Name, address and telephone number of the applicant;~~
- ~~2. A drawing or drawings indicating the location of the building, structure or lot to which or upon which the sign or advertising structure is to be attached or erected;~~
- ~~3. A drawing or photograph showing the position of the sign or advertising structure in relation to structures;~~
- ~~4. Two (2) blueprints or ink drawings of the plans and specifications of the proposed sign or advertising structure, including the methods of construction and attachment to the buildings or in the ground. Such plans must include all text and graphics proposed on the sign, drawn to scale with dimensions;~~
- ~~5. If required by the Sign Administrator or his designee, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure as required by this Chapter and all other applicable chapters of the City Code;~~
- ~~6. Name of person, firm, corporation or association responsible for erecting the sign or advertising structure.~~
- ~~7. Written consent of the owner or agent of the premises on which the sign or advertising structure is to be erected;~~
- ~~8. A completed application for any electrical permit required to be issued for said sign or advertising structure;~~
- ~~9. A copy of the insurance policy or bond as required by subsection 4-10-12(G) of this Chapter;~~
- ~~10. A declared total value of the sign or advertising structure and its installation;~~

~~11. Documentation of all existing signs on the premises, including their type and area, location, and the occupant of the site to which each sign pertains; and
12. Any additional information as the Sign Administrator or his designee shall require to show full compliance with this and all other applicable chapters of the City Code.~~

~~(D) Temporary Permit Applications. Applications for temporary sign permits shall be accompanied by such information as may be required to ensure compliance with all applicable regulations, including those listed in paragraphs 1, 2, 3, 4 and 6 of subsection (C) of this Section. No fee shall be charged for any temporary sign.~~

~~(E) Permit Fees. Fees to be charged for permits issued shall be as established in a separate fee ordinance which may be, from time to time, adopted by the City Council. Persons guilty of erecting or maintaining a sign without first securing the necessary permit shall be subject to a penalty fee of fifty percent (50%) of the normal fee amount in addition to the obligation to pay the normal fee.~~

~~(F) Bond, Insurance and Indemnification Requirements.~~

~~1. Insurance. A general liability insurance policy issued by any approved insurance company authorized to do business in the State of Illinois, conforming to this Section, may be permitted in lieu of bond, provided that said insurance policy names the City as an additional insured and agrees to hold harmless and indemnify the City, its officers, agents, and employees from any and all claims of negligence resulting from such work.~~

~~2. Public Property. All persons responsible for the erection, alteration, relocation, maintenance of a sign or advertising structure in or over or immediately adjacent to a public right of way or public property so that a portion of the public right of way or public property is used or encroached upon by that person, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from any and all claims of negligence resulting from such work.~~

~~(G) Pre-Installation Inspection. The person responsible for the installation of a sign shall schedule with the Sign Administrator a pre-installation inspection prior to installing any sign requiring a permit. Such inspection shall include a footing inspection, if applicable, and confirmation of the other details of mounting and placement.~~

~~(H) Final Inspection. The person responsible for the installation of a sign shall notify the Sign Administrator upon completion of the work for which a permit is required and so schedule a final inspection.~~

~~(I) Six Month Deadline. If the work authorized under a permit has not been completed within six (6) months after the date of issuance, the permit shall be null and void.~~

~~(J) Denial or Revocation. All rights and privileges acquired under the provisions of this Chapter, or any amendment thereto, are deemed mere permits which may be denied, suspended or revoked any time for cause by the Sign Administrator or his designee.~~

The Sign Administrator or his designee is authorized and empowered to deny, suspend, or revoke any permit upon failure of the permittee to comply with any provision of this Chapter or whenever the permit is issued on the basis of a misstatement of fact or fraud. The Sign Administrator or his designee shall refuse to issue any further permit to any such party or owner, or their agents or representatives, who is in violation of the requirements of this Chapter, or refuses to pay costs assessed for corrective action under the provisions of this Chapter.

4-10-12. MAINTENANCE AND OPERATION.

(A) Maintenance and Repair. Every sign, including but not limited to those signs for which permits are required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts required to maintain the sign, advertising structure, marquee, canopy or awning in its originally permitted and installed condition in accordance with the following criteria and with the applicable chapters of the City Code.

1. Paint or Treat. To prevent rust, peeling, flaking, fading or rotting, the permittee of any sign or advertising structure shall, as required, paint all parts and supports thereof unless the same are galvanized or otherwise treated.
2. Repairs. Broken panels, missing letters, defective illumination, torn fabric, flaking or peeling paint and other damage to a sign, advertising structure, marquee, awning, canopy or support structure shall be repaired.
3. Clean and Sanitary. All signs or advertising structures and the area surrounding same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all debris, rubbish and obnoxious substances, and any related grassed area or landscaping shall be kept trimmed and in a healthy condition.
4. Notification. Every sign or advertising structure hereafter erected shall have painted or permanently affixed in a conspicuous place thereon and continuously maintained, in legible letters, the date of erection, the name of the permittee, and the voltage of any electrical apparatus use in connection therewith.

(B) Obsolete or Abandoned Signs. Where the Sign Administrator or his designee finds any sign or advertising structure now or hereafter existing, which advertises a business, commodity, service, entertainment, activity, or event which has been discontinued, or is located on property which has been vacant and unoccupied he/she shall give written notice requiring removal to the permittee thereof, or if the permittee cannot be located, to the owner, agent or person having the beneficial use of the building, structure or premises upon which it is found. If, after notification, the proper person fails to remove the sign or structure within sixty (60) days after such notice the Sign Administrator or his designee is hereby authorized to cause the removal of such sign or advertising structure.

(C) Unsafe and Unlawful Signs. Where the Sign Administrator or his designee finds that any sign or advertising structure is unsafe or insecure, or is a menace to the public, or has been constructed or erected, or is being maintained in violation of the provisions of

~~this Chapter, he/she shall give written notice to the permittee thereof, or if the permittee cannot be located, to the owner, agent or person having the beneficial use of the building, structure or premises upon which it is found. If, after notification, the proper person fails to remove or alter the structure so as to comply with the standards herein set forth within twenty (20) days after such notice, the Sign Administrator is hereby authorized to cause the removal of such sign or advertising structure. The Sign Administrator may summarily and without notice cause the removal of any sign or advertising structure which is an immediate peril to persons or property. The permittee shall be liable for any and all such costs incurred by the City.~~

~~(D) Lien to Recover Costs. In the event of failure by any party to reimburse the City within sixty (60) days for costs incurred for repair or removal ordered by the Sign Administrator or his designee, the Corporation Council will be authorized to file a notice of lien in the office of the Cook County Recorder of Deeds to foreclose this lien, and to sue the owner of the real estate, or sign permittee, or their agents, in a civil action to recover the money due to the foregoing services, plus all expenses, including attorney's fees. Included in the expenses recoverable by the City, are the costs of filing the notice of lien, foreclosing said lien, and all litigation costs, together with all office and legal expense incurred in connection with the collection of the amount due hereunder.~~

~~4-10-13. STOREFRONT MAINTENANCE AND WINDOW COVERING DURING VACANCY OR RENOVATION.~~

~~The definitions noted below apply only to this Chapter and supersede any conflicting definitions found elsewhere in other chapters of the City Code.~~

GROUND FLOOR PREMISE.	Any space on the ground floor having frontage on a street, alley or outdoor pedestrian walkway.
STOREFRONT.	Any facade of a ground floor premises having one or more storefront windows.
STOREFRONT WINDOW.	Any window of any ground floor premises that permits an unobstructed public view into the interior of that ground floor premises from any immediately adjacent street, sidewalk, or right-of-way.
VACANT.	The state of not being occupied by a regularly operating business from a ground floor premise for a minimum of four (4) days per week on a monthly basis. An exception to allow for temporary business closure may be granted by the Director of Community Development upon written request provided that office equipment and furnishings will remain in the establishment and a date certain for reopening of the establishment is provided.
WINDOW SCREENING.	A display made of film, vinyl, polymath, canvas, or heavy duty paper that is placed in a window or window area of a vacant storefront.

~~(A) Temporary Treatment of Storefront Windows During Vacancy or Interior Renovation.~~

~~1. Vacant; Renovation. The storefront windows of any ground floor premise that is vacant or undergoing interior renovation shall be treated using one of the following methods within fifteen (15) business days after the date on which the space first becomes vacant, or for the total duration of the interior renovation.~~

~~a. Window screenings that fully cover not less than eighty (80) percent of each storefront window of the ground floor premises so as to obscure a direct public view of the vacant interior of that ground floor premises. Allowable materials for window screening must be of one (1) color and come in one of the following forms:~~

- ~~1. Plastic film;~~
- ~~2. Vinyl;~~
- ~~3. Canvas;~~
- ~~4. Other such approved materials.~~

~~b. Exhibits by a local not-for-profit arts or historical organization in the form of paintings, photos and sculptures may be displayed, painted or affixed on the glass in vacant storefront windows with permission of the property owner. A storefront window that displays an exhibit is permitted one (1) informational sign up to two (2) square feet in total sign area, identifying the name and contact information for each exhibit; and~~

~~c. A display of products, with a backdrop, which are sold by other businesses in a building, artwork, or an alternative window covering may be permitted if submitted to and approved by the City Manager or designee.~~

~~2. "Opening Soon" Announcement. No sooner than thirty (30) days prior (or an alternative timeframe may be permitted if submitted to and approved by the Community Development Director or designee) to the opening of a new business, a temporary sign announcing the name of the new business may be displayed in one (1) storefront window per facade. The sign shall not exceed ten (10) square feet in sign area and may identify the name of the business in a graphic or text format.~~

~~3. "Now Open" Announcement. For a period not to exceed thirty (30) days after the opening of a new business, a temporary sign announcing the business opening may be displayed in one (1) storefront window per facade. The sign shall not exceed ten (10) square feet in sign area and may identify the name of the business in a graphic or text format.~~

~~(B) Signage. A real estate sign that complies with the 2'x3' sign area and sign height requirements of Subsection 4-10-6(M) of this Code may be placed in a storefront window along with the window screening required pursuant to this Chapter.~~

~~(C) Minimum Appearance Requirements.~~

- ~~1. Visible adhesive or tape may not be used to affix any window display, decorative screening or signage to a storefront window;~~
- ~~2. Storefronts may not use paper, plywood or soap to obscure windows;~~
- ~~3. No plastic tarp of any kind may be used to block the windows; and~~

~~4. No window display or screening shall contain any matter, in writing or in a depiction, that, when considered as a whole, predominantly appeals to prurient interests.~~

~~(D) Minimum Maintenance Requirements.~~

- ~~1. All window screenings must be kept in good repair and shall not be torn, damaged or otherwise left in a state of disrepair;~~
- ~~2. Building exteriors must be maintained in accordance with the requirements of the city's property maintenance code; and~~
- ~~3. The door area and sidewalk immediately adjacent to the storefront of the premises shall be neat, clean, and free from dirt and debris.~~

~~(E) Responsibility for Compliance. Any person owning, leasing, maintaining, or in possession or control of any vacant, ground floor premises located within the City, or any owner of the lot upon which the vacant, ground floor premises is located, shall be responsible for adherence to the provisions of this Section.~~

~~(F) Penalty. Any person who violates any provision of this Chapter shall be fined an amount of one hundred fifty dollars (\$150.00) first offense; four hundred dollars (\$400.00) second; seven hundred fifty dollars (\$750.00) third offense. Each day on or during which any person violates the provisions of this Chapter shall constitute a separate and distinct offense.~~

~~4-10-14. NONCONFORMING SIGNS.~~

~~(A) Legal Nonconforming Signs. Any sign located within the City which does not conform with the provisions of this Chapter is eligible for characterization as a "legal nonconforming" sign and is permitted, providing it also meets the following requirements:~~

- ~~1. Proper Permits. The sign was erected or installed under authority of proper sign permits prior to the date of adoption of this Chapter, if one was required under applicable code or law; or~~
- ~~2. No Permit Required. If no sign permit was required under applicable code or law for the sign in question and the sign was in all respects in compliance with applicable code or law on the date of adoption of this Chapter.~~

~~(B) Unlawful Nonconformance. Any sign which does not conform with the provisions of this Chapter and is not eligible for characterization as a legal nonconforming sign is unlawful, and must be brought into compliance with this Chapter or shall be removed within thirty (30) days of the adoption of this Chapter, upon written notification of such unlawful nonconformance by the Sign Administrator.~~

~~(C) Loss of Status. A sign loses its legal nonconforming status if one or more of the following occurs:~~

- ~~1. Sign Altered. The sign is altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of~~

~~this Chapter than it was before alteration; provided, however, in the case of vehicular dealerships, the face of a freestanding sign may be modified without causing the sign to be nonconforming.~~

~~2. Message Changed. The sign message or graphic display is changed in any way, except for normal maintenance or repair that does not increase the nonconformity; provided, however, that in the case of vehicular dealerships, the change of a sign to reflect new ownership does not cause the sign to be nonconforming.~~

~~3. Sign Relocated. The sign is relocated either on the premises or to another location;~~

~~4. Sign Unsafe. The sign fails to conform to the sections of this Chapter regarding maintenance and operation, and public safety standards;~~

~~5. Sign Damaged. Damage occurs to a sign which requires repairs exceeding fifty percent (50%) of the replacement value of the sign;~~

~~6. Excessive Maintenance Costs. Maintenance is required which will exceed fifty percent (50%) of the replacement value of the sign; or~~

~~7. New Occupancy Permit. A change in use occurs which requires a new occupancy permit for the premises to which a legal nonconforming sign relates. On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this Chapter with a new permit secured, therefor, or shall be removed within thirty (30) days of that date.~~

~~(D) Continuing Obligation. Nothing in this Section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this Chapter regarding safety, maintenance, and repair of signs, provided however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure, sign face or message in such a way which makes the sign more nonconforming.~~

4-10-15. SIGN REVIEW AND APPEALS.

~~The Design and Project Review Committee, as set forth in Title 4, Chapter 14, "Design and Project Review (DAPR)," of the Evanston City Code, is vested with the following jurisdiction and authority:~~

~~(A) Sign Administrator Appeals. The Design and Project Review Committee shall hear all appeals from any order, requirement, decision, determination, or interpretation of the Sign Administrator acting within the authority vested from this Chapter and make written findings and decisions for the disposition of such appeals.~~

~~(B) Sign Variations. The Design and Project Review Committee shall hear all petitions for variations from the provisions of this Chapter, make written findings, and approve, modify, approve with conditions or deny such petitions for sign variations.~~

~~(C) Unified Business Center Signage. The Design and Project Review Committee shall hear all requests for the establishment or amendment of comprehensive sign plans for~~

~~unified business centers, make written findings, and approve, modify, approve with conditions or deny such requests.~~

~~4-10-16. APPEALS.~~

~~(A) Notification to Aggrieved Party. It shall be the responsibility of the Sign Administrator to provide written notification to the aggrieved party of an action denying a permit. Said notice shall include the following:~~

- ~~1. The date and specific reason for denial of the permit.~~
- ~~2. All forms and procedures required for filing an appeal.~~

~~(B) Petition for Appeal. An appeal may be taken to the Design and Project Review Committee by any person aggrieved by an order, requirement, decision, determination, or interpretation of the Sign Administrator acting with respect to the authority of this Chapter.~~

- ~~1. Application Deadline. An appeal shall be filed within forty-five (45) working days after notification of the alleged erroneous order, requirement, decision, determination, or interpretation.~~
- ~~2. Application Form. An appeal shall be filed in writing with the Sign Administrator on a form supplied by him/her. It shall be accompanied by such documents and information as the Board may by rule require.~~
- ~~3. Filing Fee. Each appeal to the Design and Project Review Committee shall be accompanied by a filing fee as established by ordinance. If the appeal is granted by the Design and Project Review Committee, the filing fee shall be refunded to the applicant.~~

~~(C) Transmittal of Record. The Sign Administrator shall, at the time of filing an appeal, forthwith transmit to the Design and Project Review Committee all of the documents constituting the record upon which the action appealed from was taken.~~

~~(D) Effect of Appeal. The appeal shall stay all proceedings in furtherance of the action appealed from, unless the Sign Administrator certifies to the Design and Project Review Committee after the appeal has been filed that, by reason of the facts stated in the application, a stay would in the Sign Administrator's opinion cause imminent peril to life or property. In such case, the proceeding shall not be stayed unless a restraining order is issued by a court of competent jurisdiction, and then only if due cause can be conclusively shown.~~

~~(E) Action of the Board. The Design and Project Review Committee shall hold a public hearing on an appeal within thirty (30) days of receipt of a completed written application.~~

- ~~1. Hearing Notice. Notice shall be given of the time, place, and purpose of the public hearing by posting on the premises which is the subject of the hearing a notification sign which meets the following standards:

 - ~~a. The sign shall be a minimum of twenty (20) inches by thirty (30) inches.~~~~

~~b. All capital lettering on the sign shall be a minimum of three (3) inches high and the colors utilized shall provide suitable contrast for readability from the adjacent public street.~~

~~c. The sign shall contain: the title "PUBLIC NOTICE" at the top; a statement of the purpose of the hearing; the date, time and place of the hearing; and reference that the hearing is before the Evanston Design and Project Review Committee.~~

~~d. The sign shall be placed near the front door of the premises, or as required, to be fully visible from the public street on which the premises is located. If the premises has frontage on more than one public street a separate sign shall be required for each frontage.~~

~~e. The sign shall be posted not less than seven (7) days before the hearing to which it refers. It shall be removed within five (5) days after the final decision of the Design and Project Review Committee on the petition.~~

~~2. Required Attendance. Both the aggrieved petitioner and the Sign Administrator or their authorized representatives shall attend the meetings of the Design and Project Review Committee at which the appeal is to be heard.~~

~~3. Decision. Within fifteen (15) working days of the close of the required public hearing of the appeal, the Design and Project Review Committee shall prepare and submit written findings, and by a majority vote, issue a decision to grant, deny, wholly or in part, or modify said appeal.~~

~~(F) Council Action. Following receipt of the findings and decision of the Design and Project Review Committee the Planning and Development Committee of the City Council may choose to review the decision of the Design and Project Review Committee and on the basis of the record may affirm, modify or reverse the decision of the Design and Project Review Committee. If no motion to review a Design and Project Review Committee decision is made and adopted at the Planning and Development Committee meeting following the receipt of the findings and decision of the Design and Project Review Committee, that decision of the Design and Project Review Committee shall be final.~~

~~(G) Maintenance of Records. The Sign Administrator shall maintain complete records of all findings and decisions of the Design and Project Review Committee and all determinations of the City Council relative to an appeal. All such records shall be open to the public for inspection.~~

4-10-17. VARIATIONS.

~~It is the intent of this Section to permit variations from the requirements of this Chapter if necessary to achieve uniformity among signs similarly located and classified.~~

~~(A) Petition for Variation. A petition for a variation from any provision(s) of this Chapter may be made by any person having a proprietary interest in the sign for which such variation is requested.~~

- ~~1. Petition Contents. A petition for variation shall be filed in writing with the Sign Administrator on a form supplied by him/her and shall be accompanied by such documents and information as are necessary to clearly exhibit the practical difficulty for which the variation is necessary, including:~~
- ~~a. The name, address, and telephone number of the petitioner, the owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the person responsible for erecting or affixing the sign.~~
 - ~~b. A description of the requested variation.~~
 - ~~c. Justification of the requested variation.~~
 - ~~d. The location of the premises on which the sign is to be erected or affixed.~~
 - ~~e. A site plan of the premises involved, showing accurate placement thereon of the proposed sign.~~
 - ~~f. A blueprint or ink drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment to the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color, and weight.~~
 - ~~g. The written consent of the owner of the premises on which the sign is to be erected or affixed.~~
 - ~~h. A fee, as determined by ordinance, to be paid at the time of filing of the petition for variation.~~

~~(B) Action of the Design and Project Review Committee. The Design and Project Review Committee shall hold a public hearing on the petition for variation within thirty (30) days of receipt of a completed written application.~~

- ~~1. Hearing Notice. Notice shall be given of the time, place and purpose of the public hearing by posting on the premises which is the subject of the hearing a notification sign which meets the following standards:~~
 - ~~a. The sign shall be a minimum of twenty (20) inches by thirty (30) inches.~~
 - ~~b. All capital lettering on the sign shall be a minimum of three (3) inches high and the colors utilized shall provide suitable contrast for readability from the adjacent public street.~~
 - ~~c. The sign shall contain: the title "PUBLIC NOTICE" at the top; a statement of the purpose of the hearing; the date, time and place of the hearing; and reference that the hearing is before the Evanston Design and Project Review Committee.~~
 - ~~d. The sign shall be placed near the front door of the premises, or as required, to be fully visible from the public street on which the premises is located. If the premises has frontage on more than one public street a separate sign shall be required for each frontage.~~
 - ~~e. It shall be the responsibility of the petitioner to remove the sign(s) within five (5) days after the final decision of the Design and Project Review Committee on the petition.~~
- ~~2. Required Attendance. Both the aggrieved petitioner and the Sign Administrator or their authorized representatives shall attend the meetings of the Design and Project Review Committee at which the variation is to be heard.~~

~~3. Decision. Within fifteen (15) working days of the close of the required public hearing on the variation, the Design and Project Review Committee shall prepare and submit written findings, and by a majority vote, issue a decision to grant, deny, wholly or in part, or modify said variation.~~

~~(C) Appeals from Decision of Design and Project Review Committee.~~

~~1. Decisions of the Design and Project Review Committee may be appealed to Planning and Development Committee by applicant.~~

~~2.~~

~~a. If the sign which is the subject of the variation is located in a residential Zoning District, a property owner whose property is within a two hundred fifty (250) foot radius from the property on which the sign is proposed to be located may appeal the Design and Project Review Committee's approval of the variation. Such an appeal may be filed only by a property owner who: 1) appeared in person or by an authorized representative at all public hearings at which the variation was considered and who presented his/her objections to the Design and Project Review Committee, or 2) who filed written objections with the Design and Project Review Committee to the variation.~~

~~b. The appeal must:~~

- ~~1) Be filed with the Sign Administrator, within ten (10) calendar days from the date of the Design and Project Review Committee's written decision;~~
- ~~2) Be in writing; and~~
- ~~3) Specify with particularity the ground(s) for objection. The applicant is permitted to file a written response to any ground(s) asserted in the appeal but not raised before the Design and Project Review Committee.~~

~~c. Within five (5) working days of receiving the appeal, the Sign Administrator shall send a copy of the appeal to the applicant by first-class mail, return receipt requested. Any response the applicant files must be received by the Sign Administrator within ten (10) working days of the date the appeal was mailed to the applicant. The Sign Administrator will send a copy of any response to the appellant property owner.~~

~~d. After receiving the appeal and any response thereto, the Sign Administrator shall set the appeal for the next available regular Planning and Development Committee meeting and notify the applicant and appellant property owner in writing of the meeting date.~~

~~3. The Planning and Development Committee shall decide whether or not to hear the appeal, and if granted, set a hearing date for said appeal. A decision to not hear the appeal shall be in writing and shall be issued no later than the Committee's next regular meeting.~~

~~4. The hearing shall be confined to a review of the Design and Project Review Committee's decision, and, if applicable, of the written objections submitted by the appellant property owner and response(s) thereto filed by the applicant. No verbal presentations shall be heard except upon invitation by the Committee and~~

~~any such presentation shall be confined to facts and matters contained in the written materials on file in the appeal.~~

~~(D) The Planning and Development Committee shall either approve, approve with conditions, deny the application, or refer the matter back to the Design and Project Review Committee for further proceedings. The Committee's decision shall be in writing and shall be issued no later than the next regular meeting after the decision is made.~~

~~(E) Standards. Variations may be approved to overcome an exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent the display of a sign as intended by this Chapter. No variation shall be granted unless the Design and Project Review Committee makes findings of fact with regards to each of the following standards:~~

- ~~1. Hardship. The proposed variation will alleviate some demonstrable and unusual hardship that arises due to factors including, but not limited to, location, site configuration, and/or building configuration.~~
- ~~2. Reasonable Return. The proposed variation will contribute to a reasonable return from the business advertised.~~
- ~~3. Not Harm Public Welfare. The proposed variation will not be materially detrimental to the public welfare.~~
- ~~4. Consistent with Intent. The proposed variation promotes the purpose of the Sign Regulations set forth in Section 4-10-2 of this Chapter.~~

~~(F) Conditions. Such conditions and restrictions may be imposed on the premises to be benefited by a sign variation as may be necessary to comply with the standards set forth herein, to reduce or minimize any injurious effect of such variation on other property in the neighborhood, and to implement the general intent, purpose, and objectives of this Chapter.~~

~~(G) Revocation. In any case where a variation has been granted, and where no work pertinent thereto has been initiated within one (1) year from the date of approval of the requested variation, then without further action by the Design and Project Review Committee, said variation shall become null and void.~~

~~(H) Maintenance of Records. The Sign Administrator or his designee shall maintain complete records of all findings of fact and decisions of the Design and Project Review Committee Land Use Commission relative to a sign variation. All such records shall be open to the public for inspection.~~

~~4-10-18. UNIFIED BUSINESS CENTER.~~

~~No permit shall be issued for a sign to be located in a unified business center until a comprehensive sign plan has been approved for the center and the sign complies with the provisions hereof.~~

~~(A) Comprehensive Sign Plan Approval. Approval of a comprehensive sign plan for a unified business center shall be at the discretion of the Design and Project Review Committee in accordance with the criteria noted herein.~~

~~(B) Site Plan Review. No permit shall be issued for a sign, and no final approval shall be granted for a comprehensive sign plan prior to review and approval by the Design and Project Review Committee of all comprehensive sign plans.~~

~~(C) Application Content. In addition to the requirements listed for permit applications in Subsection 4-10-11(C) of this Chapter, the application for a comprehensive sign plan for a unified business center shall include a format for all signs to be used in the center, including their maximum size, color, location, illumination details, lettering type, mounting details, and (if any) landscaping details.~~

~~(D) Criteria. The criteria used by the Design and Project Review Committee in its review of the proposed comprehensive sign plan for a unified business center shall include:~~

- ~~1. Scale and Proportion. Every sign shall have good scale and proportion in its design and in its visual relationship to the other signs, buildings and surroundings.~~
- ~~2. Integral Elements. The signs in the plan shall be designed as integral architectural elements of the building and site to which they principally relate and shall not appear as incongruous "add-ons" or intrusions.~~
- ~~3. Restraint and Harmony. The colors, materials and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.~~
- ~~4. Effective Composition. The number of graphic elements and letters shall be held to the minimum needed to convey each sign's message and shall be composed in proportion to the area of the sign's face.~~
- ~~5. Compatibility. Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.~~
- ~~6. Unified Image. The effect of the signs proposed in the plan shall be the establishment of a unified image for the center.~~

~~(E) Permitted Variations. In conjunction with the approval of the comprehensive sign plan for a unified business center, the Design and Project Review Committee may authorize limited variations to the regulations included in this Chapter. Such variations shall be permitted only when the applicant demonstrates that they are necessary to provide an improved comprehensive solution that is consistent with the purpose of this Chapter as found in Section 4-10-2 of this Chapter. The variations permitted are limited to the following:~~

- ~~1. Wall Signs. For wall signs the Design and Project Review Committee may vary the required twenty percent (20%) reduction on multiple signs and the requirement that signs be coterminous with the occupancy to which the signs refer.~~
- ~~2. Freestanding Signs. For freestanding signs the Design and Project Review Committee may vary the thirty (30) foot facade setback requirement, the height~~

~~limitations up to the maximum of fifteen and one half (15.5) feet or the height of the principal building to which the sign pertains (whichever is lower), and the area limitations up to the maximum of one hundred twenty (120) square feet per sign (as long as the total permitted sign surface area for either the occupant or the premises is not exceeded).~~

4-10-19. REVOCATION FOR CAUSE.

~~All rights and privileges acquired under the provisions of this Chapter, or any amendment thereto, are deemed mere licenses revocable at any time for cause by the Sign Administrator. The Sign Administrator is authorized and empowered to revoke any permit upon failure of the permittee to comply with any provision of this Chapter.~~

4-10-20. PENALTY.

~~Any person found to have violated the provisions of the sign regulations adopted by the city shall be punished as follows:~~

~~(A)~~

- ~~1. The fine for a first violation is seventy five dollars (\$75.00).~~
- ~~2. The fine for a second violation is two hundred dollars (\$200.00).~~
- ~~3. The fine for a third or subsequent violation is three hundred seventy-five dollars (\$375.00).~~

~~(B) Each day a provision of this Chapter is found to have been violated constitutes a separate violation.~~

~~(C) The penalties provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.~~

4-10-21. SEPARABILITY.

~~In accordance with the following, it is hereby declared that the several provisions of this Chapter are separable:~~

~~(A) Provision of Ordinance. If any court of competent jurisdiction determines any provision of this Chapter to be invalid, such determination shall not affect any other provision of this Chapter not specifically included in the court's judgment order.~~

~~(B) Any Particular Sign. If any court of competent jurisdiction determines any provision of this Chapter to be invalid as applied to any particular sign, such determination shall not affect the application of such provision to any other sign not specifically included in the court's judgment order.~~

SECTION 4: City Code 6-3-8-3, "Authorized Variations" of the Evanston

City Code of 2012, as amended, is hereby amended to read as follows:

6-3-8-3. AUTHORIZED VARIATIONS.

The following variations from this Ordinance are authorized:

(A) Minor Variations:

1. Minor Variations consisting of the following types shall be for all uses (residential and commercial) unless specified differently below:
 - (a) Accessory structure requirements.
 - (b) Yard obstruction requirements beyond those permitted in Section 6-4-1-9(B).
 - (c) Setbacks necessary for an upper floor to align with a legally nonconforming setback below (for single-family and two-family uses only).
2. Minor variations consisting of the following types shall be for single-family and two-family uses only and may be granted up to a maximum of thirty-five percent (35%):
 - (a) Front, side, and rear yards and setbacks.
 - (b) Height.
 - (c) Lot width.
 - (d) Building lot coverage.
 - (e) Impervious surface.
 - (f) Dormer size and location.
 - (g) Modification of a residence to meet the special needs of the disabled.
3. Minor variations for signs consisting of the following types shall be for nonresidential uses only, excluding vehicular dealerships, and may be granted by a maximum of up to thirty-five percent (35%):
 - (a) Wall sign height.
 - (b) Blade sign height and/or area.

(B) Fence Variations: Variations from the requirements for fences, set forth in Section 6-4-6-7, "Special Regulations Applicable To Fences," of this Title may be granted subject to the standards and conditions of Subsection 6-3-8-12(B) and Section 6-3-8-14 of this Chapter.

(C) Family Necessity Variations: The types of minor variations listed in Subsection (A) of this Section may be granted in excess of the maximum of twenty percent (20%) for single-family and two-family uses and residential care homes only, subject to the procedures and standards set forth in Section 6-3-8-7 and Subsection 6-3-8-12(D) of this Chapter respectively in order to:

1. Modify a residence to meet the special living needs of the disabled.
2. Modify a residence to provide space for an elderly parent to live with the family of his or her child.
3. Modify a residence to accommodate a growing family or to alleviate an inconvenience.

(D) Major Variations: "Major variations" shall be defined as all variations other than minor variations and fence variations, and shall be limited to the following:

1. Yards and setbacks.

2. Height.
3. Lot size, width and depth (including flag lots).
4. Lot coverage including impervious surface and/or floor area ratio.
5. Off-street parking and loading.
6. Home occupations.
7. Townhouse orientation.
8. Expansion, alteration, and/or enlargement of legal, nonconforming residential uses that contain no more than four (4) dwelling units and zero (0) lodging rooms/rooming units, and/or construction of accessory uses to such legal, nonconforming residential uses.
9. Signs (excluding Scoreboards and Billboards).

SECTION 5: City Code 6, Chapter 19, "Sign Regulations" of the Evanston

City Code of 2012, as amended, is hereby amended to add as follows:

CHAPTER 19, SIGN REGULATIONS

6-19-1. TITLE.

This Chapter shall hereafter be known and cited as the SIGN REGULATIONS of the City of Evanston.

6-19-2. PURPOSE.

It is hereby determined that the primary purpose of signage is to help people find what they need without difficulty or confusion. Thus, while not restricting the freedom of expression, regulations must be established for preventing an overload of graphic messages in the environment. The purpose of signs is subordinate to the structures and land use functions they reference. Signs are to be considered accessory components of an overall composition of architectural elements, not as freestanding or dominant architectural elements by themselves.

This Chapter establishes standards for the erection, display, safety and maintenance of signs which are intended to allow a person to observe or ignore graphic messages, according to that person's own purpose, as well as to encourage the general attractiveness of the community and to protect property values therein. These standards are intended to meet the following objectives:

(A) Healthy Economy. It is recognized that signs are an economical and effective means of communicating information and are thus an important asset to most businesses. The continued health of business and economic activities shall be encouraged by the use of signs which:

1. Clearly and efficiently identify the goods, services, facilities and locations available to the community; and
2. Express the identity of businesses or the proprietors associated with those

activities.

(B) Effective Communication. A reasonable, orderly and effective display of signs is to be promoted by authorizing the use of signs which are:

1. Legible in the circumstances in which they are viewed;
2. Harmonious with their surroundings and consistent with the character of their community context;
3. Protective of the value of architectural resources, ensuring the integrity of the architectural elements and character of the buildings and sites to which signs principally relate;
4. Respectful of the rights of nearby property owners; and
5. Appropriate to the function to which they pertain.

(C) Public Welfare. The public health, safety and welfare is to be preserved, protected and promoted through sign regulations which:

1. Recognize that signs are a necessary means of visual communication for the convenience of the general public taken as a whole, as opposed to the convenience of any individual person;
2. Minimize the blighting influences posed by visual clutter, decay, and neglect;
3. Eliminate confusion and distractions which jeopardize vehicular and pedestrian safety;
4. Prohibit the placement of signs which obstruct vision or access in a manner which creates dangerous conditions;
5. Protect the physical and mental well-being of the general public by encouraging a sense of aesthetic appreciation for the City's visual environment; and
6. Preserve the value of private property by assuring the compatibility of signs with surrounding land uses.

6-19-3. RULES AND DEFINITIONS.

The definitions noted below apply only to this Chapter and supersede any conflicting definitions found elsewhere in other chapters of the City Code.

(A) Rules of Interpretation. The language set forth in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

1. The singular number includes the plural and the plural the singular.
2. The present tense includes the past and future tenses, and the future the present.
3. The word "shall" is mandatory, while the word "may" is permissive.

(B) Regulations. To the extent that any definition below includes regulatory standards, such as height or area limitations, for example, such regulations shall apply in addition to all others contained in this Chapter.

(C) Definitions. The following words and terms, wherever they occur in this Chapter,

shall be defined as follows:

<u>ABANDONED SIGN.</u>	Any sign advertising a business, commodity, service, entertainment or activity which has been discontinued.
<u>ADVERTISING STRUCTURE.</u>	A structure, as defined by the Building Code, erected or used for the purpose of supporting or displaying a message or sign.
<u>ARCHITECTURAL ELEMENT.</u>	A prominent or significant part or feature of a building, structure, or site.
<u>ARCHITECTURAL INTEGRITY.</u>	The composite or aggregate of the characteristics of structure, form, materials, and function of a building, group of buildings, or other architectural composition.
<u>ATTENTION GATHERING DEVICE.</u>	A display that utilizes motion or flashing lights to attract attention of passers-by. Examples include strings of pennants, banners or streamers, advertising flags, clusters of flags, strings of twirlers or propellers, flares, balloons, strobe lights, and sequential flashing "runner" lights.
<u>AUXILIARY SIGN.</u>	A sign which provides secondary information such as accepted charge cards, hours of operation, or warnings, and which is not intended to identify the basic nature of a use, specific product or service information, or the identity of the proprietor.
<u>AWNING.</u>	Any structure entirely supported by the wall to which it is attached, which may project over public property, and which has a frame, being either retractable or in a fixed position, covered by nonrigid material, such as fabric or vinyl.
<u>AWNING SIGN.</u>	A sign that is mounted or painted on, or attached to an awning.
<u>BULLETIN BOARD.</u>	A sign that identifies an institution or organization on whose premises it is located and which contains the name of the institution or organization and/or message in movable letters of two inches (2") or less in height.
<u>CANOPY.</u>	Any permanent exterior roof structure which extends over, or is suspended above, any public thoroughfare, and which is attached to a building at the inner end and supported on the outer end in conformance with the Building Code of the City of Evanston.
<u>CANOPY SIGN.</u>	A sign that is mounted or painted on, or attached to a canopy.
<u>CITY.</u>	The City of Evanston, Illinois.
<u>CITY COUNCIL.</u>	The City Council of the City of Evanston, Illinois.
<u>COMMERCIAL MESSAGE.</u>	A message placed or caused to be placed before the public by a person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities which are the subject of the message that:
	1. Refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities; or
	2. Attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.

<u>COMMERCIAL VARIABLE MESSAGE (CVMS).</u>	A sign which may be manual, electronic or sign electrically controlled, capable of showing a series of different messages in a predetermined sequence.
<u>COMPATIBLE.</u>	The characteristic of appearance of two (2) or more buildings, structures, or architectural elements in the same vicinity which produces an aesthetically pleasing whole.
<u>COMPREHENSIVE SIGN PLAN.</u>	A set of criteria and a format approved by the Land Use Commission for all signs to be located on the premises of a Unified Business Center.
<u>CONSTRUCTION SIGN.</u>	A sign identifying persons involved in design, planning, construction, wrecking, financing, or development taking place on the premises where the sign is posted.
<u>DIRECTORY SIGN.</u>	A sign which indicates the name and/or address of the occupants of a premises accommodating multiple occupants.
<u>ELIGIBLE FACADE AREA.</u>	That portion of a facade which is below the maximum sign height.
<u>ERECT.</u>	To build, construct, attach, hand, re-hang, suspend, place, affix, enlarge, substantially alter, post, display, or relocate and includes the painting of lettering or graphics for signs. Normal maintenance is not included within this definition.
<u>EXTERIOR.</u>	The outer part or surface of a building; such as a wall or window, which is exposed to outside environmental elements.
<u>EXTERNAL ILLUMINATION.</u>	Illumination of a sign which is produced by an artificial source of light which is not contained within the sign itself.
<u>FACADE.</u>	Any side, surface or wall below the roof of a building which is parallel or within forty five degrees (45°) of parallel with a parcel's frontage on a public thoroughfare, and which faces toward and relates to that public thoroughfare. If a building has a complex shape, then all walls or surfaces facing in the same direction, or nearly the same direction, are part of a single facade.
<u>FESTOON LIGHTING.</u>	A string of two (2) or more unshielded incandescent light bulbs suspended over a premises, (as opposed to being located on a building or structure). Holiday and ornamental lighting strung temporarily through trees shall not be construed to be festoon lighting.
<u>FLASHING SIGN.</u>	A directly or indirectly illuminated sign where the source of illumination is not maintained constant or stationary in intensity or color at all times when such sign is in use.
<u>FREESTANDING SIGN.</u>	Any sign which is erected such that it is detached from a building or structure.
<u>FRONTAGE.</u>	A lot line which is coterminous with the right of way of a single public thoroughfare.
<u>IDENTIFICATION SIGN.</u>	A sign which presents the name and/or address of a building, business, development or establishment, and may incorporate a

	<u>logo, graphic, or image.</u>
<u>INFORMATION CYCLE.</u>	<u>The length of time used to display one continuous message from start to finish on a commercial variable message sign.</u>
<u>INSTITUTION:</u>	<u>An established organization or corporation of a public or eleemosynary character.</u>
<u>INTERCHANGE-ABLE COPY BOARD.</u>	<u>A sign whereon provision is made for letters or characters to be placed in or upon the surface area manually to provide a message or picture.</u>
<u>INTERNAL ILLUMINATION.</u>	<u>Illumination of a sign which is produced by an artificial source of light concealed or contained within the sign itself, and which becomes visible in darkness through the translucent portion of the sign face.</u>
<u>ITEM OF INFORMATION.</u>	<u>Any of the following: a word, an abbreviation, a number, a symbol, or a geometric shape contained in a sign. In addition, a sign which combines several different geometric shapes, or shapes of unusual configuration are to be assessed one additional item of information for each noncontinuous plane or surface.</u>
<u>LOT AREA.</u>	<u>The gross surface area of land contained within or below a premises. It may be a single parcel or it may include parts of or a combination of such parcels when adjacent to one another and used as one.</u>
<u>MAINTENANCE.</u>	<u>Provision of a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts required to preserve the sign, advertising structure, marquee, canopy or awning in its originally permitted and installed condition.</u>
<u>MARQUEE.</u>	<u>Any hood or canopy of permanent construction supported entirely by the building, and projecting from the building's wall over a sidewalk or pedestrian thoroughfare, constructed for the purpose of permanently supporting an interchangeable copy board.</u>
<u>MARQUEE SIGN:</u>	<u>A sign permanently attached to and supported by a marquee, having all or a portion of its sign surface area comprising an interchangeable copy board.</u>
<u>NAMEPLATE.</u>	<u>A plate or plaque bearing a name, applied directly to or incorporated into a facade.</u>
<u>NEON SIGN.</u>	<u>A permanent sign fabricated entirely from glass tubing, illuminated with electrically-charged neon gas.</u>
<u>NONCOMMERCIAL MESSAGE.</u>	<u>Any message that is not a commercial message.</u>
<u>OCCUPANCY.</u>	<u>That portion of a building or premises of which is leased, owned, or otherwise controlled solely by an occupant, and of which that occupant has a tangible presence in the form of business, institution, residence or similar inhabitation.</u>
<u>OCCUPANT.</u>	<u>Any one of the following:</u>

	1. A household inhabiting a dwelling unit, or
	2. An institutional, business, commercial or industrial endeavor that inhabits a distinguishable portion of a building or premises such that:
	(a) The activity is a logical and separate entity from the other activities within the building and not a department of the whole; and
	(b) The activity has either a separate entrance from the exterior of the building, or a separate entrance from a common and clearly defined entryway that has direct access from the exterior of the building.
<u>OFFICIALLY REGISTERED NAME.</u>	That name registered on legal papers of incorporation, partnership, or similar definition of proprietorship.
<u>PERMANENT SIGN.</u>	A sign that is solidly mounted or permanently affixed in accordance with the mounting requirements of this Chapter, Chapter 4-2 of this Title, or other chapters of the City Code.
<u>PERMITTEE.</u>	That person designated on the application for a sign permit as being responsible for assuring sign maintenance and operation in conformance with the ordinance and the permit.
<u>PERSON.</u>	Any natural person, firm, partnership, association, corporation, company, institution, or organization of any kind.
<u>PLACES OF ENTERTAINMENT.</u>	A business establishment, club, or institution which maintains a regular schedule of performing arts events. Restaurants without such live entertainment schedules are not included within this definition.
<u>PORTABLE SIGN.</u>	Any sign not permanently affixed to the ground, a building, or other structure, which may be moved, or is intended to be moved, from place to place.
<u>PREMISES.</u>	A parcel, or contiguous parcels, of land including related building or buildings, distinguishable from surrounding parcels and buildings by use. A building and grounds that contains many separate occupancies is still classified as a single premises. Several buildings and associated parcels of land may in fact be a single premises if their use is unified.
<u>PROPRIETARY INTEREST.</u>	Having partial or exclusive title to, control over management authority over, present use, or legal right to, something.
<u>PROPRIETOR.</u>	An individual who owns or operates a business which is wholly separate and distinguishable from other business entities on the premises, and not merely a part of a larger business entity.
<u>READ.</u>	The capacity to perceive of the sign's message through visual observation by a normal-sighted person.
<u>REAL ESTATE SIGN.</u>	A sign pertaining to the sale or lease of the premises or portion of the premises on which the sign is located, or to the sale or lease of one or more structures or a portion thereof located thereon.

<u>SIGN.</u>	<u>A name, identification, description, display, message or illustration which is affixed to, or represented directly or indirectly upon, a building, structure, or piece of land so as to be principally seen from out-of-doors and which directs attention to an object, product, place, activity, concept, thought, person, institution, organization, or business.</u>
<u>SIGN FACE.</u>	<u>The exterior sign surface area of a single sign which may be read from any one ground position.</u>
<u>SIGN SURFACE AREA.</u>	<u>The total exposed surface within a continuous perimeter composed of a single rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures, together with any material, or color used as an integral part of the display or to differentiate the sign from the background on which it is placed.</u>
<u>TEMPORARY SIGN.</u>	<u>Any sign intended for a limited or intermittent period of display.</u>
<u>TIME AND TEMPERATURE DEVICE.</u>	<u>Any mechanism that displays the time and/or temperature, but does not display any advertising or establishment identification.</u>
<u>UNIFIED BUSINESS CENTER.</u>	<u>A premises containing four (4) or more individual nonresidential occupancies sharing a common building.</u>
<u>WALL SIGN.</u>	<u>Any sign erected upon or incorporated in the facade of any building with the plane of the sign face parallel to the plane of the facade.</u>
<u>WINDOW AREA.</u>	<u>Any transparent area on a facade through which the interior of a premises may be viewed from outside.</u>
<u>WINDOW SIGN.</u>	<u>Any sign, either permanent or temporary, which is affixed or placed so that its message or image is read as part of the total composition of a window area.</u>

6-19-4. CONSTRUCTION/ALTERATION PERMIT REQUIRED.

No "sign," as defined herein, shall be constructed, erected, originally painted, converted, altered, rebuilt, enlarged, remodeled, relocated or expanded until a permit for such sign has been obtained in accordance with the standards and procedures set out in this Chapter.

(A) No Permit For Maintenance. No permit shall be required for maintenance of a "sign" as defined herein, nor for certain signs identified as exempt under Section 4-10-6 of this Chapter.

(B) No Assignment Or Transfer. No permit issued hereunder may be assigned or transferred to any other person.

6-19-5. EXEMPT SIGNS.

The following signs shall be exempt from the requirement to obtain a permit and from the limitation on items of information, but shall be subject to the other provisions of this Chapter, and (with the exception of "addresses") shall be included for purposes of determining the allowable total number and size of signs on a premises:

(A) Addresses. Address numerals and other sign information required to identify a location by law or governmental order, rule, or regulation. Such address information cannot exceed two (2) square feet per officially assigned address, or the size required by the law, order, rule or regulation, whichever is greater.

(B) Auxiliary Signs. Auxiliary signs placed in store windows regarding hours of operation, accepted charge cards, warnings or similar information.

(C) Bulletin Boards. Bulletin boards, not exceeding twelve (12) square feet for public, eleemosynary or religious institutions where the bulletin board is located on the premises of said institutions.

(D) Business Nameplates. Nonilluminated nameplates denoting the business name of an occupation legally conducted on the premises, provided that only one nameplate per proprietor may be erected and that such nameplate not exceed one square foot.

(E) Institutional Identify Signs. For an institution such as a college or university campus, an identity sign designating only the name and address of the institution or campus, not exceeding thirty (30) square feet. Such signs shall be located not less than ten feet (10') from a street lot line.

(F) Construction Signs. One construction sign per frontage, identifying individuals or companies involved in the design, construction, demolition, financing or project development when placed on the premises where work is under construction. Such signs shall not be erected prior to the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within ten (10) days of completion of work or the expiration of the permit. Construction signs for single-family residences shall not exceed sixteen (16) square feet. Construction signs for commercial, industrial, multi-family, or planned development uses on parcels of less than one hundred thousand (100,000) square feet shall not exceed forty eight (48) square feet; construction signs shall not exceed ninety six (96) square feet on parcels greater than one hundred thousand (100,000) square feet.

(G) Flags And Standards. Flags, standards, emblems and insignia of governmental, political, civic, philanthropic, religious or educational organizations, having a size less than fifty (50) square feet, and displayed for noncommercial purposes.

(H) Garage Sale Signs. No more than two (2) temporary signs per sale which advertise garage sales, yard sales, or similar merchandise sales, provided that such signs do not exceed four (4) square feet, are located with no more than one sign per street frontage

either on the premises containing the sale or on other private property with permission of that property owner, and are only in place when the sale is actually taking place.

(I) Government signs. Signs of a duly constituted governmental body, including traffic signs or other similar regulatory devices, directional signs, Evanston Historic District signs, legal notices, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health, hazards, parking, swimming, dumping, and such emergency or nonadvertising signs as may be approved by the traffic engineer for safety purposes or by the City Council.

(J) Historic markers. Commemorative plaques, memorial tablets, or emblems of official historical bodies, provided that no such marker shall exceed four (4) square feet and provided further that all such markers shall be placed flat against a building, monument stone, or other permanent surface.

(K) Holiday decorations. Temporary displays of a primarily decorative nature, clearly incidental and customary with traditionally accepted civic, patriotic or religious holidays.

(L) Interior signs. Signs which are located on the interior of a premises and which are exclusively oriented to persons within that premises.

(M) Management signs. Signs not exceeding two feet (2') wide by three feet (3') high that indicate the real estate management agent for a premises and the agent's contact information. Management signs may display the words "For Rent" in letters no more than three inches (3") in height.

(N) Menu board signs. One (1) menu board sign for a drive-in or drive-through facility, provided that the sign does not exceed twenty-five (25) square feet or eight (8) feet in height.

(O) Model home signs. Signs not exceeding four (4) square feet identifying a nonoccupied dwelling unit used as a demonstrator for selling or renting other dwelling units in the same complex. Such signs shall be permitted only when more than one (1) dwelling unit is available on the premises.

(P) Monument signs. Plaques, tablets, cornerstones, or lettering inlaid into the architectural materials of a building or structure denoting the name of that structure and its date of erection.

(Q) Noncommercial signs. Noncommercial signs, not exceeding six (6) square feet per occupancy.

(R) "Open" signs. Signs, not exceeding four (4) square feet, which advertise a premises open for inspection, with no more than one (1) sign per street frontage on the subject property, and an overall maximum of two (2) signs per property. Such signs may not be

located in the public right-of-way, nor be directly illuminated. They may only be in place when the related premises is actually open for inspection.

(S) Political or campaign signs. Signs promoting candidates for public office or issues on election ballots, not exceeding six (6) square feet per occupancy, posted on private property.

(T) Real estate sign. One (1) real estate sign per street frontage of a premises, advertising the availability of a sale or lease of that premises. Such signs may not be located in the public right-of-way, nor be directly illuminated. They shall not exceed six (6) square feet for residential districts, twenty-four (24) square feet for commercial districts, or forty-eight (48) square feet for industrial districts. Display of real estate signs shall be limited to one hundred eighty (180) days. For nonexempt real estate signs see Subsection 6-19-9(L), "Temporary Real Estate Signs," of this chapter.

(U) Residential and institutional nameplates. One (1) nonilluminated name-plate, not exceeding twelve (12) square feet, for a multiple-family dwelling, college, university or theological school building, fraternity or sorority. Such signs shall include only the name and/or address of the building and be located not less than ten (10) feet from a street lot line.

(V) Service station price signs. Price signs not exceeding the minimum requirements established by state statute for service stations.

(W) Site information signs. Signs of no more than four (4) square feet which, without including an advertising reference of any kind, provide direction or instruction to guide persons to facilities intended to serve the public, including, but not specifically limited to, those signs identifying restrooms, public telephones, walkways, traffic flow, parking restrictions, and features of a similar nature.

(X) Special displays. Special displays used for public demonstrations, the promotion of civic welfare, or charitable purposes, provided they are approved by the City Council after submission of a written application, they contain no noncharitable advertising, and they are removed by the deadline established by the Council in its approval.

(Y) Temporary window signs. Signs temporarily affixed to the inside of a window, advertising commercial situations relating to goods or services sold on premises, provided that the total of all signs in the window area, including temporary and permanently mounted signs does not exceed twenty five percent (25%) of the window area; and further provided that each temporary window sign has the initial date of display permanently and visibly affixed on its face, and that no temporary window sign is displayed for longer than thirty (30) days. For any occupancy using no other signs than a permanent window sign the amount of permanent and temporary window sign area may be increased to thirty five percent (35%) of the window area.

(Z) Vending machine signs. Permanent, nonflashing signs on vending machines.

gasoline pumps, ice or milk containers, or other similar machines, not exceeding four (4) square feet for each exposed face, nor exceeding an aggregate sign surface area of eight (8) square feet.

6-19-6. PROHIBITED SIGNS.

All signs not specifically permitted in this Chapter are prohibited in any location in the City.

6-19-7. GENERAL STANDARDS.

(A) Applicable Regulations. In addition to the provisions of this Chapter, all signs must conform to the regulations and design standards of all other applicable chapters of the City Code.

(B) Obscene Messages. No sign shall be permitted to contain statements, words or pictures of an obscene and/or pornographic character.

(C) Wind Pressure and Dead Load Requirements. Every sign or advertising structure shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and shall be constructed to receive dead loads as required by Chapter 2 of this Title and other applicable chapters of the City Code.

(D) Obstruction to Doors, Windows, or Fire Escapes. No sign or advertising structure shall be erected, relocated or maintained so as to prevent free ingress to, or egress from any door, window or fire escape. No sign or advertising structure shall be attached to a standpipe or fire escape. No sign shall interfere with any opening required for ventilation.

(E) Signs Not to Constitute Traffic Hazards. In order to ensure reasonable traffic safety, it shall be unlawful to erect or maintain any fluttering, undulating, swinging, rotating, blinking, or flashing sign or attention gathering device. No sign or advertising structure nor its associated landscaping shall be erected, installed or maintained in such a manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle by reason of position, shape, color or lighting thereof.

Pursuant to the foregoing, no sign or advertising structure shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or imitate, resemble, or be confused with any authorized traffic sign, signal or device. Accordingly, no sign or advertising structure shall make use of the words "stop," "go," "slow," "look," "caution," "warning," "danger," or any similar word, phrase, symbol, or character, or employ any red, yellow, orange, green or other colored lamp or light, in such a manner as to interfere with, mislead or confuse traffic.

(F) Advertising Vehicles. No person shall for the flagrant purpose of providing

advertisement of products or directing people to a business or activity, park on the public right of way, public property, or private property so as to be prominently visible from a public right of way any vehicle or trailer which has attached thereto or located thereon any sign or advertising device. The foregoing shall not apply to mobile food vehicle vendors licensed pursuant to title 8 of this Code.

(G) Electrical Clearance. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Evanston Electrical Code, depending on the voltages concerned. However, in no case shall a sign be installed closer than twenty four inches (24") horizontally or vertically from any conductor or public utility guy wire.

(H) Face of Sign to be Smooth. No signs or advertising structures which are constructed on public thoroughfares, or within five feet (5') thereof, shall have nails, tacks or wires or other hazardous projections protruding therefrom, except electrical reflectors and devices which may extend over the top and in front of such advertising structures.

(I) Glass; Limitation. Any glass forming a part of any sign shall be safety glass. In case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.

(J) Reflectors, Spotlights and Floodlights; Limitations and Prohibition. Gooseneck and similar reflectors and lights shall be permitted on free-standing and wall signs; provided, however, the reflectors and lights shall concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. It shall be unlawful to maintain any sign which extends over public property, and which is wholly or partially illuminated by floodlights or spotlights, unless such lights are completely concealed from view from the public thoroughfare.

(K) No Tree Mounting. No signs shall be nailed, tacked or otherwise affixed to trees or other vegetation in such a way as to puncture bark.

(L) No Handbills. No handbills, posters, notices, or similar attention gathering devices shall be posted or affixed on traffic control boxes, signs, lamp poles, utility poles, traffic control supports, viaducts, or other locations as further regulated under Title 3 of this Municipal Code.

(M) Illuminated Signs. All illuminated signs shall be subject to the following requirements:

1. Electrical Permit. In addition to complying with the provisions of this Chapter, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the City Electrical Code, Title 4, Chapter 6 of the City Code. No permit for the erection of a sign shall be granted prior to approval and issuance of a valid electrical permit for that sign.
2. Voltage Displayed. The voltage of any electrical apparatus used in connection with a sign shall be conspicuously noted on that apparatus.

3. External Illumination. A building or structure, along with signs, awnings, and canopies attached to the building or structure, may be illuminated externally, but all lighting used for this purpose must be designated, located, shielded, and maintained in such a manner that the light source is fixed and not directly visible from any adjacent public rights of way or surrounding premises.

4. Internal Illumination. Internal illuminated signs shall permit light to shine fully through only the lettering and graphic elements of the sign. The background for such lettering and graphics shall be opaque or translucent. If translucent, it shall transmit light at a level substantially less than that transmitted through the lettering and graphics. If the contrast between the lettering or graphic elements and background does not permit adequate legibility (according to the judgment of the sign owner) a translucent white border of up to one inch (1") in width may be placed around said lettering or graphic elements.

5. Brightness Limitation. In no instance shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination, exceed:

- a. Seventy five (75) foot-candles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign; or
- b. When the sign is located in a residential zoning district, fifty (50) foot-candles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign; or
- c. One foot-candle on adjoining residential property, measured three feet (3') above the surface of the ground.

6. Glare. All artificial illumination shall be so designed, located, shielded, and directed so as to prevent the casting of glare or direct light upon adjacent public rights of way or surrounding property.

7. Flashing Signs. Except for commercial variable message signs (CVMS), illuminated signs shall not have any flashing, scintillating, traveling, or blinking lights or rotating beacons, nor shall any beam of light be projected through a mechanism which periodically changes the color of the light reaching the sign.

(N) Movable Sign Parts. No sign or its parts shall be permitted to be movable or rotating, nor shall any sign have illuminated effects which convey the illusion of movement.

1. No Changeable Copy. With the exception of marquee signs, gasoline price signs, CVMS signs, and exempt signs, no sign may contain movable letters or other changeable copy.

2. Items Secured. All manually movable items on a sign, such as covers to service openings, shall be secured by chains or hinges.

6-19-8. AREA AND MEASUREMENT STANDARDS.

(A) Signs in Residential Districts. Except in conjunction with legal nonconforming commercial and industrial uses, no signs other than those exempted under Section 4-10-6 of this Chapter shall be permitted on property in a residential zoning district.

(B) Commercial Message Location. A sign which displays a commercial message is

permitted only on the premises where the business, profession, accommodation, commodity, service, entertainment, or other commercial activity represented on the sign is located.

Any sign that may display a commercial message may also display any noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with the other requirements of this chapter.

(C) Interchangeable Noncommercial Messages. Any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with the other requirements of this chapter.

(D) Sign Area Limitation. The combined total sign surface area of signs on a premises shall not exceed the greater of:

1. Area Of Facade. An area equivalent to fifteen percent (15%) of the total eligible facade area of buildings which constitute the premises; or
2. Area Of Premises. An area equivalent to one-half of one percent (0.5%) of the lot area of the premises.

At no time shall the combined total sign surface area of all signs pertaining to any occupant, other than exempt signs or temporary window signs, exceed five hundred (500) square feet.

The maximum aggregate sign surface area may be divided between as many sign types as desired by an occupant, subject to number, location and area restrictions for each sign type delineated herein.

On a premises with multiple occupants, the maximum permitted sign surface area for each occupant shall be a proportional share of the total permitted sign surface area for the premises. Each occupant's total permitted sign area shall be calculated as the ratio of floor area (or lot area where no principal buildings are present) occupied by that occupant to the total floor area (or lot area where no principal building is present) of the premises.

(E) Sign Face Calculation. The sign surface area of a sign shall be calculated only on the basis of the sign face(s) that can be seen at one time. On a multiple sided sign with opposite faces that cannot be read simultaneously, only one of the faces shall be calculated for purposes of determining sign surface area.

(F) Structure and Base Excluded. Structural supports and bases, bearing no message, copy or graphics, and of a neutral or subdued color(s), shall not be included in calculating the sign surface area.

(G) Items of Information. Subject to the requirements of all other provisions of this chapter, each sign face shall contain no more than seven (7) items of information. However, if the officially registered name of the occupant of the premises to which the

sign refers contains more than seven (7) items of information, the name may be displayed on each sign face, provided no other information is displayed on such sign.

In calculating items of information, characters two inches (2") or less in height shall be excluded. They are considered to be principally directed toward pedestrian observation.

(H) Maximum Sign Height. With the exception of tall building identification signs, all signs shall be subject to the maximum height limitation of fifteen and one-half (15.5) feet. The height of a sign shall be measured from the adjoining ground level or the elevation of the street upon which the sign faces, whichever is lower, to the tallest portion of the sign.

6-19-9. PERMITTED SIGN TYPES.

(A) Wall Signs.

1. Number. If an occupant displays more than one wall sign on a facade, that occupant's total permitted sign surface area for wall signs on that facade is reduced by an increment of twenty percent (20%) for each additional wall sign.
2. Area. The total permitted sign surface area of all wall signs on a facade shall not exceed ten percent (10%) of the eligible facade area. No individual wall sign shall exceed one hundred twenty five (125) square feet in area.
3. Area Bonus. An occupant's permitted sign surface area for wall signs on a facade may be increased by twenty percent (20%), though not exceeding the two hundred (200) square foot individual sign area maximum, when the following standards are met:
 - a. The occupant is displaying no more than one wall sign on the facade;
 - and
 - b. The sign consists only of individual alphabetic, numeric, and/or symbolic characters without background except that provided by the building surface to which the signs are to be affixed; and
 - c. If illuminated, such illumination is achieved through internal illumination, shielded silhouette lighting, or shielded spot lighting.

This does not include any lighting where the light source is visible or exposed.
4. Location. Wall signs may only be located on a portion of an exterior wall that is coterminous with the occupancy to which the signs refer. No wall sign shall extend above or beyond the wall to which it is attached. Except as permitted below, no wall sign shall extend above the maximum sign height of fifteen and one-half (15.5) feet.
5. Projection From Wall. No wall sign, including any illuminating device or other structural part, shall project more than twelve (12) inches beyond the plane of the wall to which it is attached.
6. Tall-Building Identification Sign. On buildings of six (6) stories or greater, where the occupant between the second story and the top story is the same, one tall-building identification sign per facade may be placed between the floor of the top story and the top of the wall of the building. This identification wall sign shall

not exceed one hundred (100) square feet in sign surface area.

7. Installation Considerations. To preserve the architectural integrity of any building, no wall sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestrations, or ornamental detailing.

All mounting brackets and other hardware used to affix a sign to a wall, and all electrical service hardware and equipment shall be concealed by architectural elements of the building or the sign itself.

(B) Freestanding Signs.

1. Number. There shall be no more than one freestanding sign for each frontage of a premises.

On premises having a principal building, no freestanding sign shall be permitted on a frontage unless every facade related to the frontage is set back at least thirty (30) feet from the street right of way. On premises having no principal building, there shall be no more than one freestanding sign for each frontage of the premises.

2. Area. Except as conditioned below, the total sign surface area of a freestanding sign shall not exceed one quarter percent (0.25%) of the lot area of the premises, nor a maximum of one hundred twenty (120) square feet of sign surface area.

a. The maximum sign surface area of a freestanding sign on a frontage may not exceed twelve (12) square feet unless that frontage is one hundred (100) or more feet in length.

b. A fifteen percent (15%) bonus in sign surface area shall be permitted for any freestanding sign which is the only freestanding sign on a premises on which more than one such sign would otherwise be permitted.

3. Location. No freestanding sign shall extend beyond the perimeter lot line of a premises or within twenty (20) feet of any circulation lane which provides access to a public right of way.

4. Height. A freestanding sign within three (3) feet of any perimeter lot line of a premises may not exceed three (3) feet in height. The height of any freestanding sign three (3) or more feet from any lot line may not exceed the distance between the sign and any lot line, nor shall the top of the freestanding sign exceed the maximum elevation of a principal building on the premises to which it pertains. No freestanding sign shall exceed the maximum sign height of fifteen and one-half (15.5) feet.

5. Permanent Mounting: All freestanding signs shall be permanently mounted in the ground. No portable signs are permitted.

(C) Permanent Window Signs.

1. Area. The sign surface area of permanent window signs in any window shall not exceed twenty percent (20%) of that window area.

2. Location. Permanent window signs must be confined within the transparent glazed area of the window and shall not encroach upon the frame, mullions or

other supporting features of the glass.

3. Installation Considerations. All permanent window signs which have their lettering or graphic elements directly on the glazing shall be painted, metal leafed, vinyl transferred, or in some other manner permanently applied to either side of the glass of an exterior building or window or door. No application using a temporary adhesive shall be permitted unless the Zoning Administrator determines the application to be safe and will be permanent.

(D) Commercial Variable Message (CVMS) Signs.

1. Time and Temperature Only. CVMS displaying messages other than time and temperature information shall be prohibited.

2. Length of Cycle. The total length of the information cycle of a CVMS shall not be shorter than three (3) seconds nor longer than seven (7) seconds. Items of information may not be repeated at intervals that are short enough to cause the CVMS to have the effect of a flashing sign.

3. Brightness Adjustment. CVMS shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

4. Included Area. The illuminated or message displaying areas of the CVMS shall be included within the maximum aggregate sign surface area for the premises.

5. Maintenance. CVMS must be maintained so as to be able to display messages in a complete and legible manner.

(E) Marquee Signs.

1. Number. There shall not be more than one marquee sign on any facade. Advertising and identification messages on any of the vertical or nearly vertical faces of a marquee are calculated as a single marquee sign.

2. Area. The total sign surface area of a marquee sign shall not exceed five hundred (500) square feet.

3. Location. A sign may be affixed to or located upon any vertical or nearly vertical face of a marquee, so that no portion of the sign falls above or below the face of the marquee.

In no instance shall a marquee sign be lower than ten (10) feet above the sidewalk or public thoroughfare.

In no instance shall a marquee sign be located so that it extends beyond the curb line of the street.

4. Use Of Marquee. Marquee signs are only permitted for use on theaters, places of entertainment, and hotels.

(F) Canopy and Awning Signs.

1. Commercial Message. Use of canopy or awning area for display of commercial messages shall be limited to the name, logo and address of the business or businesses within the building upon which the awning is attached. Canopy or awning signs shall be flush to the face of the canopy or awning.

2. Area. The sign surface area of a canopy or awning sign shall not exceed

fifteen percent (15%) of the area of the vertical section of the canopies and awnings. The vertical section of the canopies and awnings is calculated as the height of the canopy or awning (difference between the highest and lowest point on the canopy or awning) multiplied by the length of the canopy or awning measured parallel to the facade upon which it is attached.

Signs on any surface of a canopy or awning other than the surface running parallel with the building face shall be limited to letters or graphics not exceeding four (4) inches in height.

3. Location. Canopies and awnings shall be constructed and erected so that the lowest portion of the projecting frame thereof shall be not less than seven (7) feet six (six) inches, and the lowest portion of the descending skirt shall be not less than six (6) feet eight (8) inches above the level of the sidewalk or public thoroughfare.

No portion of the canopy or awning sign shall be extended above or beyond the canopy or awning upon which it is attached; however, signs may be hung beneath canopies parallel to the building frontage so long as they do not descend below the minimum six (6) foot eight (8) inches minimum clearance.

Awnings shall project a minimum of thirty-six (36) inches out from the building upon which they are attached, and a maximum of twenty-four (24) inches from the vertical surface of the street curb line.

4. Installation Considerations. To preserve the architectural integrity of a building, no canopy or awning, and no canopy or awning sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestrations or ornamental detailing.

5. Illumination of Awnings And Canopies. Awnings and canopies may be illuminated where the following conditions are maintained:

a. Both interior type strip lighting and exterior type gooseneck lighting is permitted, not exceeding a maximum light level of eighteen (18) foot-candles measured three (3) feet from and perpendicular to the light source.

b. Awnings shall be allowed to be lighted whether or not signs are to be displayed on the awning.

c. Internally illuminated awnings and canopies shall permit light to shine fully through only the lettering and graphic elements. The bottom of any internally illuminated awning or canopy shall be enclosed.

d. Illumination of canopies, awnings, canopy signs and awning signs is further regulated in Section 6-19-7 of this Chapter.

6. Nonrigid Materials Prohibited. Canopy or awning signs covered by nonrigid materials and supported on the outer (street) end are prohibited.

(G) Neon Signs. The area defined by neon shall not exceed twenty percent (20%) of the window area. Neon signs shall not extend to all edges of the windows.

(H) Scoreboards.

1. Location. No scoreboard shall be erected or maintained such that it is visible from a public thoroughfare.

2. Internal Scoreboard. The number, area, height, and location of scoreboards visible only from within the stadium area are regulated as part of Section 6-19-7 of this Chapter.

(I) Temporary Signs.

1. Number. There shall not be more than two (2) permits for temporary signs issued for the same occupant of a premises within one calendar year.

2. Area. Temporary signs shall not exceed thirty-two (32) square feet in sign surface area for each exposed face, nor sixty-four (64) square feet total sign surface area.

3. Location. Temporary signs shall be located only upon the premises to which the special, unique, or limited activity, service product, or sale is to occur.

Temporary signs shall take the form of wall signs or free-standing signs and shall conform to the location requirements of the respective sign type described elsewhere in this Chapter. No temporary signs shall be permitted on vehicles.

4. Time Limitations. Temporary signs shall be erected and maintained for a period not to exceed thirty (30) days, and shall be removed within three (3) days of termination of the activity, service, project, or sale.

5. Materials and Mounting Limitations.

a. All temporary signs shall be anchored and supported in a manner which reasonably prevents the possibility of the signs becoming hazards to the public health and safety as determined by the Zoning Administrator.

b. Any temporary sign weighing in excess of fifty (50) pounds must conform to the safety requirements of the City Code.

6. Certain Temporary Signs Exempt: Temporary window signs as qualified in Section 6-19-5-(M) of this Chapter are exempt from the conditions of this Section.

(J) Unified Business Center Signs.

1. Comprehensive Sign Plan. No permit shall be issued for a sign to be located in a unified business center until a comprehensive sign plan has been approved for the center as described in Section 6-19-14 of this Chapter, and said sign complies with the provisions thereof.

2. Center Identification Sign. In addition to the signs permitted for each separate occupant, there may be one identification sign for the center itself.

a. Said identification sign may only include the name, address, or graphic logo of the center.

b. The permitted sign surface area of said identification sign shall not exceed an area equivalent to one tenth of one percent (0.1%) of the lot area of the premises nor a maximum of one hundred twenty (120) square feet.

c. Unless specifically exempted by the provisions of the comprehensive sign plan for the unified business center, said identification sign shall conform to all of the regulations (except those governing number and area) for individual sign types found elsewhere in this Chapter.

3. Directory Signs. In addition to the permitted identification sign for the center, a unified business center may have common directory signs to guide pedestrians to individual businesses on the site. Such signs shall be limited to a maximum of one square foot per occupant listed on the sign.

(K) Vehicular Dealership Signs.

1. Number.

a. Each dealership may have one freestanding sign. Each parcel may have no more than two (2) freestanding signs. In the event a business entity consists of multiple dealerships, no more than two (2) dealership signs may appear on one freestanding pole.

b. One wall sign per business entity.

2. Area.

a. The maximum gross surface area for freestanding signs is one hundred forty (140) square feet per sign face.

b. For wall signs, the maximum gross surface area must not exceed twenty five percent (25%) of the square foot area of the facade to which the sign is attached.

3. Location.

a. Freestanding Signs.

(1) Freestanding signs are permitted at the lot line.

(2) Freestanding signs shall be separated by a minimum of fifty feet (50').

b. Wall Signs.

(1) Wall signs are not to extend above the roofline of the wall upon which the sign is attached.

4. Height. Freestanding signs erected after the effective date hereof shall not exceed twenty five feet (25'). Freestanding signs in existence prior to that time shall not exceed their preenactment height.

5. Uniform Sign Package. When a dealership changes ownership or acquires a new vehicle line, no new sign(s) may be erected and no modifications to existing signs may be made without the owner having filed a sign package with the city and receiving the city's approval therefor.

6. Flags.

a. Flags may be used on used car lots only, provided that:

(1) They are of uniform color; and

(2) Worn flags are replaced so as to maintain a neat appearance.

7. Conflict With Other Provisions of This Chapter. In the event of a conflict between this subsection (K) and the other provisions of this chapter, this subsection shall prevail.

(L) Temporary Real Estate Signs. For temporary, nonilluminated real estate signs for multi-family, residential projects, the permitted regulations are as follows:
5 to 36 dwelling units = 32 square foot maximum, 10'0" maximum sign height
All temporary real estate signs shall be limited to a maximum of twelve (12) months total duration, or until all the units are sold.

(M) Blade Signs.

1. Position. Blade signs shall be project from and be perpendicular to a building's facade, and the top of any such sign shall not be more than fifteen (15) feet six (6) inches above grade at the building.
2. Area. Blade signs shall not measure more than two (2) feet wide nor more than three (3) feet high.
3. Clearance. The bottom of any blade sign shall be at least seven (7) feet six (6) inches above grade at the building.
4. Illumination. Blade signs shall not be illuminated.
5. Number. There shall be no more than one (1) blade sign per business.

6-19-10. ADMINISTRATION.

(A) Permit Approval Procedure. Any sign for which a permit is required under section 6-19-4 of this chapter must receive that permit prior to being constructed, erected, originally painted, converted, altered, rebuilt, enlarged, remodeled, relocated or expanded. The following procedures must be followed for approval of a permit:

1. Complete Application. A permit application must be submitted to the City of Evanston department of Community Development. No application shall be accepted until it is complete, along with all necessary fees, bonds, and evidence of ownership or authorization as described below in this section.
2. Permit Issuance. Once an application is accepted as complete, the Zoning Administrator shall direct an examination of the plans, specifications, and other submitted data, and the premises upon which the sign is proposed to be erected or affixed, and shall request additional plans and information if necessary to determine conformance. If the Zoning Administrator determines the proposed sign or signs to be in conformance with this and other applicable chapters of the City Code, the Zoning Administrator shall issue a permit for the proposed sign.
3. Permit Denial. If the proposed sign does not conform with this or other applicable chapters of the City Code, the Zoning Administrator shall, on the basis of written findings, approve the sign subject to specific modifications or, on the basis of written findings, deny the sign application.

(B) Permit Application. Application for permits to erect, construct, or alter a sign shall be submitted on a form and in the manner prescribed by the Zoning Administrator. Each application shall be signed by the owner of the sign and the owner of the property upon which it is to be located. Applications for permits shall be accompanied by such information as may be required to ensure compliance with all applicable regulations, including:

1. Name, address and telephone number of the applicant;
2. A drawing or drawings indicating the location of the building, structure or lot to which or upon which the sign or advertising structure is to be attached or erected;
3. A drawing or photograph showing the position of the sign or advertising structure in relation to structures;
4. Two (2) blueprints or ink drawings of the plans and specifications of the proposed sign or advertising structure, including the methods of construction and

attachment to the buildings or in the ground. Such plans must include all text and graphics proposed on the sign, drawn to scale with dimensions;

5. If required by the Zoning Administrator, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure as required by this Chapter and all other applicable chapters of the City Code;

6. Name of person, firm, corporation or association responsible for erecting the sign or advertising structure.

7. Written consent of the owner or agent of the premises on which the sign or advertising structure is to be erected;

8. A completed application for any electrical permit required to be issued for said sign or advertising structure;

9. A copy of the insurance policy or bond as required by subsection (E) of this Section;

10. A declared total value of the sign or advertising structure and its installation;

11. Documentation of all existing signs on the premises, including their type and area, location, and the occupant of the site to which each sign pertains; and

12. Any additional information as the Zoning Administrator shall require to show full compliance with this and all other applicable chapters of the City Code.

(C) Temporary Permit Applications. Applications for temporary sign permits shall be accompanied by such information as may be required to ensure compliance with all applicable regulations, including those listed in paragraphs 1, 2, 3, 4 and 6 of subsection (B) of this Section. No fee shall be charged for any temporary sign.

(D) Permit Fees. Fees to be charged for permits issued shall be as established in a separate fee ordinance which may be, from time to time, adopted by the City Council. Persons guilty of erecting or maintaining a sign without first securing the necessary permit shall be subject to a penalty fee of fifty percent (50%) of the normal fee amount in addition to the obligation to pay the normal fee.

(E) Bond, Insurance and Indemnification Requirements.

1. Insurance. A general liability insurance policy issued by any approved insurance company authorized to do business in the State of Illinois, conforming to this Section, may be permitted in lieu of bond, provided that said insurance policy names the City as an additional insured and agrees to hold harmless and indemnify the City, its officers, agents, and employees from any and all claims of negligence resulting from such work.

2. Public Property. All persons responsible for the erection, alteration, relocation, maintenance of a sign or advertising structure in or over or immediately adjacent to a public right of way or public property so that a portion of the public right of way or public property is used or encroached upon by that person, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from any and all claims of negligence resulting from such work.

(F) Pre-Installation Inspection. The person responsible for the installation of a sign shall

schedule with the Zoning Administrator a pre-installation inspection prior to installing any sign requiring a permit. Such inspection shall include a footing inspection, if applicable, and confirmation of the other details of mounting and placement.

(G) Final Inspection. The person responsible for the installation of a sign shall notify the Zoning Administrator upon completion of the work for which a permit is required and so schedule a final inspection.

(H) Six Month Deadline. If the work authorized under a permit has not been completed within six (6) months after the date of issuance, the permit shall be null and void.

(I) Denial or Revocation. All rights and privileges acquired under the provisions of this Chapter, or any amendment thereto, are deemed mere permits which may be denied, suspended or revoked any time for cause by the Zoning Administrator. The Zoning Administrator is authorized and empowered to deny, suspend, or revoke any permit upon failure of the permittee to comply with any provision of this Chapter or whenever the permit is issued on the basis of a misstatement of fact or fraud. The Zoning Administrator shall refuse to issue any further permit to any such party or owner, or their agents or representatives, who is in violation of the requirements of this Chapter, or refuses to pay costs assessed for corrective action under the provisions of this Chapter.

6-19-11. MAINTENANCE AND OPERATION.

(A) Maintenance and Repair. Every sign, including but not limited to those signs for which permits are required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts required to maintain the sign, advertising structure, marquee, canopy or awning in its originally permitted and installed condition in accordance with the following criteria and with the applicable chapters of the City Code.

1. Paint or Treat. To prevent rust, peeling, flaking, fading or rotting, the permittee of any sign or advertising structure shall, as required, paint all parts and supports thereof unless the same are galvanized or otherwise treated.

2. Repairs. Broken panels, missing letters, defective illumination, torn fabric, flaking or peeling paint and other damage to a sign, advertising structure, marquee, awning, canopy or support structure shall be repaired.

3. Clean and Sanitary. All signs or advertising structures and the area surrounding same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all debris, rubbish and obnoxious substances, and any related grassed area or landscaping shall be kept trimmed and in a healthy condition.

4. Notification. Every sign or advertising structure hereafter erected shall have painted or permanently affixed in a conspicuous place thereon and continuously maintained, in legible letters, the date of erection, the name of the permittee, and the voltage of any electrical apparatus use in connection therewith.

(B) Obsolete or Abandoned Signs. Where the Zoning Administrator finds any sign or

advertising structure now or hereafter existing, which advertises a business, commodity, service, entertainment, activity, or event which has been discontinued, or is located on property which has been vacant and unoccupied he/she shall give written notice requiring removal to the permittee thereof, or if the permittee cannot be located, to the owner, agent or person having the beneficial use of the building, structure or premises upon which it is found. If, after notification, the proper person fails to remove the sign or structure within sixty (60) days after such notice the Zoning Administrator is hereby authorized to cause the removal of such sign or advertising structure.

(C) Unsafe and Unlawful Signs. Where the Zoning Administrator finds that any sign or advertising structure is unsafe or insecure, or is a menace to the public, or has been constructed or erected, or is being maintained in violation of the provisions of this Chapter, he/she shall give written notice to the permittee thereof, or if the permittee cannot be located, to the owner, agent or person having the beneficial use of the building, structure or premises upon which it is found. If, after notification, the proper person fails to remove or alter the structure so as to comply with the standards herein set forth within twenty (20) days after such notice, the Zoning Administrator is hereby authorized to cause the removal of such sign or advertising structure. The Zoning Administrator may summarily and without notice cause the removal of any sign or advertising structure which is an immediate peril to persons or property. The permittee shall be liable for any and all such costs incurred by the City.

(D) Lien to Recover Costs. In the event of failure by any party to reimburse the City within sixty (60) days for costs incurred for repair or removal ordered by the Zoning Administrator, the Corporation Council will be authorized to file a notice of lien in the office of the Cook County Recorder of Deeds to foreclose this lien, and to sue the owner of the real estate, or sign permittee, or their agents, in a civil action to recover the money due to the foregoing services, plus all expenses, including attorney's fees. Included in the expenses recoverable by the City, are the costs of filing the notice of lien, foreclosing said lien, and all litigation costs, together with all office and legal expense incurred in connection with the collection of the amount due hereunder.

6-19-12. STOREFRONT MAINTENANCE AND WINDOW COVERING DURING VACANCY OR RENOVATION.

The definitions noted below apply only to this Chapter and supersede any conflicting definitions found elsewhere in other chapters of the City Code.

<u>GROUND FLOOR PREMISE.</u>	<u>Any space on the ground floor having frontage on a street, alley or outdoor pedestrian walkway.</u>
<u>STOREFRONT.</u>	<u>Any facade of a ground floor premises having one or more storefront windows.</u>
<u>STOREFRONT WINDOW.</u>	<u>Any window of any ground floor premises that permits an unobstructed public view into the interior of that ground floor premises from any immediately adjacent street, sidewalk, or right-</u>

	<u>of-way.</u>
<u>VACANT.</u>	<u>The state of not being occupied by a regularly operating business from a ground floor premise for a minimum of four (4) days per week on a monthly basis. An exception to allow for temporary business closure may be granted by the Director of Community Development upon written request provided that office equipment and furnishings will remain in the establishment and a date certain for reopening of the establishment is provided.</u>
<u>WINDOW SCREENING.</u>	<u>A display made of film, vinyl, polymath, canvas, or heavy duty paper that is placed in a window or window area of a vacant storefront.</u>

(A) Temporary Treatment of Storefront Windows During Vacancy or Interior Renovation.

1. Vacant; Renovation. The storefront windows of any ground floor premise that is vacant or undergoing interior renovation shall be treated using one of the following methods within fifteen (15) business days after the date on which the space first becomes vacant, or for the total duration of the interior renovation.

a. Window screenings that fully cover not less than eighty (80) percent of each storefront window of the ground floor premises so as to obscure a direct public view of the vacant interior of that ground floor premises. Allowable materials for window screening must be of one (1) color and come in one of the following forms:

1. Plastic film;
2. Vinyl;
3. Canvas;
4. Other such approved materials.

b. Exhibits by a local not-for-profit arts or historical organization in the form of paintings, photos and sculptures may be displayed, painted or affixed on the glass in vacant storefront windows with permission of the property owner. A storefront window that displays an exhibit is permitted one (1) informational sign up to two (2) square feet in total sign area, identifying the name and contact information for each exhibit; and
c. A display of products, with a backdrop, which are sold by other businesses in a building, artwork, or an alternative window covering may be permitted if submitted to and approved by the City Manager or designee.

2. "Opening Soon" Announcement. No sooner than thirty (30) days prior (or an alternative timeframe may be permitted if submitted to and approved by the Community Development Director or designee) to the opening of a new business, a temporary sign announcing the name of the new business may be displayed in one (1) storefront window per facade. The sign shall not exceed ten (10) square feet in sign area and may identify the name of the business in a graphic or text format.

3. "Now Open" Announcement. For a period not to exceed thirty (30) days after the opening of a new business, a temporary sign announcing the business opening may be displayed in one (1) storefront window per facade. The sign shall not exceed ten (10) square feet in sign area and may identify the name of the

business in a graphic or text format.

(B) Signage. A real estate sign that complies with the 2'x3' sign area and sign height requirements of Subsection 6-19-5(M) of this Code may be placed in a storefront window along with the window screening required pursuant to this Chapter.

(C) Minimum Appearance Requirements.

1. Visible adhesive or tape may not be used to affix any window display, decorative screening or signage to a storefront window;
2. Storefronts may not use paper, plywood or soap to obscure windows;
3. No plastic tarp of any kind may be used to block the windows; and
4. No window display or screening shall contain any matter, in writing or in a depiction, that, when considered as a whole, predominantly appeals to prurient interests.

(D) Minimum Maintenance Requirements.

1. All window screenings must be kept in good repair and shall not be torn, damaged or otherwise left in a state of disrepair;
2. Building exteriors must be maintained in accordance with the requirements of the city's property maintenance code; and
3. The door area and sidewalk immediately adjacent to the storefront of the premises shall be neat, clean, and free from dirt and debris.

(E) Responsibility for Compliance. Any person owning, leasing, maintaining, or in possession or control of any vacant, ground floor premises located within the City, or any owner of the lot upon which the vacant, ground floor premises is located, shall be responsible for adherence to the provisions of this Section.

(F) Penalty. Any person who violates any provision of this Chapter shall be fined an amount of one hundred fifty dollars (\$150.00) first offense; four hundred dollars (\$400.00) second; seven hundred fifty dollars (\$750.00) third offense. Each day on or during which any person violates the provisions of this Chapter shall constitute a separate and distinct offense.

6-19-13. NONCONFORMING SIGNS.

(A) Legal Nonconforming Signs. Any sign located within the City which does not conform with the provisions of this Chapter is eligible for characterization as a "legal nonconforming" sign and is permitted, providing it also meets the following requirements:

1. Proper Permits. The sign was erected or installed under authority of proper sign permits prior to the date of adoption of this Chapter, if one was required under applicable code or law; or
2. No Permit Required. If no sign permit was required under applicable code or law for the sign in question and the sign was in all respects in compliance with applicable code or law on the date of adoption of this Chapter.

(B) Unlawful Nonconformance. Any sign which does not conform with the provisions of this Chapter and is not eligible for characterization as a legal nonconforming sign is unlawful, and must be brought into compliance with this Chapter or shall be removed within thirty (30) days of the adoption of this Chapter, upon written notification of such unlawful nonconformance by the Zoning Administrator.

(C) Loss of Status. A sign loses its legal nonconforming status if one or more of the following occurs:

1. Sign Altered. The sign is altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this Chapter than it was before alteration; provided, however, in the case of vehicular dealerships, the face of a freestanding sign may be modified without causing the sign to be nonconforming.
2. Message Changed. The sign message or graphic display is changed in any way, except for normal maintenance or repair that does not increase the nonconformity; provided, however, that in the case of vehicular dealerships, the change of a sign to reflect new ownership does not cause the sign to be nonconforming.
3. Sign Relocated. The sign is relocated either on the premises or to another location;
4. Sign Unsafe. The sign fails to conform to the sections of this Chapter regarding maintenance and operation, and public safety standards;
5. Sign Damaged. Damage occurs to a sign which requires repairs exceeding fifty percent (50%) of the replacement value of the sign;
6. Excessive Maintenance Costs. Maintenance is required which will exceed fifty percent (50%) of the replacement value of the sign; or
7. New Occupancy Permit. A change in use occurs which requires a new occupancy permit for the premises to which a legal nonconforming sign relates. On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this Chapter with a new permit secured, therefor, or shall be removed within thirty (30) days of that date.

(D) Continuing Obligation. Nothing in this Section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this Chapter regarding safety, maintenance, and repair of signs, provided however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure, sign face or message in such a way which makes the sign more nonconforming.

6-19-14. UNIFIED BUSINESS CENTER.

No permit shall be issued for a sign to be located in a unified business center until a comprehensive sign plan has been approved for the center and the sign complies with the provisions hereof.

(A) Comprehensive Sign Plan Approval. Approval of a comprehensive sign plan for a unified business center shall be at the discretion of the Land Use Commission in accordance with the criteria noted herein.

(B) Site Plan Review. No permit shall be issued for a sign, and no final approval shall be granted for a comprehensive sign plan prior to review and approval by the Land Use Commission of all comprehensive sign plans.

(C) Application Content. In addition to the requirements listed for permit applications in Subsection 6-19-10(B) of this Chapter, the application for a comprehensive sign plan for a unified business center shall include a format for all signs to be used in the center, including their maximum size, color, location, illumination details, lettering type, mounting details, and (if any) landscaping details.

(D) Criteria. The criteria used by the Land Use Commission in its review of the proposed comprehensive sign plan for a unified business center shall include:

1. Scale and Proportion. Every sign shall have good scale and proportion in its design and in its visual relationship to the other signs, buildings and surroundings.
2. Integral Elements. The signs in the plan shall be designed as integral architectural elements of the building and site to which they principally relate and shall not appear as incongruous "add-ons" or intrusions.
3. Restraint and Harmony. The colors, materials and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.
4. Effective Composition. The number of graphic elements and letters shall be held to the minimum needed to convey each sign's message and shall be composed in proportion to the area of the sign's face.
5. Compatibility. Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.
6. Unified Image. The effect of the signs proposed in the plan shall be the establishment of a unified image for the center.

6-19-15. REVOCATION FOR CAUSE.

All rights and privileges acquired under the provisions of this Chapter, or any amendment thereto, are deemed mere licenses revocable at any time for cause by the Zoning Administrator. The Zoning Administrator is authorized and empowered to revoke any permit upon failure of the permittee to comply with any provision of this Chapter.

6-19-16. PENALTY.

Any person found to have violated the provisions of the sign regulations adopted by the city shall be punished as follows:

(A)

1. The fine for a first violation is seventy-five dollars (\$75.00).
2. The fine for a second violation is two hundred dollars (\$200.00).
3. The fine for a third or subsequent violation is three hundred seventy-five dollars (\$375.00).

(B) Each day a provision of this Chapter is found to have been violated constitutes a separate violation.

(C) The penalties provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

6-19-17. SEPARABILITY.

In accordance with the following, it is hereby declared that the several provisions of this Chapter are separable:

(A) Provision of Ordinance. If any court of competent jurisdiction determines any provision of this Chapter to be invalid, such determination shall not affect any other provision of this Chapter not specifically included in the court's judgment order.

(B) Any Particular Sign. If any court of competent jurisdiction determines any provision of this Chapter to be invalid as applied to any particular sign, such determination shall not affect the application of such provision to any other sign not specifically included in the court's judgment order.

SECTION 6: City Code, 6-14-2-3 "Special Uses" of the Evanston City

Code of 2012, as amended, is hereby amended to read as follows:

6-14-2-3. SPECIAL USES.

The following uses may be allowed in the I1 district, subject to the provisions set forth in Section 6-3-5, Special Uses," of this Title:

Aquaponics.

Automobile body repair establishment.

Business or vocational school.

Cannabis cultivation center.

Car wash.

Daycare center – Domestic animal.

Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child

daycare facility, or public park in any zoning district as measured from lot line to lot line).

Heavy cargo and freight terminal.

Heavy manufacturing.

Kennel.

Live-work units (subject to the general requirements of Section 6-4-13 of this Title).

Media broadcasting towers.

Open sales lot.

Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use).

Pharmaceutical manufacturing.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Retail goods establishment.

Retail service establishment.

Urban farm.

Urban farm, rooftop.

SECTION 7: City Code 6-3-6-9, "Standards" of the Evanston City Code

of 2012, as amended, is hereby amended to read as follows:

6-3-6-9 STANDARDS FOR PLANNED DEVELOPMENTS.

~~As a special use, planned development involves such special considerations of the public interest that it shall be required to adhere to the specific planned development standards established in the zoning district in which it is located. Compliance with the standards shall govern the recommendations of the Plan Commission applicable to a planned development and the action of the City Council in order to ensure that an approved planned development is in harmony with the general purposes and intent of the Zoning Ordinance. The Plan Commission shall not recommend approval of, nor shall the City Council approve, a planned development unless each shall determine, based on written findings of fact, that the planned development satisfies the specific standards established in the zoning district in which the planned development is located.~~

The Land Use Commission shall only recommend approval, approval with conditions, or disapproval of a planned development based upon written findings of fact with regard to each of the standards for special uses pursuant to Section 6-3-5-10 as well as the

following additional standards for planned developments, and including any special standards for specific uses set forth in the provisions of a specific zoning district.

Additional standards for planned developments:

1. The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable Site Development Allowance(s) of the Planned Development location.
2. The proposed development is compatible with the overall character of existing development in the immediate vicinity of the subject property.
3. The development site circulation is designed in a safe and logical manner to mitigate potential hazards for pedestrians and vehicles at the site and in the immediate surrounding area.
4. The proposed development aligns with the current and future climate and sustainability goals of the City.
5. Public benefits that are appropriate to the surrounding neighborhood and the City as a whole will be derived from the approval of the requested Site Development Allowance(s).

SECTION 8: City Code, Title 4, Chapter 11 "Subdivisions" of the Evanston City Code of 2012, as amended, is hereby amended to read as follows:

4-11-1. APPROVAL OF PLATS.

(A) Procedure for the review and approval of plats of subdivision: New plats of subdivision shall comply with the general procedures and requirements pursuant to 6-3-12 of the Zoning Ordinance.

~~(A)~~ (B) Issuance of building permits. No building permit shall be issued, nor shall any construction be undertaken on any lot or parcel of land within the City unless such lot or parcel is shown, in its entirety, on a plat of subdivision recorded in the Office of the Cook County Recorder of Deeds.

~~(B)~~ (C) City Council approval. Any new map, plat, subdivision, consolidation or resubdivision of any block, lot, subplot or part thereof, or any piece or parcel of land shall, before recording the same, be submitted to the City Council for its approval by resolution. Each map, plat, subdivision, consolidation or resubdivision so submitted shall be accompanied by a report of the Directors of Public Works and Utilities, describing the public improvements available or required to serve the parcels shown on such map, plat, subdivision, consolidation or resubdivision. No such map, plat, subdivision, consolidation or resubdivision shall be approved by the City Council unless

it conforms with all the applicable ordinances of the City. The City Council may condition any such approval on any/all of the following that it determines is applicable:

1. The applicant's dedication to the City of any land required for public streets, alleyways, and/or other rights-of-way identified in the report of the Directors of Public Works and Utilities;
2. The applicant's granting of easements to the City for all required public utilities infrastructure, including, but not limited to, water and sewer mains, that must be located on applicant's property, as identified in the report of the Directors of Public Works and Utilities;
3. The applicant's execution of a development agreement, in form and content approved by the City, wherein he/she commits to construct, pursuant to City-issued permits, all required public improvements identified in the report of the Directors of Public Works and Utilities, and to transfer ownership of said public improvements to the City after their construction;
4. The applicant's submission to the City of a cash bond or other security in accord with 65 ILCS 5/11-39-3, as amended, in an amount equal to one hundred ten (110) percent of the estimated costs of any required public improvements identified in the report of the Directors of Public Works and Utilities, to ensure their construction. Should the bond or other security become due to expire, and the applicant fail to submit a replacement to the City at least fourteen (14) days prior to the expiration date thereof, the City may draw on said bond or security in accordance with the terms thereof, and use the funds drawn to complete the construction of the aforementioned required public improvements;
5. The applicant's recordation, in the Office of the Cook County Recorder of Deeds, of the resolution approving the submitted map, plat, subdivision, consolidation and/or resubdivision, along with all exhibits thereto.

Should any resolution approving a map, plat, subdivision, consolidation and/or resubdivision require the applicant to dedicate land to the City, grant the City an easement(s), and/or construct and transfer ownership of public improvements to the City, the City may accept said dedication(s) of land, easement(s), and/or ownership of public improvements by ordinance(s).

~~(G)~~ (D) *Survey prerequisite; owner's responsibility.* No plat, map or subdivision of any block, lot, subplot or part thereof, or any piece or parcel of land shall be approved by the City Council until the same shall be properly certified by a surveyor and acknowledged by the owner as provided by the general laws of the State of Illinois; and until the owner shall swear or affirm that he/she is the owner in fee of the property described in such plat; and until the same shall have been approved by the Director of

Public Works, Director of Utilities, Corporation Counsel and Director of Community and Economic Development.

SECTION 9: City Code, Title 6, Chapter 3, Section 12 “Plats of Subdivision” of the Evanston City Code of 2012, as amended, is hereby amended to read as follows:

6-3-12. - PLATS OF SUBDIVISION.

6-3-12-1. - PURPOSE.

The purpose of a plat of subdivision is to create new property boundaries for existing tracts of land that are in conformance with all aspects of the City Code, or compliant by variation, on a mylar plat recorded by the Cook County Recorder of Deeds.

6-3-12-2. - AUTHORITY.

The City Council may, in accordance with the requirements of 4-11 Subdivisions, and in accordance with the procedures of this Chapter, and other standards and regulations applicable to the district(s) in which the subject property is located, approve by resolution, plats of subdivision for tracts of land within each zoning district.

6-3-12-3. - SUBMISSION REQUIREMENTS.

An applicant for a plat of subdivision shall file an application in accordance with the following requirements:

- (A) *Formal Application:* Each application for a plat of subdivision shall be filed with the Zoning Administrator and be made available for review by appropriate departments, boards, commissions and committees.
- (B) *Content of Application:* Each application shall contain at least the information required as listed on the subdivision application, including but not limited to a draft plat of subdivision with appropriate title and signature blocks, an accompanying certificate of zoning compliance, and such additional information as the Zoning Administrator determines is necessary.

6-3-12-4. - FEES.

An applicant for a plat of subdivision shall pay fees in connection with the submittal of the application in accordance with the fee schedules adopted, from time to time, by the City Council upon recommendation of the Zoning Administrator.

6-3-12-5. - Application Procedure

- (A) *Pre-Application:* Prior to submitting a plat of subdivision application for approval, an applicant shall submit and obtain a certificate of zoning compliance that acknowledges compliance of all newly proposed tracts of land within the

- subdivision are compliant with the regulations of this Chapter and all other applicable regulations. Such compliance may be achieved by variation approval.
- (B) Plat Review: The draft plat of subdivision, application, and accompanying information is reviewed for compliance by City departments including but not limited to the Public Works Agency pursuant to 4-11 Subdivisions, and Community Development pursuant to 4-11 Subdivisions, this Chapter, and other standards and regulations applicable to the district(s) in which the subject property is located.
- (C) Review Comments: Review comments shall be provided in writing to the applicant, which may include but are not limited to proposed property lines, utility connection points, underground and/or overhead utilities, streets and right-of-ways, existing and proposed structures, landscaping, and any other areas of concern related to the plat of subdivision.
- (D) Response to Review Comments: The applicant shall respond to any written review comments to address questions and/or concerns prior to proceeding to the City Council for a final determination.
- (E) Determination: The City Council shall take action to determine approval or denial of the proposed plat of subdivision.
- (F) Signatures: Following approval by the City Council, the applicant shall provide a mylar copy of the plat of subdivision, which shall be routed for applicable signatures by the Zoning Administrator.
- (G) Recordation: Once all applicable signatures from City Departments are obtained, the applicant shall proceed obtaining any remaining signatures with the County, and then shall record the plat of subdivision with the Cook County Recorder of Deeds. Proof of recordation of the final plat shall be provided to the Community Development Department.

6-3-12-7. - EFFECT OF APPROVAL OF PLATS OF SUBDIVISION.

The approval of a proposed plat of subdivision by the City Council shall not authorize any development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize new property boundaries for existing tracts of land, subject to recordation with the Cook County Recorder of Deeds. Such approval may authorize the preparation, filing and processing of applications such as permits or approvals as may be required by the regulations of the City, including, but not limited to, a building permit and certificate of occupancy.

6-3-12-8. - LIMITATIONS ON PLATS OF SUBDIVISION.

Subject to an exception granted by the City Council, any plat of subdivision not recorded with the Cook County Recorder of Deeds within one year of adoption by the City Council shall automatically terminate and be rendered void without further action by the City.

SECTION 10: City Code, 6-3-6-7 “Application Procedure” of the Evanston

City Code of 2012, as amended, is hereby amended to read as follows:

6-3-6-7. APPLICATION PROCEDURE.

- (A) ~~Pre-Application Conference~~ Zoning Analysis: Prior to submitting a planned development application for approval, an applicant shall ~~meet with~~ submit to the Zoning Administrator or his or her designee, ~~the chairman of the Plan Commission and the Alderman of the ward in which the proposed planned development is located, or their designees in conjunction with the Design and Project Review Committee (DAPR). Where applicable, a representative of the Preservation Commission shall be present. The purpose of the conference is to enable the applicant to present the concept of the proposed planned development and to discuss the procedures and standards for planned development approval.~~ a zoning analysis including the minimum information as stated in 6-3-6-7(B). The purpose of such is to provide initial zoning review, obtain preliminary feedback from staff that are members of the Design and Project Review (DAPR) Committee and facilitate the filing and consideration of a complete application. The pre-application ~~conference~~ zoning analysis is intended to facilitate the filing and consideration of a complete application, and no representation made by the Zoning Administrator or Design and Project Review, the DAPR, or the representative of the Preservation Commission or Plan Commission during such conference or at any other time and shall be binding upon the City with respect to the application subsequently submitted. ~~The Zoning Administrator shall schedule the pre-application conference with the Design and Project Review Committee within fifteen (15) calendar days after receiving the applicant's request.~~
- (B) ~~Information Needed for Pre-Application Conference~~ Zoning Analysis: The applicant shall include the following information at the time of ~~request for the meeting~~ submittal of a zoning analysis for a planned development:
1. Conceptual site plan and development plans.
 2. Plat of survey (including the location of utilities).
 3. Proposed elevations.
 4. Narrative summary of proposal (including breakdown of uses within the proposed development, number of dwelling units if applicable and number of parking spaces).
 5. Description of adjacent land uses and neighborhood characteristics.
 6. Description of critical historical structures, details or characteristics (if applicable).
 7. A preliminary Inclusionary Housing Ordinance proposal.
- (C) ~~Results of Pre-Application Conference~~ Zoning Analysis: Upon receipt of the zoning analysis application, the Zoning Administrator or his or her designee, shall circulate

~~the application to staff members for additional review and comment. Within fifteen (15) working days from receipt of the zoning analysis application, a review letter consisting of the completed zoning analysis and compiled staff comments shall be provided to the applicant. Following the pre-application conference, the Zoning Administrator and the Design and Project Review Committee shall be available to suggest modifications to the site plan as discussed during the pre-application conference. Within seven (7) calendar days, minutes of the pre-application conference shall be sent to the applicant and the Plan Commission and shall be made available upon request to interested parties by the Zoning Administrator.~~

- (D) Community Meeting: At the discretion of the Councilmember whose ward in which the proposed development would be constructed, a community meeting may be held in order for the applicant to present their proposal. This meeting can occur prior to or following the submission of the official planned development application and prior to Design and Project Review.
- ~~(E)~~ Planned Development Application Submission Requirements: An applicant for a planned development shall file an application with the Plan Land Use Commission on a form provided by the Zoning Administrator, ~~accompanied by such number of copies of documents as the Zoning Administrator may require processing the application.~~ The application shall include at least the information listed in Section D.4 of Appendix D of this Ordinance, "Planned Development Application Submission Requirements."

6-3-6-8. REVIEW PROCEDURE; DECISION.

- (A) Staff Review Letter ~~Public Hearing~~: All applications for planned developments will be given priority review by the Zoning Administrator. Upon the review of an application for a planned development, the Zoning Administrator shall, pursuant to Section 6-3-3-1, notify the developer of any deficiencies and or modifications necessary to perfect the planned development application. After determining that the application is complete pursuant to Section 6-3-3-1, the Zoning Administrator, or his or her designee, shall at the same time circulate the application to staff for additional review and comment. A review letter of a revised zoning analysis and compiled staff comments will then be provided to the applicant within fifteen (15) working days from the date of receipt of the complete planned development application. ~~schedule a public hearing to be held by the Plan Commission at which time a formal presentation of the planned development application will be presented. The public hearing shall be held not less than fifteen (15) calendar days and no more than thirty (30) calendar days from the date of receipt of the complete application.~~
- (B) Design and Project Review: Subsequent to release of the staff review letter, the Zoning Administrator shall schedule the application for Design and Project Review at which time a formal presentation of the planned development application will be presented. The Committee shall review and provide recommendation on the application pursuant to Title 4, Chapter 14 of the City Code.
- (C) Public Hearing: Subsequent to Design and Project Review, the Zoning Administrator shall schedule a public hearing to be held by the Land Use

Commission at which time a formal presentation of the planned development application will be presented. The public hearing shall be held not less than fifteen (15) calendar days and no more than sixty (60) calendar days from the date of receipt of the complete application, subject to agenda availability of the Land Use Commission.

- (~~DB~~) General Notice of Public Hearing: The Zoning Administrator shall cause notice to be published of a public hearing to be held by the ~~Plan~~ Land Use Commission. The public notice shall be published a minimum of fifteen (15) days prior to the hearing date and a maximum of thirty (30) days prior to the hearing date. In addition, a sign shall be posted on the property for a minimum of ten (10) working days prior to the public hearing indicating the place, time and date of the hearing. Such notice shall be sufficient notice for the initial hearing. Subsequent notices are not required for continuances of a hearing, if any.
- (~~EG~~) Mailed Notices Required: The City will provide notice, through the use of a third party service, by first class mail to all owners of property within a one thousand (1,000) foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject property whose addresses appear on the current tax assessment list as provided by the City. The applicant must pay any and all fees and postage associated with mailing such notice pursuant to this Section. The City reserves the right to provide the aforementioned notice by first class mail where the Zoning Administrator finds it necessary. The failure of delivery of such notice, however, does not invalidate any such hearing. Such notice is sufficient notice for the initial hearing. Subsequent notices are not required for continuances of a hearing, if any.
- (~~FD~~) Content of Published and Mailed Notices: Published and mailed notices shall contain the time, date, and place of the public hearing. Additionally, the published and mailed notices shall contain the following:
1. A statement indicating that the petition is a request for a planned development;
 2. The address of the subject property requesting the planned development;
 3. The current zoning classification of the property requesting the planned development;
 4. The time and place where the petition proposing the planned development will be available for examination for a period of at least ten (10) days prior to the public hearing;
 5. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by publication and mail;
 6. Any other information requested by the ~~Plan~~ Land Use Commission; and
 7. A statement that after the conclusion of the hearing the matter will be submitted to the City Council for its action.
- (~~GE~~) Recommendation: The ~~Plan~~ Land Use Commission shall conduct a public hearing to review the application for the proposed planned development. The ~~Plan~~ Land Use Commission shall make a recommendation within sixty (60) calendar

days of the close of the public hearing to the City Council for its decision in accordance with the procedures for special uses set forth in Section 6-3-5-8. The ~~Plan-Land Use~~ Commission may, upon agreement with the applicant, extend the sixty (60) calendar day review period. The maximum length of any extension, however, shall be limited to ninety (90) calendar days.

(HF) Continued Hearings or Meetings: In the instance a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. If for any reason the continued hearing or meeting date or time needs to be changed, the Zoning Administrator shall, in his or her best effort, provide the public with the new date and time of the continued hearing by:

1. Posting the continued meeting or hearing notice at the Civic Center; and
2. Posting the continued meeting or hearing notice on the City's website.

Failure to provide such notice, however, shall not invalidate any such continued hearing or meeting.

(IG) In the event a quorum is not present for the initial meeting or a continued meeting, a majority of the board or commission members present may reschedule the meeting to a new date and time. No additional mailed or published notices shall be required for meetings continued as provided in Section 6-3-6-8B(HF).

SECTION 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 12: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 13: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 14: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: _____, 2022

Approved:

Adopted: _____, 2022

_____, 2022

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel



MEETING MINUTES EXCERPT

LAND USE COMMISSION

Wednesday, April 13, 2022

7:00 PM

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

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

Members Absent: Myrna Arevalo, Violetta Cullen, John Hewko

Staff Present: Melissa Klotz, Meagan Jones, Katie Ashbaugh, Alexandra Ruggie

Presiding Member: Matt Rodgers

B. Public Hearing: Text Amendment | Omnibus Text Amendment | 22PLND-0021

City-initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, for an Omnibus Text Amendment Package relating to the following:

- 1. Redact all mentions of the Zoning Board of Appeals and Plan Commission (Title 6) and replace with the Land Use Commission in accordance with Section 2-19 of the City Code and Ordinance 92-O-21.**
- 2. Update ADA Parking Regulations (Section 6-16) to follow current regulations of the Americans with Disabilities Act Standards for Accessible Design and use appropriate wording.**
- 3. Move the Sign Code (Section 4-10) from the Building Ordinance (Title 4) to the Zoning Ordinance (Title 6), establish variation regulations so that sign variations are no longer determined by the DAPR Committee, and establish regulations relating to billboards.**
- 4. Move the Subdivision Code (Section 4-11) from the Building Ordinance (Title 4) to the Zoning Ordinance (Title 6) and update requirements and procedures to current practices.**
- 5. Establish clear Planned Development Standards for Approval similar to Variation and Amendment Standards (Section 6-3).**
- 6. Update requirements and procedures for Planned Developments, including Neighborhood Meeting and Pre-Application steps, to current practices (Section 6-3-6).**
- 7. Add Automobile Body Repair Establishment as an eligible Special Use in the I1 Industrial/Office District (Section 6-14-2).**

The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-4 of the Evanston Zoning Code and Ordinance 92-O-21.

Chair Rodgers shared that he spoke with staff and the intention is to do omnibus on a quarterly basis as needed.

Ms. Klotz read the agenda item into record and provided a brief background on the overall text amendment; she then went through each specific item.

Item 1

Ms. Klotz provided an explanation of this item. There was no discussion.

Item 2

Ms. Klotz provided a summary of this item stating intention to have regulations match current ADA regulations which is updated and is better policy.

Commissioner Mirintchev asked for clarification on code wording still using "handicapped" versus "accessible". Ms. Klotz responds that the code would only reference ADA compliance.

Item 3

Ms. Klotz provided a summary. Ms. Ashbaugh is now staff's sign reviewer, and the proposed amendment is not changing regulations, just moving them into Zoning Code and establishing minor/major variation processes for signs that do not meet the code. She then stated that staff looked back at the previous 5 years of sign variations and is proposing thresholds for minor variations for wall and blade sign height and/or area to be no more than 35%, similar to what other existing minor variations are subject to. If a sign is significantly above that threshold it would be brought to the Commission for review.

Commissioner Lindwall clarified that the regulations within the packet existing and references would be updated. Ms. Klotz confirmed.

Commissioner Westerberg asked if sign variations currently go to DAPR for review. Ms. Klotz confirmed this has been the case then added that there is a referral from City Council to look at modifying the DAPR Committee. Depending on how that goes it may change where sign reviews go to, specifically if DAPR becomes a closed meeting.

Commissioner Halik expressed that he was disturbed at the possible elimination of DAPR, explaining that they provide a service that the Commission does not. Commissioner Lindwall agreed explaining that the Comprehensive Plan is clear on the need for this type of Committee and it provides an important function.

Commissioner Halik asked if DAPR doesn't do the review who would; it would change the Commission's purview. Ms. Klotz responded that this and other concerns of the Commission are being taken into consideration.

Commissioner Johnson clarified if this item would be both moving the sign code and possibly adding billboard regulations into the code. Ms. Klotz confirmed this to be the case.

Item 4

Ms. Klotz explained that this item is a referral from the City Council to regulate billboards throughout the city and was discussed at a previous Commission meeting. She stated that staff is proposing that billboards be a Special Use in all districts should it move forward. She added that if there is significant concern, staff recommended pulling this item out for a separate discussion. Chair Rodgers stated this was discussed as the plan for this item; other things move forward with an accompanying denial for things the Commission does not agree with.

Commissioner Lindwall expressed that she has a big problem with billboards. Chapter 13 of the Comprehensive Plan has an explicit policy to eliminate billboard advertisements. Moving to allow billboards is not consistent with the plan. Purpose of sign controls is to reduce visual clutter while allowing businesses to advertise, but a big issue is safety. There are only 4: on Green Bay Road. Some on the Chicago side of Howard. Drivers in Evanston need to be careful, do not want to create an attractive nuisance. Also need to look at the notion of not impacting adjacent properties. Should not be looking to enrich one property at the expense of a neighbor. Commissioner Lindwall then suggested a discussion with the City Council. Commissioner Halik agreed, saying the Commission made a strong recommendation against billboards and if it comes back before the Commission, that can be done again.

Commissioner Johnson agreed and asked about the best route forward. Rodgers does not think Evanston is appropriate for billboards and used Central Street as an example. Lindwall gave Chicago Avenue as an example. Halik agreed, saying it speaks to the character of the community as well. Mirintchev suggested adding language that says no billboards are allowed in Evanston.

Ms. Klotz asked if there was an appetite of the Commission for wall mounted billboards rather than freestanding. Chair Rodgers responded that he thinks the wall mounted signs are what the Commission is really thinking of. There are some businesses with their names on the side of buildings but those are more signs that fall under the sign regulations and not true billboards which could be allowed

Commissioner Puchtel expressed the same sentiment as other Commissioners and asked if item 3 would need to be held. Chair Rodgers responded that the Commission could pull billboards out of that discussion and move the rest forward.

Commissioner Lindwall stated that there is no definition that regulates how big the billboard could be which would need to be included in regulations. Also, in general billboards regulations need to be content neutral and cannot be regulated much outside of prohibiting obscene or pornographic ads. In business signs, more than likely the signage will relate to the business and likely not be as potentially problematic. There could be more messaging on billboards that someone driving by could deem offensive.

Item 4

Ms. Klotz provided a summary of this item which would move the subdivision regulations into zoning code where most communities have them. Planning and Zoning staff handles the subdivision process and variations come to the Land Use Commission. The amendment would codify actual steps in the process so that it is clear to the community. There was no further discussion on this item.

Item 5

Klotz provided a summary explaining that in the review process for planned developments, there are a large number of standards and many are more general guidelines and requirements than they are standards. Proposed standards would be more similar to those of special uses, variations or amendments. It is a policy change but the wording is very similar to that of other standards that currently exist.

Chair Rodgers requested an explanation of standard 6 as it was his understanding that public benefits had to be near the development versus city wide. Ms. Klotz stated that this is correct and this standard was pulled from major variations and was left general as there are some benefits that benefit the entire city such as on-site affordable housing. Chair Rodgers wanted the language to be clear so that developers are clear on what can and can't be done. Ms. Klotz responded that staff makes this clear to applicants when reviewing projects.

Commissioner Lindwall stated that City Council has reserved the right to review and negotiate the public benefits and it is not in Commission's purview. She then asked if the proposed amendment would change that. Ms. Klotz responded that Commissioner Lindwall was correct in that the negotiations of public benefits are not in the Commission's purview but that this reference is not listed to go through each listed public benefit but to gauge their general appropriateness.

Commissioner Westerberg stated that the language in the first standard around potential impact is broad and can give a lot of room to the developer. Commissioner Halik expressed that he has a problem with standard 4 due to developers not really having a hardship and that it is incompatible with standard 1. Chair Rodgers gave the example of a ziggurat setback being a hardship on most lots; any development is going to have an impact, and with standard 1, maybe wording is not right but the idea is to not max out everything. Halik and Westerberg reiterated their concerns regarding impact and reasonable expectations. Commissioner Lindwall stated that there is a window of base zoning with additional building potential from site development allowance. Additional discussion continued with additional concerns being expressed on being able

to approve or deny a project with conflicting standards, what would be considered a hardship, and the need to have a practical application of zoning regulations for the real world.

Chair Rodgers asked if there was a way to modify standard 4, referencing that standard number 5 for major variations- no additional income unless a public benefit offsets it. It could be used to tweak the language surrounding potential hardship.

Commissioner Halik mentioned that the public comment letter provided on this item mentioned that the existing public benefits are vague and that he believes being more specific is the way to go. Chair Rodgers pointed out that a potential problem with very specific public benefits is that good projects may die because they don't meet them and ties the Commission's hands.

Commissioner Lindwall agreed that standards would be helpful. She suggested going forth with this list and reserving the option to tweak them after some time. Commissioner Westerberg expressed concern with standard 1 and requested that stronger language be included. A brief discussion followed with Commissioner Lindwall suggesting "within the scope of the applicable site development allowances" and there being general agreement. Commissioner Lindwall suggested keeping standard 4 as it is currently proposed and see how it goes. General discussion followed with agreement to remove 4 and bring it back with the next omnibus. Ms. Klotz then clarified that Special Use standards still apply to planned developments

There was general agreement to keep standard 1 with edits, strike 4, edit standard 5 as it relates to standard 8 for special uses and change "environmental" to "climate" or "sustainability".

Item 6

Klotz provided a summary of the proposed changes. Commissioner Lindwall noted that for step 7, it is important to continue having the DAPR Committee as a staff review Committee.

Item 7

Ms. Klotz provided a brief summary of what was proposed and why. Chair Rodgers stated that it makes sense to be able to do both auto repair and auto body repair, especially as there is more likely to be toxic issues dealing with oils and fluids. Most people doing both illegally likely do not realize that they cannot do both.

Commissioner Puchtel asked why auto body repair was not originally included. Ms. Klotz responded that that is largely lost history but is likely due to the painting of vehicles needing a painting bay with proper exhaust in order to prevent fumes. Chair Rodgers

Ms. Klotz stated that we are in danger of zoning out these types of uses out of industrial districts due to loss of its industrial properties and zoning districts. Chair Rodgers

cautioned that when uses are reviewed to operate within industrial districts that the Commission make sure they are not taking up spaces for actual industrial uses that can only operate in these districts.

Public Comment

There were no members of the public wishing to provide testimony. The record was then closed.

Deliberations

The Commission then reviewed the standards for text amendments

1. Met
2. Met (with removal of billboards from possible regulations)
3. Met
4. Met

Commissioner Puchtel motioned to approve the proposed omnibus amendment with the following changes: **In item #3 - not adding provisions for billboards into the sign regulations for their placement; and in item #5 – changing proposed standard 1 to read: “The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable site development allowances.”, striking the proposed standard 4, and changing “environmental” in proposed standard 5 to “sustainability” or “climate”. A roll call vote was taken and the motion was approved, 7-0.**

Chair Rodgers suggested that Commissioners write a note to the Council regarding their concerns and that he would make a point to the P&D meeting to share those concerns in person. Commissioner Lindwall suggested that the Commission have a discussion with Council, referencing the Comprehensive Plan explicitly stating that they be prohibit and that the appropriate time to consider billboards would be during the revision of the Comprehensive Plan

Commissioner Lindwall made a motion to continue to prohibit billboards in the City of Evanston (emphasizing that the Commission’s reasons be shared with City Council). Seconded by Commissioner Puchtel. A roll call vote was taken and the motion was approved, 7-0.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Planning and Development Committee
From: Johanna Nyden, Director of Community Development
CC: Melissa Klotz, Zoning Administrator
Subject: Ordinance 53-O-22, Amending City Code Title 6 to Add “Billboards” as a Special Use
Date: July 25, 2022

Recommended Action:

The Land Use Commission reaffirms their recommendation for denial of Ordinance 53-O-22, Amending City Code Title 6 to Add “Billboards” as a Special Use in all zoning districts. The Land Use Commission reaffirms the proposed text amendment does not meet the Standards for Approval, specifically the proposal does not meet the goals and objectives of the Comprehensive General Plan (Comp Plan).

CARP:

N/A

Council Action:

For Introduction

Summary:

A referral was made by Councilmember Suffredin to establish zoning regulations for Billboards, in consideration of ways to generate income for struggling property owners in all parts of the city, and also as a potential means to generate licensing revenue. Additionally, Billboards could be located on City-owned properties and buildings.

The few existing Billboards in the City are legally non-conforming with zoning and cannot be relocated, and new Billboards are prohibited since they are not currently listed as an eligible use within the Zoning Ordinance.

Proposal

Based on the aldermanic referral, the following zoning regulations could be established to allow new Billboards within the city:

BILLBOARD: A permanent advertising structure that provides a two-dimensional sign face or faces that are sized to be visible and legible from a distance greater than other permitted sign types. The message may direct attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the lot on which the permanent advertising structure is located.

The above definition uses existing defined terms ('advertising structure', 'sign face') within the Sign Code and is also in compliance with *Reed v. Town of Gilbert*, 576 U. S. 155 (2015).

In addition to the definition, the aldermanic referral suggests allowing Billboards as an eligible use in all zoning districts. As an eligible Special Use in all zoning districts, the City Council would act as the final determining body. Additionally, licensing fees could be established to generate income for the City.

Proposed Ordinance 53-O-22 establishes a zoning definition for Billboards and lists Billboards as an eligible Special Use in all zoning districts, including residential and university districts. If approved, the content of Billboards cannot be unduly regulated or restricted per state/federal law.

Legislative History:

July 13, 2022 - At the request of the Chair, the Land Use Commission invoked Article 10 of the Land Use Commission Rules and agreed not to open a public hearing or entertain discussion of the text amendment since no new testimony was provided. Staff noted the proposal was sent back to the Land Use Commission specifically for discussion of Billboards along train lines, the potential to increase revenue for property owners and the City through licensing, and the potential for Billboards on City buildings. Commissioners agreed the matter was previously discussed and recommended, and should not be heard again.

[Land Use Commission Packet](#) for July 13, 2022 (item begins on p.50)

June 13, 2022 - The Planning & Development Committee reviewed the proposed text amendment and referred it back to the Land Use Commission for further discussion about Billboard locations along train lines and the potential for billboards to raise revenue for property owners and the City.

April 13, 2022 - The Land Use Commission unanimously recommended denial of the proposed text amendment to establish regulations for Billboards as Special Uses in all zoning districts. The Commission found the request did not meet the Standards for Approval, specifically that the proposed text amendment does not keep with the goals and objectives of the Comprehensive General Plan (Comp Plan). The text amendment was heard as a part of the Omnibus Text Amendment package by the Land Use Commission.

[Land Use Commission Packet](#) for April 13, 2022 (item begins on p.30)

March 9, 2022 - The Land Use Commission discussed the possibility of a text amendment to establish Billboard regulations with hesitancy. Staff suggested a Special Use requirement would put the final determination with the City Council, which may be appropriate in such

situations. Staff agreed to return to the LUC with a full text amendment proposal based on the referral.

Attachments:

[Ordinance 53-O-22 Amending Title 6 to Include Billboards](#)

[Land Use Commission Meeting Minutes Excerpt - March 9, 2022](#)

[Land Use Commission Meeting Minutes Excerpt - April 13, 2022](#)

[Land Use Commission Draft Meeting Minutes - July 13, 2022](#)

06/13/22
7/25/2022

53-O-22
AN ORDINANCE

Amending City Code Title 6 to Add “Billboards” as a Special Use

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (*Scadron v. City of Des Plaines*, 153 Ill.2d 164); and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, (“the Zoning Ordinance”); and

WHEREAS, on April 13, 2022, the Land Use Commission held public hearings, pursuant to proper notice, regarding case no. 22PLND-0021, which included a City-initiated text amendment to the Zoning Ordinance, Title 6 of the City Code, to establish regulations to allow Billboards in all zoning districts; and

WHEREAS, at its April 13, 2022 meeting, the Land Use Commission received testimony and made findings pursuant to Subsection 6-3-4 of the Zoning Code and Ordinance 92-O-21 and recommended City Council denial thereof; and

WHEREAS, at its meeting of June 13, 2022, the Planning and Development Committee of the City Council referred the matter back to the Land Use Commission; and

WHEREAS, at its July 13, 2022 meeting, the Land Use Commission considered case no. 22PLND-0042, the City-initiated text amendment to the Zoning Ordinance, Title 6 of the City Code, to establish regulations to allow Billboards in all zoning districts, and again recommended City Council denial thereof; and

WHEREAS, at its meeting of July 25, 2022, the Planning and Development Committee of the City Council considered and reviewed the findings and recommendation of denial of the Land Use Commission in case no. 22PLND-0042 and recommended City Council approval thereof; and

WHEREAS, at its meetings of July 25, 2022 and August 8, 2022, the City Council considered and adopted the records and recommendations of the Planning and Development Committee; and

WHEREAS, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of*

Deerfield, 213 Ill.App.3d 747) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124),

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: City Code Section 6-18-3 "Definitions" of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

6-18-3. DEFINITIONS.

For the purposes of this Ordinance, the following terms shall have the following meanings:

ABUTTING:	Having a common property line or district line.
ACCESSORY USE OR STRUCTURE[1]:	A structure or use that: a) is subordinate to and serves a principal building or a principal use, except for a drive-in facility; b) is subordinate in area, extent, and purpose to the principal structure or principal use served; c) contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; and d) is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this Ordinance. Accessory parking facilities may be authorized to be located elsewhere. An accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building.
ADJACENT:	Nearby, or next to, but not necessarily touching or abutting. (e.g., across from a street or alley).
ADJOINING:	Touching or joining at any one (1) point, line, or boundary.

ADULT DAYCARE:	A community-based, structured comprehensive program of a variety of health, social, and related support services in a protective setting for persons who for reasons of physical or mental impairment are in need of such services during any part of a day not exceeding twelve (12) hours in a twenty-four-hour period.
ALLEY:	A public or private right of way that affords a service access to abutting property.
ANIMAL HOSPITAL:	A use or structure intended or used primarily for the testing and treatment of the disorders of animals, including the indoor boarding of animals for such purpose, but not the training or grooming of animals, or outdoor cages, pens, or runs for the animals.
ANTENNA:	Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services. (Ord. No. 44-O-21 , § 1, 5-10-2021)
APARTMENT:	See definition of Dwelling, Multiple-Family.
AQUAPONICS:	The symbiotic propagation of plants and fish in an indoor or outdoor re-circulating environment that results in the harvest of said plants or fish. (Ord. No. 56-O-14, § 2, 5-27-2014)
ASSISTED LIVING FACILITY:	A facility for adults in need of some protective oversight or assistance due to functional limitations that provides a living arrangement integrating shelter, food and other supportive services to maintain a resident's functional status. Those facilities that include personal care such as assistance with activities of daily living shall be licensed as sheltered care facilities pursuant to provision of the Evanston City Code.

ATTIC:	The top story of a building under a sloping roof with no finished floor and/or finished ceiling; rather, the area is defined by the top of the ceiling beams of the story immediately below the top story and the roof rafters. An attic may be further defined as a half-story, provided the sum of all areas of the top story where the vertical clearance is seven and one-half (7½) feet or more does not exceed sixty percent (60%) of the story immediately below the top story (as measured within the outer face of all exterior walls). (Ord. 13-O-98)
AUTOMOBILE BODY REPAIR ESTABLISHMENT:	A building, property, or activity the principal use of which is automobile body repair or auto detailing other than those types of repairs permitted at automobile service stations (gas stations) and automobile repair service establishments.
AUTOMOBILE REPAIR SERVICE ESTABLISHMENT:	A building, property, or activity the principal use of which is the repair or replacement of parts, oils, coolants, lubricants, tires, and other similar services. "Automobile repair establishment" shall include, but is not limited to, muffler shops, oil change shops, car care centers, tire centers and other uses similar in nature and impact. "Automobile repair establishment" shall not include an automobile body repair establishment or a car wash or other use that is otherwise in a zoning district as a permitted or special use.
AUTOMOBILE SERVICE STATION (GAS STATION):	A building, property, or structure the principal use of which dispenses or offers for retail sale of automotive fuels or oils and incidental convenience goods; having pumps and storage tanks thereon, and where battery, tire and other similar services, are rendered, but only if rendered wholly within lot lines. "Automobile service stations" shall not include an automobile body repair establishment or a car wash.
BANQUET HALL:	A principal use consisting of a large room or hall that is available for rent for use for specific banquets, exhibitions, and/or meetings that may include the provision of food, drink, and/or entertainment. (Ord. No.

	129-O-12, § 2, 1-14-2013)
BASEMENT:	A portion of a building located partly underground but having less than one-half (½) its clear floor-to-joist height below the average grade of the adjoining ground. (See also definition of Cellar.)
BED AND BREAKFAST ESTABLISHMENT[2]:	An owner-occupied single-family or two-family dwelling where short-term lodging and morning meals are provided for compensation.
BERM:	A hill or contour of land that acts as a visual barrier between a lot and adjacent properties, alleys, or streets.
<u>BILLBOARD</u>	<u>A permanent advertising structure that provides a two-dimensional sign face or faces that are sized to be visible and legible from a distance greater than other permitted sign types. The message may direct attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the lot on which the permanent advertising structure is located.</u>
BLOCK:	A tract of land bounded by streets or by a combination of one (1) or more streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shorelines of waterways, or corporate boundary lines.
BOARDING HOUSE:	A building or portion thereof where lodging and meals are provided to five (5) or more persons who are not members of the operator's family, and by prearrangement for definite periods of time and for compensation, whether direct or indirect.

BREW PUB:	An establishment in which the principal use is a Type 1 Restaurant that also brews or produces wine, beer, or any other alcoholic liquor as an accessory use on-site, either for on-site consumption or off-site consumption in containers that are sealed on-premise and compliant with all applicable local, State, and Federal regulations. (Ord. No. 105-O-18 , § 1, 10-8-2018)
BUILDING:	Anything constructed for the shelter or enclosure of persons, animals, or movable property of any kind and that includes a roof and is permanently affixed to the land.
BUILDING, COMPLETELY ENCLOSED:	A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls having only windows and normal entrance or exit doors, or by party walls.
BUILDING ENVELOPE:	The three-dimensional space within which a structure is permitted to be built on a zoning lot and that is defined with respect to such bulk regulations as height, yards, building coverage, and floor area ratio.
BUILDING ENVELOPE (For Review of Fences Only):	That area of a zoning lot within which a structure may be built and consisting of that area not within the required front yard, required street side yard, required side yard(s), and required rear yard (see Figure 6-18-3, "Zoning Lot Components," of this Section).

<p>BUILDING HEIGHT, ABSOLUTE:</p>	<p>The perpendicular distance above the established grade to the highest point of the building, including parapet walls, but excluding chimneys, spires, and mechanical penthouses, provided the penthouses cannot be seen from the street. The highest point of turrets, towers, belfries, cupolas, lanterns, window's walks, and similar structures or features are used as the highest point of the structure when said structure or structure feature is: a) the highest point of the structure, and b) has an outer perimeter enclosing an area of sixteen (16) square feet or more regardless of the presence of floors. Said structure or feature is a spire when it has an outer perimeter enclosing an area of less than sixteen (16) square feet. Said structures or structure features include: turrets, towers, belfries, cupolas, lanterns, widow's walks or similar structures. (Ord. 112-O-03)</p>
<p>BUILDING HEIGHT, MEAN:</p>	<p>(A) The perpendicular distance measured from the established grade to the high point of the roof for a flat roof, the deck line of a mansard roof, and to the mean height level for gable, hip or gambrel roofs. Mean height level is computed as the average of the height of the high point of the roof and the highest level where the plane of the main roof, excluding dormers, intersects the plane of an outside wall below the main roof. Chimneys and spires shall not be included in calculating the height nor shall mechanical penthouses or solar collectors, provided the penthouses and collectors cannot be seen from the street. The highest point of the following structures or structure features is used as the high point of the roof in computing mean height level when said structure or feature is: 1) the highest point of the structure and 2) has an outer perimeter enclosing an area of sixteen (16) square feet or more regardless of the presence of floor. Said structure or feature is treated as a spire when having an outer perimeter enclosing an area of less than sixteen (16) square feet. Said structures or features include: turrets, towers, belfries, cupolas, lanterns,</p>

	<p>window's walks or similar structures.</p>
	<p>(B) The height of any story of a structure shall be excluded from the calculation of its height when seventy-five percent (75%) or more of the gross floor area of such story consists of parking required for the structure (excluding mechanical penthouse or solar collector). This exclusion of required parking from the calculation of building height shall be applicable to all permitted and special uses in the B3, D2, D3, and D4 zoning districts including planned developments. Where the required parking exclusion is applicable, it shall in no case be greater than four (4) stories or forty (40) feet, whichever is less.</p>
	<p>(C) Anywhere in this zoning ordinance where the words building height are indicated without designation of mean building height or absolute building height the reference is to mean building height. (Ord. 35-O-08; Ord. No. 121-O-15 , § 3, 10-26-2015)</p>

BUILDING MATERIALS ESTABLISHMENT:	A building, property or activity, the principal use of which is the selling of lumber or other associated building material and supplies in bulk to contractors and the general public. "Building materials establishment" shall not include a retail goods establishment or a wholesale goods establishment.
BUILDING, NONCOMPLYING[3]:	A lawfully established building that by virtue of the adoption hereof does not comply with all the applicable requirements of this Title governing height, bulk and location on a lot.
BUILDING, PRINCIPAL:	A building in which the business of the principal use of the lot on which the building is located is conducted.
BUILDING, RESIDENTIAL:	A principal building arranged, designed, used or intended to be used for residential occupancy by one (1) or more families. "Residential building" shall include, but is not limited to, the following types: a) single-family dwelling, b) two-family dwelling, c) multiple-family dwelling, and d) a row of single-family attached dwellings developed initially under single ownership or control.
BUILDING, TEMPORARY:	A building not designed or intended to be permanently placed or affixed on the lot upon which it is located.
BULK:	A composite characteristic of a given building or structure as located upon a given lot, not definable as a single quantity but involving all of these characteristics: 1) size and height of building or structure, 2) location of exterior walls at all levels in relation to lot lines, streets or to other buildings or structures, 3) floor area ratio, 4) all open spaces allocated to the building or structure, and 5) amount of lot area provided per dwelling unit, and 6) lot coverage.
BUSINESS:	An occupation, employment, or enterprise that occupies time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, and/or where services are offered for compensation.

BUSINESS OR VOCATIONAL SCHOOL:	A privately-owned or publicly-owned post-secondary school, other than a community college or four-year "college/university institution," providing occupational or job skills in a variety of technical subjects and trades for specific occupations. (Ord. No. 3-O-14, § 2, 2-10-2014)
CANDLEPOWER:	The total luminous intensity of a light source expressed in footcandles. Maximum (peak) candlepower is the largest amount of footcandles emitted by any lamp, light source, or luminaire.
CANNABIS CRAFT GROWER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 31-O-20 , § 1, 2-24-2020)
CANNABIS DISPENSARY:	A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire cannabis from a registered cultivation center for the purpose of dispensing cannabis, cannabis infused products, paraphernalia, or related supplies and educational materials to purchasers or registered qualifying patients as defined in the Compassionate Use of Medical Cannabis Program and the Cannabis Regulation and Tax Act as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 126-O-19 , § 1, 10-28-2019)

CANNABIS CULTIVATION CENTER:	A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 31-O-20 , § 1, 2-24-2020)
CANNABIS INFUSER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 31-O-20 , § 1, 2-24-2020)
CANNABIS PROCESSOR:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 31-O-20 , § 1, 2-24-2020)
CANNABIS TRANSPORTER:	An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. (Ord. No. 31-O-20 , § 1, 2-24-2020)

CAR WASH:	A building or portion thereof where facilities for washing, cleaning and detailing automobiles are provided, that involve machine or hand-operated mechanical devices or equipment.
CATERER:	A building, property, or activity, the principal use or purpose of which is the preparing and serving and delivering of meals or food items only for consumption off the premises at public or private functions such as: weddings, receptions, dinners or banquets. Over-the-counter sales of prepared food items shall be prohibited in conjunction with this use. (Ord. 39-O-95)
CELLAR:	The portion of a building located partly or wholly underground and having one-half (1/2) or more than one-half (1/2) of its clear floor-to-joist height below the average grade of the adjoining ground.
CERTIFICATE OF OCCUPANCY:	The official certification that a premises conforms to the provisions of the Zoning Regulations and Building Code and may be used or occupied. A certificate of occupancy must be issued before a structure may be occupied.
CERTIFICATE OF ZONING COMPLIANCE:	A written certification that a structure, use, or parcel of land is, or will be in compliance with the requirements of this Ordinance. (See Section 6-3-2.)
CHILD RESIDENTIAL CARE HOME:	A dwelling unit shared by four (4) to eight (8) unrelated persons, under the age of twenty-one (21) years, exclusive of staff, who require assistance and/or supervision while pursuing a primary or secondary education curriculum, and who reside together in a family-type environment as a single housekeeping unit. "Child residential care home" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or who are criminal or juvenile offenders serving on work release, probationary or court-ordered supervisory programs for offenders; nor a dormitory, fraternity/sorority dwelling, boarding house, rooming house or nursing home. (Ord. 40-O-95)

COACH HOUSE:	A type of detached Accessory Dwelling Unit which includes a garage. (Ord. No. 47-O-18 , § 1, 5-14-2018; Ord. No. 171-O-19 , § 1, 1-13-2020; Ord. No. 86-O-20 , § 1, 9-29-2020)
COLLEGE/ UNIVERSITY INSTITUTION:	A privately-owned or publicly-owned institution providing full-time or part-time education, other than "business or vocational school," beyond the high school level, including any lodging rooms or housing for students or faculty. (Ord. No. 3-O-14, § 2, 2-10-2014)
COLLOCATE or COLLOCATION:	To install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole. (Ord. No. 44-O-21 , § 2, 5-10-2021)
COMMERCIAL INDOOR RECREATION:	Public or private recreation facilities, tennis ball, racquet or other courts, swimming pools, bowling alleys, skating rinks, or similar uses that are enclosed in buildings and primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Commercial indoor recreation" shall include, but not be limited to, health and fitness establishments or any accessory use, such as snack bars that sell prepackaged food items, pro shops, and locker rooms that are designed and intended primarily for the use of patrons of the principal recreational use. "Commercial indoor recreation" shall not include cultural facilities, community centers and recreation centers, or any use that is otherwise listed specifically in a zoning district as a permitted or a special use. For purposes of this definition, the term "commercial purpose," as defined in this Section, shall not apply. (Ord. No. 47-O-13, § 2, 6-10-2013)

COMMERCIAL OUTDOOR RECREATION:	Public or private swimming pools, tennis courts, ball fields, ball courts, and fishing piers that are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Commercial outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, and clubhouses that are designed and intended primarily for the use of patrons of the principal recreational use. "Commercial outdoor recreation" shall not include skateboarding courses, water slides, mechanical rides, go-cart or motorcycle courses, raceways, drag strips, stadiums, marinas, overnight camping, or gun firing ranges, or any use that is otherwise listed specifically in a zoning district as a permitted or special use.
COMMERCIAL PARKING GARAGE:	A privately or publicly owned and used structure used for parking or storage of automobiles, generally available to the public, and involving payment of a charge for such parking or storage.
COMMERCIAL PARKING LOT:	An area reserved or used for parking or storage of automobiles, which is either privately or publicly owned generally available to the public, and involving payment of a charge for such parking or storage.
COMMERCIAL PURPOSE:	An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee, except for activities carried on by a not for profit organization that utilizes the proceeds of such activities solely for the purposes for which it is organized.
COMMERCIAL SHOPPING CENTER:	A concentration of related commercial establishments with one (1) or more major anchor tenants, shared parking, and unified architectural and site design. A shopping center normally has single or coordinated ownership/operations/management control and may include out parcels as well as architecturally connected units.

<p>COMMERCIAL STORAGE FACILITY:</p>	<p>A commercial land use consisting of the rental of fully enclosed interior building space for the storage of personal property (miniwarehouse). An industrial warehouse is not considered commercial storage facility. (Ord. No. 43-O-93)</p>
<p>COMMUNITY CENTER:</p>	<p>A place, structure, area or other facility that is open to the public, under the jurisdiction of a public or nonprofit agency, and is used for community recreation, education and/or service activities. A community center may include, but is not limited to, the following uses: auditorium, multipurpose room, gymnasium, meeting space, open space, playground, playing courts, playing field, and swimming pool. Community center does not include retail services, membership organizations, commercial indoor recreation, commercial outdoor recreation, transitional shelter, transitional treatment facility, short or long term care facility. (Ord. 67-0-09)</p>
<p>CONFERENCE FACILITY (COLLEGE/ UNIVERSITY):</p>	<p>A building or portion thereof operated by a college/university institution used for holding assemblies, conferences, conventions, public meetings, seminars, workshops, or other similar activities. Such a facility may include executive level training programs and executive level educational seminars but may not include classrooms or other facilities used for regular college or university degree program classes. A conference facility may include dining facilities for the use of participants, as well as other compatible accessory uses but may not include sleeping or dwelling quarters or lodging as an accessory use to the conference facility.</p>
<p>CONFERENCE FACILITY (NONCOLLEGE/ UNIVERSITY):</p>	<p>A building or portion thereof used for holding assemblies, conferences, conventions, public meetings, seminars, trade shows, workshops, or other similar activities that is not a conference facility (college/university). A conference facility may include dining facilities for the use of participants, as well as other compatible accessory uses but may not include sleeping or dwelling quarters or lodging as an</p>

	accessory use to the conference facility. (Ord. 82-0-98)
CONGREGATE HOUSING:	Rental housing which provides a living arrangement of self-contained units that integrates shelter, food service and other services for independent adults who do not require twenty-four (24) hour oversight. Services may include meals, laundry, transportation, housekeeping and organized activities which create opportunities for socialization.
CONVENIENCE STORE:	Any food store establishment having a building size or occupying a sales floor space under three thousand two hundred (3,200) square feet. (Ord. 114-O-02)
CRAFT ALCOHOL PRODUCTION FACILITY:	A commercial facility that: (1) produces beer, wine, or other alcoholic liquor in quantities compliant with all applicable local, state, and federal regulations; and (2) includes an accessory tasting room in zoning districts where the facility is a Special Use. A tasting room is only permitted to serve alcohol as permitted by Title 3, Chapter 4 of the Evanston City Code of 2012, as amended (Liquor Control Regulations). A Craft Alcohol Production Facility may have a Type 1 Restaurant as an accessory use. (Ord. No. 105-O-18 , § 1, 10-8-2018; Ord. No. 63-O-19 , § 1, 8-5-2019)
CULTURAL FACILITY:	An indoor theater, auditorium, or other building or structure designed, intended, or used primarily for musical, dance, dramatic, or other performances, or a library, museum or gallery operated primarily for the display, rather than the sale, of works of art. A "cultural facility" does not include a performance entertainment venue. (Ord. 2-O-00)

DAYCARE CENTER — ADULT:	Any place other than a family home in which persons receive adult daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period licensed pursuant to this Code.
DAYCARE CENTER — CHILD:	Any place other than a family home in which children nine (9) years of age and under receive child daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period licensed pursuant to this Code.
DAYCARE HOME — ADULT:	A family home in which not less than four (4) and not more than eight (8) persons receive adult daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period.
DAYCARE HOME — CHILD[5]:	A family home that receives not less than four (4) and not more than eight (8) children, nine (9) years of age and under, for care during any part of the day not exceeding twelve (12) hours in a twenty-four (24) hour period. The maximum of eight (8) children includes the family's natural or adopted children under age eighteen (18) and those children who are in the home under full time care.
DAYCARE CENTER— DOMESTIC ANIMAL:	Any establishment for which the principal use or purpose is the housing of domestic animals for periods of time that shall neither exceed fourteen (14) hours in any twenty-four (24) hour period, nor include overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 a.m. and 4:30 p.m. on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Center, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s) before the Center closes for the day, and, thereafter, comply with said plan. The operator of any such Center shall comply with the

	<p>applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended. (Ord. No. 67-O-11, § 2, 9-12-2011; Ord. No. 95-O-20 , § 1, 10-26-2020)</p>
<p>DECK:</p>	<p>A structure which is either freestanding or attached to a principal or accessory building, located in the rear yard or side yard and constructed above grade and unenclosed by solid or nonsolid walls or a roof. If located in the side yard, an attached deck must meet principal building setbacks. (Ord. No. 165-O-15 , § 10, 5-23-2016)</p>
<p>DESIGN AND PROJECT REVIEW COMMITTEE (DAPR):</p>	<p>The committee addressed by Ordinance 50-O-14, as amended, whose major purpose is to review development plans pursuant to the provisions of this Title. (Ord. No. 50-O-14, § 21, 10-27-2014)</p>
<p>DISABLED:</p>	<p>As defined pursuant to Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, a person having: a) a physical or mental impairment that substantially limits such person's ability to live independently; b) a record of having such an impairment; or c) being regarded as having such an impairment. "Disabled" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home</p>

	would constitute a direct threat to the health and safety of the other individuals.
DISTRICT OVERLAY:	An overlay district is a second set of regulations applied to any part or all of a zoning district or any number of districts. The overlay district regulations may relax or further restrict the number or types of uses allowed as well as the way permitted activities operate within the overlay district boundaries. Such districts are mapped on the City of Evanston zoning map.
DORMER:	A structure projecting from a slanting roof to accommodate a window.
DORMITORY:	A building or portion thereof that contains living quarters for students, staff, or members of an accredited college, university, boarding school, theological school, hospital, religious order, or comparable organization; provided that said building is owned or managed by said organization and contains not more than one (1) cooking and eating area; and further provided that said building complies with the rooming house ordinance of the City.
DRIVE-THROUGH FACILITY:	A facility, establishment or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall only be permitted in connection with a listed permitted or special use. (Ord. 39-O-95)
DRIVEWAY:	A private access way that provides direct access from a street to a parking space.

DRIVEWAY, SHARED:	Private way for vehicular use by two (2) or more owners.
DWELLING:	A residential building or portion thereof. "Dwelling" shall not include a hotel, motel, boarding house, rooming house, dormitory, nursing home, mobile home, or institution.
DWELLING, FRATERNITY/ SORORITY:	A building that is occupied only by a group of university or college students who are associated together in a fraternity/sorority that is chartered by a national or international fraternity/sorority or is officially recognized by the university or college and who receive from the fraternity/sorority lodging and/or meals on the premises for compensation.
DWELLING, MULTIPLE-FAMILY:	A detached residential building containing three (3) or more dwelling units, including what is commonly known as an apartment building, but not including group, row, or town houses.
DWELLING, SINGLE-FAMILY ATTACHED (GROUP, ROW, OR TOWN HOUSES):	Three (3) or more dwelling units joined side by side.
DWELLING, SINGLE-FAMILY DETACHED:	A residential building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot.
DWELLING, TWO-FAMILY:	A residential building containing not more than two (2) dwelling units entirely surrounded by open space on the same lot.
DWELLING UNIT:	A room or group of contiguous rooms that include facilities used or intended to be used for living, sleeping, cooking and eating, and that are arranged, designed or intended for use exclusively as living quarters.

DWELLING UNIT, ACCESSORY (ADU):	A smaller, secondary independent housekeeping establishment located on the same zoning lot as a residential building. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation, and may be internal, attached or detached. (Ord. No. 86-O-20 , § 1, 9-29-2020)
EDUCATIONAL INSTITUTION - PRIVATE:	A privately owned preschool, elementary school, middle school, or high school.
EDUCATIONAL INSTITUTION - PUBLIC:	A publicly owned preschool, elementary school, middle school, or high school, or a facility owned by a public school district containing classrooms, and libraries, offices or similar support facilities for one (1) or more of the following district purposes: educational services and related programs for faculty and staff and for students, preschool age children and their families; district administrative staff offices. A zoning lot developed as an educational institution must be principally used for classrooms for preschool, elementary school, middle school, or high school students. (Ord. 24-0-01)
EFFICIENCY HOME:	A small residential building, with a ground floor area of five hundred (500) square feet or less, containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot and permanently affixed to a foundation. A mobile home or recreational vehicle shall not be considered an efficiency home. (Ord. No. 13-O-21 , § 1, 3-22-2021)
EFFICIENCY UNIT:	A dwelling unit consisting of one (1) principal room together with bathroom, kitchen, hallway, closets and/or dining room alcove directly off the principal room, provided such dining alcove does not exceed one hundred twenty-five (125) square feet in area. An efficiency unit created after December 2, 1960, shall contain at least three hundred (300) square feet of floor area. (Ord. No. 13-O-21 , § 1, 3-22-2021)

<p>EMERGENCY PHONE STRUCTURE:</p>	<p>A structure with a phone specifically provided for making calls to emergency services for security and safety precaution in public areas. Emergency phone structures are typically highly visible due to high intensity lighting. Examples include, but are not limited to: emergency phones, phone stanch ions, call stations, and call boxes. (Ord. No. 66-O-15 , § 36, 6-22-2015)</p>
<p>EVANSTON LANDMARK:</p>	<p>A landmark of historic importance as defined in Title 2, Chapter 8, "Historic Preservation," as amended. (Ord. No. 79-O-18 , § 5, 7-23-2018)</p>
<p>FACADE OF THE PRINCIPAL BUILDING, FRONT-FACING:</p>	<p>Any facade of the principal building which approximately parallels the front lot line, exceeds ten (10) feet in length, and is located within fifteen (15) feet of that portion of, or is, the facade of the principal building closest to the front lot line (see Figure 6-18-3, front-facing facade of the principal building).</p>

<p>FACADE OF THE PRINCIPAL BUILDING, STREET FACING:</p>	<p>Any facade of the principal building which approximately parallels a street lot line(s), exceeds ten (10) feet in length, and is located within fifteen (15) feet of that portion of, or is, the facade of the principal building closest to the corresponding street lot line (see Figure 6-18-3, "Street-Facing Facade of the Principal Building," of this Section).</p>
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(Ord. 15-O-99)

FAMILY:	(A) Type (A) Family: One (1) or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit.
	(B) Type (B) Family: Two (2) unrelated persons and their children living together as a single housekeeping unit in a dwelling unit.
	(C) Type (C) Family: A group of not more than three (3) unrelated persons living together as a single housekeeping unit in a dwelling unit.
	(D) Type (D) Family: A group of two (2) or more persons containing within it one (1) or more families, as defined in Subsections (A) and (B) of this definition, including a husband and wife married to one another and their children, as well as adults, living together in a dwelling unit as a single housekeeping unit and management, in premises in which the adult occupants are affiliated with a bona fide not for profit corporation organized for religious purposes chartered by the state of Illinois, that owns or rents the property and has been in existence for at least five (5) years prior to seeking certification by the director of planning and zoning as provided herein; provided, that in no case shall the total occupancy of the dwelling unit exceed two (2) persons per bedroom, nor shall the premises be utilized for religious public assembly. This type (D) family may occupy a dwelling unit only in accordance with the procedures in Section 6-4-1-14 of this Title.
	"Family" shall not be construed to mean a club, a lodge or a fraternity/sorority house.
FENCE[6]:	A structure, other than a building, that is a barrier and used as a boundary or means of protection or confinement. (Ord. No. 43-O-93)
FENESTRATION:	The design and placement of windows in a building. (Ord. 5-9-08)

FIELD HOUSE:	A place, structure, or other facility used for and providing athletic and recreational programs for a college/university institution. "Field house (college/university)" shall include any accessory uses, such as, but not limited, to locker rooms, snack bars, administrative offices and classrooms which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use.
FINANCIAL INSTITUTION:	A building, property or activity, the principal use or purpose of which is the provision of financial services, including but not limited to banks, facilities for automated teller machines ("ATMs"), credit unions, savings and loan institutions, and mortgage companies. "Financial institution" shall not include any use or other type of institution that is otherwise listed specifically in a zoning district as a permitted or special use.
FIREARM RANGE:	Any indoor establishment where the discharging of a firearm, as defined in Section 9-8-1, is allowed for a sporting event or for practice, instruction, testing, or training in the use of a firearm. A firearm range may also include rental of a firearm for allowable uses within the establishment and a firearm dealer as defined and regulated by Title 9, Chapter 8 — Weapon of the City Code. (Ord. No. 51-O-15 , § 4, 6-22-2015)

<p>FLOOR AREA (GROSS FLOOR AREA):</p>	<p>The sum of the gross horizontal areas of the several floors of a building, except a cellar floor, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The "floor area" of a building shall also include, but not be limited to, basements, all attic space, finished or unfinished, having five (5) feet or more space from floor to rafters, interior balconies and mezzanines; and enclosed porches or porches covered by a roof suitable for covering a habitable room. Any space devoted to required off-street parking or loading for the building shall not be included in "floor area." The following areas shall be excluded from calculations for "floor area": elevator shafts, stairwells, space used solely for heating, cooling, mechanical, electrical and mechanical penthouses, refuse rooms and uses accessory to the building.</p>
<p>FLOOR AREA OF A DWELLING UNIT OR A LODGING ROOM:</p>	<p>The sum of the gross horizontal areas of the rooms constituting the dwelling unit or lodging room, including closets, baths, utility rooms, enclosed porches and hallways when accessible only to the occupants of said dwelling unit or lodging room and not accessible to other occupants of the building or to the general public, and only when such rooms, halls or other areas are an integral part of said dwelling unit or lodging room. Floor area shall be measured from the interior faces of the outermost walls defining the dwelling unit or lodging room but shall not include any unfinished space or finished space having a head room of less than five (5) feet.</p>
<p>FLOOR AREA, GROUND:</p>	<p>The sum of the gross horizontal area of the ground floor of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The ground floor area of a building also shall include recessed, unenclosed, or partially enclosed areas under a floor above exterior stairways, porches, and similar areas but excluding open terraces.</p>

FLOOR AREA RATIO:	The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.
FOOD STORE ESTABLISHMENT:	A building or portion thereof where the direct retail sale of food items such as meats, cereals, grains, produce, baked goods, dairy products, canned and frozen prepared food products, beverages, cleaning supplies, pet food and supplies, pharmaceuticals, over-the-counter medicines, personal products, household goods, books and magazines, plants, and other sundry and similar items are available to be purchased by the consumer. "Food store establishments" shall include, but not be limited to, a candy or confectionery store, grocery store, a food and drug supermarket, meat or fish market, fruit and vegetable market, retail bakery, and other uses similar in nature and impact. "Food store establishment" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or special use. Seating for the consumption of food and/or beverages by customers is prohibited. (Ord. 39-O-95)
FOOT-CANDLE:	A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) standard candle.
FOSTER CHILD:	A child giving, receiving, and sharing affection and care in a family other than his or her biological family, as if related by blood or as if legally adopted.
GARAGE, PRIVATE:	An accessory building or an accessory portion of the principal building, including a carport, that is intended for and used for storing the privately owned motor vehicles, boats, and trailers of the family or families resident upon the premises, and in which no business, service, or industry connected directly or indirectly with motor vehicles, boats, and trailers is carried on.

GARAGE, STORAGE:	A building or premises used for the housing only of motor vehicles, boats, and trailers and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired or sold.
GOVERNMENT INSTITUTION:	A building or structure owned and operated by a municipal, state, federal, or other taxing body institution in which governmental services are provided or conducted.
GRADE, ESTABLISHED:	The elevation established for regulating the height of buildings. Established grade shall be the mean level of the public sidewalk, where present, or if no sidewalk, the mean finished surface of the ground off the subject property immediately adjacent to the front lot line. (Ord. 112-O-03)
GUEST, PERMANENT:	A person who occupies or has the right to occupy a residential accommodation for a period of thirty (30) days or more.
GUEST, TRANSIENT:	A guest who does not have a lease and occupies an apartment, lodging room, or other living quarters on a daily or weekly basis.
HEALTH HAZARD:	A classification of a chemical for which there is statistically significant evidence based on at least one (1) study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed persons. The term "health hazard" includes chemicals that are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.
HISTORIC LANDMARK:	See definition of Evanston Landmark.

HOME OCCUPATION:	An accessory use of a dwelling unit that is used for a gainful activity involving the provision, assembly, processing or sale of goods and/or services that is incidental and secondary to the use of a dwelling unit, but excluding the provision of shelter or lodging. (See Chapter 5 of this Title.)
HOSPITAL:	An institution licensed by state law providing health services and medical or surgical care to patients and injured persons. (See Section 6-15-10 of this Title.)
HOSPITAL BASED SPECIALIST:	A medical practitioner licensed by the state of Illinois to practice medicine who restricts his/her practice to one (1) of the following seven (7) medical specialties: a) emergency medicine; b) radiology; c) nuclear medicine; d) pathology; e) anesthesiology; f) neonatology; and g) perinatology. These physicians see essentially all of their patients in the hospital facilities.
HOTEL:	A building in which lodging is offered with or without meals principally to transient guests and that provides a common entrance, lobby, halls and stairways.
HOTEL, APARTMENT:	A hotel with dwelling units in which all accommodations are provided in dwelling units and in which at least twenty-five percent (25%) of the guestrooms are for occupancy by transient guests. An apartment hotel may have a dining room open to the public that is accessible only from an inner lobby or corridor.
IMPERVIOUS SURFACE:	Any hard surfaced, manmade area that does not readily absorb or retain water, including but not limited to any paved, asphalt or concrete areas, parking and graveled driveway areas and sidewalks. (Ord. No. 165-O-15 , § 9, 5-23-2016)

<p>INDEPENDENT LIVING FACILITY:</p>	<p>A living arrangement of dwelling units or rooming units for older adults who do not require any oversight or assistance with personal or medical care needs. Facility may provide general services such as meals, transportation, housekeeping, and opportunities for socialization. (See definitions of Retirement Hotel and Congregate Housing.)</p>
<p>INDOOR RECREATION FACILITY (COLLEGE/ UNIVERSITY):</p>	<p>A place, structure, or other facility used for and providing indoor recreation facilities, tennis, ball, racquet or other courts, swimming pools, bowling alleys, or similar uses that are enclosed in buildings and are operated primarily for the use of college/university related persons. "Indoor recreation facilities (college/university)" shall include any accessory uses, such as, but not limited to, cafeterias, administrative offices, classrooms and locker rooms, which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use. "Indoor recreation facilities (college/university)" shall not include theaters, cultural facilities, commercial recreation centers, community centers and recreation centers, or any use which is otherwise listed specifically in the zoning districts as a permitted or special use.</p>
<p>INDUSTRIAL SERVICE ESTABLISHMENT:</p>	<p>A building, property, or activity of which the principal use or purpose is the provision of industrial oriented services directly to the industrial use establishments. This term shall include, but will not be limited to, tool shops, machine repair and service shops, blade sharpening shops and similar establishments. "Industrial services establishments" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or special use.</p>
<p>INSTITUTION:</p>	<p>An organization or establishment providing religious, educational, charitable, medical, cultural, or governmental services.</p>

INVISIBLE PET FENCE:	An electronic system designed to keep a pet or other domestic animal within a set of predefined boundaries without the use of a visible barrier. (Ord. No. 22-O-15, § 7, 4-13-2015)
JOINT PARKING FACILITY:	A parking facility used for joint parking by two (2) or more businesses or other establishments.
JUNKYARD:	An open area where discarded, used, or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. Junkyard includes wrecking yards, but does not include landfills, waste transfer stations or uses carried on entirely within enclosed buildings. (Ord. No. 43-O-93)
KENNEL:	Any establishment for which the principal use or purpose is the housing of domestic animals, including overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 a.m. and 4:30 p.m. on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Kennel, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s), and, thereafter, comply with said plan. The operator of any such Kennel shall comply with the applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended. (Ord. No. 67-O-11, § 2, 9-12-2011)

KNEE-WALL, EXTERIOR:	That portion of a building, with vertical walls, located between the top full story and a half story. Exterior knee-walls shall not exceed three (3) feet in height. In order to allow for additional height while minimizing bulk, exterior knee-walls above the second story are not allowed except on buildings with gable or hip roofs. (Ord. No. 72-O-12, § 11, 10-22-2012)
LIVE-WORK UNIT:	A structure or a tenant space where allowed nonresidential activity occurs as the principal use of the structure or tenant space and a living quarters accessory to the allowed nonresidential activity serves as a dwelling unit on the premises. A live-work unit shall not consist of solely the allowed nonresidential activity and a sleeping unit without a kitchen for use exclusively by the occupant. (Ord. 67-0-09; Ord. No. 82-O-21 , § 1, 9-13-2021)
LODGING:	A place of business including the following uses: hotels, motels, inns, and other uses similar in nature and impact.
LODGING ROOM (ROOMING UNIT):	A room or group of rooms forming a single habitable unit that is not physically a part of a dwelling unit or, though physically a part of a dwelling unit, is used or intended for use by a person or persons other than members of the family occupying said dwelling unit, and that is used or intended to be used as sleeping and living quarters, but without facilities for cooking, eating, food storage or food preparation.
LONG TERM CARE FACILITY:	A facility that provides personal, sheltered, intermediate or skilled care for persons in need of such care, regardless of age. (Ord. No. 43-O-93)
LOT:	A parcel of land located within a single block which shall be either a "lot of record" or a "zoning lot" and shall have frontage upon a "street." (Ord. 10-0-95)
LOT AREA:	The area of horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

LOT, CORNER:	A lot situated at the junction of and abutting on two (2) or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which does not exceed one hundred thirty-five degrees (135°).
LOT COVERAGE, BUILDING:	The ratio between the ground floor areas of all buildings or structures, including covered decks attached to the principal building or free-standing, on a lot and the total area of the lot. (Ord. No. 165-O-15 , § 9, 5-23-2016)
LOT DEPTH:	The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
LOT, FLAG:	A lot with access provided to the bulk of the lot by means of a narrow corridor.
LOT LINE:	A line dividing one (1) lot from another lot or from a street or alley.
LOT LINE, FRONT:	A lot line that is a street lot line. Any street lot line of a corner lot may be established by the Zoning Administrator as the front lot line. (Ord. No. 45-O-17 , § 2, 9-11-2017)
LOT LINE, REAR:	That boundary of a lot that is most distant from and is, or is approximately, parallel to the front lot line. If the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.
LOT LINE, SIDE:	Any boundary of a lot that is not a front or rear lot line. On a corner lot, a side lot line may be a street lot line.

LOT, NONCONFORMING:	A use or activity that lawfully existed prior to the adoption, revision, or amendment of this Ordinance, but that fails by reason of such adoption, revision, or amendment to conform to the requirements of the zoning district in which it is located. (See Chapter 6 of this Title.)
LOT OF RECORD:	Is a lot that is part of a subdivision, the plat of which has been recorded in the office of the recorder of deeds of Cook County, or a parcel of land, the deed to which was recorded in the office of said recorder of deeds prior to the adoption of this Ordinance.
LOT, OPEN SALES:	Any zoning lot or portion of a zoning lot used for retail sales in which said sales or the inspection of merchandise by prospective purchasers predominantly occurs outside of an area enclosed by walls. Open sales lot does not include the following uses: uses allowed and/or regulated in Section 6-4-8-3, "Permitted Temporary Use Regulations," of this Title; automobile and recreational vehicle sales and/or rental; truck sales and/or rental; sales of plants for landscaping or gardening; the "farmers' market" as defined and regulated by Title 3, "Business Regulations," Chapter 25, "Farmers' Market" of this Code. (Ord. 114-O-02; Ord. No. 154-O-15 , § 4, 2-8-2015)
LOT, REVERSED CORNER:	A corner lot where the street side lot line is substantially a continuation of the front lot line of the first lot to its rear.
LOT, THROUGH:	A lot with lot lines on two (2) streets, that is not a corner lot. All street lot lines shall be deemed front lot lines. (Ord. 18-0-94)
LOT WIDTH:	(A) The distance between the side lot lines measured across the rear of the required front yard; or
	(B) One hundred twenty-five percent (125%) of the distance between the side lot lines at the point where said side lot lines intersect the street, whichever is

	shorter.
LOT, ZONING:	A single tract of land located within a single block that, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.
MANUFACTURING, HEAVY:	The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing," or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds twenty-five percent (25%) of the floor area of all buildings on the property. Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials or products involving flammable or explosive materials and processes that require extensive floor areas or land areas for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

<p>MANUFACTURING, LIGHT:</p>	<p>The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five (25) percent of the floor area of all buildings on the property. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.</p>
<p>MEDIA BROADCAST STATIONS:</p>	<p>A building or portion thereof used for the production and broadcast of media related programming. This term shall include, but will not be limited to, radio and television broadcasting stations and other uses similar in nature and impact.</p>
<p>MEMBERSHIP ORGANIZATION:</p>	<p>Lands, buildings or portions thereof, or premises owned or operated by an organization of a professional, business, trade, civic, social, fraternal, political, or religious nature operating on a membership basis and engaged in promoting the interest of their members. (Ord. No. 43-O-93)</p>
<p>MICRO WIRELESS FACILITY:</p>	<p>A small wireless facility that is not larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and that has an exterior antenna, if any, no longer than eleven (11) inches. (Ord. No. 44-O-21 , § 2, 5-10-2021)</p>
<p>MINIMUM LINEAR FENESTRATION:</p>	<p>A minimum total horizontal distance along a facade containing fenestration that meets the specified criteria, usually in terms of height and placement of windows and doors. (Ord. 5-O-08)</p>

MODULE WIDTH, DOUBLE LOADED (OF PARKING SPACES):	The distance between parking spaces (stalls) on both (2) sides of any access aisle as measured perpendicular to said aisle and from the farthest point of spaces (stalls) on one (1) side of said aisle to the farthest point of spaces (stalls) on the other side of said aisle.
MODULE WIDTH, SINGLE LOADED (OF PARKING SPACES):	The distance between parking spaces (stalls) on one (1) side of an access aisle as measured perpendicular to said aisle from the farthest point of said spaces (stalls) and including the width of said aisle (at its minimum dimension).
MOTOR VEHICLE:	A self-propelled wheeled vehicle designed primarily for transportation of persons or goods along public streets.
NEIGHBORHOOD GARDEN:	A principal use that provides space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest, and is managed by a specific person or group responsible for maintenance and operations. (Ord. No. 81-O-14, § 2, 8-11-2014)
NURSERY SCHOOL:	See definition of Daycare Center—Child.
OFFICE:	A use or structure where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical clinics and laboratories, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services, but not including drive-through service windows, the cutting or styling of hair, or recreational facilities or amusements. "Office" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

<p>OPACITY, FENCE:</p>	<p>A measurement of the amount of vision blocked by the various components of a fence, expressed as a percent. Fence opacity shall be measured across a typical section of fence, from the vertical centerline of one (1) fence post to the vertical centerline of a second fence post (see Figure 6-18-3, "Fence Opacity," of this Section).</p>
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(Ord. 15-O-99)

<p>OPEN SPACE:</p>	<p>An area of naturally existing or planted vegetation adjacent or surrounding a land use, unoccupied in its entirety by any enclosed structure, or portion of such land use, used as a buffer for the purposes of screening and softening the effects of the use, building or structure, no part of which buffer is used for parking or outdoor storage.</p>
<p>OUTDOOR RECREATION FACILITY (COLLEGE/ UNIVERSITY):</p>	<p>A place or other facility used for and providing outdoor recreation facilities, tennis, ball, racquet or other courts, swimming pools, golf courses and fishing piers which are not enclosed in buildings and are operated primarily for the use of college/university related persons. "Outdoor recreation facilities (college/university)" shall include any accessory uses, such as, but not limited to, clubhouses, locker rooms, or bleachers which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use. "Outdoor recreation facilities (college/university)" shall not include skateboarding courses, go-cart or motorcycle courses, stadiums, field houses, marinas, overnight camping, or gun firing ranges, or any use which is otherwise listed specifically in the zoning districts as a permitted or special use.</p>

OUTDOOR STORAGE:	The keeping or storage of any goods, material, equipment, part or merchandise in an enclosed, but open to the sky, area, for more than a twenty-four (24) hour period. "Open storage" shall not include junkyard or salvage yard establishments or landfills.
OWNER:	Any full or part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or beneficial Title to the whole or to part of a structure or land.
PARKING AREA:	One (1) or more parking spaces including access drives, aisles, ramps and maneuvering area, serving a principal building located on the same lot.
PARKING LOT:	An area reserved or used for parking or storage of motor vehicles, hauling trailers or boats on premises on which there is no principal building.
PARKING SPACE:	An accessible area used or intended for use for temporary storage of one (1) motor vehicle, hauling trailer or trailer mounted boat; said parking space may be located in a private or storage garage, a private or public parking lot, a parking garage, a carport or in the open. Temporary storage is further limited to include only the storage of vehicles that are fully capable of legal operation on the public streets. Any other storage of vehicles shall be considered as the storage of goods and shall be prohibited except where specifically permitted by this Ordinance.
PARKING STRUCTURE, DECK, OR GARAGE:	A structure used for the parking or storage of motor vehicles.
PATIO:	A portion of a lot which is improved with a hardscape material at grade detached anywhere on a lot or attached to the house in side or rear yards. (Ord. No. 165-O-15 , § 10, 5-23-2016)

PAWNBROKER:	A building or use, the principal purpose of which is the lending of money on deposit or pledge of personal property, or dealing in the purchase of personal property on condition of selling the same back at a stipulated price and that is licensed pursuant to Title 3, Chapter 12 of this Code. (Ord. No. 43-O-93)
PAYDAY LOAN OR CONSUMER LOAN ESTABLISHMENT:	Any business that makes or offers a loan transaction where a cash advance, post-dated check, or other financial instrument, which the parties agree will be held for a period of time before presentment for payment or deposit, is accepted as collateral for the loan, or by which a loan transaction is made or offered in lieu of a title to personal or real property, in an amount not exceeding twenty-five thousand dollars (\$25,000.00), that is not expressly done through a bank, savings and loan association, or credit union. No payday loan or consumer loan establishment shall be permitted within one thousand (1,000) feet, measured property line to property line, of another such establishment. (Ord. No. 35-O-12, § 2, 3-26-2012)
PEDESTRIAN AREA:	The area between the front facade of a building and the curb. The pedestrian area consists of a sidewalk clear zone closest to the building, and a parallel parkway/street furniture zone that is between the sidewalk and the curb. (Ord. 5-O-08)
PERFORMANCE ENTERTAINMENT VENUE:	A commercial land use in which the principal activity is the provision of performance entertainment in a nontheatrical setting without a theatrical stage other than a raised platform or without fixed seating. A performance entertainment venue may or may not, subject to all applicable legislation, include the service of alcoholic liquor, and may or may not allow dancing. A performance entertainment venue is not an establishment in which the principal use is the service of prepared food and beverages and in which the land user provides entertainment as an accessory or incidental to the service of prepared food and beverages, nor is a performance entertainment venue

	a cultural facility in which performance entertainment is provided in a theatrical setting or with fixed seating.
	A performance entertainment venue includes, without limitation:
	(A) Live music venues;
	(B) Venues for the provision of musical entertainment which is not live for compensation;
	(C) Dance or "DJ" (disc jockey) halls or clubs in which for compensation live or recorded musical entertainment is provided with or without a dance floor;
	(D) Comedy clubs; and
	(E) Rap clubs.
	A performance entertainment venue does not include poetry clubs or the use of the property of nonprofit institutions for theatrical or musical performances accessory to the nonprofit institution or by another nonprofit organization. (Ord. 2-O-00)
PERSON:	An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

PLANNED DEVELOPMENT[7]:	A tract of land that is developed as a unit under single ownership or control. One (1) or more principal buildings may be located on a single lot.
POND, DETENTION:	An area containing a temporary pool of water and with the capacity to detain storm water for long periods of time.
POND, RETENTION:	An area containing a permanent pool of water as well as capacity to detain additional storm water for long periods of time.
PORCH:	An open or enclosed area attached to the building and located between the exterior wall of a building and the right-of-way. A porch may be covered by a roof which may be attached to a side wall or common with the main roof of the building. (Ord. No. 165-O-15 , § 10, 5-23-2016)
PORCH, ENCLOSED:	A roofed area that features walls and/or windows that exceed fifty percent (50%) opacity but is not heated or cooled, attached to the building and located between the exterior wall of a building and the right-of-way. (Ord. No. 40-O-18 , § 2, 8-13-2018)
PORCH, OPEN:	An open, unroofed or roofed area that features openings with a maximum opacity of fifty percent (50%), attached to the building and located between the exterior wall of a building and the right-of-way. (Ord. No. 40-O-18 , § 2, 8-13-2018)
PREMISES:	A distinct portion of real estate, land or lands with or without buildings or structures. It may or may not have the same meaning as "lot," "building" or "structure."
PRESERVATION ORDINANCE:	Ordinance 14-0-83, as amended, of the City of Evanston.

PUBLIC TRANSPORTATION CENTER:	A building or portion thereof used as a terminus for rail or bus passenger service. This term shall include, but not be limited to, train and bus stations and other uses similar in nature and impact.
PUBLIC UTILITIES:	A building or portion thereof used for providing, monitoring, and housing utilities for public consumption or use. This term shall include, but will not be limited to, operations providing water, sewer, gas, public works facilities, and other uses similar in nature and impact.
READY MIX/ CONCRETE:	A place, structure, or activity primarily engaged in the manufacturing and sale of Portland cement concrete. "Ready mix/concrete" shall include, but not be limited to, establishments engaged in the production and sale of central mixed concrete, shrink mixed concrete, and truck mixed concrete.
RECREATION CENTER:	A place, structure, area or other facility used for and providing recreation programs and facilities generally open to the public and designed to accommodate and serve significant segments of the community.
RECYCLING DROP OFF STATION:	An accessory use, structure, or set of outdoor containers designed or intended for the depositing or collection of clean, source separated, and recyclable papers, glass, metals, or plastics, but having no mechanical facilities for the processing of such materials.
RELIGIOUS INSTITUTION:	A church, synagogue, temple, meetinghouse, mosque, or other place of religious worship, including any accessory use or structure, such as a school, daycare center, or dwelling.
REPAIR (For Review Of Fences Only):	Any action in which a person fixes, mends, restores, or removes that portion of a fence which provides its opacity (e.g., vertical boards, slats, pickets, chainlink) and/or associated horizontal supports. Repair shall include any action to an existing fence not specifically included within the definition of "replace." (Ord. No. 43-

	O-93)
REPLACE (For Review Of Fences Only):	Any action in which a person removes more than twenty-five percent (25%) of the number of posts within a fence, except any action in which a person removes three (3) or fewer posts. (Ord. 15-O-99)
RESALE ESTABLISHMENT:	A building, property, or activity, the principal use or purpose of which is the resale of used clothing, furniture, and/or other goods, products or merchandise directly to the consumer. "Resale establishment" shall not include businesses that sell primarily cars, antiques, books, recorded music, and/or artwork. (Ord. 122-O-09)
RESEARCH AND DEVELOPMENT INDUSTRIES:	A building, property, or structure in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the building, property, or structure.
RESIDENTIAL CARE HOME - CATEGORY I[8]:	A dwelling unit shared by four (4) to eight (8) unrelated persons, exclusive of staff, who require assistance and/or supervision and who reside together in a family type environment as a single housekeeping unit. "Residential care home - category I" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs.

RESIDENTIAL CARE HOME — CATEGORY II[9]:	A dwelling unit shared by nine (9) to fifteen (15) unrelated persons, exclusive of staff, who require assistance and/or supervision and who reside together in a family type environment as a single housekeeping unit. "Residential care home — category II" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs. (Ord. No. 43-O-93)
RESTAURANT, TYPE 1:	An establishment in which the principal use is the service of prepared food and beverages for consumption on the premises. All service of prepared food and beverages for consumption on the premises shall require customers to order at a table, booth, or dining counter with service by a waiter or waitress at said table, booth, or dining counter and shall also require the use of reusable (nondisposable) flatware and dishware. Drive-through facilities are prohibited.
RESTAURANT, TYPE 2:	An establishment in which the principal use is the service of prepared food and/or beverages for consumption on and/or off the premises and that is not a "restaurant, type 1" as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 9-0-10)

<p>RETAIL GOODS ESTABLISHMENT:</p>	<p>A building, property, or activity, the principal use or purpose of which is the sale of goods, products, or merchandise directly to the consumer. "Retail goods establishment" shall include, but not be limited to, department stores, hardware stores, apparel stores, art galleries, and other uses similar in nature and impact. "Retail goods establishment" shall not include dealers in firearms, handguns, or ammunition, or any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or a special use.</p>
<p>RETAIL SERVICES ESTABLISHMENT:</p>	<p>A building, property, or activity, the principal use or purpose of which is the provision of personal services directly to the consumer. The term "retail services establishment" shall include, but shall not be limited to, barbershops, beauty facilities, laundry and dry cleaning establishments (plant off premises), tailoring shops, shoe repair shops and the like. "Retail services establishment" shall not include: businesses that exchange, loan, rent, manufacture, service, alter, repair, or otherwise transfer for consideration, firearms, handguns, or ammunition; tattoo facilities; or any use that is otherwise listed specifically in a zoning district as a permitted or a special use. (Ord. 126-0-08)</p>
<p>RETIREMENT COMMUNITY:</p>	<p>Housing developed, planned, designed, and operated to provide a full range of accommodations and services for older adults including independent living, assisted living, sheltered care, and nursing home care. Residents may move from one (1) level to another as needs change. This term shall include, but will not be limited to, continuing care communities and life care retirement communities.</p>
<p>RETIREMENT HOME (HOME FOR THE AGED):</p>	<p>A facility for older adults that provides services and rooming units, dwelling units of any type, sheltered care, or intermediate or skilled nursing care services.</p>

RETIREMENT HOTEL:	An establishment where meals are provided as part of the price of the accommodations, that caters primarily to nontransient guests and either holds itself out to the public as a retirement facility, selectively caters to or solicits the elderly, or has admission standards based on age. A retirement hotel may not offer any type of long term care, including nursing or sheltered care services.
RIGHT-OF-WAY:	A strip of land dedicated to or owned by the public for use as a roadway, walk or other way. (Ord. No. 43-O-93)
ROOMING HOUSE:	A building or portion thereof containing lodging rooms that accommodate more than three (3) persons who are not members of the keeper's family, and where lodging, excluding food service, is provided for compensation, whether direct or indirect. (Ord. 49-0-09)
SATELLITE DISH ANTENNA[10]:	A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a flat plate, shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based equipment. This term shall include, but will not be limited to, what are commonly referred to as satellite earth stations, television receive only antennas (TVROs) and satellite microwave antennas or towers.
SCOREBOARD:	A display device, appurtenant to an athletic facility, that enables spectators and/or participants in an athletic contest to be informed of the progress of such contest.
SCREENING:	A structure erected, and earth mound constructed, vegetation planted or some combination of these devices used for concealing the area behind it from view.

SHELTER FOR ABUSED PERSONS:	A building, or portion thereof, in which residential accommodations are provided on an emergency basis for persons who are victims of abusive treatment.
SHELTERED CARE HOME:	An establishment that provides shelter, food, assistance with meals, assistance with activities of daily living, and twenty-four (24) hour supervision and monitoring of the mental and health status of residents who are incapable of maintaining a private independent residence or incapable of managing themselves.
SHORT TERM CARE FACILITY:	An establishment that provides personal care, sheltered care, and intermediate or skilled care for persons in need of such care, regardless of age.
SITE PLAN AND APPEARANCE REVIEW COMMITTEE (SPARC):	The committee established by ordinance 31-0-93[11], as amended, whose major purpose is to review submitted site plans pursuant to the provisions of this Title. (Ord. No. 43-O-93)
SLOPE RATIO:	The ratio of the vertical rise of a sloped surface to its horizontal run (e.g., a surface that rises two (2) inches within a run of twelve (12) inches has a slope ratio of 2:12). (Ord. No. 72-O-12, § 11, 10-22-2012)
SOLAR COLLECTOR:	A silent device, structure, or part of a device or structure, which is used primarily to transform solar energy into thermal, chemical, or electrical energy. The solar collector shall be used as part of a system which makes use of such energy for the purposes of water heating, space heating or cooling, or power generation. (Ord. 35-O-08)

<p>SMALL WIRELESS FACILITY:</p>	<p>A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than twenty-five (25) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services. (Ord. No. 44-O-21 , § 2, 5-10-2021)</p>
<p>SPECIAL EDUCATIONAL INSTITUTION—PUBLIC:</p>	<p>A publicly owned special education secondary school, or a facility owned or leased by a public school district (provided the owned or leased property remains subject to real estate taxes) providing occupational or job skills in a variety of technical subjects and trades for specific occupations, as well as classrooms and educational services and related programs for faculty and staff and for secondary school students who are eligible to receive special education services. (Ord. No. 148-O-17 , § 1, 12-11-2017)</p>
<p>STADIUM:</p>	<p>An enclosed athletic or sports ground with tiers of seats for spectators. (Ord. No. 43-O-93)</p>
<p>STEPBACK:</p>	<p>An additional setback that applies to upper stories of a building. Stepbacks can be effective in reducing the perception of building mass at ground level, reducing potential "wind tunnel" effects, increasing the amount of sunlight at ground level, providing increased articulation of the street wall, and avoiding a "canyon effect" for corridors. (Ord. 5-O-08)</p>

STORY:	That portion of a building included between the surface of any floor and the surface of the floor above; or if there is no floor above, the attic, or space between the floor and the ceiling above. A basement shall be counted as a story, except in residential districts. A cellar shall not be counted as a story.
STORY, HALF:	That portion of a building between a sloped roof and the building's top story or exterior knee-wall, if applicable. The minimum slope ratio of any roof above a half story shall be 2:12. (Ord. 13-O-98; Ord. No. 72-O-12, § 10, 10-22-2012)
STREET (AVENUE, COURT, PLACE, ROAD, TERRACE OR PARKWAY):	A publicly dedicated right of way not less than thirty-three (33) feet in width or a permanently reserved easement of access approved by the City Council, that affords a primary means of access to abutting property.
STREET, TYPE 1:	A street or portion thereof upon which the City Council has found by ordinance that fences are permitted in the required front or required street side yards of properties adjacent to said street or portion thereof. (Ord. 15-O-99)
STRUCTURAL ALTERATIONS:	Any change, other than incidental repairs, in the supporting members of a building or structure such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or exterior walls.
STRUCTURE:	Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.

STUDENT RELIGIOUS ORGANIZATION MEETINGHOUSE:	A building or premises owned or operated by a religious organization primarily engaged in providing religious, educational and other services, meals and socialization to a limited segment of the university and student population. There shall be no overnight sleeping accommodations permitted in a student religious organization meetinghouse. "Student religious organization meetinghouse" shall not include a student union, recreational facility or any other facility that is designed and intended to serve the university or college population as a whole or which otherwise is specifically listed as a permitted or special use in the university housing, university athletic facilities, university lakefront campus or transitional campus districts. (Ord. 20-0-97)
SUBSTANTIAL REHABILITATION AND SUBSTANTIAL ADDITIONS:	Construction or proposed construction that increases the floor area of the principal structure by thirty-five percent (35%) or more including as added floor area any newly constructed areas at or above the first floor with an interior vertical clearance of seven (7) feet or more. (Ord. 112-O-03)
TATTOO AND BODY ART ESTABLISHMENT:	Any place, where the act of puncturing the skin to insert jewelry, ink, or other foreign items through, into, or under the skin are performed, in accordance with The Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54) and The Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797). A salon or other similar facility that engages in minor cosmetic procedures such as microblading as an accessory use shall not be considered a tattoo and body art establishment for purposes of this Section. (Ord. 100-O-97; Ord. No. 3-O-21 , § 1, 1-15-2021)
TERRACE:	An uncovered outdoor surface attached to the building and located between the building and the right-of-way. When roofed, a terrace shall be considered a porch. (Ord. No. 165-O-15 , § 10, 5-23-2016)

TOWNHOUSE:	See definition of Dwelling, Single-Family Attached (Group, Row Or Town Houses).
TRADE CONTRACTOR:	A building or portion thereof used for the housing of where building and construction trade services are provided to the public. "Trade contractor" shall include, but will not be limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment, materials, sales, and other uses similar in nature and impact.
TRANSIT ORIENTED DEVELOPMENT OR TOD:	A development pattern created around a transit station that is characterized by higher density, mixed uses, pedestrian environment, reduced parking, and a direct and convenient access to the transit station. (Ord. No. 117-O-16 , § 10, 12-12-2016)
TOD AREA:	The area that has the designation for an identified transit station and the area around it. The area provides for development that is compatible with and supportive of public transit and a pedestrian-oriented environment. (Ord. No. 117-O-16 , § 10, 12-12-2016)
TRANSIT STATION:	The area including the platform which supports transit usage and that is owned and/or operated by the transit agency. (Ord. No. 117-O-16 , § 10, 12-12-2016)
TRANSITION LANDSCAPE STRIP:	A designated area, located primarily along lot lines, consisting of vegetative screening, earth berms or mounds, fencing or decorative walls that creates a transition between districts or incompatible uses. (All transition landscape strips shall be designed and built in accordance with the City's "Manual Of Design Guidelines.")

TRANSITIONAL HEIGHT PLANE:	A two-dimensional, geometric plane that defines the upper boundary (i.e., maximum permitted height) of the buildable area of a higher intensity district that is adjacent to a lower intensity residential district. The effect of a transitional height plane (plane) is to progressively lower the allowable building height of a higher intensity district as one approaches that district's boundary and the adjacent lower intensity residential district. The plane does not supersede other building height restrictions; it is an additional height restriction that must be considered in conjunction with any other height restrictions imposed.
	A transitional height plane extends over the higher intensity district, upward and away from all adjacent lower intensity residential districts, as follows:
	(A) The origin of the plane is a horizontal line in space in the higher intensity district at the location of the defined setback closest to the adjacent lower intensity residential district, and having a height the same as the defined maximum building height of the adjacent lower intensity residential district.
	(B) The plane extends orthogonally from this line of origin away from the lower intensity residential district and upward over the higher intensity district at an elevation of forty-five degrees (45°) from horizontal, as measured from the grade directly below the line of origin.
	(C) If the higher intensity district is adjacent to a lower intensity residential district(s) on more than one (1) side, transitional height planes must be calculated for each such adjacent side. (Ord. 5-O-08)
TRANSITIONAL SHELTER[12]:	A building, or portion thereof, in which sleeping accommodations are provided on an emergency basis for the temporarily homeless.

<p>TRANSITIONAL TREATMENT FACILITY[13]:</p>	<p>A facility licensed by the state of Illinois that provides supervision, counseling and therapy through a temporary living arrangement for individuals recovering from addiction to alcohol or narcotic drugs in order to facilitate their transition to independent living. Residents of this facility have been previously screened in another treatment setting and are determined to be sober/drug free but require twenty-four (24) hour staff supervision and a peer support structure in order to strengthen their recovery/sobriety. Transitional treatment facility shall not include any facility for persons awaiting adjudication by any court of competent jurisdiction or any facility for persons on parole from correctional institutions.</p>
<p>URBAN FARM:</p>	<p>Indoor or outdoor principal use that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical urban farms may include growing beds, greenhouses, and orchards. (Ord. No. 81-O-14, § 2, 8-11-2014)</p>
<p>URBAN FARM, ROOFTOP:</p>	<p>A rooftop operation that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical urban rooftop farms may include growing beds, greenhouses, and orchards. (Ord. No. 81-O-14, § 2, 8-11-2014)</p>
<p>USE:</p>	<p>The purpose or activity for which the land, building or structure thereon is designed, arranged or intended, or for which it is occupied or maintained.</p>
<p>USE, ALLOWED:</p>	<p>Listed use either permitted or special, principal or accessory.</p>

USE, INSTITUTIONAL:	A use of land employed by public or quasi-public organizations providing services to the public that individuals cannot readily provide for themselves. Institutional uses include, but are not limited to, churches, cemeteries, hospitals, nursing homes, libraries, museums, government buildings, facilities of fraternal orders, school, community centers, schools or homes for the disabled, religious retreats, monasteries, convents, and group homes.
USE, NONCONFORMING[1 4]:	A use of land, buildings, structures, or premises that was lawfully established as of the date of the adoption of this Ordinance and is not listed as a permitted use, special use or a unique use, under the provisions of this Ordinance.
USE, PERMITTED:	Any use of land, buildings, structures or premises that is a listed permitted use in the zoning district in which such use is located.
USE, PRINCIPAL:	The main use of land, building, or structure as distinguished from a subordinate or accessory use.
USE, R1 RESIDENTIAL PRESERVATION UNIQUE:	A use determined by the City Council to be a residential use which is not listed as an authorized use, but that will be of substantial land use or economic benefit to the City, whose authorization would not be appropriate through a zoning amendment. Such a land use may be approved only as follows:
	(A) It is in an R1 residential district;
	(B) It is in a designated Evanston preservation district;
	(C) It is in a structure designated by ordinance as an Evanston landmark;
	(D) The parcel for which application for the use is made is a minimum of two (2) acres;

	(E) The parcel for which application for the use is made is improved with a structure with a minimum gross floor area of fourteen thousand five hundred (14,500) square feet as defined in Subsection 6-3-7-10(H) of this Title;
	(F) Any multi-family structure for which the use is approved must contain no more than four (4) dwelling units. A development plan for an R1 residential preservation unique use exception may provide for more than one (1) principal use on a single zoning lot; and
	(G) All resultant dwelling units created shall have a minimum floor area, as defined in this Section, of two thousand (2,000) square feet. (Ord. 49-0-04)
USE, SPECIAL[15]:	Any building, structure or use that, on the effective date hereof, complies with the applicable regulations governing special uses in the zoning districts in which such building, structure, or use is located.
USE, TEMPORARY:	A land use of a duration less than ninety (90) days or as listed, allowed and regulated in Section 6-4-8-3 of this Title. (Ord. 114-O-02)
USE, UNIQUE[16]:	A use determined by the City Council, to be an unusual one of a kind use that is not listed as an authorized use, but that will be of substantial land use or economic benefit to the City and whose authorization would not be appropriate through a zoning amendment. (Ord. 49-0-04)
VEHICLE SALVAGE:	A place, structure, or activity, the principal use of which is the salvaging of motorized vehicles, including buses. "Vehicle salvage" shall not include automobile and recreation vehicle sales, automobile repair service, automobile service station establishments and vehicle storage establishments.

VEHICLE STORAGE ESTABLISHMENT:	A building, property, or activity, the principal use of which is the storage of nondisabled motorized vehicles, including buses. "Vehicle storage establishment" shall not include automobile and recreational vehicle sales, automobile repair service, automobile service station establishments, and vehicle salvage establishments.
VEHICLE TOWING ESTABLISHMENTS:	A building, property, or activity, the principal use of which is the retrieving or securing of distressed, disabled, abandoned, or illegally parked motorized vehicles.
WAREHOUSE:	A building or portion thereof used for the storage of goods and/or materials. This term shall include, but not be limited to, commercial storage facilities, miniwarehouses, and other uses similar in nature and impact.
WHOLESALE GOODS ESTABLISHMENT:	A building, property, or activity, the use or purpose of which is the sale of goods, products, or merchandise, in bulk quantities to retailers or persons who will in turn sell the goods, products, or merchandise directly to the consumer. "Wholesale goods establishment" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or a special use.

WIRELESS FACILITY:	Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes small wireless facilities. Wireless facility does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna. (Ord. No. 44-O-21 , § 2, 5-10-2021)
WIRELESS SUPPORT STRUCTURE:	A freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Wireless support structure does not include a utility pole. (Ord. No. 44-O-21 , § 2, 5-10-2021)
YARD:	An open space on a lot that is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Ordinance. A required yard extends along a lot line and at right angles to such line to a minimum depth or width specified in the yard regulations for the district in which such lot is located.
YARD, FRONT:	A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.
YARD, FRONT REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the front lot line, two (2) side lot lines (interior or street), and the line established by the front yard requirement of each zoning district of Subsection 6-4-1-9(A)3 or (A)5 of this Title (see Figure 6-18-3, "Zoning Lot Components," of this Section).

YARD, INTERIOR SIDE REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the interior side lot line, the line established by the front yard requirement of each zoning district or Subsection 6-4-1-9(A)3 or (A)5 of this Title, the line established by the rear yard requirement of each zoning district, and the line established by the side yard requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 15-O-99)
YARD, REAR:	The portion of the yard on the same lot with the principal building located between the building and the rear lot line extending for the full width of the lot.
YARD, REAR REQUIRED (For Review Of Fences Only):	For zoning lots that are not also corner lots, that are on a zoning lot between the rear lot line, two (2) side lot lines, and the line established by the rear yard requirement of each zoning district. For zoning lots that are also corner lots, that area on a zoning lot between the rear lot line, the interior side lot line, the line established by the side yard abutting a street requirement of each zoning district, and the line established by the rear yard requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 9-0-01).
YARD, SIDE:	A yard extending along a side lot line between the front and rear yards, except that a side yard abutting a street shall be defined as the yard extending along a side lot line between the front yard and the rear lot lines.
YARD, STREET SIDE REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the street side lot line, the line established by the front yard requirement of each zoning district or Subsection 6-4-1-9(A)3 or (A)5 of this Title, the rear lot line, and the line established by the side yard abutting a street requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 9-0-01)

<p>YARD WASTE TRANSFER FACILITY:</p>	<p>A nongovernmental facility that accepts yard waste, as defined in City Code Section 8-4-1, as amended, and/or landscape waste, as defined in 415 ILCS 5/3.270, as amended, for sorting and/or consolidation prior to transfer to an off-site recycling and/or composting facility. Yard/landscape waste shall remain onsite before such transfer for no longer than twenty-four (24) hours or other time period designated in 415 ILCS 5/39.2(o), as amended. Composting onsite is prohibited. Any mechanical facilities used for the processing of such yard/landscape waste must be incidental in nature. (Ord. No. 46-O-13, § 2, 5-28-2013)</p>
<p>ZIGGURAT SETBACK:</p>	<p>A design characteristic in three-dimension (3-D) that forms one (1) or more setbacks to a vertical plain.</p>
<p>ZONING ADMINISTRATOR:</p>	<p>The staff person or persons to whom the administrative responsibilities under this Ordinance are assigned by the director of planning and zoning.</p>
<p>ZONING MAP:</p>	<p>The official map delineating the boundaries of the zoning districts established in Section 6-7-2 of this Title.</p>

SECTION 2: City Code Section 6-8-2-4 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-2-4 - SPECIAL USES.

The following uses may be allowed in the R1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed and Breakfast Establishments," of this Title).

Billboard.

Cemetery.

Child residential care home.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Education institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Planned development (subject to the requirements of Section 6-8-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Religious institution.

Residential care home—Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 3: City Code Section 6-8-3-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-3-3 - SPECIAL USES.

The following uses may be allowed in the R2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Cemetery.

Child residential care home.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Education institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Planned development (subject to the requirements of Section 6-8-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Religious institution.

Residential care homes—Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 4: City Code Section 6-8-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-4-3 - SPECIAL USES.

The following uses may be allowed in the R3 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Cemetery.

Child residential care home.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Educational institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Planned development (subject to the requirements of Section 6-8-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Religious institution.

Residential care homes—Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 5: City Code Section 6-8-5-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-5-3 - SPECIAL USES.

The following uses may be allowed in the R4 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Assisted living facility.

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Cemetery.

Child residential care home.

Community center—Public.

Congregate housing.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Educational institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Independent living facility.

Long term care facility.

Membership organization.

Office (subject to the general requirements of Section 6-8-1-11, "Special Conditions For Office Uses," of this Title).

Planned development (subject to the requirements of Section 6-3-6, "Planned Developments," of this Title and Section 6-8-1-10, "Planned Developments," of this Chapter).

Public utility.

Recreation center—Public.

Religious institution.

Retirement community.

Retirement home.

Retirement hotel.

Rooming house.

Shelter care home.

Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards For A Special Use For Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 6: City Code Section 6-8-6-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-6-3 - SPECIAL USES.

The following uses may be allowed in the R4a district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Assisted living facility.

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Cemetery.

Child residential care home.

Community center—Public.

Congregate housing.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Dwellings (any increase in the number of dwellings on a single zoning lot above the number legally existing on the effective date hereof, or any

dwelling other than a single-family dwelling on a zoning lot created after the effective date hereof).

Educational institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Independent living facility.

Long term care facility.

Membership organization.

Office (subject to the general requirements of Section 6-8-1-11, "Special Conditions For Office Uses," of this Chapter).

Planned development (subject to the requirements of Section 6-3-6, "Planned Developments," of this Title and Section 6-8-1-10, "Planned Developments," of this Chapter).

Public utility.

Recreation center—Public.

Religious institution.

Retirement community.

Retirement home.

Retirement hotel.

Rooming house.

Shelter care home.

Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards For A Special Use For Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 7: City Code Section 6-8-7-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-7-3 - SPECIAL USES.

The following uses may be allowed in the R5 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Assisted living facility.

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Child residential care home.

Community center—Public.

Congregate housing.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Educational institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Independent living facility.

Long term care facility.

Membership organization.

Office (subject to the general requirements of Section 6-8-1-11, "Special Conditions For Office Uses," of this Chapter).

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Planned development (subject to the requirements of Section 6-3-6, "Planned Developments," of this Title and Section 6-8-1-10, "Planned Developments," of this Chapter).

Public utility.

Recreation center—Public.

Religious institution.

Retirement community.

Retirement home.

Retirement hotel.

Rooming house.

Shelter care home.

Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards For A Special Use For Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 8: City Code Section 6-8-8-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-8-8-3 - SPECIAL USES.

The following uses may be allowed in the R6 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Apartment hotel.

Assisted living facility.

Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Billboard.

Child residential care home.

Community center—Public.

Congregate housing.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Educational institution—Private.

Efficiency home (when additional zoning relief is requested, subject to the general requirements of Section 6-8-1-14, "Efficiency Homes," of this Title).

Independent living facility.

Long term care facility.

Membership organization.

Office (subject to the general requirements of Section 6-8-1-11, "Special Conditions For Office Uses," of this Chapter).

Planned development (subject to the requirements of Section 6-8-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Recreation center—Public.

Religious institution.

Retirement community.

Retirement home.

Retirement hotel.

Rooming house.

Shelter care home.

Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards For A Special Use For Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

SECTION 9: City Code Section 6-9-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-9-2-3 - SPECIAL USES.

The following uses may be allowed in the B1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses."

Animal hospital.

Aquaponics.

Banquet hall.

Bed and breakfast establishments.

Billboard.

Boarding house.

Business or vocational school.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult.

Daycare center—Child.

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- Daycare center—Domestic animal.
- Dwelling—Multiple-family.
- Dwelling—Single-family detached.
- Food store establishment.
- Funeral services excluding on-site cremation.
- Government institutions.
- Kennel.
- Membership organization.
- Micro-Distillery.
- Open sales lot.
- Planned development.
- Public utility.
- Religious institution.
- Resale establishment.
- Residential care home—Category II.
- Urban farm, rooftop.
- Uses permitted pursuant to Section 6-9-2-2 of this Chapter and this Section exceeding seven thousand five hundred (7,500) square feet.

SECTION 10: City Code Section 6-9-3-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-9-3-3 - SPECIAL USES.

The following uses may be allowed in the B2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

- Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".
- Animal hospital.

Aquaponics.

Assisted living facility.

Banquet hall.

Billboard.

Boarding house.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Commercial outdoor recreation.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirement of Section 6-4-2, "Child Daycare Homes," of this Title).

Daycare center—Domestic animal.

Drive-through facility (accessory or principal).

Dwelling—Multiple-family.

Food store establishment.

Funeral services excluding on-site cremation.

Independent living facility.

Kennel.

Long-term care facility.

Membership organization.

Micro-Distillery.

Open sales lot.

Planned development (subject to the requirements of Section 6-9-1-9, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Resale establishment.

Residential care home—Category II (subject to the requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Retirement home.

Retirement hotel.

Sheltered care home.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Trade contractor (provided there is no outside storage).

Transitional treatment facility—Category III (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Urban farm, rooftop.

Uses permitted pursuant to Sections 6-9-3-2 of this Chapter and this Section exceeding twenty thousand (20,000) square feet.

SECTION 11: City Code Section 6-9-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-9-4-3 - SPECIAL USES.

The following uses may be allowed in the B3 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Animal hospital.

Aquaponics.

Assisted living facility.

Automobile service station.

Banquet hall.

Billboard.

Boarding house.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Commercial outdoor recreation.

Commercial parking lots.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Daycare center—Domestic animal.

Drive-through facility (accessory or principal).

Dwelling—Multiple-family.

Food store.

Funeral services excluding on-site cremation.

Independent living facility.

Kennel.

Long-term care facility.

Membership organization.

Micro-Distillery.

Open sales lot.

Planned development (subject to the requirements of Section 6-9-1-9, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public utility.

Recording studio.

Religious institution.

Resale establishment.

Residential care home—Category II (subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).

Retirement home.

Retirement hotel.

Sheltered care home.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Trade contractor (provided there is no outside storage).

Transitional shelters (subject to the requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters," of this Title).

Transitional treatment facility—Category III (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Urban farm, rooftop.

SECTION 12: City Code Section 6-9-5-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-9-5-3 - SPECIAL USES.

The following uses may be allowed in the B1a business district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Animal hospital.

Aquaponics.

Banquet hall.

Billboard.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Commercial outdoor recreation.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult.

Daycare center—Child.

Daycare center—Domestic animal.

Drive-through facility (accessory or principal).

Dwelling—Multiple-family.

Food store establishment.

Funeral services, excluding on-site cremation.

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Independent living facility.

Kennel.

Membership organization.

Micro-Distillery.

Planned development.

Public utility.

Resale establishment.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Trade contractor (provided there is no outside storage).

Urban farm, rooftop.

Uses permitted pursuant to Section 6-9-5-2 of this Chapter and this Section exceeding twenty thousand (20,000) square feet.

Vocational training facility.

SECTION 13: City Code Section 6-10-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-10-2-3 - SPECIAL USES.

The following uses may be allowed in the C1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Animal hospital.

Aquaponics.

Automobile repair service establishment.

Automobile service station.

Banquet hall.

Billboard.

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Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Car wash.

Commercial outdoor recreation.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Daycare center—Domestic animal.

Drive-through facility (accessory or principal).

Funeral services excluding on-site cremation.

Hotel.

Kennel.

Media broadcasting station.

Membership organization.

Micro-Distillery.

Open sales lot.

Planned development (subject to the requirements of Section 6-10-1-9 of this Chapter and Section 6-3-6 of this Title).

Resale establishment.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

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Trade contractor (provided there is no outside storage).

Urban farm, rooftop.

Wholesale goods establishment.

SECTION 14: City Code Section 6-10-3-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-10-3-3 - SPECIAL USES.

The following uses may be allowed in the C1a district, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Animal hospital.

Aquaponics.

Assisted living facility.

Banquet hall.

Billboard.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Commercial outdoor recreation.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory only).

Dwelling—Multiple-family.

Food store establishment.

Funeral services excluding on-site cremation.

Independent living facility.

Long-term care facility.

Media broadcasting station.

Membership organization.

Micro-Distillery.

Open sales lot.

Planned development (subject to the requirements of Section 6-10-1-9 of this Chapter and Section 6-3-6 of this Title).

Recording studio.

Resale establishment.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Residential care home—Category II (subject to the general requirements of Section 6-4-4 of this Title).

Retirement hotel.

Sheltered care home.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Transitional shelter (subject to the requirements of Section 6-3-5-11 of this Title).

Urban farm, rooftop.

Wholesale goods establishment.

SECTION 15: City Code Section 6-10-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-10-4-3 - SPECIAL USES.

The following uses may be allowed in the C2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Animal hospital.

Aquaponics.

Automobile body repair establishment.

Banquet hall.

Billboard.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Car wash.

Commercial parking garage.

Commercial parking lot.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Daycare center—Domestic animal.

Drive-through facility (accessory or principal).

Hotel.

Kennel.

Media broadcasting station.

Membership organization.

Micro-Distillery.

Open sales lot.

Payday loan or consumer loan establishment (subject to the distance and general requirements set forth in Section 6-18-3, "Definitions," of this Title under "Payday Loan or Consumer Loan Establishment").

Planned development (subject to the requirements of Section 6-10-1-9, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Resale establishment.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 16: City Code Section 6-11-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-11-2-3 - SPECIAL USES.

The following uses may be allowed in the D1 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility.

Banquet hall.

Billboard.

Boarding house.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Funeral services excluding on site cremation.

Independent living facility.

Long term care facility.

Neighborhood garden.

Open sales lot.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Resale establishment.

Retirement home.

Retirement hotel.

Sheltered care home.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Transitional shelter (subject to the special requirements of Section 6-3-5-11 of this Title).

Urban farm, rooftop.

Wholesale goods establishment.

SECTION 17: City Code Section 6-11-3-4 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-11-3-4 - SPECIAL USES.

The following uses may be allowed in the D2 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Assisted living facility (when located above the ground floor).

Banquet hall.

Billboard.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Convenience store.

Craft alcohol production facility.

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Educational institution—Private.

Educational institution—Public.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 18: City Code Section 6-11-4-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-11-4-3 - SPECIAL USES.

The following uses may be allowed in the D3 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Apartment hotel.

Assisted living facility (when located above the ground floor).

Banquet hall.

Billboard.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 19: City Code Section 6-11-5-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-11-5-3 - SPECIAL USES.

The following uses may be allowed in the D4 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Assisted living facility (when located above the ground floor).

Banquet hall.

Billboard.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Commercial parking garage.

Convenience store.

Craft alcohol production facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Funeral services excluding on site cremation.

Independent living facility (when located above the ground floor).

Neighborhood garden.

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Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 20: City Code Section 6-12-2-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-12-2-3 - SPECIAL USES.

The following special uses may be permitted in the RP district, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Banquet hall.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Craft alcohol production facility.

Daycare center—Domestic animal.

Kennel.

Open sales lot.

Outdoor storage.

Performance entertainment venue.

Planned developments (subject to the requirements of Section 6-3-6 of this Title and Section 6-12-1-7 of this Chapter).

Resale establishment.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 21: City Code Section 6-13-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-13-2-3 - SPECIAL USES.

The following uses may be allowed in the MU district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Automobile repair service establishment.

Automobile service station.

Banquet hall.

Billboard.

Brew pub.

Cannabis craft grower.

Cannabis infuser.

Cannabis processor.

Cannabis transporter.

Commercial parking garage.

Commercial parking lot.

Funeral services excluding on site cremation.

Industrial service establishment.

Planned development (subject to the requirements of Section 6-13-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Public transportation center.

Trade contractor.

Transitional shelter (subject to the special requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Urban farm, rooftop.

Warehouse establishment.

SECTION 22: City Code Section 6-13-3-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-13-3-3 - SPECIAL USES.

The following uses may be allowed in the MUE district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Automobile repair service establishment.

Automobile service station.

Banquet hall.

Billboard.

Brew pub.

Cannabis craft grower.

Cannabis infuser.

Cannabis processor.

Cannabis transporter.

Car wash.

Commercial outdoor recreation.

Community center.

Cultural facility.

Daycare center—Domestic animal.

Dwelling—Single-family attached.

Dwelling—Single-family detached.

Dwelling—Two-family.

Dwellings—Multiple-family.

Funeral services excluding on site cremation.

Kennel.

Media broadcasting tower.

Planned development (subject to the requirements of Section 6-13-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Recreation center.

Religious institution.

Residential care home—Category I (subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).

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Residential care home—Category II (subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).

Transitional shelter (subject to the special requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Urban farm, rooftop.

SECTION 23: City Code Section 6-13-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-13-4-3 - SPECIAL USES.

The following uses may be allowed in the MXE district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Automobile repair service establishment.

Automobile service station.

Banquet hall.

Billboard.

Brew pub.

Cannabis craft grower.

Cannabis infuser.

Cannabis processor.

Cannabis transporter.

Car wash.
Commercial outdoor recreation.
Commercial parking garage.
Commercial parking lot.
Community center.
Cultural facility.
Daycare center—Domestic animal.
Educational institution—Private.
Funeral services excluding on site cremation.
Kennel.
Media broadcasting tower.
Planned development.
Recreation center.
Religious institution.
Resale establishment.
Transitional shelter.
Transitional treatment facility—Category I.
Transitional treatment facility—Category II.
Urban farm, rooftop.

SECTION 24: City Code Section 6-14-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-14-2-3 - SPECIAL USES.

The following uses may be allowed in the I1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Aquaponics.

Billboard.

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Business or vocational school.

Cannabis cultivation center.

Car wash.

Daycare center—Domestic animal.

Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line).

Heavy cargo and freight terminal.

Heavy manufacturing.

Kennel.

Live-work units (subject to the general requirements of Section 6-4-13 of this Title).

Media broadcasting towers.

Open sales lot.

Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use).

Pharmaceutical manufacturing.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Retail goods establishment.

Retail service establishment.

Urban farm.

Urban farm, rooftop.

SECTION 25: City Code Section 6-14-3-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-14-3-3 - SPECIAL USES.

The following uses may be allowed in the I2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Automobile storage lot.

Billboard.

Brew pub.

Business or vocational school.

Cannabis cultivation center.

Car wash.

Daycare center—Domestic animal.

Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line).

Heavy cargo and freight terminal.

Heavy manufacturing.

Kennel.

Live-work units (subject to the general requirements of Section 6-4-13 of this Title).

Media broadcasting tower.

Open sales lot.

Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use).

Pharmaceutical manufacturing.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Recycling center.

Restaurant—Type 1.

Retail goods establishment.

Retail service establishment.

Special education institution—Public.

Urban farm.

Urban farm, rooftop.

SECTION 26: City Code Section 6-14-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-14-4-3 - SPECIAL USES.

The following uses may be allowed in the I3 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Billboard.

Brew pub.

Business or vocational school.

Cannabis cultivation center.

Car wash.

Daycare center—Domestic animal.

Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line).

Heavy cargo and freight terminal.

Kennel.

Media broadcasting tower.

Open sales lot.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Restaurant—Type 1.

Urban farm.

Urban farm, rooftop.

Yard waste transfer facility.

SECTION 27: City Code Section 6-15-2-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-2-3 - SPECIAL USES.

The following uses may be allowed in the O1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Banquet hall.

Billboard.

Business or vocational school.

Cannabis craft grower.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Cannabis infuser.

Cannabis transporter.

Child daycare centers.

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Commercial parking garage.

Commercial parking lot.

Drive-through facility (accessory only).

Dwelling, multiple-family.

Media broadcasting station.

Open sales lot.

Planned development (subject to the requirements of Section 6-15-1-9, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Retail goods establishment.

Retail services establishment.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

Urban farm, rooftop.

SECTION 28: City Code Section 6-15-3-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-3-3 - SPECIAL USES.

The following uses may be allowed in the T1 District, subject to the provisions set forth in Section 6-3-5 of this Title:

Administrative office (college and university).

Bed and breakfast establishment (subject to the general requirements of Section 6-4-7 of this Title).

Billboard.

Business or vocational school.

Departmental staff office (college and university).

Educational institutions - private.

Faculty offices (college and university).

Parking areas containing more than five (5) parking spaces and accessory to T1 transitional campus districts.(Ord. 8-O-95)

Parking lot (when accessory to a principal use located in the U-2 university athletic facility district).

Residential care home [21] - Category II (subject to the general requirements of Section 6-4-4 of this Title).

Student religious organization meeting house.(Ord. 20-0-97)

Transitional treatment facility - Category I (subject to the requirements of Section 6-4-5 of this Title).

Transitional treatment facility - Category II (subject to the requirements of Section 6-4-5 of this Title).

Planned development (subject to the requirements of Section 6-15-1-9 and Section 6-3-6 of this Title).

SECTION 29: City Code Section 6-15-4-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-4-3 - SPECIAL USES.

The following uses may be allowed in the T2 district, subject to provisions set forth in Section 6-3-5, "Special Uses":

Bed and breakfast establishment (subject to the general requirements of Section 6-4-7, "Bed and Breakfast Establishments").

Billboard.

Business or vocational school.

Classroom facility (college and university).

Cultural facility.

Day care center - Adult (subject to the general requirements of Section 6-4-3, "Adult Day Care Homes").

Day care center - Child (subject to the general requirements of Section 6-4-2, "Child Day Care Homes").

Dormitory (college and university).

Dwelling - Fraternity/Sorority (college and university).

Dwelling - Multiple-family.

Educational institution - private.

Government institution.

Indoor recreation facility (college and university).

Outdoor recreation facility (college and university).

Parking areas containing more than five (5) parking spaces and accessory to T2 transitional campus districts.(Ord. 8-O-95)

Public utility.

Religious institutions.

Residential Care Home - Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes").

Scoreboards (college and university).

Transitional shelters (subject to the requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters").

Transitional treatment facility - Category I (subject to the requirements of Section 6-4-5, "Transitional Treatment Facility").

Transitional treatment facility - Category II (subject to the requirements of Section 6-4-5, "Transitional Treatment Facility").

Planned development (subject to the requirements of Section 6-15-1-9 and Section 6-3-6, "Planned Developments").

SECTION 30: City Code Section 6-15-5-3 "Special Uses" of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-5-3 - SPECIAL USES.

The following uses may be allowed in the U1 district, subject to provisions set forth in Section 6-3-5 of this Title:

Billboard.

Cultural facility.

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Daycare center — adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center — child (subject to the general requirements of Section 6-4-2 of this Title).

Membership organization.

Parking lot (college and university).

Parking structure (college and university).

Planned development (subject to the requirements of Section 6-15-1-9 of this Chapter and Section 6-3-6 of this Title).

Religious institutions.

Restaurant — type 1, when an accessory use to a college or university.

SECTION 31: City Code Section 6-15-6-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-6-3 - SPECIAL USES.

The following uses may be allowed in the U1a district, subject to provisions set forth in Section 6-3-5 of this Title:

Billboard.

Cultural facility.

Daycare center — adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center — child (subject to the general requirements of Section 6-4-2 of this Title).

Membership organization.

Planned development (subject to the requirements of Section 6-15-1-9 of this Chapter and Section 6-3-6 of this Title).

Religious institutions.

SECTION 32: City Code Section 6-15-7-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

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6-15-7-3 - SPECIAL USES.

The following special uses may be permitted in the U2 district, subject to the provisions set forth in Chapter 3 of this Title:

Administrative office (college and university).

Billboard.

Classroom facility (college and university).

Departmental staff office (college and university).

Faculty offices (college and university).

Government institution.

Parking lot (college and university).

Parking structure (college and university).

Planned development (subject to the requirements of Section 6-15-1-9 of this Chapter and Section 6-3-6 of this Title).

Public utility.

Scoreboard.

SECTION 33: City Code Section 6-15-8-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-8-3 - SPECIAL USES.

The following special uses may be permitted in the U3 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Billboard.

Planned development (subject to the requirements of Section 6-15-1-9 of this Chapter and Section 6-3-6 of this Title).

Public utility.

SECTION 34: City Code Section 6-15-8-3 “Special Uses” of the Evanston

City Code of 2012, as amended, is hereby further amended as follows:

6-15-9-3 - SPECIAL USES.

The following special uses shall be permitted in the OS district:

Billboard.

Cemetery (including accessory structures such as, but not limited to: mausoleums, columbariums, crematories, and chapels).

Zoological garden.

SECTION 35: City Code Section 6-15-10-7 “Special Uses” of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

6-15-10-7 - SPECIAL USES.

The following uses may be allowed in the oH district subject to the general provisions set forth in Section 6-3-5 of this Title, and the special provisions contained herein:

Any expansion or change in a hospital service or program causing the average number of patients treated daily at such hospital as reported in the current annual hospital report to exceed by ten percent (10%) the average daily number of patients treated in 1978: Evanston Hospital, 1070; St. Francis Hospital, 702.

Any new construction that constitutes a physical expansion to the gross floor area of any hospital building.

Billboard.

Cannabis dispensary (subject to the general requirements of Section 6-4-11 of this Title).

Clinics, provided they shall not be used for the private, for-profit practice of medicine.

Commercial parking garage.

Daycare centers - adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare centers - child (subject to the general requirements of Section 6-4-2 of this Title).

Heliports (hospital).

Private utility substations and transmission facilities.

Short-term residential facilities operated by a hospital.

Staff examination rooms provided they shall not be used for the private, for-profit practice of medicine.

Tattoo and body art establishment (subject to the general requirements of Section 6-4-12 of this Title).

SECTION 36: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 37: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 38: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 39: If any provision of this Ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

Introduced: _____, 2022

Approved:

Adopted: _____, 2022

_____, 2022

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel



MEETING MINUTES EXCERPT

LAND USE COMMISSION

Wednesday, March 9, 2022

7:00 PM

Via Virtual Meeting

Members Present: Myrna Arevalo, Violetta Cullen, George Halik, John Hewko, Jeanne Lindwall, Kiril Mirintchev, Max Puchtel, Matt Rodgers, Kristine Westerberg

Members Absent: Brian Johnson

Staff Present: Melissa Klotz, Meagan Jones, Katie Ashbaugh, Brian George

Presiding Member: Matt Rodgers

Discussion

A. Sign & Billboard Regulation

City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to discuss the regulation of signage and billboards throughout the city. This item is for discussion only; no action will be taken, per Section 6-3-4-6 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Ms. Klotz explained that the discussion on this item was to move sign regulations to the Zoning Code and in doing so, determine the best way to handle variations from the sign regulations. There is also a referral from Council to consider allowing billboards within the City.

Chair Rodgers stated that he is fine with moving the regulations to the Zoning Code but further consideration needs to be taken in how to determine major versus minor variations from the code to make sure those cases are not taking up too much of the Commission's time.

Ms. Ashbaugh responded that she did not observe tiered variation options in other municipalities. If the City does this it could be a similar mechanism as the existing minor versus major process. She added that she does not anticipate the volume being great and explained the current sign regulations and what would likely need to come before the Land Use Commission.

Commissioner Lindwall expressed that the City should prohibit billboards. Green Bay Road is private Union Pacific property. She then suggested having DAPR be the deciding body and using the Land Use Commission for appeals; the level of detail required for sign reviews is not something the Land Use Commission should be a part

of. Ms. Klotz responded that there is a referral from the City Council that suggests formatting changes to DAPR which would make the current sign review process infeasible. Ms. Ashbaugh added that it is not uncommon for Plan Commissions or equivalent review commissions to review signage.

Ms. Klotz stated that there seems to be concern that there may be too much possible Commission time being spent on sign variations and suggested that staff review the number of variations that have occurred in recent past to quantify how many variation reviews may be needed; there may also be regulations identified to create a minor variation cut-off, however, she is leary of that option because signage is a very hot topic and controversial items may still come to the Commission.

Chair Rodgers stated that some small variations from the code are not concerning versus, for example, a business wishing to erect a large illuminated sign which may have a greater impact on the neighborhood. If there is some way to get projects to do signage as part of a larger plan within their Special Use or Planned Development applications instead of as an afterthought that would be optimal, especially if there are a number of signs proposed for a project..

Commissioner Mirintchev expressed confusion that the Code in some places references the Sign Review and Appearance Board and a Sign Administrator. Ms. Klotz clarified that this is old language that would be updated as DAPR currently acts as the sign reviewing body. Commissioner Mirintchev then stated that he agrees with previous comments that billboards are not appropriate and that he would be ok if the Zoning Administrator determines what signs need to come before the Commission for additional review.

Commissioner Halik stated that he agrees that DAPR and the Zoning Administrator should be the first groups to review then, if needed, referred to the Land Use Commission. He explained that there are a number of factors in signage that he would prefer be reviewed in that process. He then added he also agrees tha billboards should not be permitted. Chair Rodgers agreed and explained that staff should be provided some guidance on what the process would be so that there is some level of predictability for applicants and staff.

Commissioner Lindwall suggested the Commission handle sign reviews similarly to how appeals of the Administrator's decision are handled for other zoning decisions. Staff deals with this daily and understands the nuances of changes of use and business regulations. Even though she understands other communities have Commissioner review signage, she believes that we should rely on staff's expertise to the extent possible.

Ms. Ashbaugh expressed that people will want to have the larger sign and may not want to follow the Code. She then asked for clarification for a proposed process. Commissioner Lindwall stated that she thinks signs should be expected to meet the Code and suggested a possible guide for design review standards. The sign code is a

lot more detailed than many other sections of the Zoning Code and it may be difficult for the Land Use Commission to interpret without a lot of staff hand holding.

Chair Rodgers summarized that there seems to be an agreement on not allowing billboards but that there needs to be a process created that does not kick everything up to the Commission. Ms. Klotz stated that staff will look into minor variations then asked if there was a preference for the Land Use Commission to be the determining body or be a recommending body to the City Council. Chair Rodgers responded that since the Commission would need to learn the regulations that it makes sense for it to be the determining body.

Commissioner Lindwall stated that this is why she prefers for DAPR to be the first review and that the Planning & Development Committee likely does not want to review signage applications.

Commissioner Puchtel expressed that he is sensitive about this group taking on this load and the scope has been combined from two groups and is already meeting twice a month. He then expressed that he is ok with the decisions being completely with staff and does not have a preference for the regulations being within the building or zoning codes.

Ms. Ashbaugh suggested that, if Commissioners would be amenable, a sub-committee of Commissioners that meets less frequently to review sign variations could be an option. Chair Rodgers stated that in the event that there is no Commission meeting, he does not want to meet for just a sign, however, that is not fair to applicants and there are alternatives. Discussion on current frequency of meetings and desire to not add an additional one. If there are Special Uses or Planned Developments having signage that could be reviewed at the same time this works to the Commission's advantage and the impact of the entire project could be considered at once.

Commissioner Lindwall added that with regards to meetings, DAPR meets weekly while the Land Use Commission meets biweekly which may cause a delay for sign applications.

Discussion concluded soon after with staff expressing that regulations will be drafted and brought back to the Commission, likely in April.



MEETING MINUTES EXCERPT

LAND USE COMMISSION

Wednesday, April 13, 2022

7:00 PM

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

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

Members Absent: Myrna Arevalo, Violetta Cullen, John Hewko

Staff Present: Melissa Klotz, Meagan Jones, Katie Ashbaugh, Alexandra Ruggie

Presiding Member: Matt Rodgers

B. Public Hearing: Text Amendment | Omnibus Text Amendment | 22PLND-0021

City-initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, for an Omnibus Text Amendment Package relating to the following:

- 1. Redact all mentions of the Zoning Board of Appeals and Plan Commission (Title 6) and replace with the Land Use Commission in accordance with Section 2-19 of the City Code and Ordinance 92-O-21.**
- 2. Update ADA Parking Regulations (Section 6-16) to follow current regulations of the Americans with Disabilities Act Standards for Accessible Design and use appropriate wording.**
- 3. Move the Sign Code (Section 4-10) from the Building Ordinance (Title 4) to the Zoning Ordinance (Title 6), establish variation regulations so that sign variations are no longer determined by the DAPR Committee, and establish regulations relating to billboards.**
- 4. Move the Subdivision Code (Section 4-11) from the Building Ordinance (Title 4) to the Zoning Ordinance (Title 6) and update requirements and procedures to current practices.**
- 5. Establish clear Planned Development Standards for Approval similar to Variation and Amendment Standards (Section 6-3).**
- 6. Update requirements and procedures for Planned Developments, including Neighborhood Meeting and Pre-Application steps, to current practices (Section 6-3-6).**
- 7. Add Automobile Body Repair Establishment as an eligible Special Use in the I1 Industrial/Office District (Section 6-14-2).**

The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-4 of the Evanston Zoning Code and Ordinance 92-O-21.

Chair Rodgers shared that he spoke with staff and the intention is to do omnibus on a quarterly basis as needed.

Ms. Klotz read the agenda item into record and provided a brief background on the overall text amendment; she then went through each specific item.

Item 1

Ms. Klotz provided an explanation of this item. There was no discussion.

Item 2

Ms. Klotz provided a summary of this item stating intention to have regulations match current ADA regulations which is updated and is better policy.

Commissioner Mirintchev asked for clarification on code wording still using "handicapped" versus "accessible". Ms. Klotz responds that the code would only reference ADA compliance.

Item 3

Ms. Klotz provided a summary. Ms. Ashbaugh is now staff's sign reviewer, and the proposed amendment is not changing regulations, just moving them into Zoning Code and establishing minor/major variation processes for signs that do not meet the code. She then stated that staff looked back at the previous 5 years of sign variations and is proposing thresholds for minor variations for wall and blade sign height and/or area to be no more than 35%, similar to what other existing minor variations are subject to. If a sign is significantly above that threshold it would be brought to the Commission for review.

Commissioner Lindwall clarified that the regulations within the packet existing and references would be updated. Ms. Klotz confirmed.

Commissioner Westerberg asked if sign variations currently go to DAPR for review. Ms. Klotz confirmed this has been the case then added that there is a referral from City Council to look at modifying the DAPR Committee. Depending on how that goes it may change where sign reviews go to, specifically if DAPR becomes a closed meeting.

Commissioner Halik expressed that he was disturbed at the possible elimination of DAPR, explaining that they provide a service that the Commission does not. Commissioner Lindwall agreed explaining that the Comprehensive Plan is clear on the need for this type of Committee and it provides an important function.

Commissioner Halik asked if DAPR doesn't do the review who would; it would change the Commission's purview. Ms. Klotz responded that this and other concerns of the Commission are being taken into consideration.

Commissioner Johnson clarified if this item would be both moving the sign code and possibly adding billboard regulations into the code. Ms. Klotz confirmed this to be the case.

Item 4

Ms. Klotz explained that this item is a referral from the City Council to regulate billboards throughout the city and was discussed at a previous Commission meeting. She stated that staff is proposing that billboards be a Special Use in all districts should it move forward. She added that If there is significant concern, staff recommended pulling this item out for a separate discussion. Chair Rodgers stated this was discussed as the plan for this item; other things move forward with an accompanying denial for things the Commission does not agree with.

Commissioner Lindwall expressed that she has a big problem with billboards. Chapter 13 of the Comprehensive Plan has an explicit policy to eliminate billboard advertisements. Moving to allow billboards is not consistent with the plan. Purpose of sign controls is to reduce visual clutter while allowing businesses to advertise, but a big issue is safety. There are only 4: on Green Bay Road. Some on the Chicago side of Howard. Drivers in Evanston need to be careful, do not want to create an attractive nuisance. Also need to look at the notion of not impacting adjacent properties. Should not be looking to enrich one property at the expense of a neighbor. Commissioner Lindwall then suggested a discussion with the City Council. Commissioner Halik agreed, saying the Commission made a strong recommendation against billboards and if it comes back before the Commission, that can be done again.

Commissioner Johnson agreed and asked about the best route forward. Rodgers does not think Evanston is appropriate for billboards and used Central Street as an example. Lindwall gave Chicago Avenue as an example. Halik agreed, saying it speaks to the character of the community as well. Mirintchev suggested adding language that says no billboards are allowed in Evanston.

Ms. Klotz asked if there was an appetite of the Commission for wall mounted billboards rather than freestanding. Chair Rodgers responded that he thinks the wall mounted signs are what the Commission is really thinking of. There are some businesses with their names on the side of buildings but those are more signs that fall under the sign regulations and not true billboards which could be allowed

Commissioner Puchtel expressed the same sentiment as other Commissioners and asked if item 3 would need to be held. Chair Rodgers responded that the Commission could pull billboards out of that discussion and move the rest forward.

Commissioner Lindwall stated that there is no definition that regulates how big the billboard could be which would need to be included in regulations. Also, in general billboards regulations need to be content neutral and cannot be regulated much outside of prohibiting obscene or pornographic ads. In business signs, more than likely the signage will relate to the business and likely not be as potentially problematic. There could be more messaging on billboards that someone driving by could deem offensive.

Item 4

Ms. Klotz provided a summary of this item which would move the subdivision regulations into zoning code where most communities have them. Planning and Zoning staff handles the subdivision process and variations come to the Land Use Commission. The amendment would codify actual steps in the process so that it is clear to the community. There was no further discussion on this item.

Item 5

Klotz provided a summary explaining that in the review process for planned developments, there are a large number of standards and many are more general guidelines and requirements than they are standards. Proposed standards would be more similar to those of special uses, variations or amendments. It is a policy change but the wording is very similar to that of other standards that currently exist.

Chair Rodgers requested an explanation of standard 6 as it was his understanding that public benefits had to be near the development versus city wide. Ms. Klotz stated that this is correct and this standard was pulled from major variations and was left general as there are some benefits that benefit the entire city such as on-site affordable housing. Chair Rodgers wanted the language to be clear so that developers are clear on what can and can't be done. Ms. Klotz responded that staff makes this clear to applicants when reviewing projects.

Commissioner Lindwall stated that City Council has reserved the right to review and negotiate the public benefits and it is not in Commission's purview. She then asked if the proposed amendment would change that. Ms. Klotz responded that Commissioner Lindwall was correct in that the negotiations of public benefits are not in the Commission's purview but that this reference is not listed to go through each listed public benefit but to gauge their general appropriateness.

Commissioner Westerberg stated that the language in the first standard around potential impact is broad and can give a lot of room to the developer. Commissioner Halik expressed that he has a problem with standard 4 due to developers not really having a hardship and that it is incompatible with standard 1. Chair Rodgers gave the example of a ziggurat setback being a hardship on most lots; any development is going to have an impact, and with standard 1, maybe wording is not right but the idea is to not max out everything. Halik and Westerberg reiterated their concerns regarding impact and reasonable expectations. Commissioner Lindwall stated that there is a window of base zoning with additional building potential from site development allowance. Additional discussion continued with additional concerns being expressed on being able

to approve or deny a project with conflicting standards, what would be considered a hardship, and the need to have a practical application of zoning regulations for the real world.

Chair Rodgers asked if there was a way to modify standard 4, referencing that standard number 5 for major variations- no additional income unless a public benefit offsets it. It could be used to tweak the language surrounding potential hardship.

Commissioner Halik mentioned that the public comment letter provided on this item mentioned that the existing public benefits are vague and that he believes being more specific is the way to go. Chair Rodgers pointed out that a potential problem with very specific public benefits is that good projects may die because they don't meet them and ties the Commission's hands.

Commissioner Lindwall agreed that standards would be helpful. She suggested going forth with this list and reserving the option to tweak them after some time. Commissioner Westerberg expressed concern with standard 1 and requested that stronger language be included. A brief discussion followed with Commissioner Lindwall suggesting "within the scope of the applicable site development allowances" and there being general agreement. Commissioner Lindwall suggested keeping standard 4 as it is currently proposed and see how it goes. General discussion followed with agreement to remove 4 and bring it back with the next omnibus. Ms. Klotz then clarified that Special Use standards still apply to planned developments

There was general agreement to keep standard 1 with edits, strike 4, edit standard 5 as it relates to standard 8 for special uses and change "environmental" to "climate" or "sustainability".

Item 6

Klotz provided a summary of the proposed changes. Commissioner Lindwall noted that for step 7, it is important to continue having the DAPR Committee as a staff review Committee.

Item 7

Ms. Klotz provided a brief summary of what was proposed and why. Chair Rodgers stated that it makes sense to be able to do both auto repair and auto body repair, especially as there is more likely to be toxic issues dealing with oils and fluids. Most people doing both illegally likely do not realize that they cannot do both.

Commissioner Puchtel asked why auto body repair was not originally included. Ms. Klotz responded that that is largely lost history but is likely due to the painting of vehicles needing a painting bay with proper exhaust in order to prevent fumes. Chair Rodgers

Ms. Klotz stated that we are in danger of zoning out these types of uses out of industrial districts due to loss of its industrial properties and zoning districts. Chair Rodgers

cautioned that when uses are reviewed to operate within industrial districts that the Commission make sure they are not taking up spaces for actual industrial uses that can only operate in these districts.

Public Comment

There were no members of the public wishing to provide testimony. The record was then closed.

Deliberations

The Commission then reviewed the standards for text amendments

1. Met
2. Met (with removal of billboards from possible regulations)
3. Met
4. Met

Commissioner Puchtel motioned to approve the proposed omnibus amendment with the following changes: **In item #3 - not adding provisions for billboards into the sign regulations for their placement; and in item #5 – changing proposed standard 1 to read: “The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable site development allowances.”, striking the proposed standard 4, and changing “environmental” in proposed standard 5 to “sustainability” or “climate”. A roll call vote was taken and the motion was approved, 7-0.**

Chair Rodgers suggested that Commissioners write a note to the Council regarding their concerns and that he would make a point to the P&D meeting to share those concerns in person. Commissioner Lindwall suggested that the Commission have a discussion with Council, referencing the Comprehensive Plan explicitly stating that they be prohibit and that the appropriate time to consider billboards would be during the revision of the Comprehensive Plan

Commissioner Lindwall made a motion to continue to prohibit billboards in the City of Evanston (emphasizing that the Commission’s reasons be shared with City Council). Seconded by Commissioner Puchtel. A roll call vote was taken and the motion was approved, 7-0.



MEETING MINUTES
LAND USE COMMISSION
Wednesday, July 13, 2022
7:00 PM

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

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

Members Absent: Myrna Arevalo, Violetta Cullen, John Hewko, Max Puchtel

Staff Present: Elizabeth Williams, Brian George, Melissa Klotz, Meagan Jones

Presiding Member: Matt Rodgers

Call to Order

Chair Rodgers opened the meeting at 7:10pm. A roll call was then done and a quorum was determined to be present.

Planning Manager Elizabeth Williams was introduced and she shared some information about herself.

Chair Rodgers then announced that new business item 22PLND-0010 would not be heard at this meeting as the applicant requested a continuance to a future meeting date. Staff confirmed that the continued date is intended to be September 28, 2022 and that plans, which will be updated, are available on the Large-Scale Developments page on the City’s website.

Approval of June 22, 2022 Meeting Minutes

Commissioner Halik suggested several edits to the meeting minutes. Commissioner Lindwall then made a motion to approve the Land Use Commission meeting minutes from June 22, 2022 as amended. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion passed, 6-0.

Old 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

Megan Lutz who requested the continuance for this case at the June 22, 2022 meeting, provided a statement thanking the Commission for granting the continuance to make neighbors away of the proposed change. She explained that 171 signatures were obtained for the submitted petition and stated that Councilmember Suffredin sent a letter to staff requesting that this case be withdrawn but staff was unable to do so. Ms. Lutz then referenced the information that Jeff Smith provided at the previous Commission meeting relating to the intention of including these properties in the Central Street overlay with the vision. Mr. Smith had also explained that a traffic and market study should be done before any proposed changes occur and deviates from standard map amendment procedures. Ms. Lutz then explained that comments regarding drive-throughs are due to an existing drive-through causing accidents and traffic. Several other drive-throughs have been proposed and have been recommended by staff, including those proposed by Nic's Organics. She expressed that the threshold for Special Uses is much lower without the overlay and the protection against such uses goes away if the proposed zoning change occurs. She then explained that although the intersection has been referenced as not being pedestrian oriented it is heavily used by residents and pantry customers. She finished by stating that to jettison the process would be counter to Evanston's plans and zoning and encouraged the Commission to not recommend approval.

Chair Rodgers explained that though the Commission did not receive the Councilmember's letter, he had been in contact with staff regarding it and that it was determined that the Land Use Commission's hearing would continue and complete this portion of the process then the item would proceed to Planning & Development Committee where Councilmember Suffredin would then explain his position.

No additional staff comment was provided.

Chair Rodgers then closed the record.

Deliberations

Commissioner Lindwall expressed that this is one of the most difficult and complicated intersections, with the worst being the Ridge/Green Bay/Emerson intersection. She explained that she has looked at the intersection and area to the north and noted no sidewalks on Crawford in addition to noting where property lines seem to be. Commissioner Lindwall then suggested that residents and businesses should consider working with the Councilmember Suffredin to install more sidewalks. The Central Street Plan is 15 years old and should be revisited. Since the adoption of the plan there has

been a worldwide financial crisis that impacted what type of development would occur. Until recently the only kinds of development that would be able to obtain financing were rental apartment buildings. Some items called for at that intersection were small office buildings and strip centers which, given the rise of the internet, is not the best use. Removal of properties from the overlay was to see what different development could be done. Setting up overlay was to create a process but without it, B2 is less stringent. She then asked what extra investment is needed in the overlay vs without it.

Ms. Klotz stated that the process without the overlay starts with a Zoning Analysis. An applicant can expect to go back and forth with staff 3 to 5 times to get a plan to an appropriate level, likely in minimum of 60 days. They would then apply for Major Variations, the cost for which is per variation for commercial properties. Would likely yield a larger number due to the shape of the lot in the overlay. In the overlay, the number of variations jump and make the application more expensive, into the thousands of dollars, and the process itself would take 60 to 90 days, assuming no continuances request or other process delays. Getting close to 6 months before an applicant would know if they are approved, after which they would go through the permit and construction process.

Commissioner Halik asked for clarification on what the difference between processes would be if the properties were removed from the overlay to which Ms. Klotz responded that the back and forth in the beginning for revising plans is reduced, likely half of the typical time overall. She then explained that her bigger concern from a land use perspective is that if properties are applying for 15 variations, something is wrong and in this case her belief is that the overlay is wrong or the development.

Commissioner Westerberg asked if the overlay seems to not work for just the transitional properties or for other properties as well. Ms. Klotz replied that the most significant issues are for the properties that are at this intersection as they have multiple busy roads surrounding them which is not typical for other properties within the overlay. The plan not perfect but most properties can comply with everything or come very close.

Commissioner Westerberg then asked staff's thoughts on other ways to look at these properties for relief. Ms. Klotz responded that it is good to review plans at 10 to 15 year mark and sees no harm in reviewing it. Thinks overlay is a good thing and operates as it should and wouldn't anticipate major changes. If the Commission thinks that is a better plan, that is something staff can look at.

Commissioner Mirintchev stated he looked at aerial view and how pedestrian flows most important thing is how people use the intersection and get to points of interest. Here, it continues to be bad for pedestrians and bicyclists. He stated a preference to keep the overly to have free movement and that reducing the front building setback concerns him, giving the west CVS wall as an example. Believes removing from overlay is not the solution, it should stay and/or improve the overlay.

Commissioner Halik explained that a lot of information has been submitted that has been helpful to read and he does not see a good reason to change what is there now. He expressed that he believes the Commission should listen to neighbors.

Commissioner Johnson agreed, stating he uses the intersection and reviewed the petition. There does not seem to be a great impetus to recommend approval.

Chair Rodgers stated that he is not a fan of overlays and thinks there are things that should be changed at the intersection. He then stated he hopes to have a Comprehensive Plan that points in the direction of more straightforward and clear zoning.

Commissioner Lindwall stated that zoning will not change the traffic situation. USes remain, importance

The Commissioner then reviewed the Standards for Approval of the Map Amendment:

- A. Some disagreement in whether the change is consistent with the adopted plan and belief that a more thoughtful process should occur.
- B. Standard met. Discussion on this being a transitional area and needing to have zoning that addresses that.
- C. Discussion occurred on allowing business to make improvements which would help the value of commercial properties. Concern over long term effects if a different use comes in that changes the nature of the area and property values.
- D. Standard met.

Chair Rodgers made a motion to recommend approval of the map amendment with the condition that the City begin a study looking at evaluation of increasing sidewalks in the area to improve pedestrian travel through that intersection and that the amendment be in compliance with the discussion held at this meeting and the previous Commission meeting. Seconded by Commissioner Lindwall. A roll call vote was taken and the motion failed, 1-5. Therefore, the motion failed and the amendment will move forward with a recommendation for denial.

New Business

A. Public Hearing: Text Amendment | Billboards | 22PLND-0042

City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to establish regulations to allow Billboards in all zoning districts. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-4 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Ms. Klotz read into the record. Chair Rodgers gave background on the amendment and the process that occurred to this point. He then read a statement exercising the powers and authority granted under Article X of the Rules and Procedures of Evanston's Land Use Commission, the Chair determined that this case presents no new evidence or testimony has been provided that was not available at the previous hearings. The initial

hearing determined that allowing billboards anywhere in the City was contrary to the character of the City and its adopted Comprehensive Plan. The City Council has not presented any new issues for the Commission to discuss, therefore, without objection, the Commission returns this item to the Planning and Development Committee and the unanimous decision to prohibit billboards throughout the City of Evanston stands.

Commissioner Halik expressed some disagreement with one item in the Chair's statement relating to new information as there was some discussion about the option to put billboards along the railroad tracks and face them towards the tracks. Chair Rodgers responded that there was no one present to present that new information and reiterated the ability of the Chair to determine whether there is significant change to the application that was reviewed before but that there is the ability to object to that determination and hold a vote on whether to hold a hearing.

Ms. Klotz clarified that there was a very brief point discussed on possible alternate locations when this item was previously discussed, including along train lines. She added that if the Commission wishes to continue discussion to please do so, but the possible alternate location was discussed briefly.

Commissioner Halik clarified that he wants to be sure that the Commission's recommendation is clear that it does not think it is a good idea to line the railroad tracks with billboards. Chair Rodgers clarified that the Commission's recommendation stated that billboards should not be allowed anywhere in the City, including along CTA and Metra lines.

Commissioner Westerberg supported the Chair's statement. Commissioner Lindwall also agreed and stated that she watched Committee meeting and noted discussion of the proposal and one thing that Councilmember Suffredin also mentioned was having the ability to have off-premises advertising on public buildings. Commissioner Westerberg pointed out that while the media may change the issue is still advertising which was deemed to not be in character with Evanston in previous discussion.

Commissioner Halik inquired if existing billboards would be part of the consideration retroactively to which Ms. Klotz responded no, they are considered to be legally nonconforming and may continue to exist.

Chair Rodgers stated that there is no one present to argue for this case so it does not make sense for the Commission to hold a new hearing. Hence why he wanted to refer it back to the Commission with the same unanimous decision to recommend denial.

B. Public Hearing: Map Amendment & Planned Development | 2044 Wesley Avenue | 22PLND-0010

John Cleary, applicant, submits for a Zoning Map Amendment to the Zoning Ordinance, Title 6 of the City Code, to remove properties known as 2024 Green Bay Road, 2026 Green Bay Road, and 2026 Wesley Avenue, PINs 10-13-205-003-0000, 10-13-205-002-0000, and 10-13-205-010-0000, from the oWE

Evanston Overlay District and to rezone properties known as 2017 Jackson Avenue and 2021 Jackson Avenue, PINs 10-13-204-023-0000 and 10-13-204-022-0000, from the R5 General Residential District to the R4 Residential District. The proposed Map Amendment is in conjunction with a Planned Development application.

John Cleary also submits for a Special Use for a Planned Development to construct 19 townhomes and a 12-unit multiple-family dwelling, 55 off-street parking spaces, and a new street connecting Jackson Avenue with Wesley Avenue on properties known as 2017 Jackson Avenue, 2021 Jackson Avenue, 2032 Jackson Avenue, 2026 Wesley Avenue, 2044 Wesley Avenue, 2024 Green Bay Road, 2026 Green Bay Road, and vacated Jackson Avenue north of Foster Street, PINs 10-13-203-024-0000, 10-13-204-021-0000, 10-13-204-022-0000, 10-13-204-023-0000, 10-13-204-030-0000, 10-13-205-002-0000, 10-13-205-003-0000, 10-13-205-010-0000. The applicant seeks site development allowances for impervious surface coverage, building height, single-family attached dwellings not having frontage onto a public street, elimination of required transition landscape strips, setback from street and development boundary line to a dwelling, yard obstructions into required setbacks, and separation between residential buildings. 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 these cases in accordance with Section 6-3-5-8 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Commissioner Lindwall made a motion to continue this item to the September 28, 2022 Commission meeting. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion was approved, 6-0.

Communications

No Communications.

Public Comment

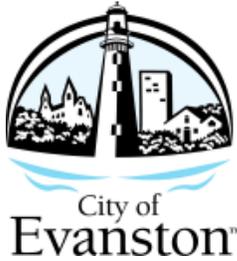
Betty Bog, Executive Director of Connections for the Homeless, stated that at the May 25th meeting, Connections' legal representation stated that an application would be submitted in two weeks. This has not occurred due to the need to get the property owner's signature, which he has declined to sign without a finalized letter of intent or purchase agreement. Making good progress and are close to finalizing an agreement. Once signed a complete application will be submitted in accordance with the guidance provided by City staff. Connections is eager to have the process move forward. Chair Rodgers stated he has been made aware of the delay and thanked Ms. Bogg for her update.

Adjournment

Commissioner Westerberg motioned to adjourn, Commissioner Lindwall seconded, and the motion carried, 6-0.

DRAFT - NOT APPROVED

Adjourned 8:06 pm
Respectfully submitted,
Meagan Jones, Neighborhood & Land Use Planner



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Planning and Development Committee
From: Meagan Jones, Neighborhood and Land Use Planner
CC: Johanna Nyden, Community Development Director, Elizabeth Williams, Planning Manager
Subject: Ordinance 72-O-22 Approving a Major Adjustment Regarding Required Parking at 1571 Maple Authorized by Ordinance 19-O-15 and Amended by Ordinance 61-O-16 and Ordinance 147-O-18
Date: July 25, 2022

Recommended Action:

Land Use Commission recommends adoption of Ordinance 72-O-22 for approval of a Major Adjustment to a Planned Development at 1571 Maple Avenue in order to modify the parking lease condition of approval (Z) modifying the parking lease to relocate the 55 parking spaces currently leased at the Maple Avenue Garage to the Sherman Plaza Garage and only charging the applicant for the parking spaces that are utilized. A resolution amending the parking lease will follow at the August 8, 2022 meeting.

Council Action:

For Introduction

Summary:

The development, approved on April 13, 2015, was constructed in 2017 south of Davis Street between Maple Avenue and Elmwood Avenue. The planned development was amended by ordinance on June 13, 2016 in order to extend the time for the applicant to obtain a building permit to begin construction on the development. The development consists of a 12-story mixed-use building with 101 residential units, 3,696 square feet of commercial space on the ground floor, and a 13-space surface parking lot on the west side of the site along Maple Avenue that includes two car-share spaces and an electric vehicle charging station. The surface lot is to be available to the public for short term use with a maximum two (2) hour time limit between 10:00 a.m. and 5:00 p.m. on any given Monday through Friday. Outside of these hours, the spaces are available to building residents and visitors. At the time of its approval, the development was also to provide 101 parking spaces at the Maple Avenue garage through a lease agreement with the City. The Maple Avenue garage is located 1,003 feet from the property and was chosen for use due to the Sherman Avenue parking garage, which is approximately 325 feet from the property, not having enough available parking spaces at the

time the project was approved (currently, however, there are available parking spaces within this garage).



1571 Maple Avenue – Facing southwest

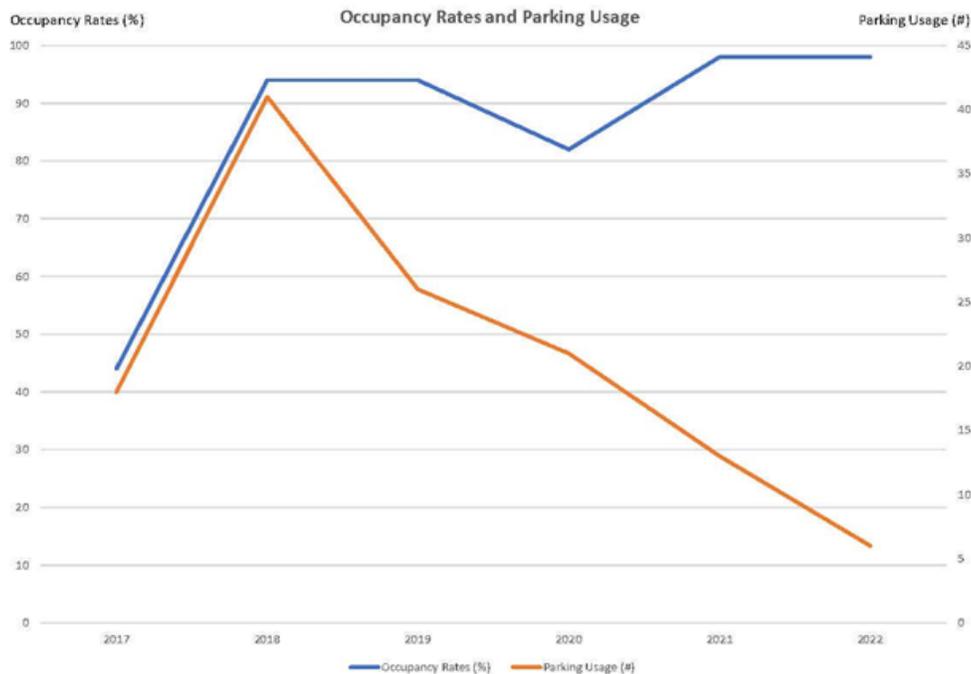
In 2018, the applicant applied for a Major Adjustment to the approved planned development in order to reduce the number of leased parking spaces from 101 to 50 and to modify the affordable housing requirement from two-onsite units at 100% Area Median Income (AMI) to one affordable on-site unit at 60% AMI. The adjustment approved by Ordinance 147-O-18 reduced the number of required leased parking spaces to 55 (for a total of 68 parking spaces) and allowed the applicant to provide one on-site affordable unit at or below 60% Area Median Income (AMI) in lieu of two originally required by ordinance 19-O-15.

Parking Data

Per ordinance 19-O-15, the development was originally granted a site development allowance to provide 12 on-site parking spaces. Condition Z of that ordinance also required 101 spaces to be leased in the Maple Avenue garage (1.12 parking spaces per dwelling unit and .75 per bedroom). Ordinance 148-O-18 amended this requirement to 55 spaces leased in the Maple Avenue garage (.67 per dwelling unit and .45 per bedroom). Per recently approved Transit Oriented Development (TOD) parking requirements of .55 spaces per bedroom, 85 parking spaces would now be required (.84 per dwelling unit and .56 per bedroom). If the request is approved, the number of parking spaces provided would total 13 on-site parking spaces (.13 per dwelling unit and .09 per bedroom).

The Applicant provided information on the number of residents who are currently leasing spaces within the Maple Avenue garage as of this year. There are currently 6 parking spaces being leased in the garage by the building's residents despite a building occupancy rate of 98% (see applicant provided chart and graph below). The applicant also noted the downward trend in parking utilization since the development was constructed and despite the Covid-19 pandemic.

Year	Occupancy Rates (%)	Parking Usage (#)	Parking Usage (%)
2017	44	18	40.5
2018	94	41	43.18
2019	94	26	27.38
2020	82	21	25.4
2021	98	13	13.13
2022	98	6	6.06



Parking staff reviewed most recent data from the Secretary of State and found that 19 vehicles were registered to this development with 8 having purchased wheel tax for the season. As noted in the Land Use Commission staff report, information shared with staff also suggested that some of the residents have made private arrangements with residents of the condominium building at 1570 Elmwood, immediately adjacent to this building, to park in extra spaces at that property.

1571 Maple is located less than 700 feet from the Davis Street Metra and CTA stations. The building is located in close proximity to multiple bus lines (both Pace and CTA), an existing Divvy Bike Station at Benson Avenue and Church Street, and has two Zip-car car sharing stations on-site in the parking lot.

In recent years, developments have requested reductions in their required on-site parking. 811 Emerson St., which has 241 dwelling units, was recently approved for reduction in their required

on-site parking from 170 down to 85 parking spaces in order to lease the remaining existing spaces to the public. Similarly, E2 at 1881 Oak Avenue which has 353 dwelling units was approved to reduce its 353 onsite parking space requirement by up to 25% in order to lease those approximately 88 parking spaces to the public. The recently approved Varsity Theater residential development at 1706-10 Sherman Ave, has 35 dwelling units and was granted a variance to provide two on-site parking spaces and lease an additional 16 spaces from the City. The office/commercial building planned development at 1732-40 Orrington Avenue was also recently approved to provide 35 on-site parking spaces and lease 100 parking spaces in one of the City's downtown garages.

Based on the above information and further investigation after the Design and Project Review Committee meeting, staff does not support granting the adjustment to terminate the existing parking lease. This is a broader policy decision for the City and how large and new developments accommodate parking. With additional developments planned to be constructed, there is less certainty on parking spaces being available in the future for residents of this development. Staff recommended modifying the parking lease to relocate the 55 parking spaces currently leased at the Maple Avenue Garage to the Sherman Garage (closer to the property) and only charging the rental company for the parking spaces that are utilized (rather than the entire block) to the Land Use Commission. The underlying concern is that if the parking lease is terminated, due to the removal of the parking requirement, individual renters would not be effectively guaranteed parking spaces in these garages and would be competing with other monthly parking arrangements. The Land Use Commission discussed this recommendation along with the applicant's request at its June 22, 2022 meeting and voiced similar concerns.

Standards of Approval

The proposed development must follow the procedures for Adjustments to Development Plan in Section 6-3-6-12. It must also maintain the planned development's satisfaction of the Standards for a Special Use (Section 6-3-5-10), the Standard for Planned Development (Section 6-3-6-9) and standards and guidelines established for Planned Developments in the D3 Downtown Core Development District. (Section 6-11-1-10). The Land Use Commission had some concerns with the applicant's request to terminate the lease and found that staff's recommended alternative for the adjustment does meet these standards.

Standards for Special Use (Section 6-3-5-10)

A Planned Development is listed as a permitted special use in the D3 Downtown Core Development District. As indicated above, the proposal is in keeping with the purposes and policies outlined in the Comprehensive Plan and the Zoning Ordinance. The development and corresponding site development allowances were approved in April of 2015. There are no physical or use changes proposed for the site so no impacts are expected with regards to utilities, environmental features or architectural resources. The proposed change would likely not interfere with or diminish the value of other properties in the neighborhood.

The proposal will not cause undue traffic congestion. The existing building is a TOD with 13 on-site parking spaces (including car-sharing), and a number of transportation options available within a short distance including Metra, CTA Transit stations, and bus routes. As noted, there is some concern that, with the elimination of the existing parking lease, as well as future development utilizing City garages, parking spaces may not be readily available should the

need arise. With the alternative as proposed and recommended by Land Use Commission this concern is mitigated.

Standards and Guidelines for Planned Developments in D3 District (Sections 6-3-6-9 and 6-11-1-10)

The initial planned development and adjustment were found to be in harmony and comply with general purposes and the intent of the Zoning Ordinance and Comprehensive Plan. As well, it maintained compatibility in bulk, scale and land use with surrounding properties. As noted above, the proposed adjustment maintains the physical compatibility, however, there are concerns with terminating the existing parking lease and full elimination of off-street parking requirements. Therefore, the proposed alternative that was provided was seen as an option that would maintain meeting these standards.

Legislative History:

May 3, 2022 – The DAPR Committee voted to recommend a Major Adjustment to the Planned Development to eliminate the parking lease subject to adding additional on-site electric vehicle charging stations.

June 22, 2022 – The Commission voted, 8-0, to recommend that the number of required leased parking spaces not be reduced but that the parking lease is modified to relocate the 55 parking spaces leased in the Maple Avenue garage to the Sherman Plaza garage and only charging the rental company for the parking spaces that are utilized versus the entire number of spaces.

[Link to Land Use Commission Packet June 22, 2022 Meeting](#)

Attachments:

[72-O-22 Amendment of 1571 Plan Development Ordinance](#)

[6.22.22 Land Use Commission Meeting Excerpt](#)

[1571 Maple Planned Development Adjustment - Application Documents](#)

72-O-22

AN ORDINANCE

**Approving a Major Adjustment Regarding Required Parking at 1571
Maple Authorized by
Ordinance 19-O-15 and Amended by
Ordinance 61-O-16 and Ordinance 147-O-18**

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt legislation and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, (“the Zoning Ordinance”); and

WHEREAS, on April 13, 2015, the City Council enacted Ordinance 19-O-15, attached hereto as Exhibit 1 and incorporated herein by reference, which granted a Special Use Permit for a Planned Development (the “Planned Development”) at 1571 Maple Avenue (the “Subject Property”), which is legally described in Exhibit 1; and

WHEREAS, Ordinance 19-O-15 approved the construction of a 12-story

mixed use building with 101 residential dwelling units at the Subject Property (the “Project”), which is detailed at length in Exhibit 1; and

WHEREAS, on May 23, 2016, the Planning and Development Committee (“P&D Committee”) held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq), during which it retained jurisdiction over the Planned Development Amendment request; and at its meetings of May 23, 2016 and June 13, 2016 held in compliance with the provisions of the Illinois Open Meetings Act, the City Council and considered the P&D Committee's deliberations and recommendations, heard public comment, and made findings; and on June 22, 2016 the City Council considered and adopted Ordinance 61-0-16; and

WHEREAS, in order to remain in compliance with the terms of Ordinance 19-O-15 and 61-O-16 and provide for Applicant to modify its parking requirements and on-site inclusionary housing, the Applicant again requested an amendment to the Planned Development; and

WHEREAS, by submitting an application to amend a planned development to the City dated September 12, 2018, the Developer and Applicant, 1571 Maple Avenue, LLC (the “Applicant”) requested major adjustments to: (1) reduce the required number of leased parking spaces from one hundred and one (101) to fifty (50); (2) allow the City to amend the original parking lease; (3) allow the City to provide parking spaces at Sherman Plaza; and (4) seek a change to the affordable housing provisions to allow them to provide one (1) affordable housing unit at sixty percent (60%) of Area Median Income (“AMI”) in lieu of two (2) affordable housing units as provided for in Ordinance 19-O-15; and

~2~

WHEREAS, on November 12, 2018, the P&D Committee held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq), during which it retained jurisdiction over the Planned Development Amendment request; and at its meeting on November 12, 2018 held in compliance with the provisions of the Illinois Open Meetings Act, the City Council and considered the P&D Committee's deliberations and recommendations, heard public comment, and made findings; and on November 29, 2018, the City Council considered and adopted Ordinance 147-O-18; and

WHEREAS, in order to remain in compliance with the terms of Ordinance 19-O-15, 61-O-16 and 147-O-18 and provide for Applicant to modify its parking requirements, on March 25, 2022, the Applicant again requested an amendment to the Planned Development, requesting major adjustments to: (1) reduce the required number of leased parking spaces from fifty-five (55) to zero (0); and (2) eliminating the parking lease; and

WHEREAS, on June 22, 2022, the Land Use Commission, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq), held a meeting as the determining body for the Planned Development Amendment request, in accordance with Section 6-3-9-8 of the Evanston Zoning Code and Ordinance 92-O-21; and

WHEREAS, the Land Use Commission recommends that the City council deny the request and amend the planned development by allowing major adjustments to relocate the fifty-five (55) parking spaces leased in the Maple Avenue garage to the

Sherman Plaza garage and charge the rental company for the parking spaces that are utilized rather than for all 55 spaces; and

WHEREAS, Staff recommends that the City Council require the submission of vehicle ownership reports to the City as well as continued subsidized car-share memberships being provided to building residents; and

WHEREAS, at its meeting on August 8, 2022, held in compliance with the provisions of the Illinois Open Meetings Act, the City Council considered the Land Use Commission's deliberations and recommendations, heard public comment, made findings and considered this Ordinance 72-O-22,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants an amendment to the Special Use Permit previously authorized by Ordinance 19-O-15 and subsequently amended by Ordinance 61-O-16 and 147-O-18 to allow for the amended parking requirements of the Planned Development described herein.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council amends condition (Z) on the Special Use Permit granted for the Planned Development in Ordinance 19-O-15, as may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or

revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (Z) Parking Lease:** The Applicant must agree and sign an amended long-term parking lease agreement with the City of Evanston to lease fifty-five (55) parking spaces and pay for the utilized spaces based on the standard current monthly parking fee from the Sherman Plaza Parking garage located at 821 Davis Street. The amended lease agreement will mandate that the Applicant pay any increases in the rental rate structure through the term of the lease agreement. The long-term lease agreement shall be set for a minimum period of seven (7) years. For the lifetime of the project, the Applicant must require all Residents to disclose their vehicle ownership and conduct periodic reviews to ensure that all vehicles owned by Residents of the building are accounted for within the Maple Avenue garage. The Applicant must provide the certified vehicle ownership report to the City of Evanston annually by January 31st of each calendar year during the first seven (7) year. The City of Evanston's Department of Administrative Services will monitor the Applicant's certified vehicle ownership reports and the costs incurred by the City of Evanston for such oversight shall be paid for by Applicant's parking lease fees. If at any time during this seven (7) year period such annual vehicle ownership report indicates that the Residents of the building own more than fifty-five (55) cars and require more than fifty-five (55) parking spaces, the Applicant agrees to amend the parking lease agreement with the City and lease the additional parking spaces necessary. The Applicant also agrees to deny apartment leases to potential Residents who own vehicles until such time as the number of vehicles owned by the Residents of the building and required to park in the Sherman Plaza garage by terms of this Ordinance falls below fifty-five (55) or until the surplus parking spaces can be accommodated in the revised lease agreement with the City of Evanston.

Following the seven (7) year anniversary of the parking lease agreement date, the parking lease agreement may be amended. The number of parking spaces leased from the City may be reduced to match the highest number of vehicles owned by the Residents and required to park in the Sherman Plaza garage by the terms of this Ordinance in any year during the seven (7) year period per the annual parking reports. The number of parking spaces leased by the City may not be reduced in the first seven (7) years and any reduction after the seven (7) year anniversary shall be approved by the City Council as an amendment to the parking lease agreement.

Following the expiration of the seven (7) year anniversary of the parking lease agreement, the agreement can be modified every five years thereafter but not before, to match the highest number of vehicles owned by the Residents and required to park in the Sherman Plaza garage by the terms of this Ordinance during any calendar year in the preceding five (5) year term per the annual parking report. Any amendments to the number of parking spaces leased from

the City of Evanston or any other amendments to the lease agreement, including term extensions, shall be approved by the City Council as an amendment to the parking lease agreement.

The Applicant must hold a valid long-term parking lease agreement with the City of Evanston for the lifetime of the project unless this condition is amended by the City Council of the City of Evanston as an amendment to the Planned Development.

SECTION 4: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 5: Except as otherwise provided for in this Ordinance 72-O-22, all applicable regulations of Ordinances 147-O-18, 61-O-16, and 19-O-15, the Zoning Ordinance, and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and/or provisions of any of said documents conflict with any of the terms herein, this Ordinance 72-O-22 shall govern and control.

SECTION 6: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant and its agents, assigns, and successors in interest" and shall mean 1571 Maple Avenue, LLC, and any and all successors, owners, and operators of the Subject Property.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 8: Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to

the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

SECTION 9: All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

SECTION 10: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 11: The findings and recitals herein are hereby declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2022

Approved:

Adopted: _____, 2022

_____, 2022

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings,
Corporation Counsel

EXHIBIT 1
ORDINANCE 147-O-18

147-O-18

AN ORDINANCE

Approving a Major Adjustment Regarding Required Parking and On-Site Affordable Housing at 1571 Maple Authorized by Ordinance 19-O-15 and Amended by Ordinance 61-O-16

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt legislation and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, ("the Zoning Ordinance"); and

WHEREAS, on April 13, 2015, the City Council enacted Ordinance 19-O-15, attached hereto as Exhibit 1 and incorporated herein by reference, which granted a Special Use Permit for a Planned Development (the "Planned Development") at 1571 Maple Avenue (the "Subject Property"), which is legally described in Exhibit 1; and

WHEREAS, Ordinance 19-O-15 approved the construction of a 12-story

mixed use building with 101 residential dwelling units at the Subject Property (the "Project"), which is detailed at length in Exhibit 1; and

WHEREAS, by submitting an application to amend a planned development to the City dated September 12, 2018, the Developer and Applicant, 1571 Maple Avenue, LLC (the "Applicant") requested major adjustments to: (1) reduce the required number of leased parking spaces from one hundred (100) to fifty (50); (2) allow the City to amend the original parking lease; (3) allow the City to provide parking spaces at Sherman Plaza; and (4) seek a change to the affordable housing provisions to allow them to provide one (1) affordable housing unit at sixty percent (60%) of Area Median Income ("AMI") in lieu of two (2) affordable housing units as provided for in Ordinance 19-O-15; and

WHEREAS, in order to remain in compliance with the terms of Ordinance 19-O-15 and 61-O-16 and provide for Applicant to modify its parking requirements and on-site inclusionary housing, the Applicant requests an amendment to the Planned Development; and

WHEREAS, on October 10, 2018, the Evanston Plan Commission ("Plan Commission") held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq*), during which it received input from the public, and carefully deliberated on the request and the Applicant was given notice and the opportunity to be heard at the Plan Commission meeting; and

WHEREAS, the Plan Commission recommended that the City council amend the planned development by allowing major adjustments to: (1) reduce the required number of leased parking spaces from one hundred one (101) to seventy (70); (2) allow the City to amend the original parking lease; (3) allow the City to provide

parking spaces at Sherman Plaza; and (4) change the affordable housing provisions to allow the Applicant to provide one (1) affordable housing unit at fifty percent (50%) of Area Median Income ("AMI") in lieu of two (2) affordable housing units as provided for in Ordinance 19-O-15; and

WHEREAS, on November 12, 2018, the Planning and Development Committee ("P&D Committee") held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*), during which it retained jurisdiction over the Planned Development Amendment request; and

WHEREAS, during said meeting, the P&D Committee received input from the public, and carefully deliberated on the major adjustment request and the Applicant was given notice and the opportunity to be heard at the P&D and City Council meetings; and

WHEREAS, at its meeting of November 12, 2018 held in compliance with the provisions of the Illinois Open Meetings Act, the City Council considered the P&D Committee's deliberations and recommendations, heard public comment, made findings and considered this Ordinance 147-O-18,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants an amendment to the Special Use Permit previously authorized by Ordinance 19-O-15 and subsequently amended by Ordinance 61-O-16 to

allow for the amended parking requirements and on-site affordable housing of the Planned Development described herein.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council amends conditions (Q) and (Z) on the Special Use Permit granted for the Planned Development in Ordinance 19-O-15, as may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (Q) Affordable Housing in the Development:** The Applicant shall provide one (1) one (1) bedroom on-site affordable housing to a household earning at or below sixty percent (60%) of Area Median Income (AMI). The units provided shall be equal in size to the market-rate units within the building. The period of affordability for the units shall be for ten (10) years. The Applicant must submit a compliance report by January 31st of each year to the Housing and Grants Division of the Community Development Department showing the following: (1) unit number; (2) number of bedrooms; (3) tenant name; (4) number of persons in each affordable household unit; (5) annual gross income of each household occupying each affordable housing unit; (6) date of income certification; and (7) monthly unit rent. The compliance report must also include the list of any utilities included in rent.
- (Z) Parking Lease:** The Applicant must agree and sign an amended long-term parking lease agreement with the City of Evanston to lease fifty-five (55) parking spaces based on the standard current monthly parking fee from the Maple Avenue Parking garage located at 1800 Maple Avenue. The amended lease agreement will mandate that the Applicant pay any increases in the rental rate structure through the term of the lease agreement. The long-term lease agreement shall be set for a minimum period of seven (7) years. For the lifetime of the project, the Applicant must require all Residents to disclose their vehicle ownership and conduct periodic reviews to ensure that all vehicles owned by Residents of the building are accounted for within the Maple Avenue garage. The Applicant must provide the certified vehicle ownership report to the City of Evanston annually by January 31st of each calendar year during the first seven (7) year. The City of Evanston's Department of Administrative Services will monitor the Applicant's certified vehicle ownership reports and the costs incurred by the City of Evanston for such oversight shall be paid for by Applicant's parking lease fees. If at any time during this seven (7) year period such annual vehicle ownership report indicates that the Residents of the building own more than fifty-five (55) cars and require more than fifty-five (55) parking spaces, the Applicant

agrees to amend the parking lease agreement with the City and lease the additional parking spaces necessary. The Applicant also agrees to deny apartment leases to potential Residents who own vehicles until such time as the number of vehicles owned by the Residents of the building and required to park in the Maple Avenue garage by terms of this Ordinance falls below fifty-five (55) or until the surplus parking spaces can be accommodated in the revised lease agreement with the City of Evanston.

Following the seven (7) year anniversary of the parking lease agreement date, the parking lease agreement may be amended. The number of parking spaces leased from the City may be reduced to match the highest number of vehicles owned by the Residents and required to park in the Maple Avenue garage by the terms of this Ordinance in any year during the seven (7) year period per the annual parking reports. The number of parking spaces leased by the City may not be reduced in the first seven (7) years and any reduction after the seven (7) year anniversary shall be approved by the City Council as an amendment to the parking lease agreement.

Following the expiration of the seven (7) year anniversary of the parking lease agreement, the agreement can be modified every five years thereafter but not before, to match the highest number of vehicles owned by the Residents and required to park in the Maple Avenue garage by the terms of this Ordinance during any calendar year in the preceding five (5) year term per the annual parking report. Any amendments to the number of parking spaces leased from the City of Evanston or any other amendments to the lease agreement, including term extensions, shall be approved by the City Council as an amendment to the parking lease agreement.

The Applicant must hold a valid long-term parking lease agreement with the City of Evanston for the lifetime of the project unless this condition is amended by the City Council of the City of Evanston as an amendment to the Planned Development.

SECTION 4: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 5: Except as otherwise provided for in this Ordinance 61-O-16, all applicable regulations of the Ordinance 19-O-15, the Zoning Ordinance, and the

entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and/or provisions of any of said documents conflict with any of the terms herein, this Ordinance 61-O-16 shall govern and control.

SECTION 6: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant and its agents, assigns, and successors in interest" and shall mean 1571 Maple Avenue, LLC, and any and all successors, owners, and operators of the Subject Property.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 8: Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

SECTION 9: All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

SECTION 10: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 11: The findings and recitals herein are hereby declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Ayes: 9

Nays: 0

Introduced: November 12, 2018

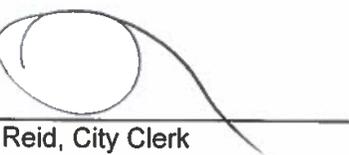
Adopted: November 12, 2018

Approved:

November 29, 2018


Stephen H. Hagerty, Mayor

Attest:


Devon Reid, City Clerk

Approved as to form:


Michelle L. Masoncup, Corporation Counsel

EXHIBIT 1
ORDINANCE 61-O-16

5/17/2016

61-O-16

AN ORDINANCE

Extending the Time for the Applicant to Obtain a Building Permit to Construct the Planned Development at 1571 Maple Authorized by Ordinance 19-O-15

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt legislation and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, ("the Zoning Ordinance"); and

WHEREAS, on April 13, 2015, the City Council enacted Ordinance 19-O-15, attached hereto as Exhibit 1 and incorporated herein by reference, which granted a Special Use Permit for a Planned Development (the "Planned Development") at 1571 Maple Avenue (the "Subject Property"), which is legally described in Exhibit 1; and

WHEREAS, Ordinance 19-O-15 approved the construction of a 12-story

mixed use building with 101 residential dwelling units at the Subject Property (the "Project"), which is detailed at length in Exhibit 1; and

WHEREAS, by letter to the City dated May 17, 2016, the Developer and Applicant, 1571 Maple Avenue, LLC (the "Applicant") requested an extension of the one-year time period to obtain a building permit and start construction for the Planned Development (the "Amendment"); and

WHEREAS, Section 6-11-1-10(A) of the City Code and Section 4(BB) of the Ordinance provides that the Applicant must obtain a building permit and start construction within one (1) year and has not obtained a building permit to date; and

WHEREAS, in order to remain in compliance with the terms of Ordinance 19-O-16 and provide for Applicant to obtain a building permit and start construction, the Applicant requests an amendment to the Planned Development; and

WHEREAS, on May 23, 2016, the Planning and Development Committee ("P&D Committee") held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq*), during which it retained jurisdiction over the Planned Development Amendment request; and

WHEREAS, during said meetings, the P&D Committee received input from the public, and carefully deliberated on the Extension request and the Applicant was given notice and the opportunity to be heard at the P&D and City Council meetings; and

WHEREAS, at its meetings of May 23, 2016 and June 13, 2016 held in compliance with the provisions of the Illinois Open Meetings Act, the City Council considered the P&D Committee's deliberations and recommendations, heard public comment, made findings and considered this Ordinance 61-O-16,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants an amendment to the Special Use Permit previously authorized by Ordinance 19-O-15 to allow for the construction and operation of the Planned Development described herein.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted for the Planned Development, may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (a) Compliance with Applicable Requirements:** The Applicant shall develop and operate the Planned Development authorized by the terms of this ordinance in substantial compliance with the following: the terms of this Ordinance 61-O-16; terms of Ordinance 19-O-15 which have not been amended by this Ordinance; all applicable City Code requirements; the Applicant's testimony to the P&D Committee, and the City Council; and the approved documents on file in this case.
- (b) Changes in Property Use:** Any change as to the property's use in the future must be processed and approved as an additional amendment to the Planned Development.
- (c) Construction Schedule: Construction Schedule:** Pursuant to Subsection 6-11-1-10(A)4 of the Zoning Ordinance, the Applicant must obtain a building permit to within twelve (12) months of the passing of this Ordinance. Additionally, the Applicant must complete the construction of this Planned Development within twenty-four (24) months from the date the Applicant receives its building permit.

(d) Recording: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 4: Except as otherwise provided for in this Ordinance 61-O-16, all applicable regulations of the Ordinance 19-O-15, the Zoning Ordinance, and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and/or provisions of any of said documents conflict with any of the terms herein, this Ordinance 61-O-16 shall govern and control.

SECTION 5: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant and its agents, assigns, and successors in interest" and shall mean 1571 Maple Avenue, LLC, and any and all successors, owners, and operators of the Subject Property.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 7: Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

SECTION 8: All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 10: The findings and recitals herein are hereby declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

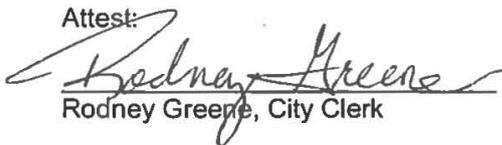
Ayes: 8

Nayes: 1

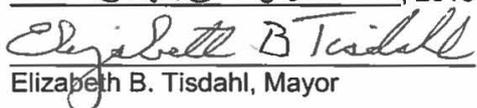
Introduced: May 23, 2016

Adopted: _____, 2016

Attest:


Rodney Greene, City Clerk

Approved:

June 22, 2016

Elizabeth B. Tisdahl, Mayor

Approved as to form:


Michelle Mason, Acting City Attorney
W. Grant Farrar, Corporation Counsel

61-O-16

EXHIBIT 1
ORDINANCE 19-O-15

~6~

4/7/2015
3/19/2015
1/27/2015

19-O-15

AN ORDINANCE

**Granting a Special Use Permit for a Planned Development
Located at 1571 Maple Avenue in the D3 Downtown Core
Development District**

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, Article VII, Section (6)a of the Illinois Constitution of 1970, states that the "powers and functions of home rule units shall be construed liberally," was written "with the intention that home rule units be given the broadest powers possible" (*Scadron v. City of Des Plaines*, 153 Ill.2d 164, 174-75 (1992)); and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, ("the Zoning Ordinance"); and

WHEREAS, 1571 Maple Avenue LLC ("Applicant"), the Applicant for the proposed development located at 1571 Maple Avenue, Evanston, Illinois (the "Subject Property"), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of the Zoning Ordinance, specifically Section 6-3-5, "Special Uses", Section 6-3-6, "Planned Developments", and Subsection 6-11-1-10, "Planned Developments" in Downtown Zoning Districts, to permit the construction and operation of a Planned Development with accessory parking located at the Subject Property in the D3 Downtown Core Development Zoning District ("D3 District"); and

WHEREAS, the Applicant sought approval to construct a new twelve (12) -story one hundred thirty-three and three tenths (133.3) foot tall mixed-use building consisting of up to one hundred one (101) residential units, with a floor area ratio of 4.8, approximately three thousand, six hundred ninety-six (3,696) gross square footage of commercial space and twelve (12) open on-site parking spaces; and

WHEREAS, construction of the Planned Development, as proposed in the application, requires exception from the strict application of the Zoning Ordinance with regards to the number of dwelling units, height, number of parking spaces provided, floor area ratio, ziggurat street side yard setback from the north property line along Davis Street, ziggurat front yard setback from the east property line along Elmwood Avenue, and ziggurat side yard setback from the northwest side property lines; and

WHEREAS, pursuant to Subsection 6-3-6-5 of the Zoning Ordinance, the City Council may grant Site Development Allowances from the normal district regulations established in the Zoning Ordinance; and

WHEREAS, on November 5, 2014, December 17, 2014, and January 14, 2015, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*) and the Zoning Ordinance, the Plan Commission held a public hearing on the application for a Special Use Permit for a Planned Development, case no. 14PLND-0118, heard extensive testimony and public comment, received other evidence, and made written minutes, findings, and recommendations; and

WHEREAS, the Plan Commission's written findings state that the application for the proposed Planned Development meets applicable standards set forth for Special Uses in Subsection 6-3-5-10 of the Zoning Ordinance and Planned Developments in the D3 Downtown Core Development District per Subsection 6-11-1-10 of the Zoning Ordinance; and

WHEREAS, on January 14, 2015, the Plan Commission recommended the City Council approve the application with conditions; and

WHEREAS, on March 9, 2015, the Planning and Development ("P&D") Committee of the City Council held a meeting, in compliance with the provisions of the Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered and adopted the findings and recommendations of the Plan Commission, and recommended approval thereof by the City Council; and

WHEREAS, at its meetings on March 9 and March 23, 2015, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council

considered the recommendation of the P&D Committee, received additional public comment, made certain findings, and adopted said recommendation; and

WHEREAS, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of Deerfield*, 213 Ill.App.3d 747) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124),

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as facts and incorporated herein by reference.

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit applied for in case no. 14PLND-0118, to allow construction and operation of the Planned Development for a twelve (12) -story one hundred thirty-three and three tenths (133.3) foot tall mixed-use building consisting of up to one hundred one (101) residential units, with a floor area ratio of 4.8, approximately three thousand, six hundred ninety-six (3,696) gross square footage of commercial space and twelve (12) open on-site parking spaces.

SECTION 3: The City Council hereby grants the following Site Development Allowances:

- (A) Number of Dwelling Units:** A Site Development Allowance is hereby granted for one hundred one (101) residential dwelling units, whereas subsection 6-11-4-4(B) of the Zoning Ordinance allows for a maximum of seventy three (73) residential dwelling units in the D3 District.
- (B) Height:** A Site Development Allowance is hereby granted for a building height of one hundred thirty-three and three tenths (133.3) feet, whereas subsection 6-11-

4-8 of the Zoning Ordinance allows for a maximum building height of eighty-five (85) feet in the D3 District.

- (C) **Number of Parking Spaces:** A Site Development Allowance is hereby granted for a total of twelve (12) on-site parking spaces, whereas subsection 6-16-3-5 of the Zoning Ordinance requires a minimum of one hundred forty two (142) parking spaces for the proposed Planned Development in the D3 District.
- (D) **Floor Area Ratio ("FAR"):** A Site Development Allowance is hereby granted for an FAR of 4.8, whereas subsection 6-11-4-6 of the Zoning Ordinance requires a maximum FAR of 4.5 in the D3 District.
- (E) **Ziggurat Street Side Yard Setback from the North Property Line Along Davis Street:** A Site Development Allowance is hereby granted for a ziggurat setback of twenty-four (24) feet at a height of thirty seven and three tenths (37.3) feet, whereas subsection 6-11-1-4 of the Zoning Ordinance requires a ziggurat setback of forty (40) feet for a structure above forty two (42) feet along Davis Street.
- (F) **Ziggurat Front Yard Setback from the East Property Line Along Elmwood Avenue:** A Site Development Allowance is hereby granted for a ziggurat setback of four (4) feet at a height of thirty seven and three tenths (37.3) feet, whereas subsection 6-11-1-10(C)(1)(c) of the Zoning Ordinance requires a ziggurat setback of thirty (30) feet for a structure above forty two (42) feet from any front lot line or side lot line abutting a street in the D3 District.
- (G) **Ziggurat Side Yard Setback from the Northwest Side Property Lines:** A Site Development Allowance is hereby granted for a ziggurat setback of nine and nine tenths (9.9) feet at a height of thirty seven and three tenths (37.3) feet, whereas subsection 6-11-1-4 of the Zoning Ordinance requires a ziggurat setback of twenty-five (25) feet for a structure above forty two (42) feet from an interior side lot line in the D3 District.

SECTION 4: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted hereby, which may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (A) **Compliance with Applicable Requirements:** The Applicant shall develop and operate the Planned Development authorized by the terms of this ordinance in substantial compliance with the following: the terms of this ordinance; the Site

and Landscape Plans in Exhibit B and C, attached hereto and incorporated herein by reference; all applicable City Code requirements; the Applicant's testimony and representations to the Site Plan and Appearance Review Committee, the Plan Commission, the P&D Committee, and the City Council; and the approved documents on file in this case.

- (B) **Construction Management Plan:** The Applicant shall sign and agree to a Construction Management Plan (CMP) with the City of Evanston prior to issuance of the Building Permit. The CMP shall include but is not limited to the following: construction staging plan, on-street and on-site construction parking restrictions, hours of operation, a plan including cross sections showing pedestrian access around the site with the use of curb ramps, signage and/or striping, foundation survey of surrounding structures including weekly reporting of seismographs for the duration of construction, submittal of environmental testing report prior to construction, visibility diagram for all construction site access points, proposed schedule for street opening for utility connections with cross section details, and project updates via monthly newsletter and project website.
- (C) **On-Site Parking Spaces:** The on-site parking spaces must be available to the public for short term use with a maximum two (2) hour time limit. The public parking must be available between the hours of 10:00 a.m. and 5:00 p.m. on any given Monday through Friday. The on-site management company must manage the parking lot and arrange for any violators not in compliance with the parking restrictions to be towed.
- (D) **Maple Avenue Signage:** A "Public Parking" Sign must be installed near the parking entrance at Maple Avenue.
- (E) **On-Site Electric Charging Station:** One on-site electric charging station must be installed and available to the public and be free of charge.
- (F) **Mechanical Equipment Located on the Roof:** The Applicant agrees to install sound-abating fences or enclosures around the mechanical equipment area on the roof of the Planned Development.
- (G) **Landscaping on Elmwood Avenue:** Applicant must install and maintain the landscaping materials on the east side of Elmwood Avenue along the railroad embankment directly across from the Subject Property, as depicted in Exhibit C.
- (H) **Maintenance Plan:** Applicant must provide a three (3) year maintenance plan for the landscaping materials installed on the green roofs prior to issuance of a building permit by the City of Evanston.
- (I) **On-Site Car Share Spaces:** Two on-site car share spaces must be available through an arrangement with a common third party commercial car-share company. Applicant must also fully subsidize one car share membership per unit for all residential units.

- (J) **Bicycle Parking Facilities:** The Applicant must install a minimum of sixteen (16) reverse "U"-shaped bicycle parking facilities near the intersection of Maple Avenue and Elmwood Avenue for public use.
- (K) **Sidewalk Streetscape Work:** All sidewalk streetscape work must be constructed of concrete with a brick paver band at the curb in accordance with the downtown streetscape standards.
- (L) **Glass Exteriors:** The Applicant must either demonstrate that the external materials will be of a bird-safe nature or install bird-safe finishes to the glass exteriors.
- (M) **Loading Space:** One parking space within the on-site parking lot must be designated a short-term loading space for the Residents.
- (N) **Landscape Design:** The Applicant shall install and maintain all landscaping materials as depicted in Exhibit C.
- (O) **Streetscape Improvements:** The Applicant shall construct the streetscape improvements inclusive of new street trees along Elmwood Avenue and Maple Avenue per proposed development plans and landscape plans in Exhibit B and Exhibit C.
- (P) **Affordable Housing Contribution:** The Applicant shall pay a one-time contribution of four hundred thousand dollars (\$400,000) to the City's Affordable Housing Fund. The contribution will be made in two (2) installments. The first installment shall be made within ten (10) business days of the issuance of the Final Certificate of Occupancy (FCO) and the second installment shall be made within one (1) year of the FCO issuance date.
- (Q) **Affordable Housing in the Development:** The Applicant shall provide ~~two (2)~~ one (1) bedroom on-site affordable housing units ~~(with a goal of one (1) one-bedroom unit and one (1) two-bedroom unit)~~ to households earning at or below ~~two (2)~~ hundred percent (100%) of Area Median Income (AMI). The units provided shall be equal in size to the market-rate units within the building. The period of affordability for the units shall be for ten (10) years. The Applicant must submit a compliance report by January 31st of each year to the Housing and Grants Division of the Community Development Department showing the following: (1) unit number; (2) number of bedrooms; (3) tenant name; (4) number of persons in each affordable household unit; (5) annual gross income of each household occupying each affordable housing unit; (6) date of income certification; and (7) monthly unit rent. The compliance report must also include the list of any utilities included in rent.
- (R) **Divvy Sponsorship:** The Applicant shall pay a one-time Divvy sponsorship contribution in the amount of fifty six thousand dollars (\$56,000).

- (S) **City of Evanston Employment:** The Applicant agrees to employ at least five (5) Evanston residents, with a goal of ten (10) Evanston residents, during construction.
- (T) **Commercial Space:** The Applicant agrees to incorporate the commercial space along Davis Street to enhance the commercial and pedestrian character of the area per development plans in Exhibit B.
- (U) **LEED Silver Certification:** The Applicant agrees to comply with the City of Evanston Green Building Ordinance and obtain a LEED Silver Certification Rating or higher for the Planned Development on the Subject Property.
- (V) **Pervious Parking Lot:** The Applicant agrees to install a pervious parking lot on the Subject Property.
- (W) **Green Roof Construction:** The Applicant shall construct multiple green roofs as depicted in the development plans in Exhibit B and landscape plans in Exhibit C.
- (X) **Landscaped Seating Areas:** The Applicant agrees to install two landscaped seating areas along Maple Avenue per landscape plans in Exhibit C
- (Y) **Easement:** The Applicant agrees to prepare and record an easement for a six-foot wide area along the north edge of the on-site parking lot for the use of commercial properties at the southeast corner of Maple Avenue and Davis Street to accommodate trash pick-up on Maple Avenue rather than Davis Street. A copy of the recorded easement document must be submitted prior to issuance of a building permit by the City of Evanston.
- (Z) **Parking Lease:** The Applicant must agree and sign a long-term parking lease agreement with the City of Evanston to lease ~~one hundred one (101)~~ parking spaces based on the standard current monthly parking fee from the Maple Avenue Parking garage located at 1800 Maple Avenue. The lease agreement will mandate that the Applicant pay any increases in the rental rate structure through the term of the lease agreement. The long-term lease agreement shall initially be set for a minimum period of seven (7) years. For the lifetime of the project, the Applicant must require all Residents to disclose their vehicle ownership and conduct periodic reviews to ensure that all vehicles owned by Residents of the building are accounted for within the Maple Avenue garage. The Applicant must provide the certified vehicle ownership report to the City of Evanston annually by January 31st of each calendar year during the first seven (7) year period from the issuance of the Final Certificate of Occupancy. The City of Evanston's Department of Administrative Services will monitor the Applicant's certified vehicle ownership reports and the costs incurred by the City of Evanston for such oversight shall be paid for by Applicant's parking lease fees. If at any time during this initial seven (7) year period such annual vehicle ownership report indicates that the Residents of the building own more than ~~one hundred one~~

~~(101)~~ cars and require more than ~~one hundred one (101)~~ parking spaces, the Applicant agrees to amend the parking lease agreement with the City and lease the additional parking spaces necessary. The Applicant also agrees to deny apartment leases to potential Residents who own vehicles until such time as the number of vehicles owned by the Residents of the building and required to park in the Maple Avenue garage by terms of this Ordinance falls below ~~one hundred one (101)~~ or until the surplus parking spaces can be accommodated in the revised lease agreement with the City of Evanston.

Following the seven (7) year anniversary of the initial parking lease agreement date, the parking lease agreement may be amended. The number of parking spaces leased from the City may be reduced to match the highest number of vehicles owned by the Residents and required to park in the Maple Avenue garage by the terms of this Ordinance in any year during the initial seven (7) year period per the annual parking reports. The number of parking spaces leased by the City may not be reduced in the first seven (7) years and any reduction after the seven (7) year anniversary shall be approved by the City Council as an amendment to the parking lease agreement.

Following the expiration of the seven (7) year anniversary of the parking lease agreement, the agreement can be modified every five years thereafter but not before, to match the highest number of vehicles owned by the Residents and required to park in the Maple Avenue garage by the terms of this Ordinance during any calendar year in the preceding five (5) year term per the annual parking report. Any amendments to the number of parking spaces leased from the City of Evanston or any other amendments to the lease agreement, including term extensions, shall be approved by the City Council as an amendment to the parking lease agreement.

The Applicant must hold a valid long-term parking lease agreement with the City of Evanston for the lifetime of the project unless this condition is amended by the City Council of the City of Evanston as an amendment to the Planned Development.

- (AA) South Elevation of Development:** Applicant will exercise reasonable commercial efforts to work with City staff and the Winthrop Club Condominium Association to modify the south elevation to maximize privacy for the residents in condominium units which will face the development and to minimize the impact on their building located at 1570 Elmwood Avenue.
- (BB) Construction Schedule:** Pursuant to Subsection 6-11-1-10(A)4 of the Zoning Ordinance, the Applicant shall obtain a building permit within twelve (12) months of the passing of this Ordinance. Additionally, the Applicant must complete the construction of this Planned Development within twenty-four (24) months from the date the Applicant receives its building permit.

(CC) Recordation: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 5: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's tenants, agents, assigns, and successors in interest."

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 7: Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

SECTION 8: All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 10: *The findings and recitals herein are hereby declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.*

Introduced: March 23, 2015

Approved:

Adopted: April 13, 2015

April 15, 2015

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest: Rodney Greene
Rodney Greene, City Clerk (L.B.)

Approved as to form:
W. Grant Farrar
W. Grant Farrar, Corporation Counsel

EXHIBIT A**Legal Description**

PARCEL 1: THE SOUTH 50 FEET OF THE NORTH 200 FEET OF THE WEST 120 FEET OF BLOCK 63 IN EVANSTON (EXCEPT SO MUCH OF SAID PREMISES, IF ANY, WHICH LIES NORTH OF THE SOUTH 300 FEET OF SAID BLOCK 63) TOGETHER WITH THE SOUTH 10 FEET OF THE NORTH 200 FEET OF SAID BLOCK 63 (EXCEPT THEREFROM THE WEST 120 FEET THEREOF AND EXCEPT THAT PART THEREOF DEDICATED FOR STREET PURPOSES); ALSO THAT PART OF SAID BLOCK 63, IF ANY, LYING BETWEEN THE NORTH 200 FEET AND THE SOUTH 250 FEET 1 ½ INCHES OF SAID BLOCK 63 MEASURED ALONG THE WEST LINE OF SAID BLOCK AND LYING WEST OF THE WESTERLY LINE OF ELMWOOD AVENUE ALL IN EVANSTON, A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE NORTH 150 FEET OF THAT PART OF BLOCK 63 IN EVANSTON WHICH LIES WEST OF THE RIGHT OF WAY OF THE CHICAGO AND MILWAUKEE RAILROAD (KNOWN AS THE CHICAGO AND NORTHWESTERN RAILROAD) (EXCEPT THEREFROM THE WEST 83 ½ FEET AND EXCEPT THAT PART THEREOF DEDICATED FOR STREET PURPOSES) SAID BLOCK 63 BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3: THE SOUTH 40 FEET OF THE NORTH 190 FEET OF THAT PART OF BLOCK 63 IN EVANSTON WHICH LIES WEST OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY (EXCEPT THEREFROM THE WEST 120 FEET THEREOF AND EXCEPT THAT PART THEREOF DEDICATED FOR STREET PURPOSES) SAID BLOCK 63 BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4: THE WEST 83 ½ FEET OF THE SOUTH 20 FEET OF THE NORTH 150 FEET OF BLOCK 63 IN THE VILLAGE OF EVANSTON, BEING A SUBDIVISION OF PARTS OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5: THE EAST 20 FEET 10 INCHES OF THE WEST 83 FEET 5 ½ INCHES OF THE NORTH 130 FEET OF BLOCK 63 IN THE VILLAGE OF EVANSTON IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

19-O-15

PINs: 11-18-310-004-0000
11-18-310-006-0000
11-18-310-007-0000
11-18-310-008-0000
11-18-310-019-0000
11-18-310-020-0000

COMMONLY KNOWN AS: 1571 Maple Avenue, Evanston, IL 60201

~13~

EXHIBIT B

Development Plans

ALTA/ACSM LAND TITLE SURVEY

Legal Description:

Parcel 1: The South 50 feet of the North 200 feet of the West 120 feet of Block 63 in Evanston (except so much of said premises, if any, which lies North of the South 200 feet of said Block 63) together with the South 10 feet of the North 200 feet of said Block 63 (except therefrom the West 120 feet thereof and except that part thereof dedicated for street purposes); also that part of said Block 63, if any, lying between the North 200 feet and the South 250 feet 1 1/2 inches of said Block 63 measured along the West line of said Block and lying West of the westerly line of Elmwood Avenue of in Evanston, a subdivision of the East half of the Southeast quarter of Section 13, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: The North 150 feet of that part of Block 63 in Evanston which lies West of the right of way of the Chicago and Northwestern Railroad (shown as the Chicago and Northwestern Railroad) (except therefrom the West 83 1/2 feet and except that part thereof dedicated for street purposes) said Block 63 being affected in the Southeast quarter of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 3: The South 40 feet of the North 190 feet of that part of Block 63 in Evanston which lies West of the right of way of the Chicago and Northwestern Railroad Company (except therefrom the West 120 feet thereof and except that part thereof dedicated for street purposes) said Block 63 being affected in the Southeast quarter of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 4: The West 85 1/2 feet of the North 20 feet of the North 150 feet of Block 63 in the Village of Evanston, being a subdivision of parts of Section 13, Township 41 North, Range 14, East of the Third Principal Meridian, and in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 5: The East 20 feet 10 inches of the West 83 feet 5 1/2 inches of the North 130 feet of Block 63 in the Village of Evanston in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 1571 Maple Avenue; Evanston, Illinois.

NOTE:
Area = 22,112 sq. ft.

Bearings are assumed, based on the East Line of Maple Avenue being due North-South.

Flood Zone Designation:
Per Flood Insurance Rate Map No. 17051D0270 J, Effective date August 18, 2008. The Surveyed Property is located in Zone "X", an area determined to be outside of the 0.2% annual chance floodplain.

Reference:
For matters of title we have relied on Chicago Title Insurance Company's Commitment for Title Insurance, Order No. 1410 N01700685 HL, Effective Date December 27, 2013, for all recorded documents affecting the described parcel.

Notice: Due to excessive snow and ice cover at the time field work was performed, some ground features and utilities may not be shown.

GENERAL NOTE:
All information provided to the surveyor is shown or noted hereon.

Prior to execution call toll free
JULIE 1-800-892-0123 (for suburban)

The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your Deed, Abstract or Certificate of Title.

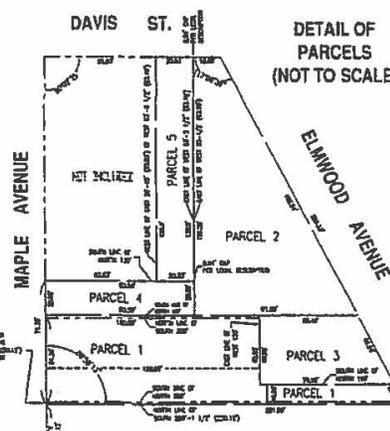
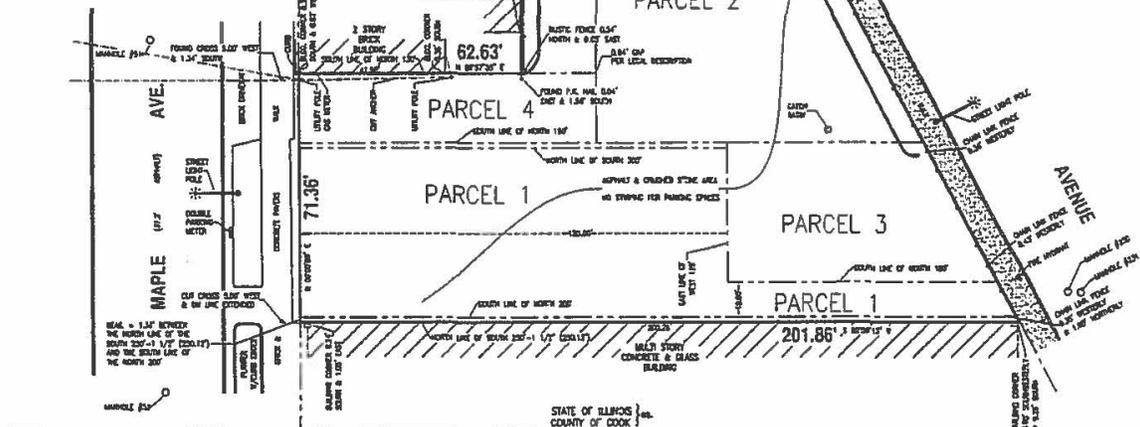
All building restrictions, building lines and easements may or may not be shown, check your Deed, Abstract, Title Report, and local ordinances, no responsibility is assumed by Surveyor.

Compare all points before building by means and report any discrepancy of areas.

Dimensions are shown in feet and decimal parts thereof, no dimension is to be assumed by reading.



VICINITY MAP
NOT TO SCALE



B.H. SUHR & COMPANY, INC.	
B. H. SUHR 1214 N. HAWKEYE CHICAGO, ILL. 60610 TEL. (312) 329-1100	ESTABLISHED 1881 240 CUSTER AVENUE, EVANSTON, ILLINOIS 60120 TEL. (847) 864-6311 / FAX (847) 864-6341 E-MAIL: SUHR@SUHR.COM
LOCATION: 1571 MAPLE AVENUE ORDER No. 14-28	SURVEYOR: FEBRUARY 10, 2014 CHECKED BY: CENTRUM PARTNERS, LLC

STATE OF ILLINOIS }
COUNTY OF COOK }

To Centrum Partners, LLC, Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(c), 8, 11(c), and 14 of Table A hereon. The field work was completed on February 10, 2014.

Dated at Evanston, Ill., this _____ day of _____, A.D. 20____

PRELIMINARY 2/12/14

By: **Raymond E. Suhr**
State Professional Land Surveyor
License Number 008-028442, Expiration Date 11/30/14



1571 Maple Avenue

E v a n s t o n , I l l i n o i s

26 September 2014

Centrum Partners LLC

Hirsch Associates LLC
Architecture + Planning



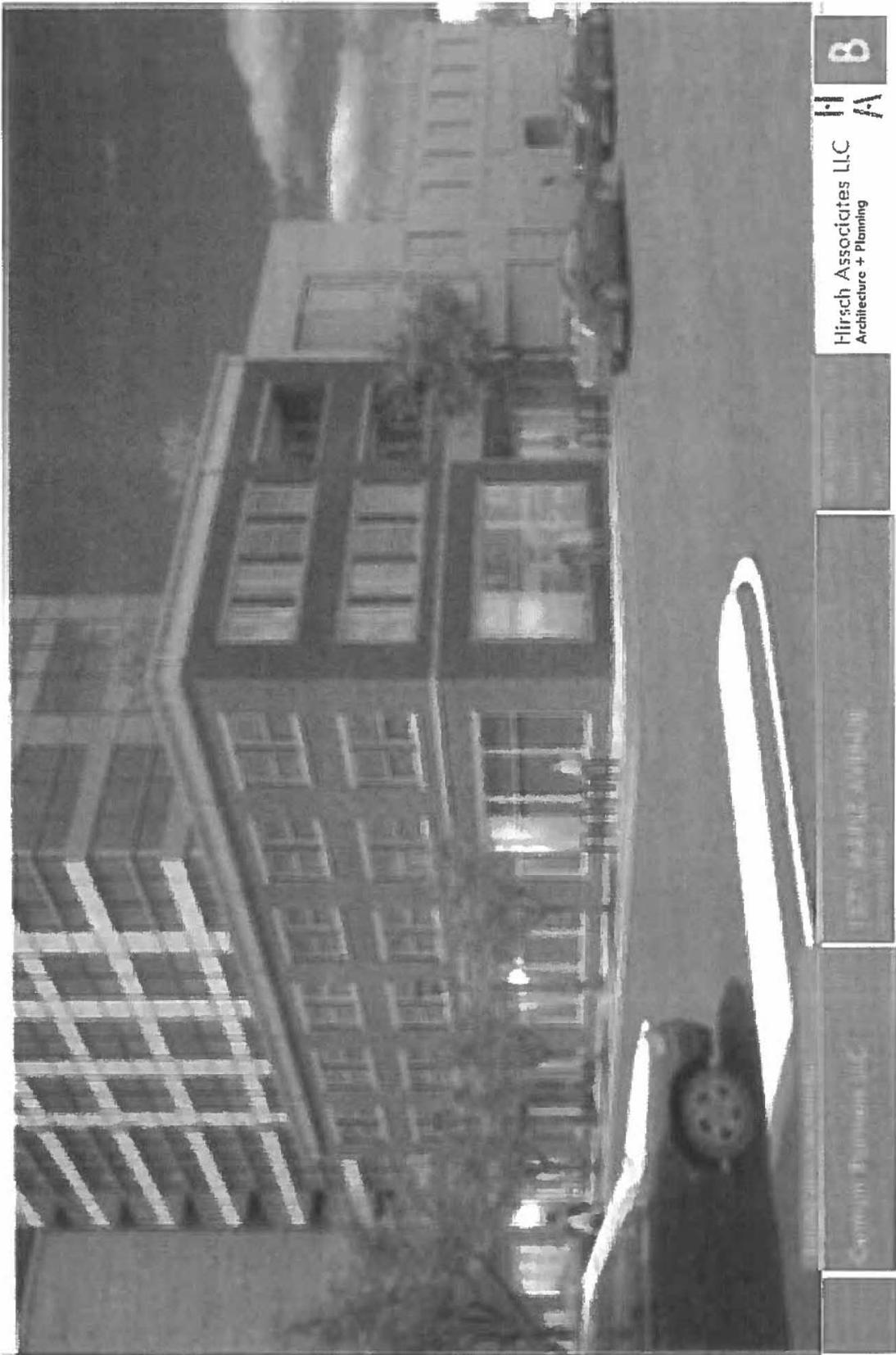
Hirsch Associates LLC
Architecture + Planning

City of Austin

City of Austin

City of Austin





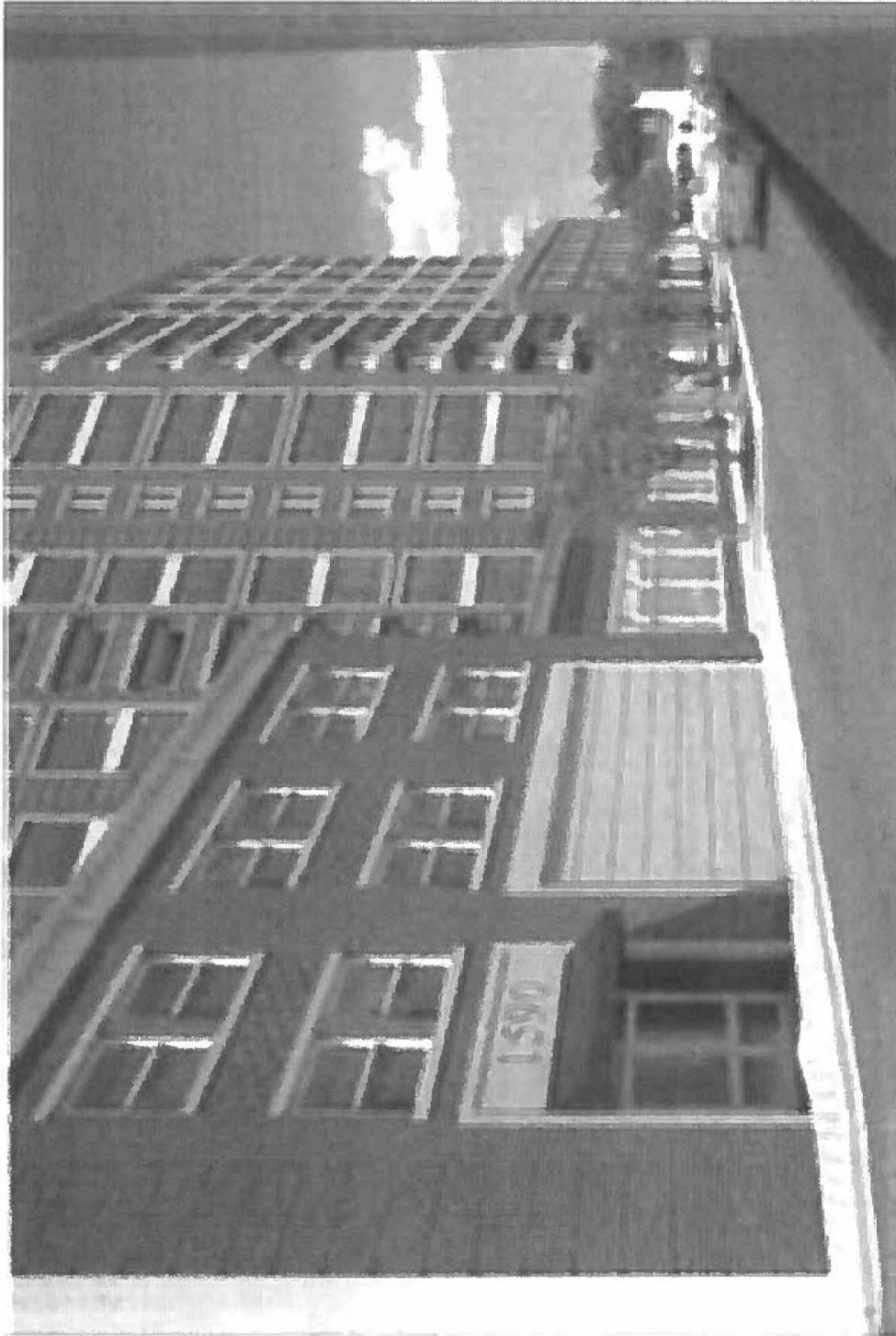
Hirsch Associates LLC
Architecture + Planning

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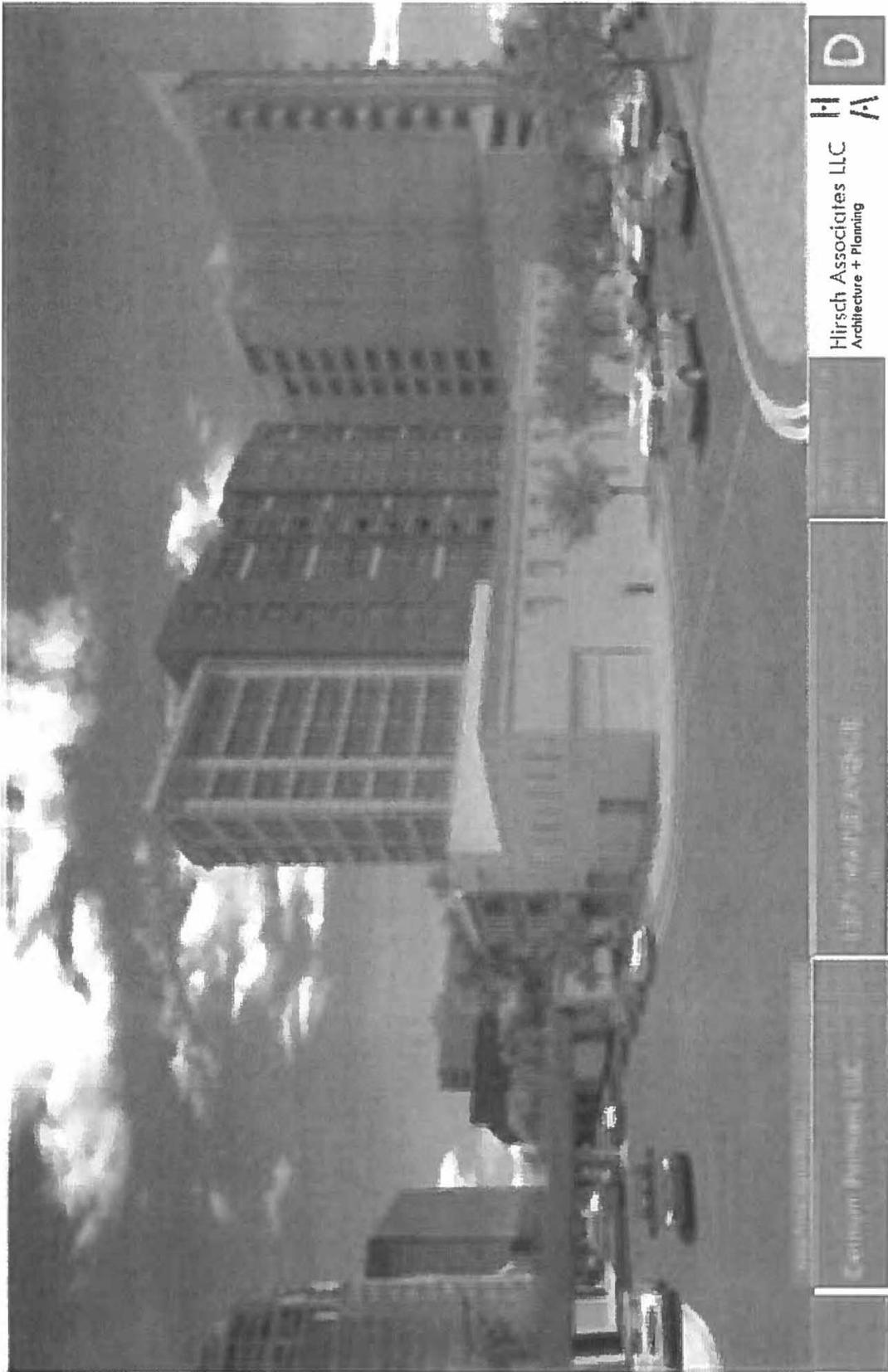
Hirsch Associates LLC
Architecture + Planning



1575 N. 2nd St. Suite 100
Milwaukee, WI 53233

1575 N. 2nd St. Suite 100
Milwaukee, WI 53233



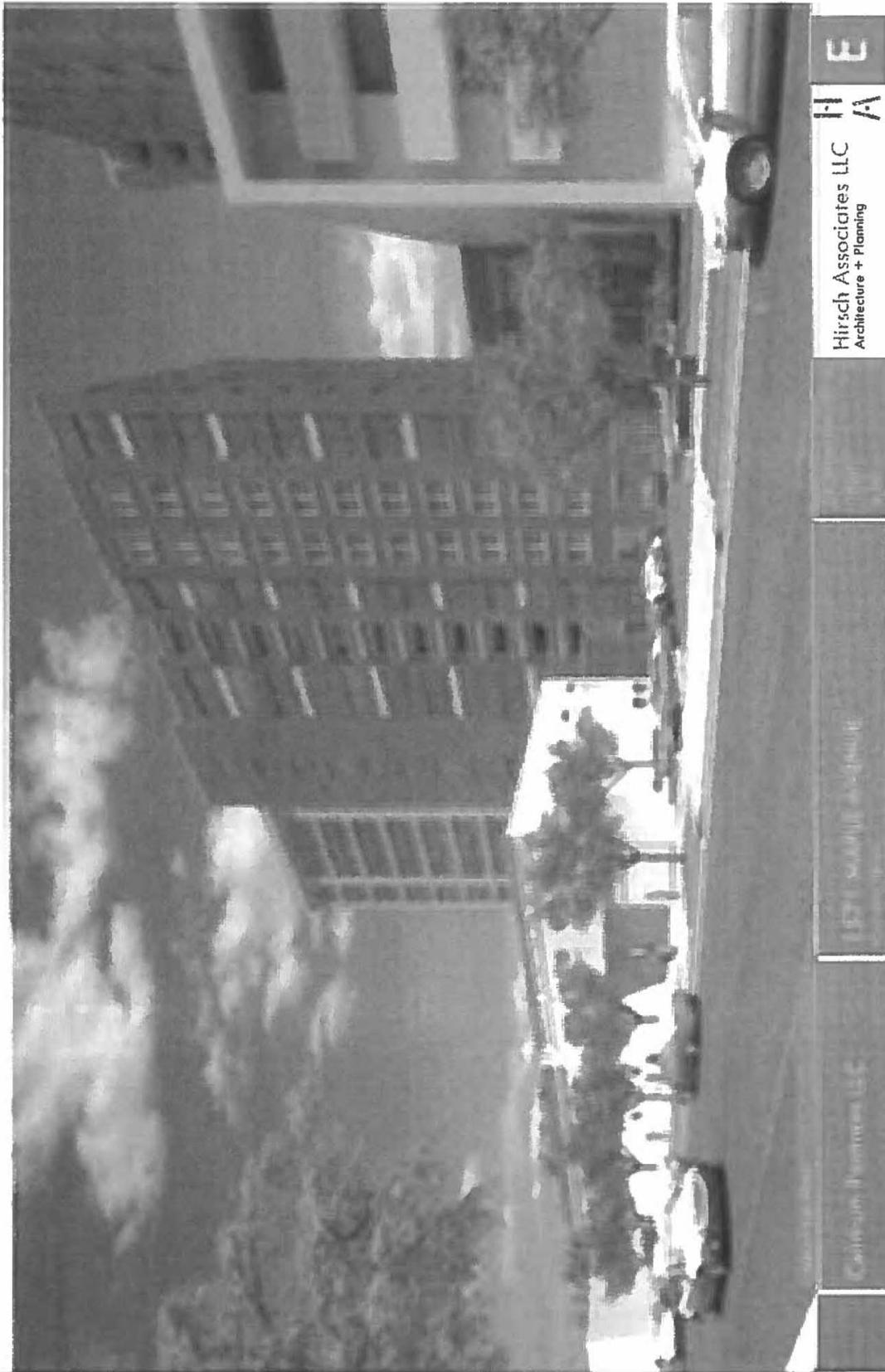


Hirsch Associates LLC
Architecture + Planning



Centium Partners LLC
1375 W. 10th Avenue

Centium Partners LLC
1375 W. 10th Avenue



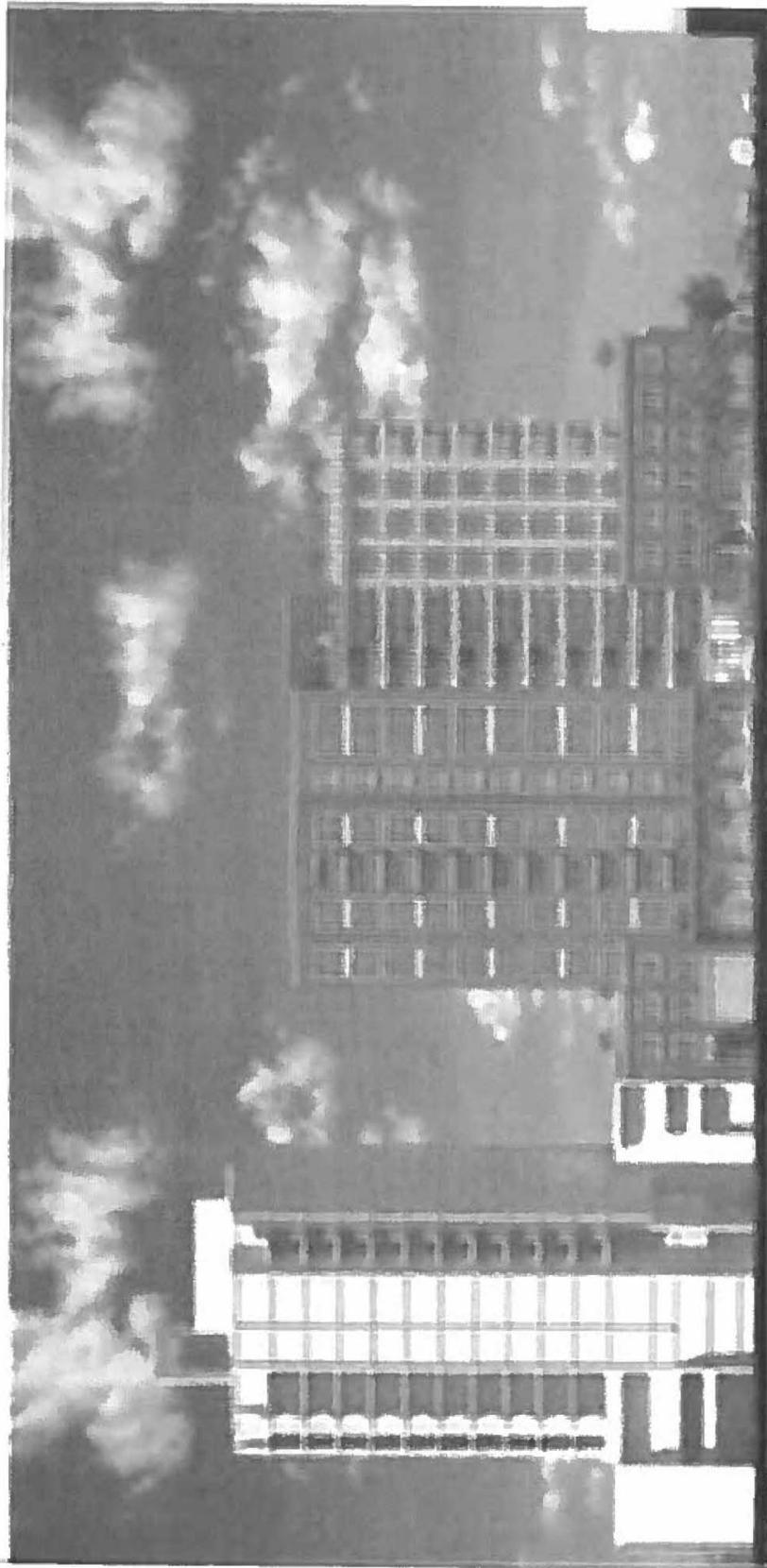
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Architecture + Planning

1271 South Atlantic

1271 South Atlantic

1271 South Atlantic

1271 South Atlantic



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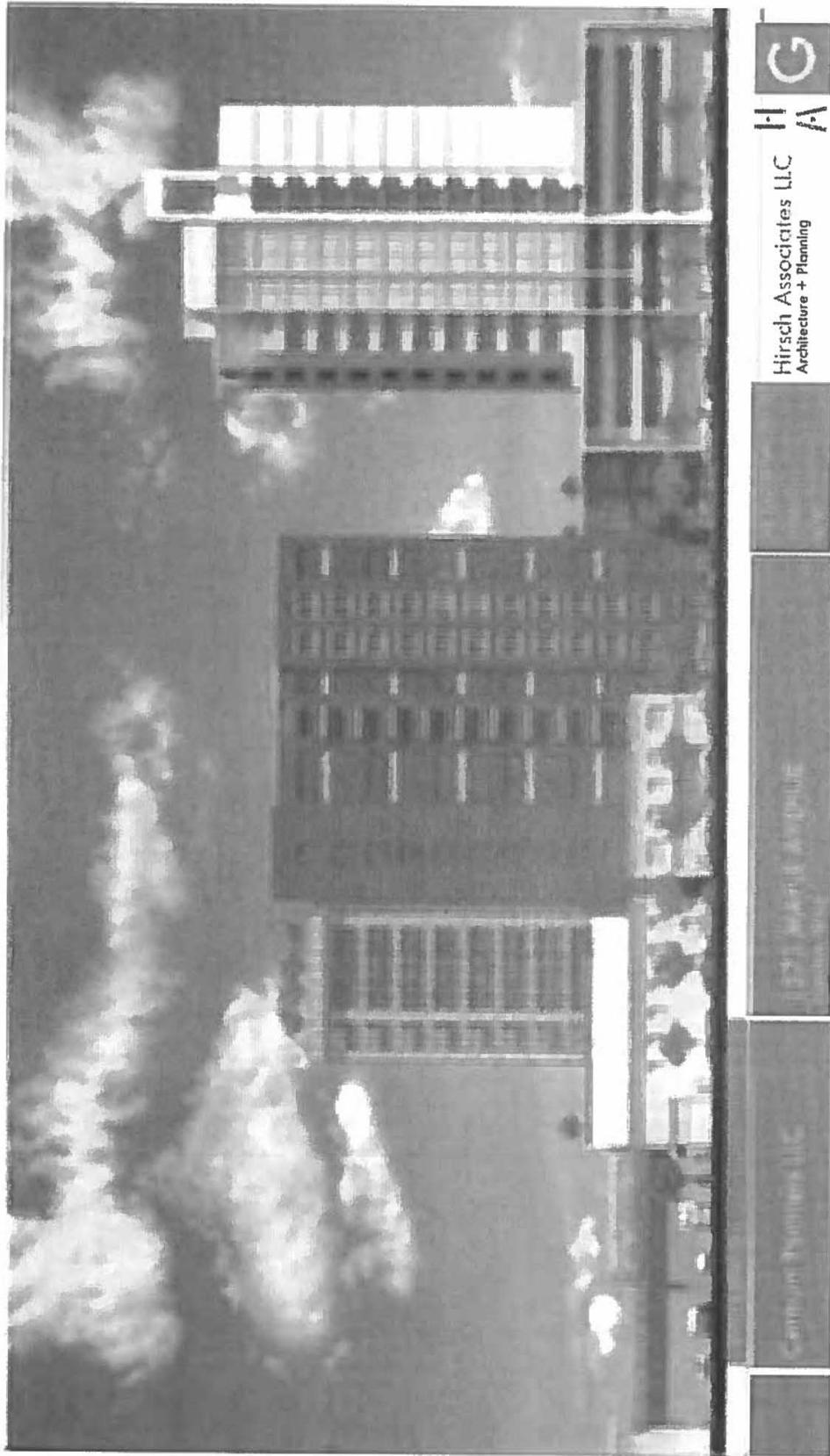
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Architecture + Planning

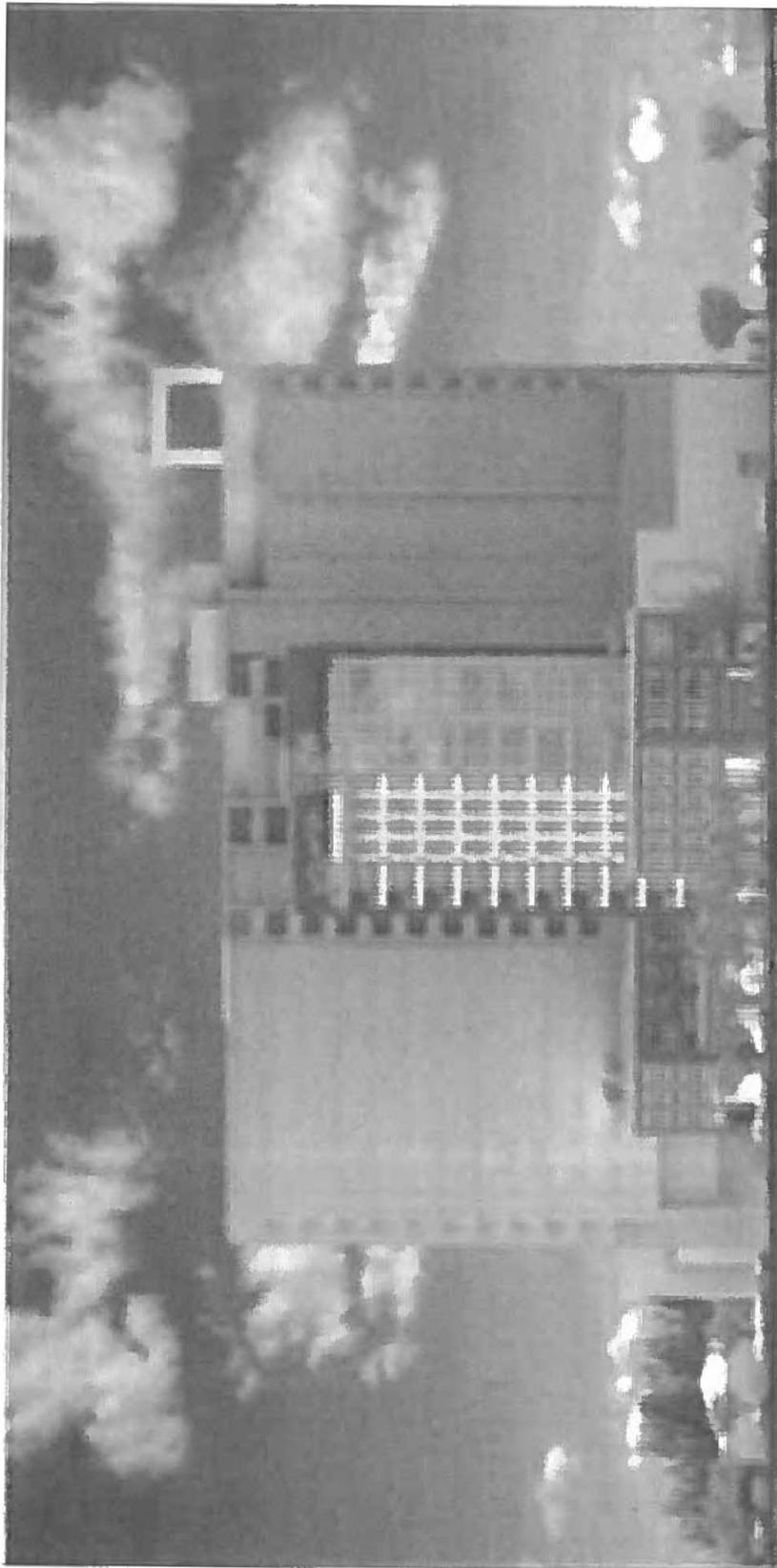
1001 HERSH AVE

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1001 HERSH AVE

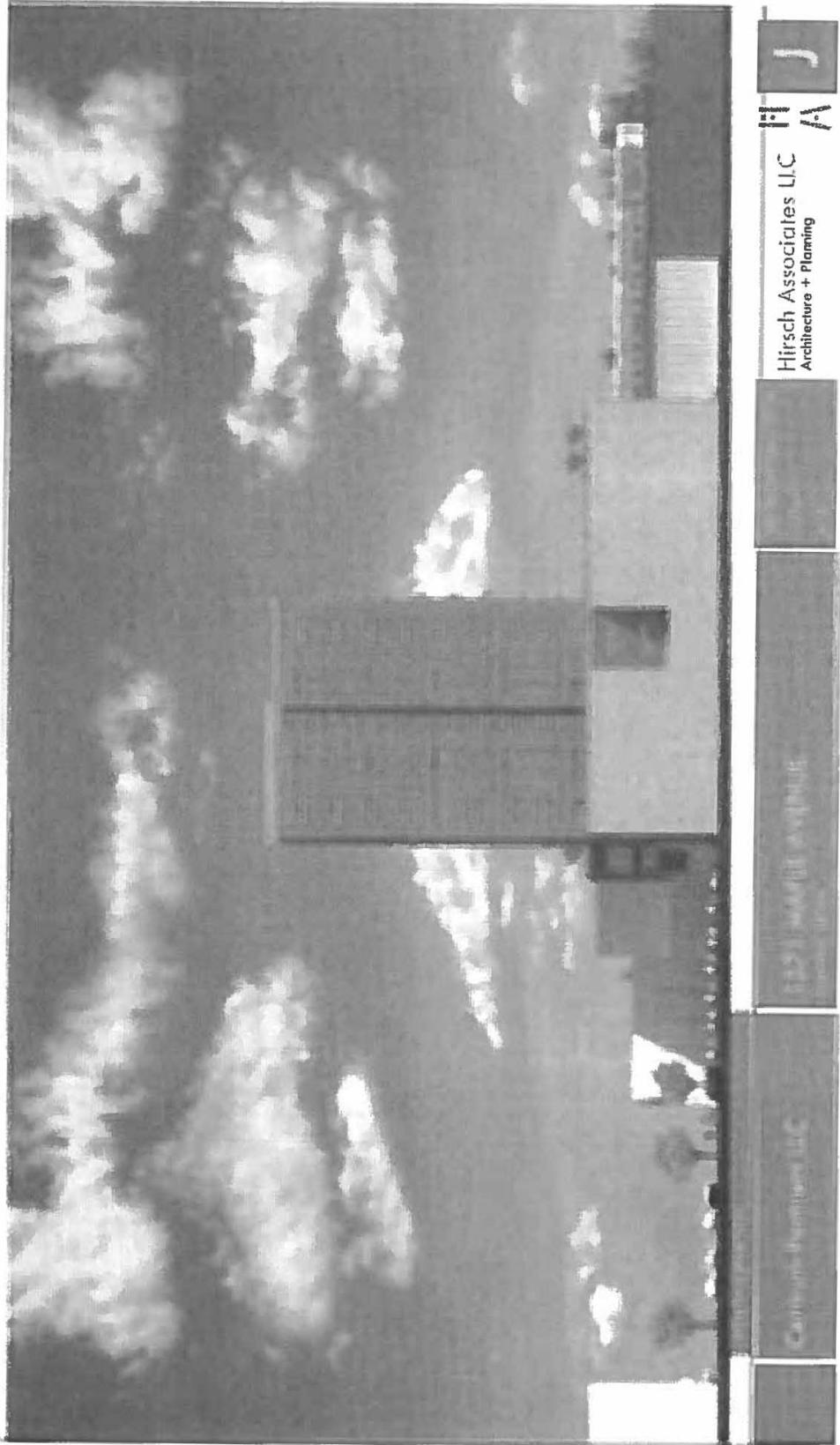
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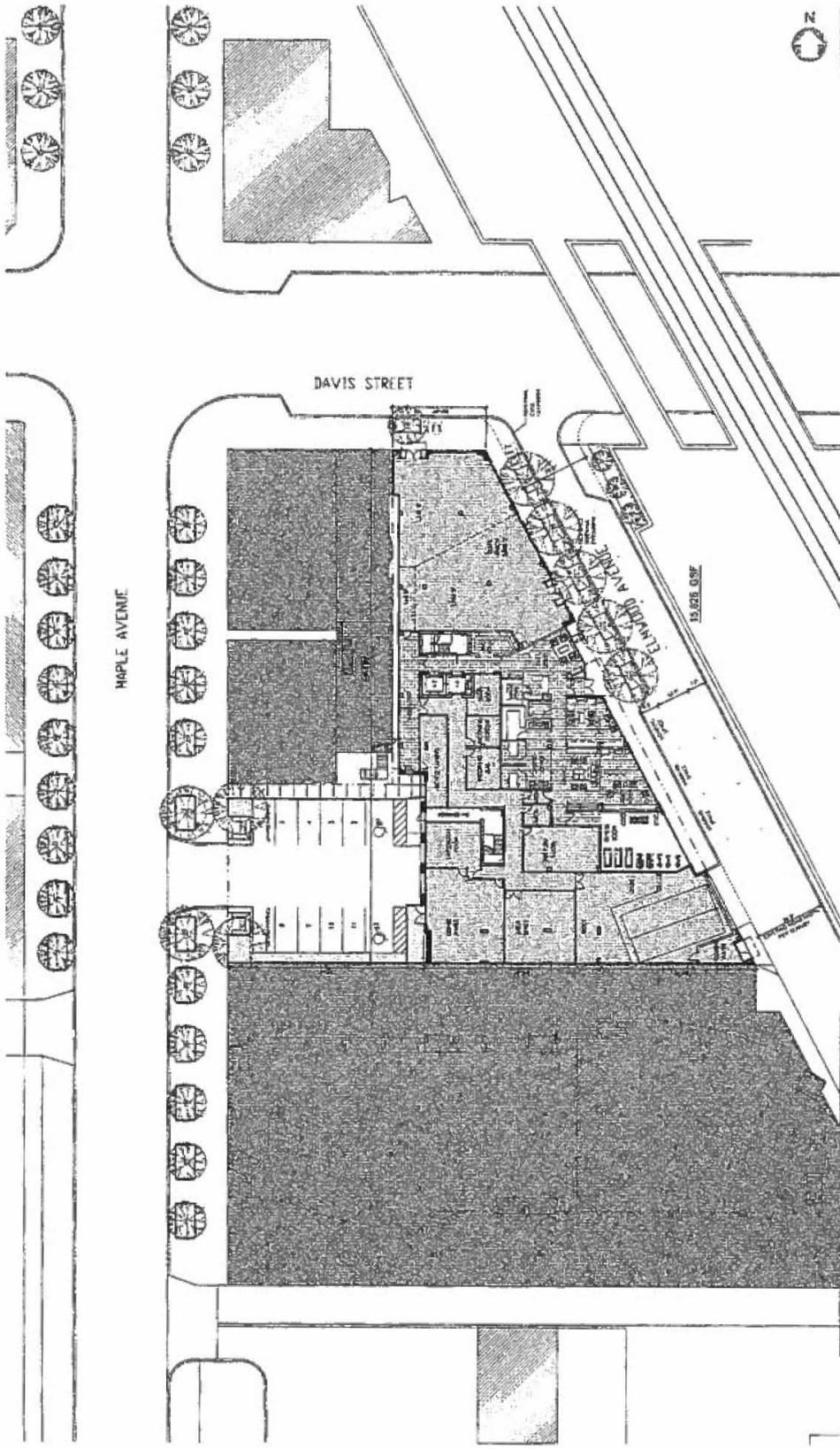




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Architecture + Planning

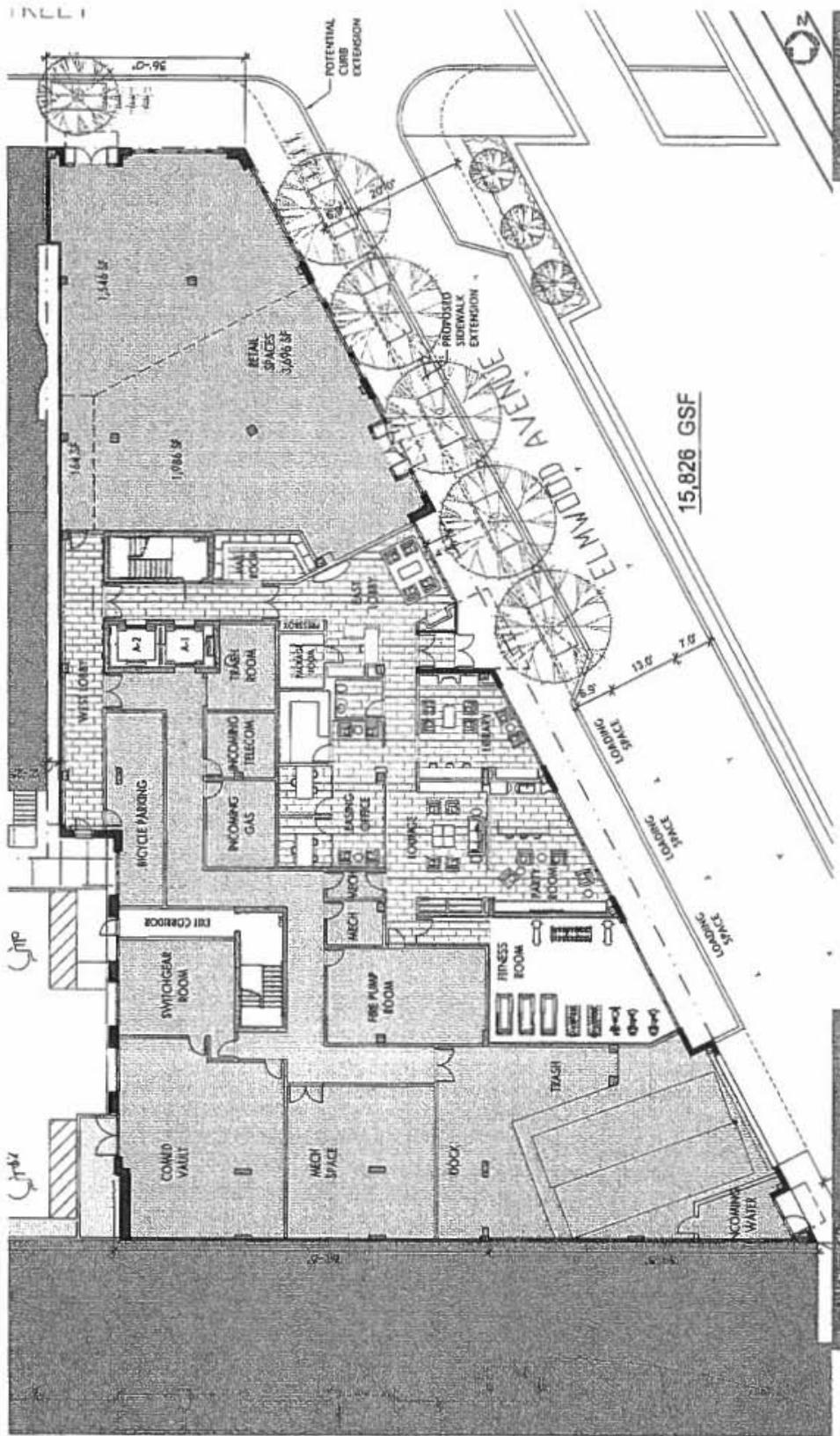






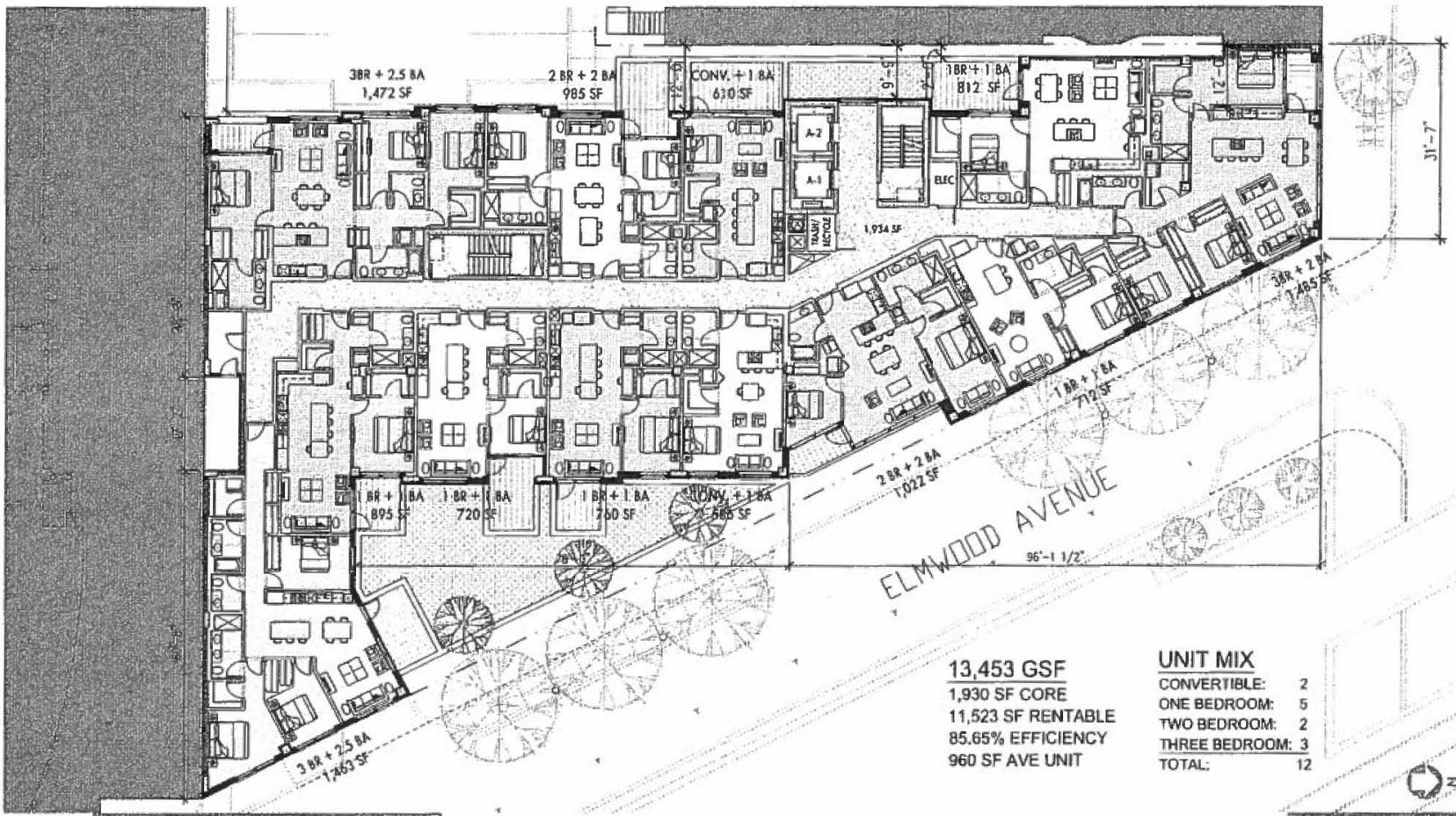
Level Overall Plan 3

Hirsch Associates LLC
Architecture + Planning




Hirsch Associates LLC
 Architecture + Planning


 General Features LLC



13,453 GSF
 1,930 SF CORE
 11,523 SF RENTABLE
 85.65% EFFICIENCY
 960 SF AVE UNIT

UNIT MIX	
CONVERTIBLE:	2
ONE BEDROOM:	5
TWO BEDROOM:	2
THREE BEDROOM:	3
TOTAL:	12

Level 2 Floor Plan

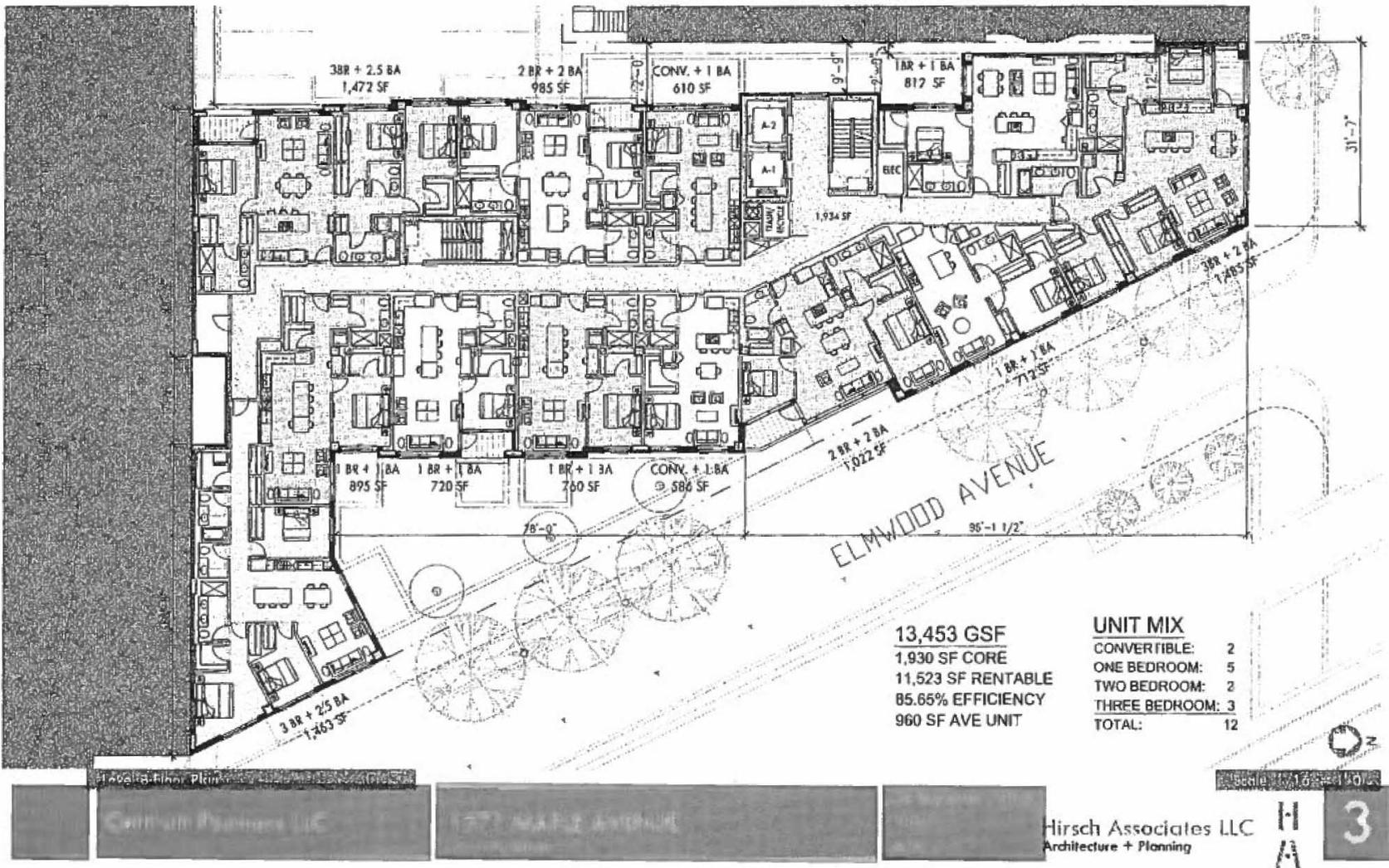
Scale: 1/16" = 1'-0"

Centimark Properties LLC

227 MAPLE AVENUE

Hirsch Associates LLC
Architecture + Planning

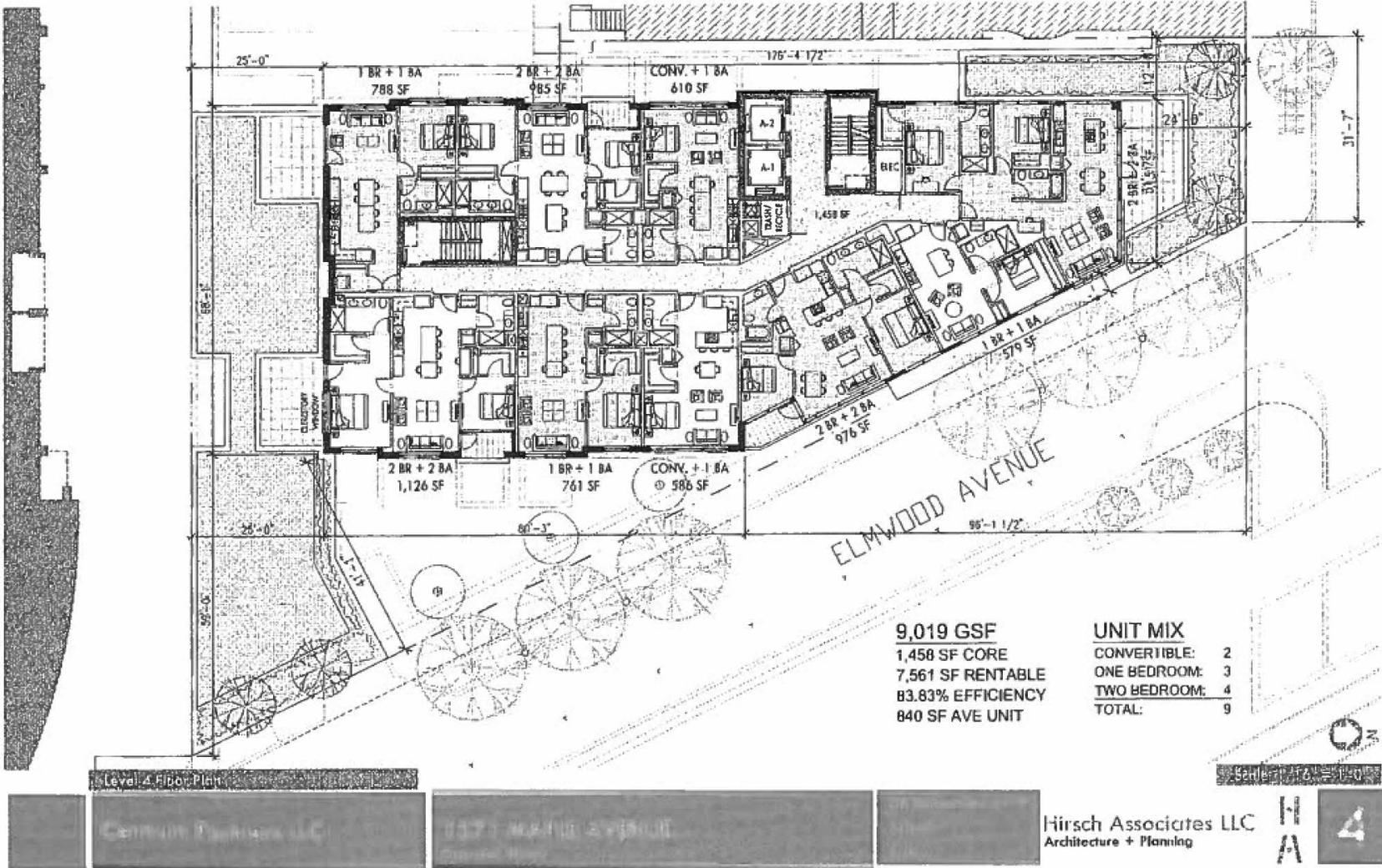


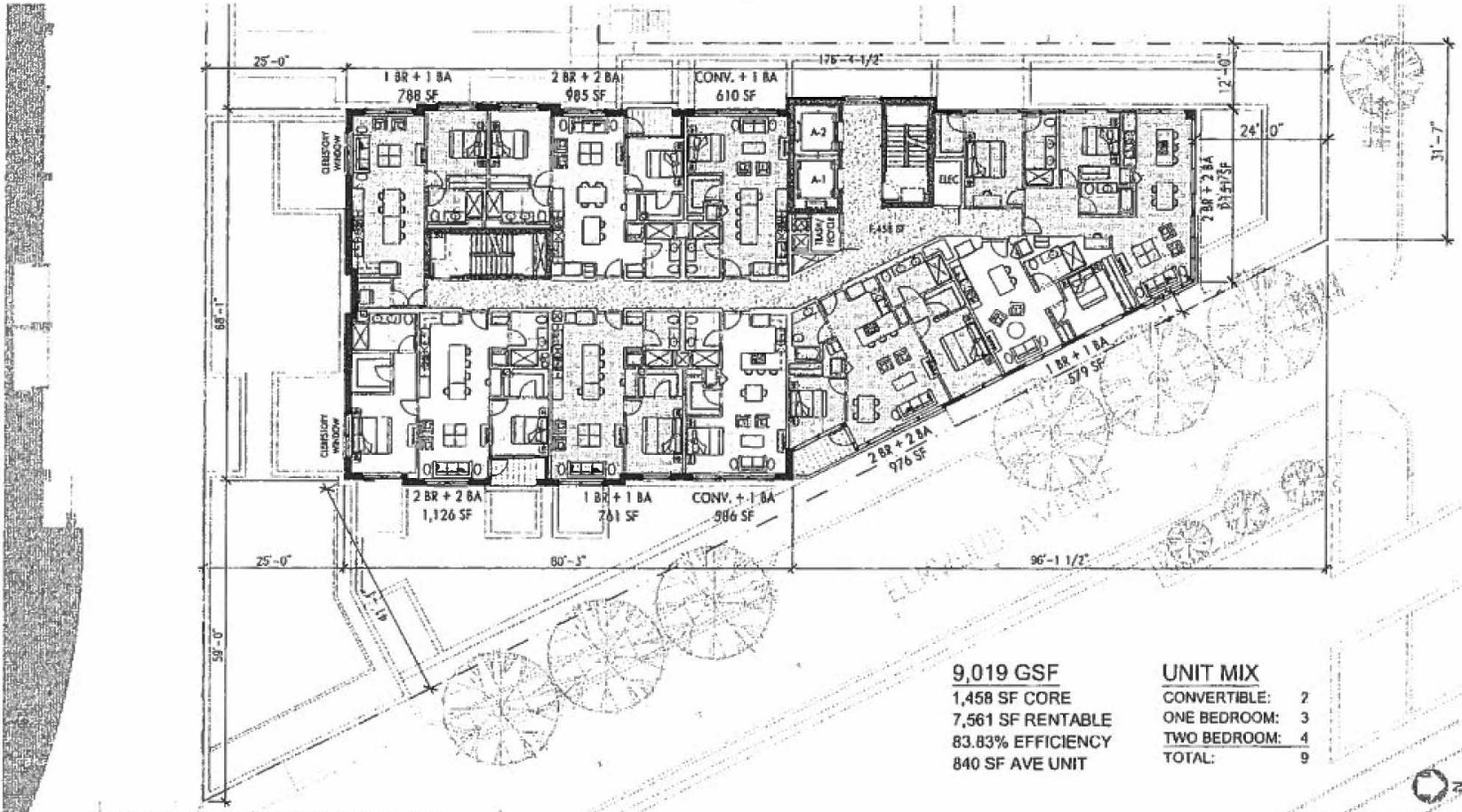


13,453 GSF
 1,930 SF CORE
 11,523 SF RENTABLE
 85.65% EFFICIENCY
 960 SF AVE UNIT

UNIT MIX

CONVERTIBLE:	2
ONE BEDROOM:	5
TWO BEDROOM:	2
THREE BEDROOM:	3
TOTAL:	12





9,019 GSF
 1,458 SF CORE
 7,561 SF RENTABLE
 83.83% EFFICIENCY
 840 SF AVE UNIT

UNIT MIX
 CONVERTIBLE: 2
 ONE BEDROOM: 3
 TWO BEDROOM: 4
 TOTAL: 9

Level 5 - Floor Plan

SCALE: 1/8" = 1'-0"

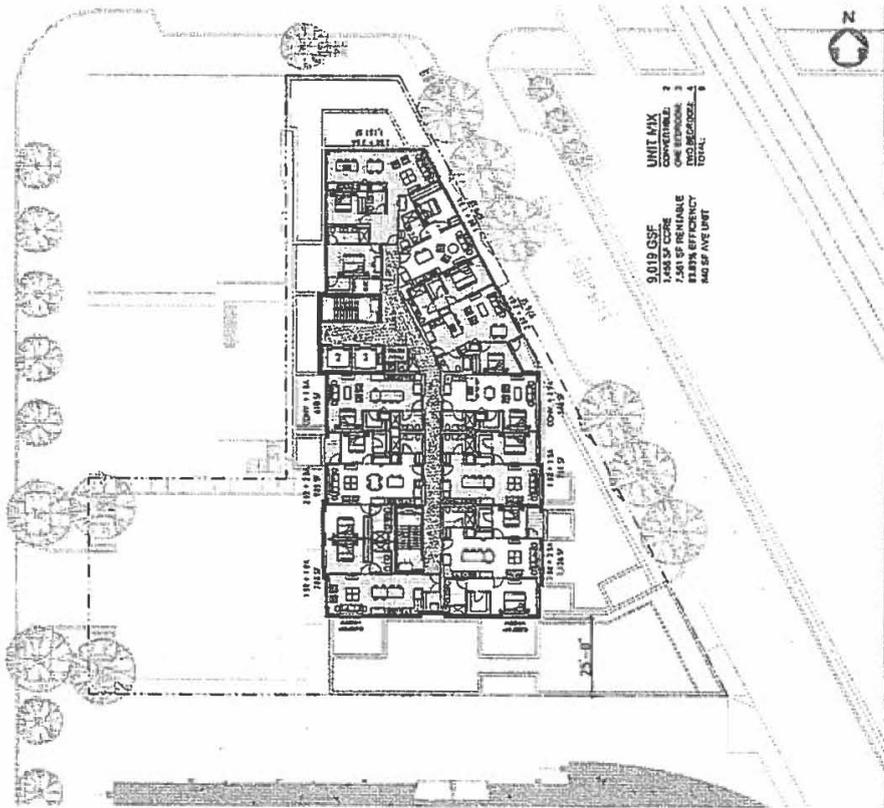
Continuum Property LLC

1775 WADE AVENUE

Hirsch Associates LLC
 Architecture + Planning



WORLD AVENUE



UNIT MIX

CONVENTIONAL	7
STUDIO	1
TWO-BEDROOMS	4
TOTAL	12

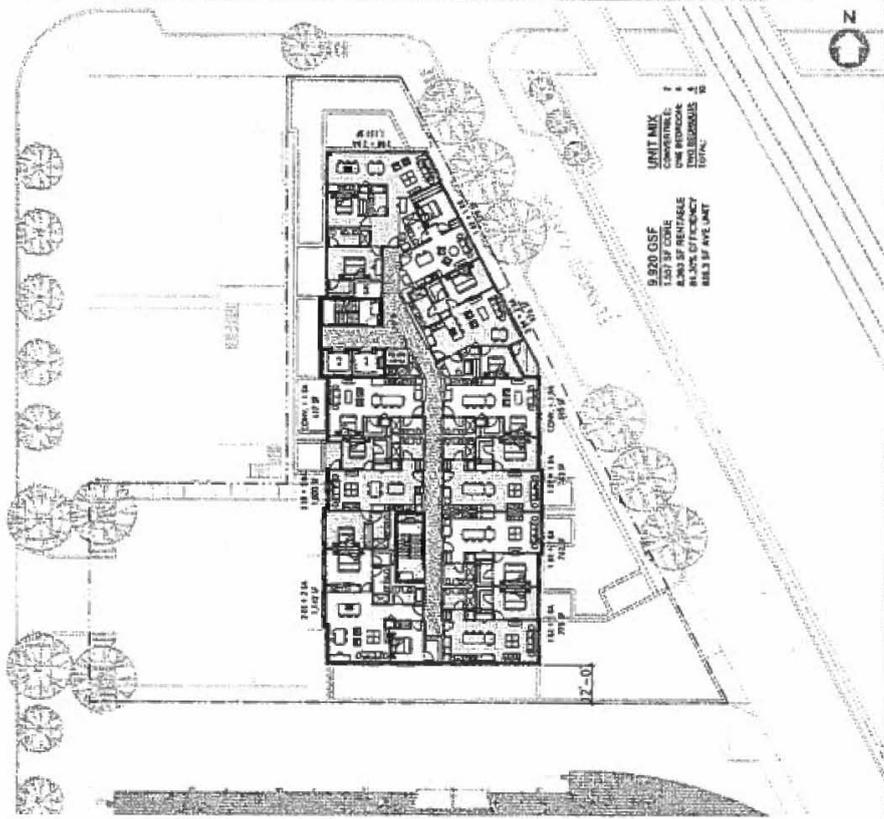
9,019 GSF
 1,488 SF CORE
 1,241 SF PERMITABLE
 6,290 SF UNIT
 390 SF AVE UNIT

Scale: 1/32" = 1'-0"



Hirsch Associates LLC
Architecture + Planning

WORLD AVENUE



UNIT MIX

CONVENTIONAL	7
STUDIO	1
TWO-BEDROOMS	4
TOTAL	12

9,970 GSF
 1,507 SF CORE
 1,241 SF PERMITABLE
 6,290 SF UNIT
 390 SF AVE UNIT

Scale: 1/32" = 1'-0"



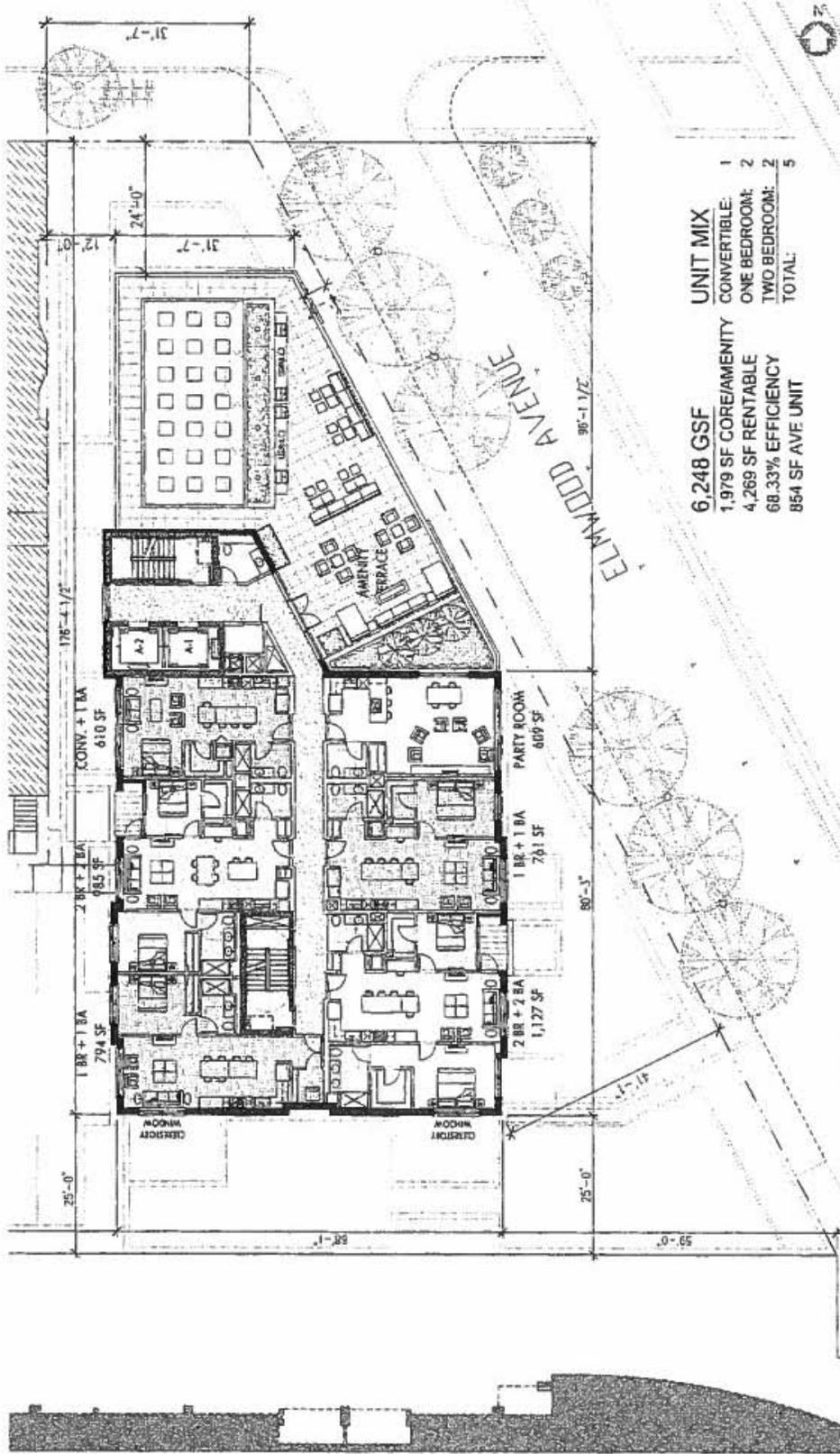
Hirsch Associates LLC
Architecture + Planning

Level 5 | Floor Plan | REVISED DESIGN

Level 5 | Floor Plan | PREVIOUS DESIGN



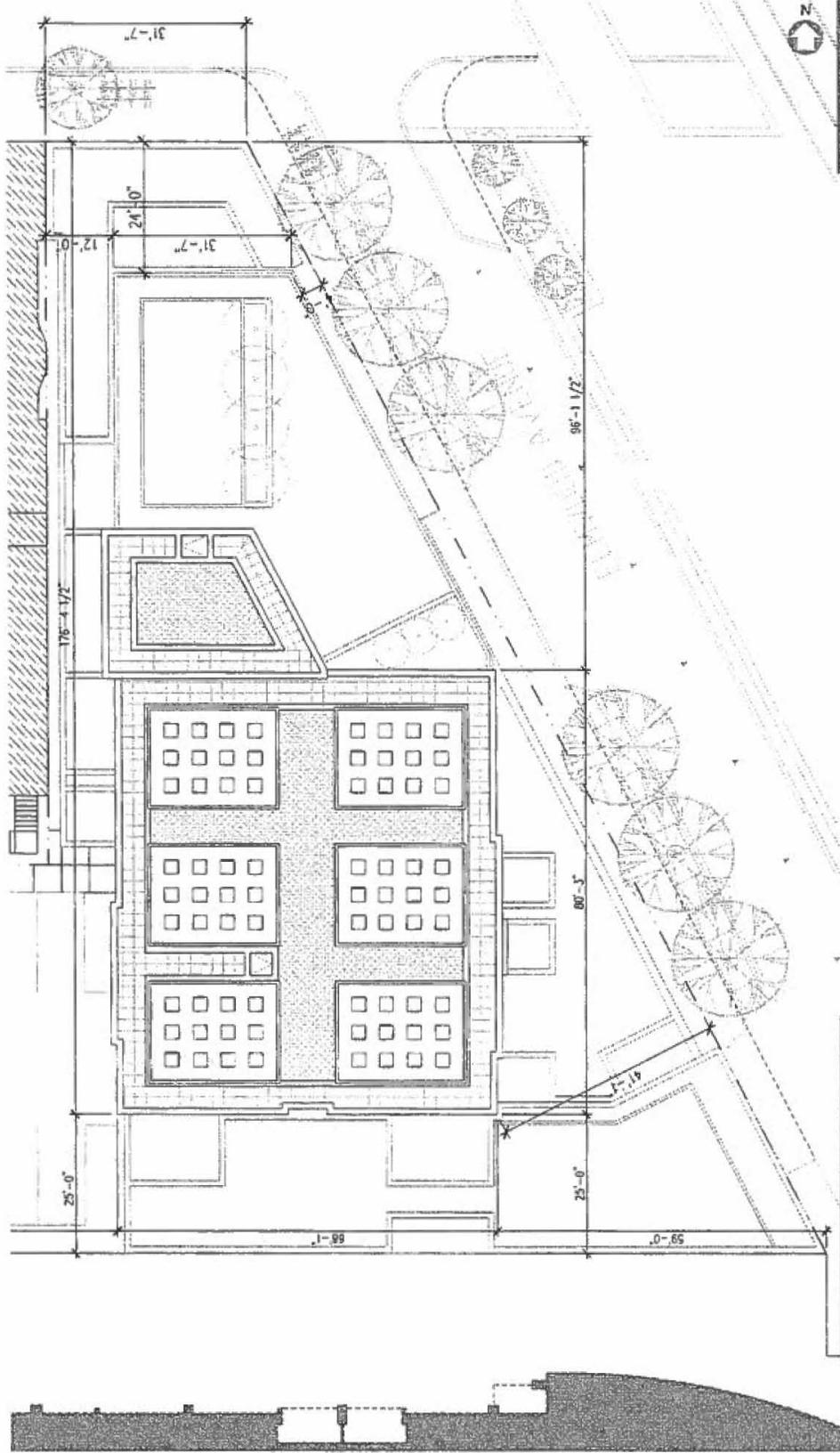
Hirsch Associates LLC
Architecture + Planning



6,248 GSF

UNIT MIX	CONVERTIBLE:	1
1,979 SF CORE/AMENITY	ONE BEDROOM:	2
4,269 SF RENTABLE	TWO BEDROOM:	2
68.33% EFFICIENCY	TOTAL:	5
854 SF AVE UNIT		

170 WALL AVENUE
 6
 Hirsch Associates LLC
 Architecture + Planning

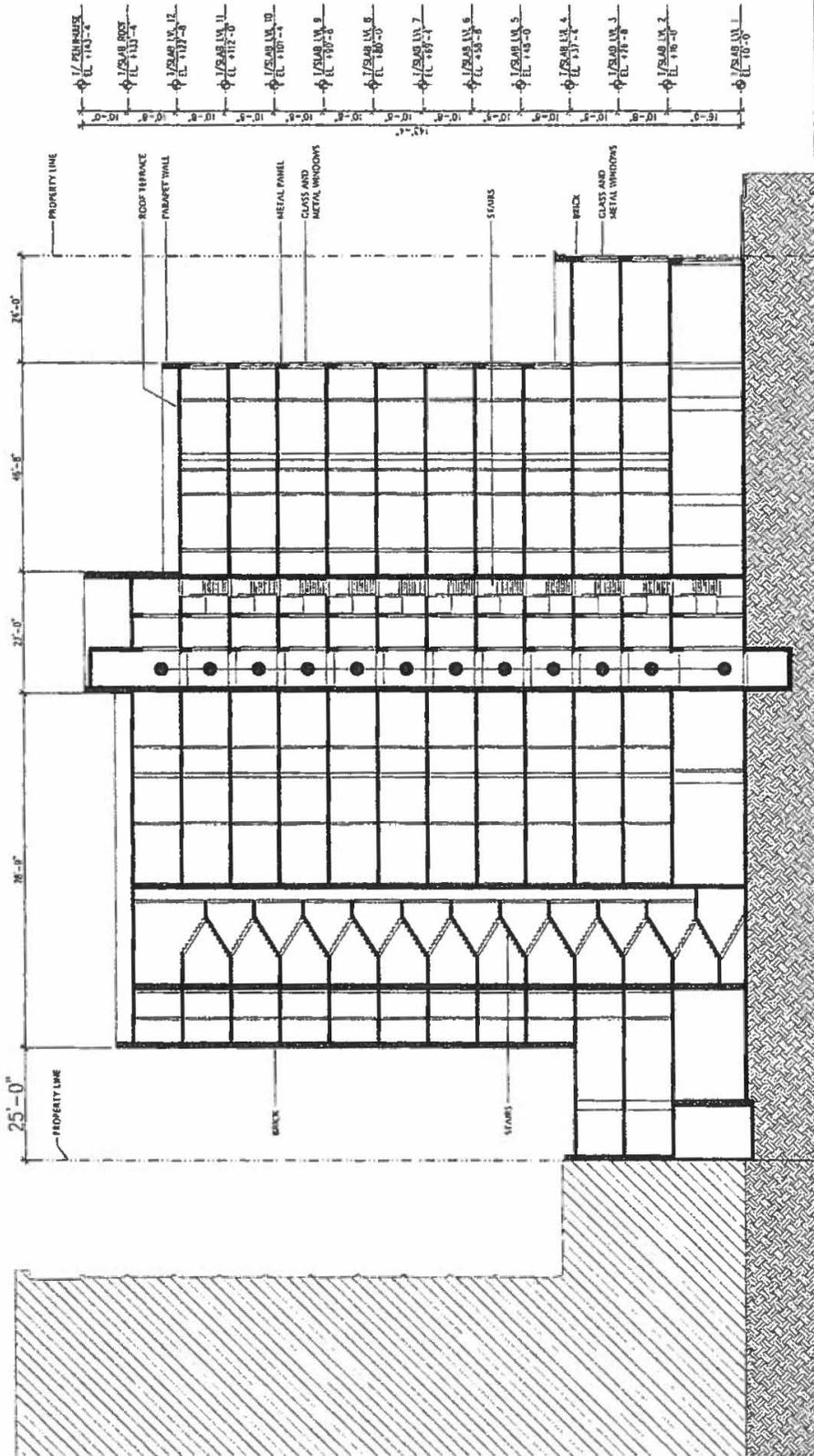


Level: 3 Robt. Plin...

Scale: 1/8" = 1'-0"

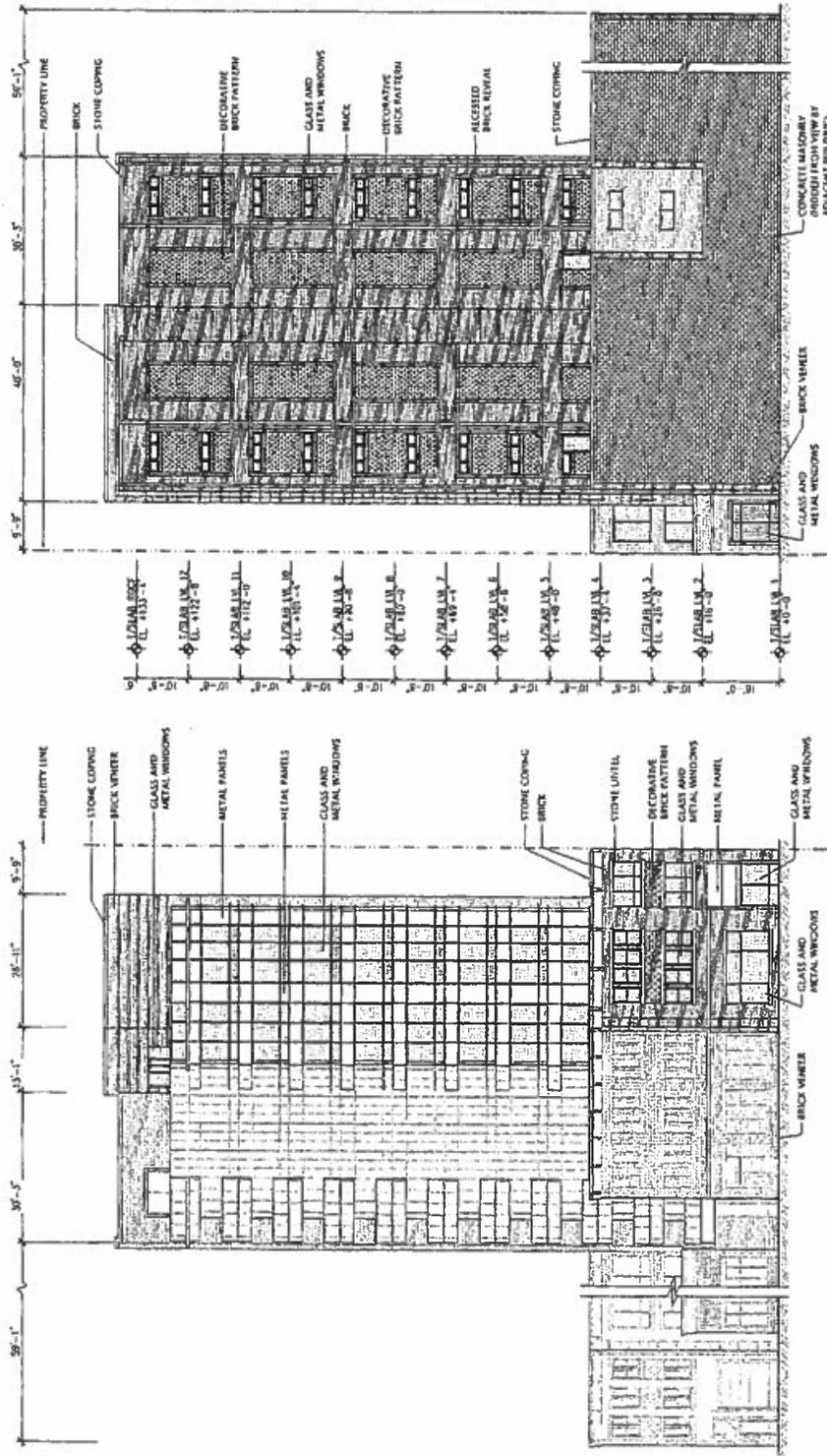
Hirsch Associates LLC
Architecture + Planning

1371 South 1st Avenue
Columbus, Georgia 31906



Hirsch Associates LLC
 Architecture + Planning

8



South Elevation
 Hirsch Associates LLC
 Architecture + Planning
 1111
 A

19-O-15

EXHIBIT C

Landscape Plans

~15~



Perspective View: Elmwood Avenue

1001

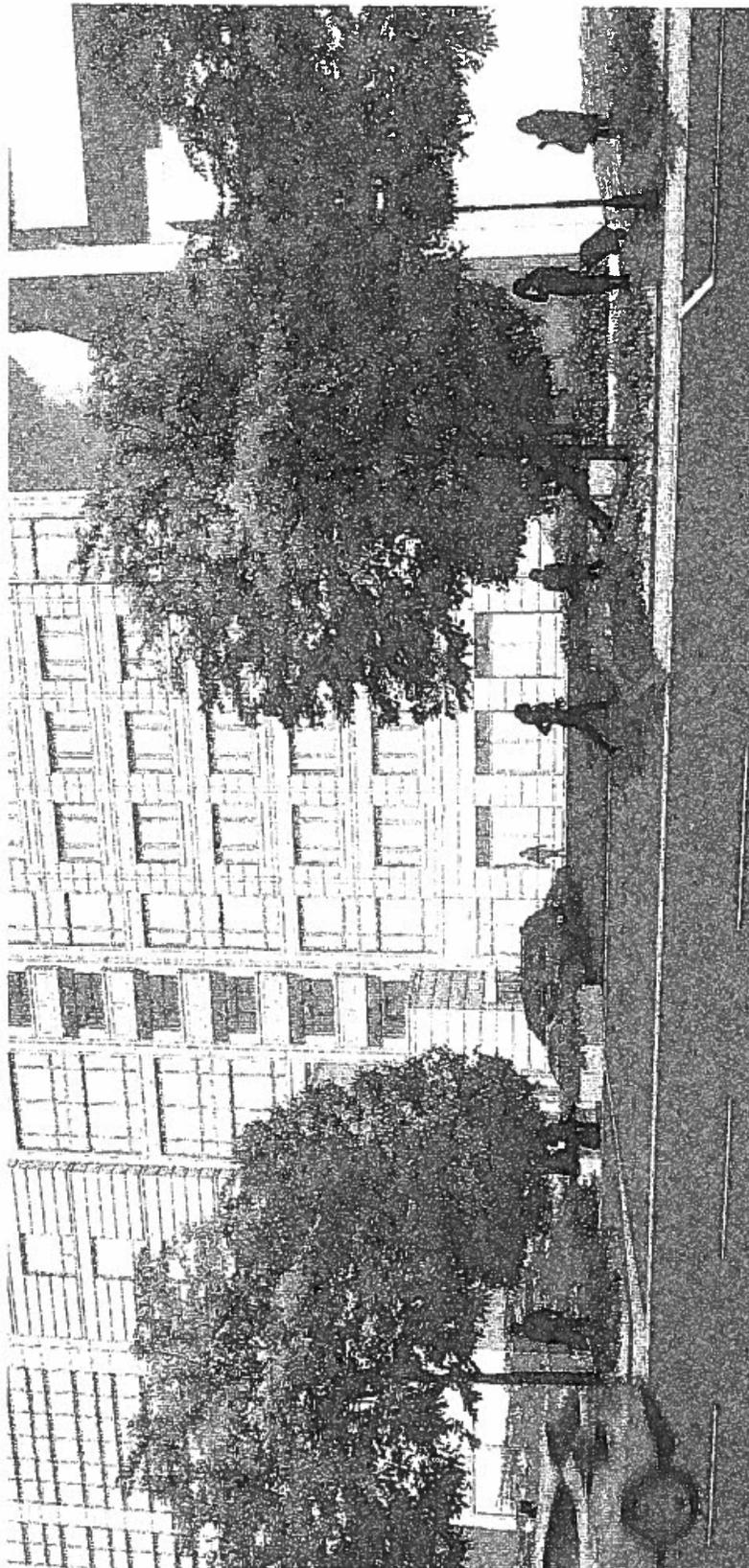
WOLFF LANDSCAPE ARCHITECTURE

1002

1003

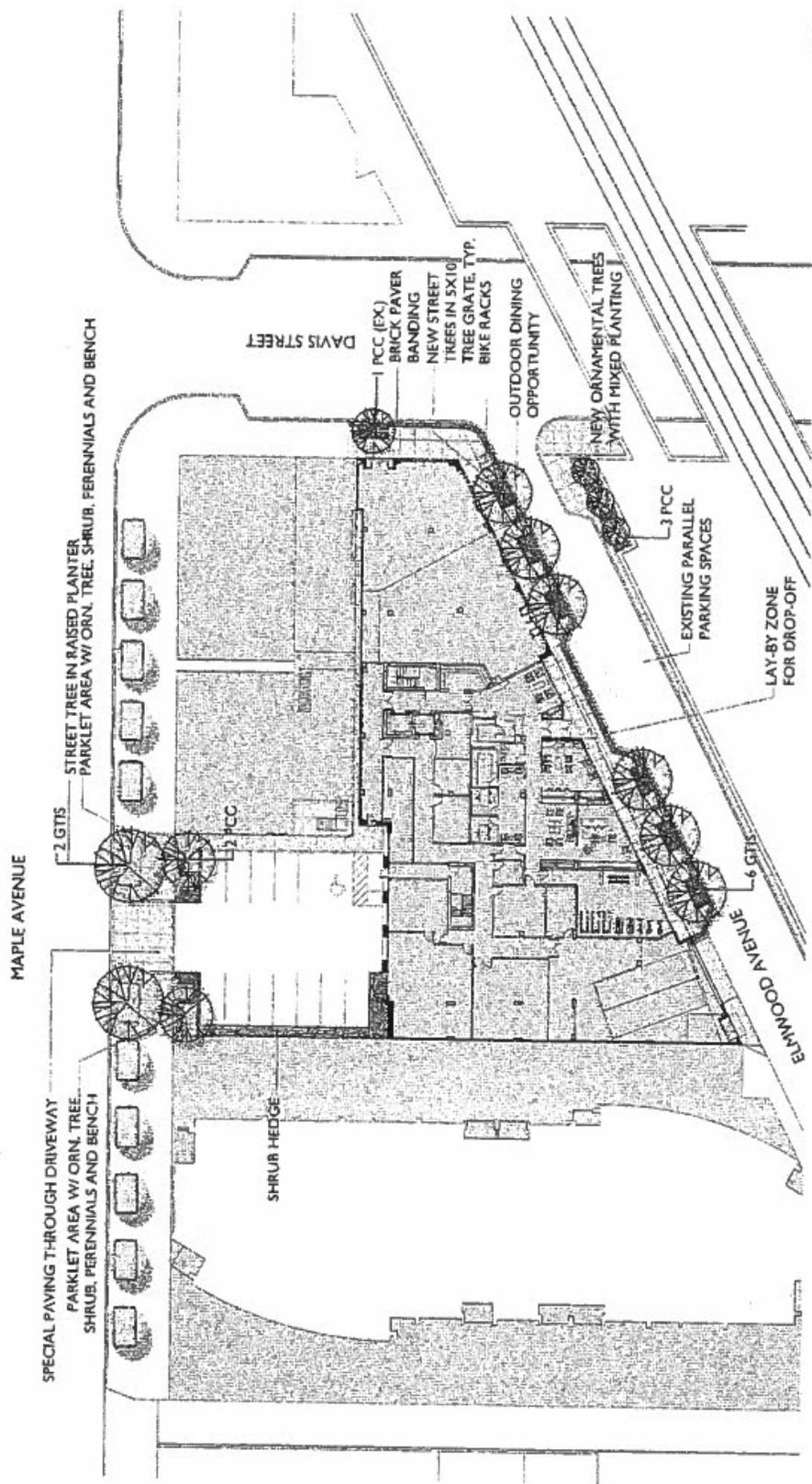
1004

1005



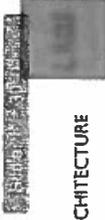
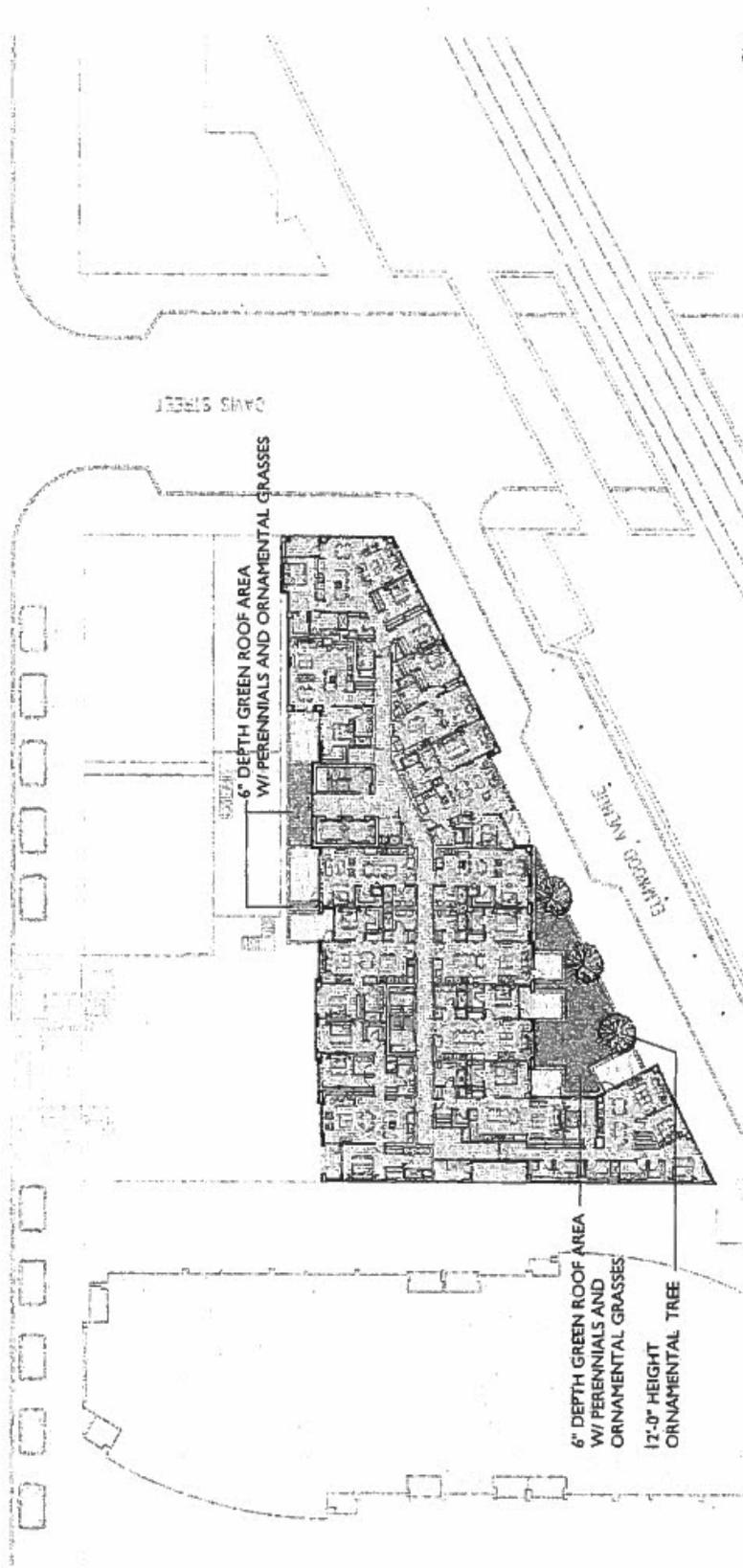
WOLFF LANDSCAPE ARCHITECTURE





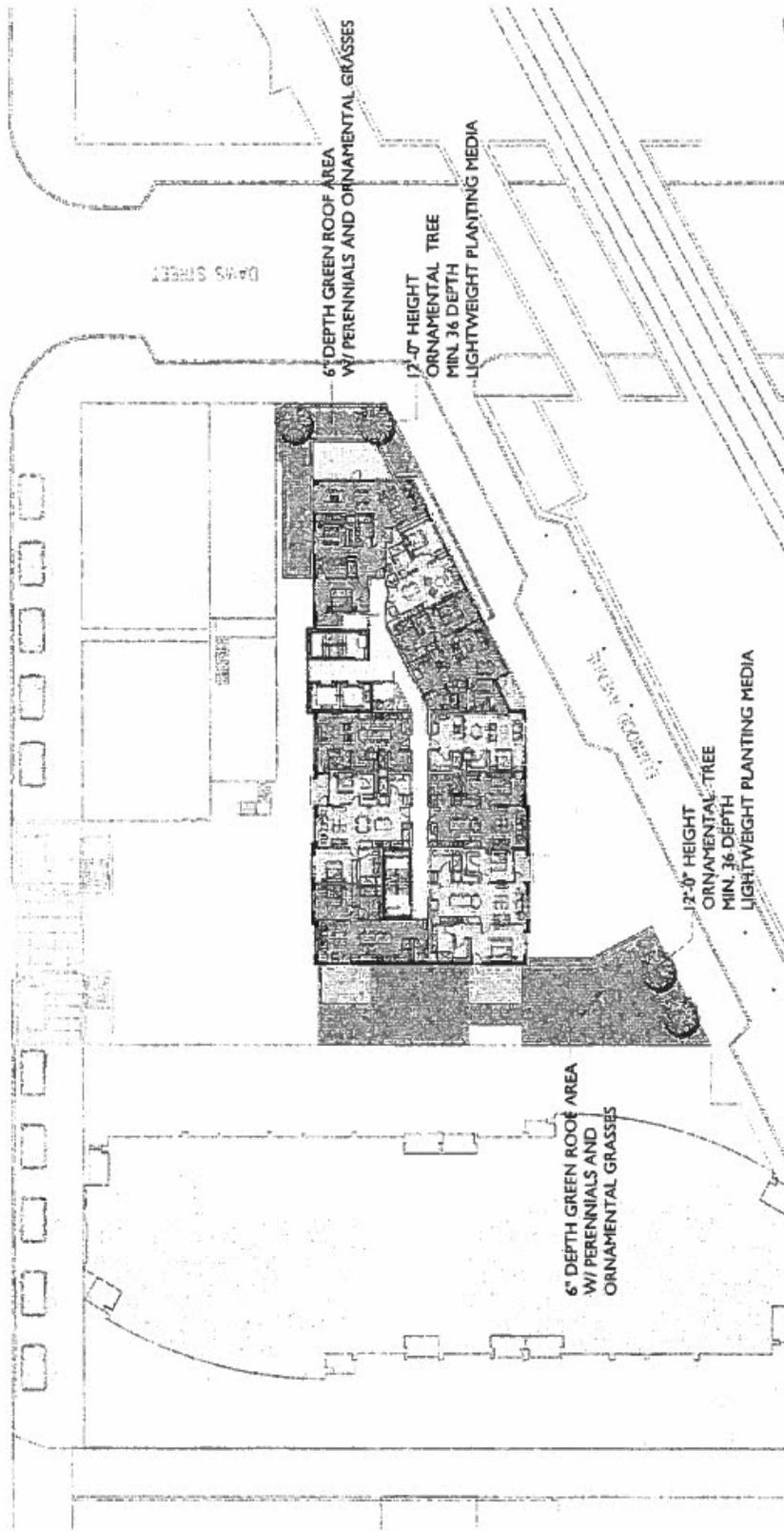
WOLFF LANDSCAPE ARCHITECTURE

MAPLE AVENUE



WOLFF LANDSCAPE ARCHITECTURE



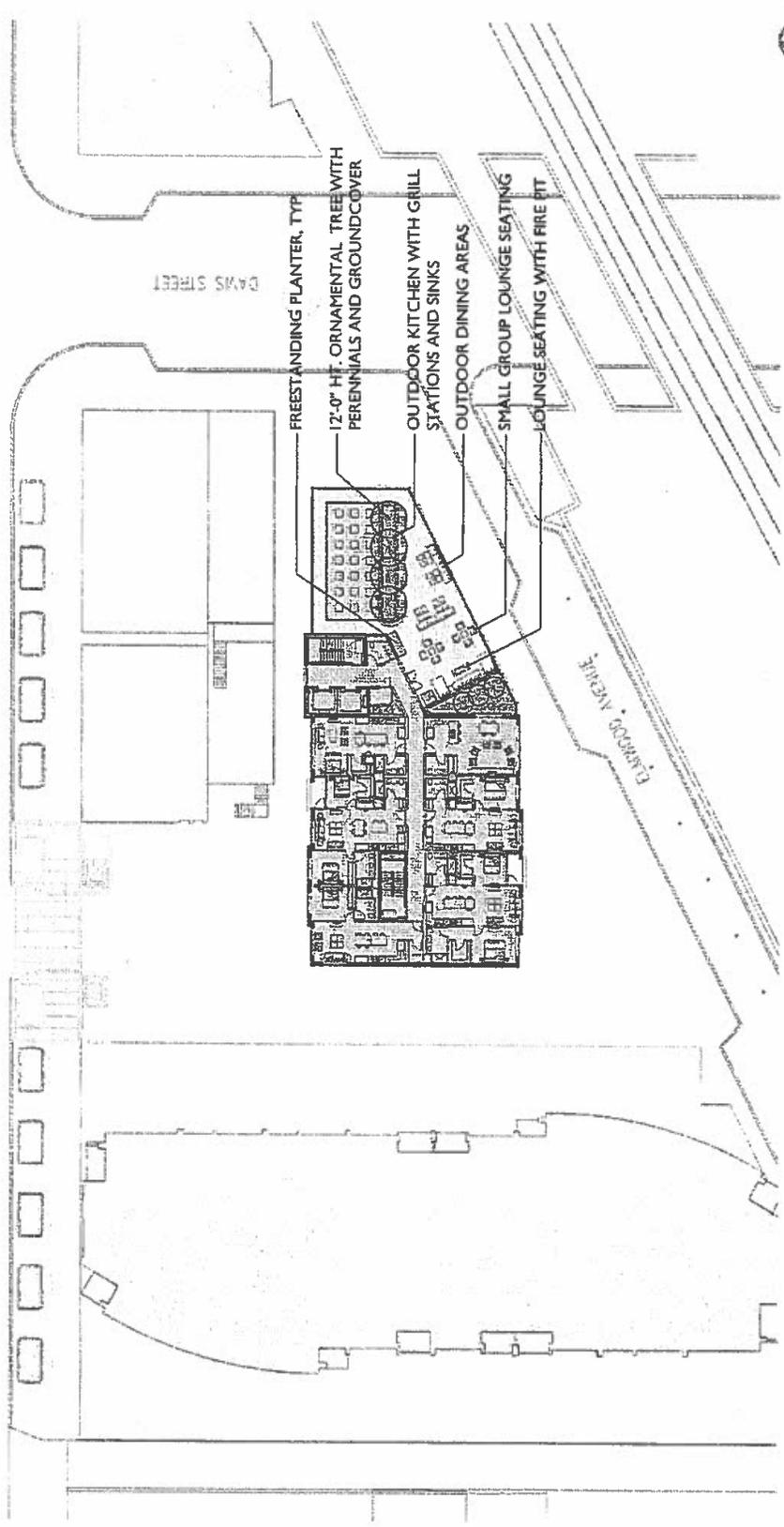


Scale: 1" = 30'-0"

WOLFF LANDSCAPE ARCHITECTURE

157 MADISON AVENUE

Green Roof Systems LLC



1117601 Landscape Plan

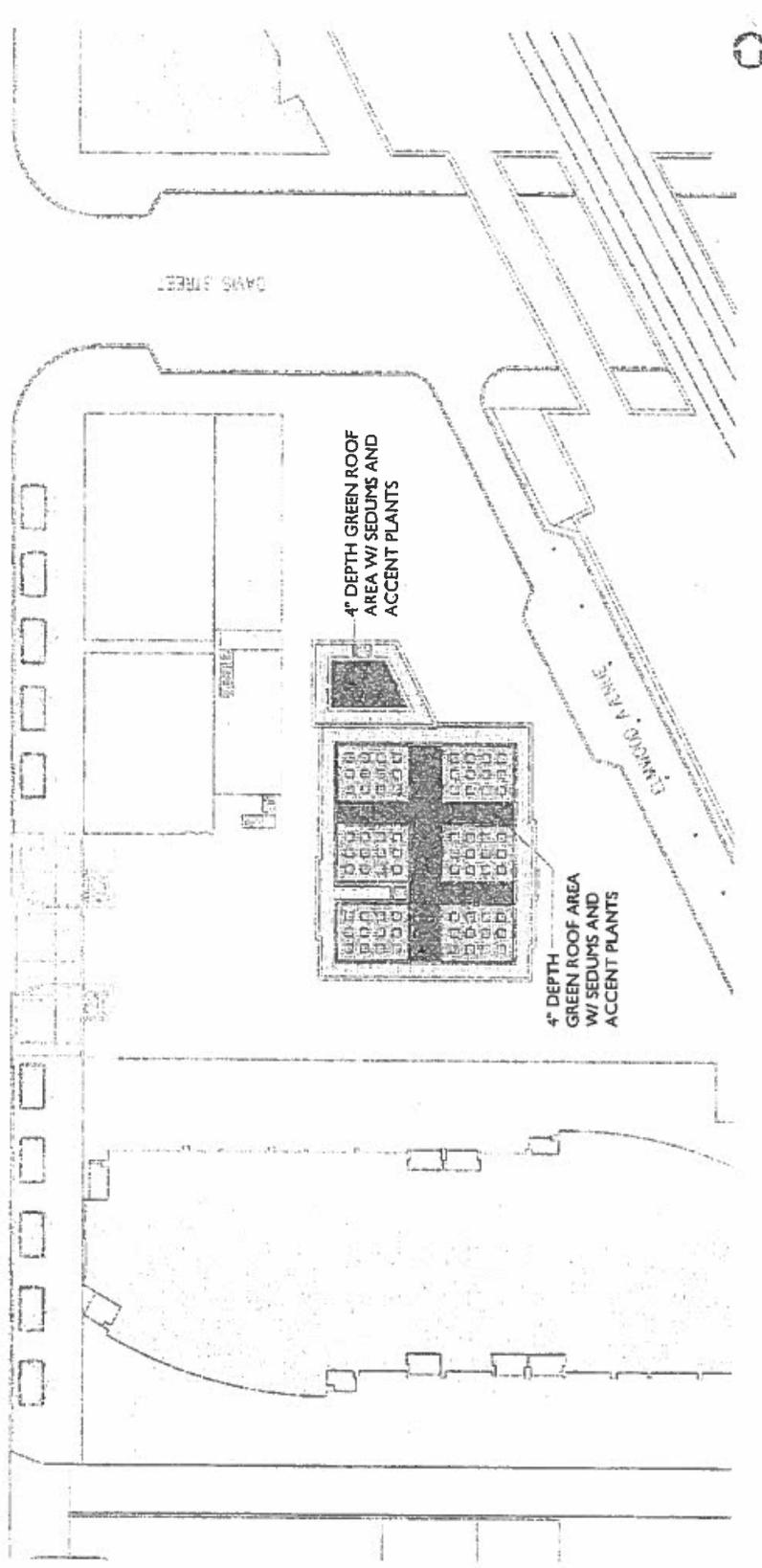
WOLFF LANDSCAPE ARCHITECTURE

1117601 Landscape Plan

WOLFF LANDSCAPE ARCHITECTURE

1117601 Landscape Plan

WOLFF LANDSCAPE ARCHITECTURE



Scale: 1" = 30'

WOLFF LANDSCAPE ARCHITECTURE

1000 MAPLE AVENUE

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**1571 Maple Avenue
Green roof narrative**

The green roof areas for 1571 Maple Avenue will be a mix of intensive and extensive green roof systems. Intensive green roofs have increased growing media depths and allow for a wider variety of plant materials and uses while extensive green roofs are thinner in soil depth, lighter in weight and have a limited plant palette.

Intensive green roof areas will be located on the 2nd, 4th and 11th floors. These areas will contain a built up green roof system that will range in soil depths from 6" in the majority of the areas to 36" at areas where small ornamental trees will be planted, typically at parapet wall locations. The soil used will be a lightweight soil media such as Midwest Trading's PM-35 or an approved equal. The 6" depth areas will contain a mix of perennials, ornamental grasses and groundcovers. The 36" depth area will have 12'-0" multi-stem ornamental trees. This plant palette allows for seasonal interest all throughout the year. The layers of the green roof system will consist of the following, starting from the top: vegetation, growing media, drainage mat with filter fabric, Styrofoam (as needed), and root barrier. These layers sit atop the waterproof membrane and structural slab.

The green roof area on the 11th floor will also have outdoor use spaces such as an outdoor kitchen with countertops, barbeque grill stations and outdoor sinks. Seating areas in various sizes will also accommodate users for dining, small group seating and lounging around a fire feature. Freestanding planters with annual plantings will also be located in this area.

Extensive green roof areas will be located on the 12th floor. These areas will contain a built up green roof system that will have a soil depth of 4". The soil used will be a lightweight soil media such as Midwest Trading's PM-35 or an approved equal. The 4" depth areas will contain a sedum carpet mat planted with a mix of sedums varying in height and colors. This plant palette allows for seasonal interest all throughout the year. The layers of the green roof system will consist of the following, starting from the top: vegetation, growing media, drainage mat with filter fabric, Styrofoam (as needed), and root barrier. These layers sit atop the waterproof membrane and structural slab.



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:

APPROVED

- 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.

Respectfully submitted,
Meagan Jones, Neighborhood & Land Use Planner



PLANNED DEVELOPMENT APPLICATION



Case Number: _____

1. PROPERTY

Address(es)/Location(s)

1571 Maple Avenue; 11-18-310-008-0000, 11-18-310-004-0000, 11-18-310-006-0000, 11-18-310-007-0000, 11-18-310019-0000, 11-18-310-020-0000

Brief Narrative Summary of Proposal:

Applicant seeks to amend Ordinance No. 147-O-18 in order to modify its parking requirements from 55 off-site parking spaces (within the city-owned parking garage) to 0 to allow the Applicant to terminate its lease with the City of Evanston. The proposal will not affect the 11 on-site parking spaces.

2. APPLICANT

Name: 1571 Maple Avenue LLC Organization: _____

Address: 225 W. Hubbrd Street, Suite 650 City, State, Zip: Chicago, Illinois 60654

Phone: Work: 312-789-5959 Home: _____ Cell/Other: 312-504-1417

Fax: Work: _____ Home: _____

E-mail: mmclean@condorpartners.com

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- checkbox same, checkbox builder/contractor, checkbox potential purchaser, checkbox potential lessee, checkbox architect, checkbox attorney, checkbox lessee, checkbox real estate agent, checkbox officer of board of directors, checkbox other: _____

3. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

See Signature Page Attached

Applicant Signature - REQUIRED

Date

**Signature Page
Attached to and Made a Part of
Planned Development Application**

1571 Maple Avenue, LLC,
an Illinois limited liability company

By: 1571 Maple Avenue Associates, LLC
a Delaware limited liability company

By: CP Maple Avenue Member, LLC,
an Illinois limited liability company,
its Managing Member

By: McLinden Holdings, L.L.C.
an Illinois limited liability company

By: 
Name: John McLinden
Its: Manager

Date: March 22, 2022

4. PRE-SUBMISSION REQUIREMENTS

Prior to actually submitting an application for Planned Development, you must:

- A. Complete a Zoning Analysis of the Development Plan
The Zoning Office staff must review the development plan and publish a written determination of the plan's level of compliance with the zoning district regulations. Apply at the Zoning Office.
- B. Present the planned development at a pre-application conference
Contact the Zoning Office to schedule a conference with Planning & Zoning Division staff.

5. REQUIRED SUBMISSION DOCUMENTS AND MATERIALS

- (This) Completed Application Form
- Application Fee (Planned Development: \$6,000; Major Adjustment: \$2,200; Minor Adjustment: \$1,000)
- Two (2) Copies of Application Binder

Your application must be in the form of a binder with removable pages for copying.

You must submit two application binders for initial review.

The Application Binder must include:

- Certificate of Disclosure of Ownership Interest Form
- Plan drawing illustrating development boundary and individual parcels and PINs
- Plat of Survey of Entire Development Site
- Zoning Analysis Results Sheet
- Preliminary Plat of Subdivision
- Pre-application Conference Materials
- Development Plan
- Landscape Plan (if changes will be proposed)
- Inclusionary Housing Ordinance Application
- Statement addressing how the planned development approval will further public benefits
- Statement describing the relationship with the Comprehensive Plan and other City land use plans
- Statement describing the development's compliance with any other pertinent city planning and development policies
- Statement addressing the site controls and standards for planned developments
- Statement of proposed development's compatibility with the surrounding neighborhood
- Statement of the proposed development's compatibility with the design guidelines for planned developments
- Statements describing provisions for care and maintenance of open space and recreational facilities and proposed articles of incorporation and bylaws
- Restrictive Covenants
- Schedule of Development
- Market Feasibility Statement
- Traffic Circulation Impact Study
- Statement addressing development allowances for planned developments

Notes:

- **Plats of survey** must be drawn to scale and must accurately and completely reflect the current conditions of the property.
- **Building plans** must be drawn to scale and must include interior floor plans and exterior elevations.
- **Application Fees** may be paid by cash, check, or credit card.
- **Mailing Fees** also apply and will be provided to the applicant from the City's mailing vendor.

6. OTHER PROFESSIONAL REPRESENTATIVE INFORMATION

Attorney

Name: Bernard I. Citron Organization: Thompson Coburn LLP
Address: 55 East Monroe, 37th Floor (bberberian@thompsoncoburn.com) City, State, Zip: Chicago, Illinois 60603
Phone: 312-580-2901 Fax: _____ Email: bcitron@thompsoncoburn.com

Architect

Name: N/A Organization: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Surveyor

Name: N/A Organization: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Civil Engineer

Name: N/A Organization: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Traffic Engineer

Name: N/A Organization: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Other Consultant

Name: Center for Neighborhood Technology Organization: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Application Procedure

- (A) Pre-Application Conference: Prior to application submittal, an applicant shall meet with the Zoning Administrator, Planning & Zoning staff, and the Alderman of the ward in which the proposed planned development is located. Where applicable, a representative of the Preservation Commission shall be present. The purpose of the conference is to present the concept of the proposed site plan and discuss procedures and standards for approval. No representation made by City staff or the representative of the Preservation Commission during such conference or at any other time shall be binding upon the City with respect to the application subsequently submitted. The pre-application conference shall be scheduled within 15 calendar days after receiving the applicant's request.
- (B) Information Needed for Pre-Application Conference: The applicant shall include the following information at the time of request for the meeting:
 - 1. Narrative summary of proposal.
 - 2. Conceptual site plan.
 - 3. Plat of survey (including the location of utilities).
 - 4. Proposed elevations.
 - 5. Photographs of the subject and surrounding properties.
 - 6. Description of adjacent land uses and neighborhood characteristics.
 - 7. Description of critical historical structures, details or characteristics (if applicable).
- (C) Zoning Analysis Application: Prior to review of the project, the applicant must submit the project for "zoning analysis." The Zoning Division's response to this application is a Zoning Analysis Review Sheet addressing specific regulatory areas, and indicating compliance or deficiency.
- (D) Results of Pre-Application Conference and Zoning Analysis: Following the pre-application conference, the Zoning Administrator shall be available to suggest modifications to the site plan as discussed during the pre-application conference. Within 7 calendar days, minutes of the pre-application conference shall be sent to the applicant and shall be available upon request to interested parties by the Zoning Administrator.

Review Procedure - Decision

- (A) Review Procedure: Upon the review of an application for a planned development the Zoning Administrator shall notify the developer of any deficiencies or modifications necessary to perfect the planned development application.
- (B) Public Hearing: After determining that the application is complete, the Zoning Administrator shall schedule a public hearing to be held by the Plan Commission at which time a formal presentation of the planned development application will be presented. The public hearing shall be held not less than 15 calendar days and no more than 30 calendar days from the date of receipt of the complete application. In addition, a sign shall be posted on the property for a minimum of 10 working days prior to the public hearing indicating the place, time and date of the hearing.
- (C) Mailed Notices Required: Notice shall also be given by first class mail to all owners of property within a 1,000-foot radius of the subject property as provided by the City. The failure of delivery of such notice, however, shall not invalidate any such hearing. The City, through its Geographic Information System, will supply the names and addresses of the owners of property within the 1,000-foot radius. A third party mailing service mails notice of the hearing to the neighboring property owners. The applicant must pay any and all fees and postage associated with mailing this notice. The City publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, no less than 15 days nor more than 30 days prior to hearing.
- (D) Recommendation: The Plan Commission holds a public hearing and makes a recommendation, based on findings of fact, to the City Council within 60 days of the close of the public hearing. The Planning and Development Committee of the City Council considers the Plan Commission's recommendation and forwards it to the full Council with or without a recommendation. The City Council considers the Plan Commission's recommendation and may introduce an ordinance granting the planned development. The City Council may adopt an ordinance granting the planned development at the following or any subsequent City Council meeting. The developer shall record the ordinance granting the planned development and the development plan with the Cook County Recorder.

Submittal Requirements

- 1) Planned Development Application Form.
- 2) Certificate of Disclosure of Ownership Interest Form listing each individual lot contained within the proposed development identified by parcel identification number and each owner having legal or equitable interest in each

individual parcel. Connection to the ownership interest in the property must be documented in the form of a title insurance policy, deed, lease or contract to lease or purchase.

- 3) Exhibit illustrating the boundaries of each individual parcel contained within the property(ies) proposed for development with coincide parcel identification numbers.
- 4) Plat of Survey, drawn to scale, showing dimensions and areas of the parcel(s), lot(s), block(s), or portions thereof, according to the recorded plat of the subject property(ies).
- 5) Preliminary Plat of Subdivision, if necessary, showing the development consists of, and is coterminous with, a single lot legally described in a recorded plat of subdivision or proposed subdivision or consolidation.
- 6) Pre-application Conference Materials:
 - a) Conceptual site plan, showing parking and bicycle facilities where appropriate;
 - b) Plat of survey showing location of utilities;
 - c) Elevations;
 - d) Photographs of the subject and surrounding properties;
 - e) Description of adjacent land uses and neighborhood characteristics; and
 - f) Description of critical historical structures, details or characteristics.
- 7) Zoning Analysis Results Sheet, if available.
- 8) Development Plan showing:
 - a) Location, dimensions and total area of site;
 - b) Location, dimensions, floor area, construction type and use of each structure;
 - c) Number, type and size of dwelling units, and the overall dwelling unit density;
 - d) Number and location of parking spaces and loading docks, with means of ingress and egress;
 - e) Traffic circulation pattern, location and description of public improvements, streets and access easements to be installed or created;
 - f) All existing and proposed dedications and easements;
 - g) Drainage plan;
 - h) Locations, dimensions and uses of adjacent properties, rights of way, easements and utilities serving the site;
 - i) Significant topographical or physical features, including trees;
 - j) Soil or subsurface conditions; and
 - k) Historical structures or features.
- 9) Landscape Plan, including:
 - a) Location, dimensions and total area of site;
 - b) Locations, dimensions and uses of adjacent properties, rights of way, easements and utilities serving the site;
 - c) Landscaping location and treatment, plant material types, size and quantity, open spaces, and exterior surfaces of all structures with sketches of proposed landscaping;
 - d) Topographic and physical site features including soils and existing trees and vegetation;
 - e) Location, type and size of trees to be removed, and preservation plan for existing trees to remain through construction; and
 - f) Location, type, height and material of all fences and walls.
- 10) Inclusionary Housing Ordinance Application.
- 11) Statement addressing how the planned development approval will further public benefits including:
 - a) Preservation and enhancement of desirable site characteristics, open space, topographic and geologic features, and historic and natural resources;
 - b) Use of design, landscape, and architectural features to create a pleasing environment;
 - c) Provide a variety of housing types in accordance with the City's housing goals;
 - d) Eliminate blighted structures or incompatible uses through redevelopment or rehabilitation;
 - e) Business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base;
 - f) Efficiently use land resulting in more economic networks of utilities, streets, schools, public grounds, and other facilities; and
 - g) Incorporate recognized sustainable design practices and building materials to promote energy conservation and improve environmental quality.
 - h) Additional benefits related to transit alternatives, public art, public space improvements, etc.

- 12) Statement describing the relationship between the proposed development and the Comprehensive General Plan and other City land use plans.
- 13) Statement describing the developments compliance with the Zoning Ordinance and any other pertinent city planning and development policies.
- 14) Statement addressing the site controls and standards for planned developments in the subject property's zoning district regarding the following:
 - a) Minimum area
 - b) Tree preservation
 - c) Landscaped strip
 - d) Open space
 - e) Walkways
 - f) Parking and loading
 - g) Utilities
 - h) Stormwater treatment
- 15) Statement of proposed developments compatibility with the surrounding neighborhood.
- 16) Statement of proposed developments compatibility with the design guidelines for planned developments.
- 17) Statement describing provisions for care and maintenance of open space and recreational facilities and, if owned by an entity other than a government authority, proposed articles of incorporation and bylaws.
- 18) Restrictive Covenants to be recorded against proposed development.
- 19) Schedule of Development phases or stages stating beginning and completion time for each phase.
- 20) Market Feasibility Statement indicating the consumer market areas for all proposed uses in the development, the population potential of the area to be served by the proposed uses and other pertinent information concerning the demand for such uses of land.
- 21) Traffic Circulation Impact Study showing the effect of the development upon adjacent roadways, anticipated vehicular trips and traffic flow, and what road improvements and traffic control upgrading might be necessary.
- 22) Statement addressing the development allowances for planned developments in the subject property's zoning district regarding the following:
 - a) Height increases
 - b) Density increases
 - c) The location and placement of buildings varying from that otherwise permitted in the district
 - d) Floor area ratio increases

Standing

The applicant must own, lease, or have legal or equitable interest in the subject property. The Planning and Zoning Division requires the applicant to demonstrate his or her connection to the ownership interest in the property. Documentation can be in the form of a title insurance policy or a deed, and a lease or contract to lease or purchase.

Certificate of Disclosure of Ownership Interest



City of Evanston
DISCLOSURE STATEMENT
FOR ZONING HEARINGS

OFFICE USE	
CASE #	
DATE RECEIVED	

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. Address or location of property for which zoning relief is sought, if applicable: 1571 Maple Avenue, Evanston, IL Zip: 60201

2. Name of applicant for zoning relief: 1571 Maple Avenue LLC

3. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.
N/A

4. If a person or organization owns or controls the proposed land user, name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number ____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

1571 Maple Avenue Associates, LLC; 225 W. Hubbard Street, Suite 501
Chicago, IL 60654 , 312-789-5959

5. Name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number ____ above, or indicated below.

1571 Maple Avenue LLC; 225 W. Hubbard Street, Suite 650,
Chicago, IL 60654, 312-789-5959

6. Name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number ____ above, or indicated below.

If Applicant or Proposed Land User is a Corporation

7.

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

b. Names, addresses, and percentage of interest of all shareholders, if there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation, if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

8.

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

I certify that all of the above statements and all statements, information and exhibits that I am submitting in conjunction with this application for relief from the requirements of the Zoning Ordinance or for an appeal from the Zoning Administrator's decision are true to the best of my knowledge.

See Signature Page Attached

Applicant's signature _____ Date _____

Applicant's signature _____ Date _____

Applicant's signature _____ Date _____

**Signature Page
Attached to and Made a Part of
Planned Development Application**

1571 Maple Avenue, LLC,
an Illinois limited liability company

By: 1571 Maple Avenue Associates, LLC
a Delaware limited liability company

By: CP Maple Avenue Member, LLC,
an Illinois limited liability company,
its Managing Member

By: McLinden Holdings, L.L.C.
an Illinois limited liability company

By: 
Name: John McLinden
Its: Manager

Date: March 22, 2022

**1571 MAPLE AVENUE - APPLICATION FOR MAJOR ADJUSTMENT
TO PLANNED DEVELOPMENT**

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SECTION 1 **PROJECT NARRATIVE**

The Applicant, 1571 Maple Avenue LLC (“Applicant”), is the owner of the subject property, located at 1571 Maple Avenue (“Subject Property”).

The requested major adjustment is for the existing mixed-use building, which was approved as a Planned Development pursuant to Ordinance No 19-O-15 approved by the Evanston City Council on April 13, 2015.

The existing building contains 101 apartments, approximately 3,979, square feet of ground floor retail, 13 on-site parking spaces and 55 off-site parking spaces in the city owned parking garage at 1800 Maple Avenue, in accordance with Ordinance 147-O-18, which reduced the off site parking to the current level. The development original provided 101 parking spaces at 1800 Maple Avenue. The on-site parking includes two car-share spaces and an electric car charging station. These spaces are intended to serve the commercial spaces during the day, and are available for residents and visitors overnight. The Applicant will continue to offer reduced membership rates for use of the car-share vehicles on site to residents of the development.

As the development became fully stabilized, it became clear that the 101 parking spaces leased in the 1800 Maple Avenue parking garage were not necessary to serve the tenants. The parking count at the off-site location was reduced by ordinance number 147-O-18 to 55 off-site parking spaces. Because the building is currently 95% rented, and only 6 of the 55 off-site places are currently used by residents of the development, the Applicant now seeks to eliminate the parking lease at the 1800 Maple parking garage and reduce the total required parking in the development to the existing 11 on site parking spaces.

Based on the amount of off-street parking available in the neighborhood, in parking lots that are closer to the subject property than the 1800 Maple Avenue parking garage, the Applicant no longer needs to maintain a lease for off-site spaces. The Applicant will continue to provide an annual vehicle ownership report to the City for record-keeping purposes.

SECTION 2 **STATEMENTS ADDRESSING RELIEF STANDARDS**

STATEMENT OF COMPLIANCE WITH ZONING ORDINANCE AND OTHER PERTINENT CITY POLICIES

Statement addressing the development’s compliance/any other pertinent city planning and development policies regarding the following:

The amendment is in compliance with the “2000 Evanston Comprehensive General Plan,” adopted May 8th, 2000 (“Comprehensive Plan”) by the City Council as set forth below.

A. Promoting Use of Mass Transit and Pedestrian-Friendly Development

The Comprehensive Plan states the following:

“Promote higher-density residential and mixed-use development in close proximity to transit nodes (e.g., train stations) in order to support non-automobile dependent lifestyles.” (Comprehensive Plan, page 108).

- The Subject Property is located within a five-minute walk (1320-ft radius) from The Davis Street purple line station and the Davis Street Metra station. By providing ample bicycle parking and on-site car sharing spaces, the amendment is designed to support non-automobile dependent lifestyles.

“New developments should be integrated with existing neighborhoods to promote walking and the use of mass transit.” (Comprehensive Plan, page 8).

- The Subject Property is located within a five-minute walk (1320-ft radius) from various retail stores and restaurants. In fact, the Subject Property earns a “Walk Score” of 96, indicating that daily errands do not require a car. As such, the proposed development promotes walkability within the neighborhood, and reduces the demand for excess parking for residents.
- The Subject Property is located less than 700 feet from the Davis Street CTA station and Metra station. The intersection of Davis and Maple also features stops for the 93, 201, 206, 208 and 213 bus routes. Accordingly, residents of the Subject Property have excellent access to both local and regional transit options.

“New land development can take advantage of renewed interest in pedestrian and transit orientation. For example, slightly higher density residential and residential/commercial mixed-use buildings can be desirable additions along major corridors already very accessible to mass transit.” (Comprehensive Plan, page 8).

- The Subject Property is located on a site with convenient accessibility to the CTA purple “L” line and is approximately two blocks away from a Metra station. Further, the property

is in a pedestrian-friendly location, in a transit oriented development area desirable to residents who prefer to walk around downtown. Therefore, the proposed amendment will take advantage of the renewed interest in pedestrian and transit orientation and promote public transportation versus vehicular traffic.

- Since the development was constructed, dining and grocery options have increased in the vicinity, particularly with a Target grocery location 0.3 miles away.

“Promote biking to enhance the character of the community, retail viability, and health of citizens.” (Comprehensive Plan, page 109).

- The development currently provides ample room to store residents’ bicycles in a well-lit and inviting bicycle storage room, encouraging biking as a means of transportation. The number of bicycle parking spaces provided will meet the requirements of the City of Evanston code. The Subject Property also features bike parking for visitors on the corner of Davis and Elmwood Avenue.

STATEMENT OF SITE CONTROLS AND STANDARDS FOR PLANNED DEVELOPMENTS

Statement addressing the site controls and standards for planned developments in the subject property’s zoning district regarding the following:

The requested major adjustment is to a previously-approved planned development. The only requested change is to the parking requirements reflected in the approval ordinance. The applicant seeks to modify the approved number of spaces from 55 off-site spaces and 13 on-site spaces to 13 on-site spaces. The Applicant has determined and substantiated in this application, that the 55 off-site parking spaces are not necessary to serve the needs of the Subject Property’s residents, and that residents who may need off-street parking are so few, that the available off-street parking in the neighborhood will better serve them than the leased spaces in the 1800 Maple Avenue garage.

No other zoning or site controls are being modified.

STATEMENT OF DEVELOPMENT ALLOWANCES FOR PLANNED DEVELOPMENTS

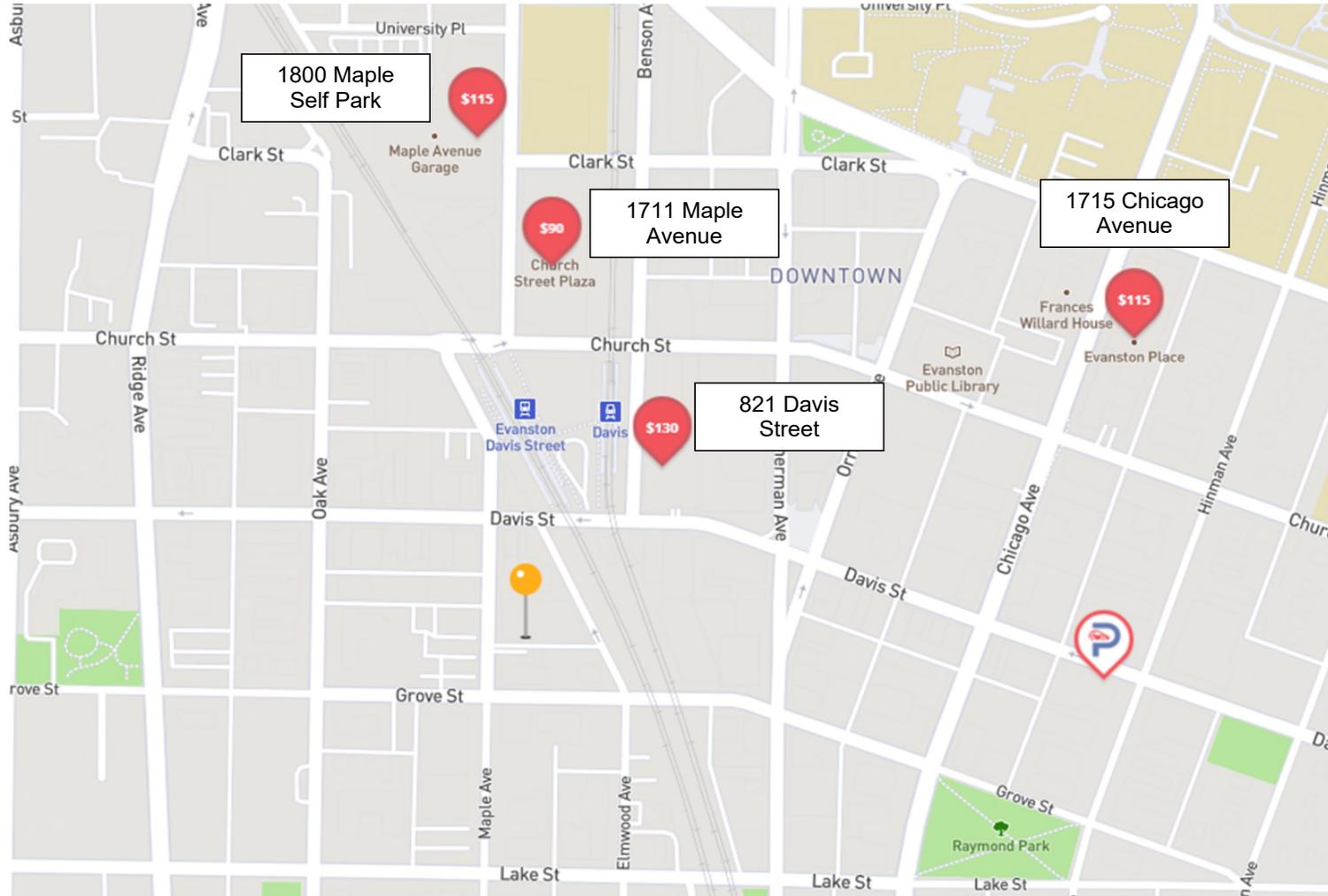
Statement addressing the development allowances for planned developments in the subject property's zoning district regarding the following:

Parking

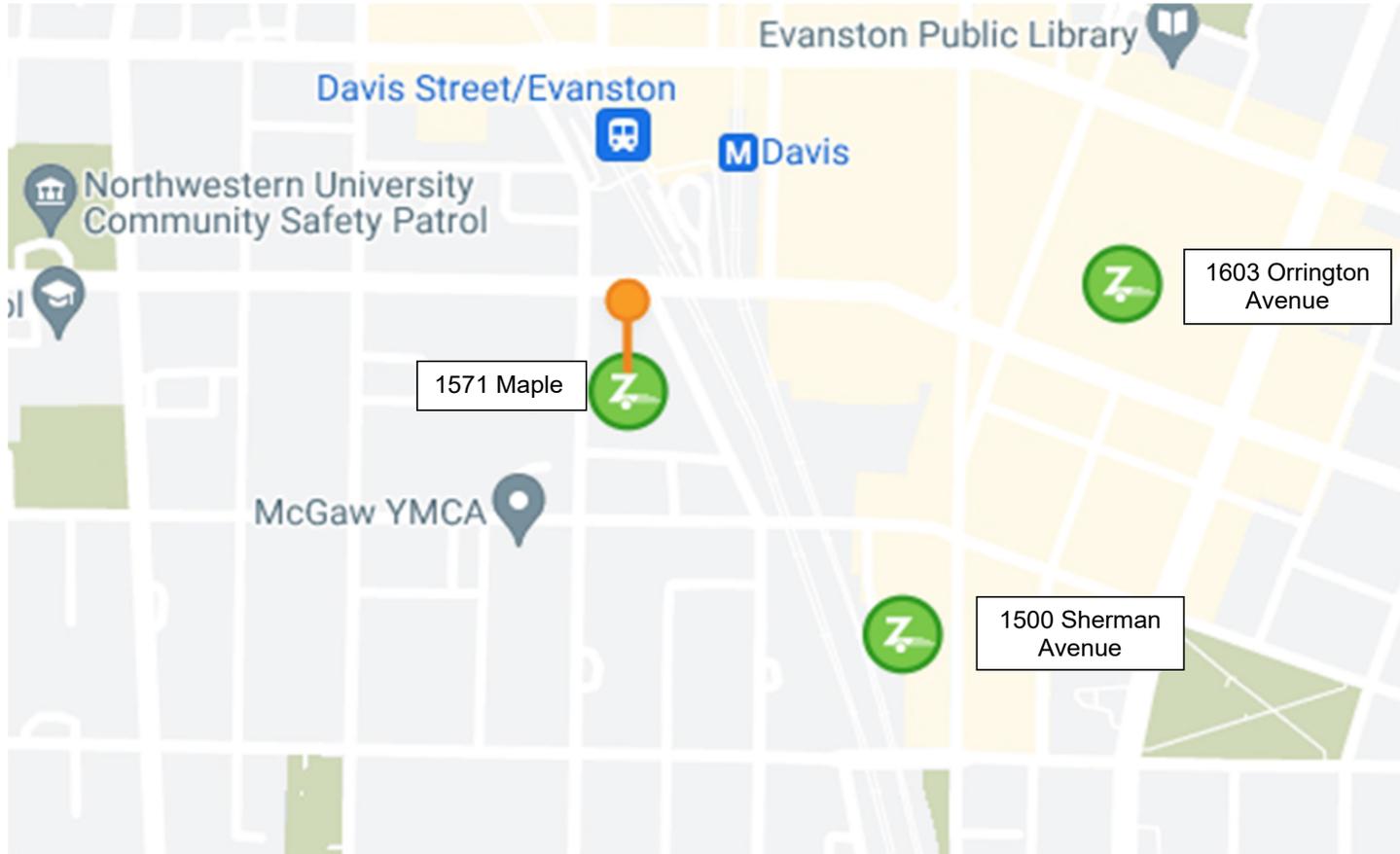
The requested adjustment is to a previously-approved planned development. The only requested change is to the parking requirements reflected in the approval ordinance. The reduction of spaces from 55 off-site spaces and 13 on-site spaces to 13 on-site spaces will allow the Applicant to eliminate a lease that is unnecessary for the operation of the Subject Property. Currently, 6 spaces in the 1800 Maple Avenue garage, where the off-site parking spaces are located, are rented by residents of the Subject Property. This number has decreased steadily since the building was stabilized. Furthermore, the parking resources available in the neighborhood are more than adequate to address any off-street parking needs of residents of the Subject Property.

The requested relief will have no adverse effects on residential uses within or adjoining the development or the overall neighborhood.

Available Monthly Parking Options Near 1571 Maple



Zipcar Locations



1571 Maple Avenue
Major Adjustment

Request and History

The subject proposal will eliminate an existing parking lease between the developer and the City of Evanston, which was established in order to ensure that there would sufficient parking for residents of 1571 Maple Avenue.

The development was planned with just 13 parking spaces, two of which were built into a parklet to enhance the outdoor space and pedestrian experience at the site. The remaining 11 parking spaces are used for serving the on site commercial uses during the day, and can be used by residents and their visitors in the evening. The concept for the development was such that if very limited parking is provided on site, then residents without cars would naturally gravitate toward the building because of the rich transit amenities and amenities of daily living so nearby.

At the time the subject development was entitled, the developer came to a compromise with the City to lease the required number of parking spaces off site in the City's Maple Avenue garage. The garage is more than 1,000 feet away from the subject property, and accordingly does not meet the requirement for off site parking set forth in the City of Evanston's zoning ordinance in Section 6-16-2-1. The developer also agreed to restrict residents from eligibility for on street parking passes ordinarily available to neighborhood residents. Essentially, the requirement to lease spaces in the Maple Avenue garage was a fail-safe, in case residents of the development needed more parking spaces than anticipated by the developer at the time the concept was proposed, so that residents' cars would not create additional stress on the City's on street parking availability. As expected, however, few residents opted to rent space in the building's garage.

The initial lease term was for seven years, and the lease secured 101 parking spaces in the garage for residents – one for each unit. In 2018, an ordinance was approved permitting the developer to lease just 70 spaces rather than 101, and contemplated that the lease would be modified based on usage. Because so few residents were using the leased parking spaces, the requirement has been reduced further, and is now just for 55 parking spaces. As the building's occupancy stabilized, currently at approximately 98%, the parking usage continued to plummet, with just 5 residents opting to rent spaces in the Maple Avenue Garage. All 5 of these residents will be moving out at the end of their lease terms.

In addition, since the development was approved, the City of Evanston has adopted a Transit Oriented Development ("TOD") policy. The subject development is within the City's designated TOD zone. The City has also reduced its parking requirements generally. Because the TOD concept has been tested at this site over the last few years, the development has proven that TOD works and the proposed elimination of the Maple Avenue Garage lease is appropriate for the development.

Existing Parking Leases

Should the parking lease be terminated completely, the Developer will reimburse any prepayments made by residents for those spaces on a pro rata basis. Residents will continue to be free to lease parking space in the Maple Avenue Garage for a monthly fee of \$115 directly from the City, or they may choose to lease parking spaces within several parking garages nearer to the subject property at comparable prices.

Other parking options include:

- 1890 Maple Avenue (E2): \$60/month (\$175 for 2 months)
- 1603 Orrington (parking garage) \$189/month
- 821 Davis (Sherman Plaza Parking Garage): \$130/month

1571 Maple Avenue

[Add scores to your site](#)

Evanston, Illinois, 60201

Commute to **Downtown Evanston** 

 1 min  4 min  1 min  5 min [View Routes](#)

 **Favorite**

 **Map**

 **Nearby Evanston Apartments on Redfin**

[Looking for a home for sale in Evanston?](#) 

Walk Score
96

Walker's Paradise

Daily errands do not require a car.

Transit Score
57

Good Transit

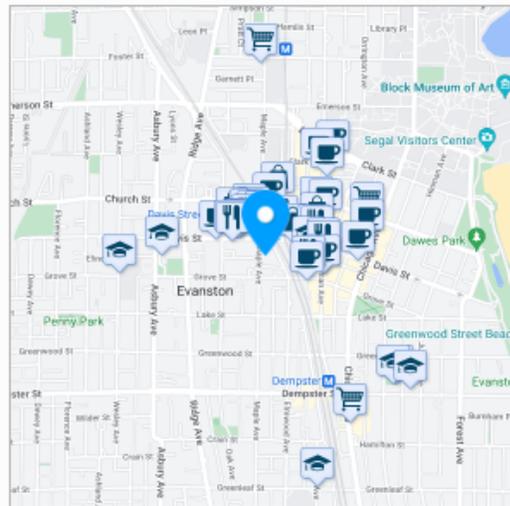
Many nearby public transportation options.

Bike Score
88

Very Bikeable

Biking is convenient for most trips.

[About your score](#)





Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Planning and Development Committee
From: Johanna Nyden, Director of Community Development
CC: Melissa Klotz, Zoning Administrator
Subject: Ordinance 74-O-22, Map Amendment to the Zoning Ordinance to remove the oCSC Central Street Overlay District from Certain Properties at Crawford Avenue & Gross Point Road
Date: July 25, 2022

Recommended Action:

The Land Use Commission recommends denial of Ordinance 74-O-22, a map amendment to the Zoning Ordinance to remove the oCSC Central Street Overlay District from certain properties at Crawford Avenue & Gross Point Road. The Land Use Commission found the proposed map amendment does not meet the Standards for Approval, specifically the proposal does not meet the goals and objectives of the Comprehensive General Plan (Comp Plan).

A petition in opposition of the map amendment was filed with the City Clerk prior to the close of the Land Use Commission's public hearing on July 13, 2022. Pursuant to Section 6-3-4-7 of the Zoning Ordinance, if 30% or more of property owners within the 500 foot boundary notice area are valid petitioners verified by the City Clerk, then the proposed map amendment requires a 3/4 vote of the City Council to approve.

CARP:

N/A

Council Action:

For Introduction

Summary:

At the request of Councilmember Suffredin, Planning & Zoning Staff identified a way for Sarkis Cafe at 2632 Gross Point Rd., a beloved local business to many, to establish more appropriate and permanent tent structures for outdoor seating at the site. The business erected temporary tents during the pandemic to provide emergency outdoor seating, but the emergency tents do not comply with the Zoning Ordinance and must be removed. Similar tent structures with permanent bases and supports that meet building code and ADA requirements could be

constructed at the site, but the oCSC Central Street Overlay prohibits such design and is instead a form-based code that prescribes exactly how the property should redevelop.

Planning & Zoning Staff suggest removal of the following contiguous (when including right-of-way) 7 parcels (4 zoning lots/businesses) at the western edge of the oCSC Overlay District around Crawford Ave. and Gross Point Rd., including Sarkis Cafe at 2632 Gross Point Rd. Staff suggests a Map Amendment to the Zoning Ordinance to remove the existing oCSC Central Street Corridor Overlay District and revert to the existing underlying B1a Business District zoning at the following properties:

2600 Gross Point Rd., PIN 05-33-318-032-0000 (Little Island Restaurant)
2608-2620 Gross Point Rd./2620 Crawford Ave., PINs 05-33-318-033-0000, 05-33-318-034-0000 (Wil-Ridge Complete Auto Repair)
2628-2636 Gross Point Rd., PINs 05-33-311-054-0000, 05-33-311-040-0000, 05-33-311-053-0000 (Sarkis Cafe)
2600 Crawford Ave., PIN 05-33-319-001-0000 (Evanston Paper)

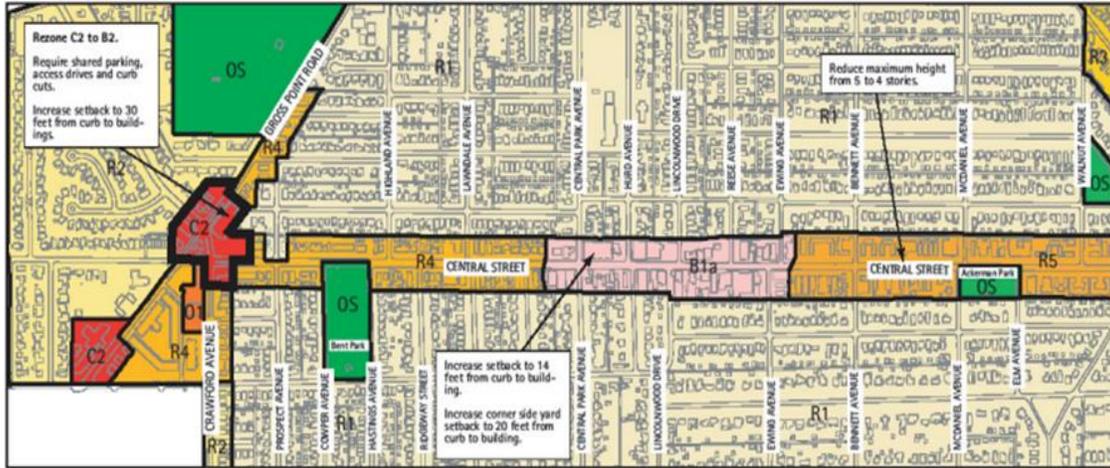
Proposal Overview

The Central Street Corridor Master Plan was adopted in 2007 and called for the creation of the oCSC Central Street Overlay District, which was adopted in 2008. The oCSC Overlay District is a form-based code that consists of seven subareas that each contain specific use, siting, appearance, bulk, and height requirements that are codified and required by zoning.

Planning & Zoning staff identified 7 parcels (4 zoning lots/businesses) at the western edge of the oCSC Overlay District around Crawford Ave. and GrossPoint Rd. that feature unique circumstances that make the regulations of the oCSC Overlay District detrimental to nearly any improvements proposed on the lots and creates burdensome zoning issues that should not be in place.

The Master Plan originally called for rezoning of the Crawford Ave. and Gross Point Rd. area from the C2 Commercial District to the B2 Business District.

Zoning Recommendations



Zoning recommendations for the western half of Central Street include rezoning the C2 district at the intersection of Central/Gross Point/Crawford to B2, and reducing the height of the R5 districts to 4 stories/45 feet.

The Master Plan identifies the intersection area as a commercial area with redevelopment potential. The Plan states:

Commercial District (C2) – Gross Point/Crawford/Central intersections: Buildings should be set back 30 feet from the curb to provide room for wider sidewalks, additional landscaping, and improved sight lines for motorists.

The Plan also explains how development would occur to be successful:

The new development shown in the Master Plan will be largely driven by the private sector. While the City can encourage and facilitate property improvements and new development by investments in infrastructure, the Plan envisions property owners improving or redeveloping their sites or cooperating to create larger, more viable redevelopment opportunities.

The Plan envisioned redevelopment of the area as shown:



However, when the oCSC Overlay District and corresponding form-based code was adopted, the Crawford Ave. & Gross Point Rd. area, or Subarea 6, was rezoned to the B1a Business District instead of the B2 Business District as the Plan called for. The B1a Business District is a down-zone of B2, as seen in the following comparison:

	Density	FAR	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	Building Height
B1a	900 sq. ft. per DU	2.0	3'	3'	10'	25'	40' or 3 stories
B2	400 sq. ft. per DU	2.0	3'	3'	10'	15'	45'

When comparing the two districts, the B1a District allows less than half of the density, a larger rear yard setback, and shorter building height than the B2 District.

It has been nearly 15 years since the adoption of the oCSC Overlay District, and while the regulations of the Overlay work well in the pedestrian-oriented Central Street Business District, the Overlay regulations combined with the downzoning to the B1a Business District on the identified properties have proved ineffective and instead are prohibiting positive activity in the area such as improved storefront facades and new permanent structures.

The purpose of the oCSC Overlay District is (Section 6-15-14-1):

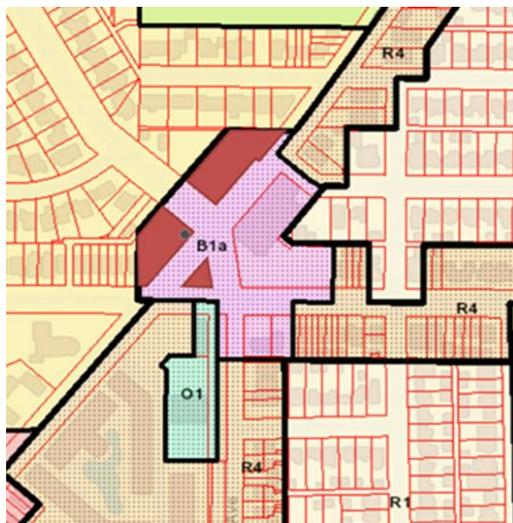
The oCSC district is intended as a primary means to implement the recommendations contained in the Central Street Master Plan (2007). The geographical scope of the plan extended the length of Central Street from Gross Point Road in the west to Ridge Avenue in the east, and includes intersecting portions of Gross Point Road, Crawford Avenue and Green Bay Road. Specifically, this overlay district seeks to:

- A. Preserve existing character and scale.

- B. Encourage a healthy mix of uses along the corridor; preserve independent and unique uses.
- C. Sustain and enhance the corridor as a location for diverse, unique, small scale, pedestrian oriented retail shops, services, and restaurants.
- D. Encourage retail uses close to transit.
- E. Allow a wide, consistent sidewalk width.
- F. Ensure wider, landscaped parkways as a transition between retail frontages and residential side streets.
- G. Provide improved sightlines for motorists.
- H. Ensure consistent building placement and create a pedestrian friendly and human scaled "street wall."
- I. Articulate buildings and reduce the perceived height and mass of new development by using building setbacks at upper stories.
- J. Establish new sidewalk standards for improved sidewalk widths, sightlines, and streetscapes.
- K. Encourage buildings with clearly defined bases, middles, and tops.
- L. Allow the intuitive identification of storefronts through the use of appropriate store windows and fenestration for retail and mixed use buildings.

The 12 points of the purpose statement are admirable, and have proven to be effective planning and zoning tools with the success of the oCSC Overlay District further east on Central St. However, while properties further east on Central St. have been successfully able to construct new storefronts and small or moderate additions, improvements have not been feasible at the identified properties due to the combined downzoning to B1a, and Overlay District regulations such as extensive street frontage and Overlay setbacks – including the 30' from curb setback for sidewalks and street furniture that is required along all street frontages where every identified property has at least two street frontages.

The properties identified for removal from the oCSC Overlay District are all along the very western edge of the oCSC Overlay District and are shown in red:



- Sarkis Cafe, 2628-2636 Gross Point Rd.: Sarkis currently has temporary outdoor tents on the property that are not allowed to remain per the Zoning Ordinance. The property owner would like to construct a permanent tent structure that meets all City Code requirements, which may entail footings, wood posts or beams, and a heavy duty canvass or hardtop roof. Such structure is not feasible within the oCSC Overlay District since it would trigger a substantial number of variations including 30' wide sidewalk and street furniture zones along the entire length of the Sarkis property (3 parcels, including the parking lot parcel that is owned by CVS) along both Gross Point Rd. and Crawford Ave.
- Little Island Restaurant, 2600 Gross Point Rd.: Little Island does not plan to make improvements in the near future. With three street frontages, any changes to the property would trigger significant variations within the Overlay District. Once removed, variations would still be triggered for moderate to substantial improvements or redevelopment, but simple façade and parking lot improvements could be done without the need for zoning relief.
- Wil-Ridge Complete Auto Repair, 2608-2620 Gross Point Rd./2620 Crawford Ave.: Wil-Ridge does not currently have plans to improve their property (2 parcels) but attempted to in the past only to find the existing zoning regulations made property modifications so difficult that they did not proceed. Removal of the Overlay District would allow Wil-Ridge to move forward in the future with façade and/or parking lot improvements.
- Evanston Paper, 2600 Crawford Ave.: The property is triangular in shape with the widest portion at the street frontage, where the Overlay District prohibits structures within 30' of the curb. With that Overlay District requirement, as well as the extensive façade requirements, this property could not be improved or redeveloped without substantial zoning relief.

The oCSC Overlay District includes the following specific regulations that are problematic and infeasible at the identified properties:

- Pedestrian Area Requirements (6-15-14-12):
Minimum Width Along Central, Gross Point, Crawford: 15' sidewalk clear zone, then 15' parkway/street furniture zone, for a minimum building and parking setback of 30' from all street frontages. At the identified properties, this setback amounts to over 1/3 of the property areas. For example, the Sarkis property (including the parking lot parcel owned by CVS) is estimated at 29,205 sq. ft. and the pedestrian area requirement amounts to over 10,000 sq. ft. of private property that cannot be used for buildings or parking. The +10,000 sq. ft. estimate does not include side or rear yard setbacks that further reduce the buildable area.
- Fenestration (6-15-14-14):
Minimum 65% fenestration (windows) required along the ground floor facing the street frontage, and continuing around the corner of a building for at least 40' or the length of the building, whichever is shorter; lower edge if lite (sill) no higher than 3 ft. above grade; upper edge of lite (header) is no lower than 10' above grade; glass entrances only count towards fenestration if the qualifying fenestration extends above the entrance to no lower than 10' above grade. The existing structures at the identified properties do not comply with these regulations, so if any change to a façade is proposed, all fenestration regulations must be met or variations are triggered. Given the heavy automobile-oriented intersection, it may not be appropriate for existing or new structures to feature largely glass facades.
- Building Façade Articulation (6-15-14-15):

For all building facades facing public streets, the length of façade without intervening fenestration or entryway shall not exceed 20'; building floors shall be delineated through the use of windows, belt courses, cornice lines or similar architectural detailing; facades wider than 25' shall be vertically articulated to give the appearance of being composed of multiple buildings by using projections, recesses, material changes, parapets, cornices, varying roof heights/lines, or other similar architectural features; no more than 25' of width of any building façade shall form a sheet wall or a vertical unbroken plane of façade that is unarticulated in depth. While such design criteria may lead to exceptional new construction, the requirements are prohibitive to any moderate façade improvements to existing structures and have instead encouraged the identified properties to not make building upgrades.

- Building Height (6-15-14-8):

Transitional height plane required at the location of the defined setback closest to the adjacent lower intensity district, and having a height the same as the defined maximum building height of the adjacent lower intensity residential district that extends upward away from the residential district at a 45 degree angle from horizontal; a stepback of 10% of the lot depth or width from the required pedestrian area is required for upper stories for front and street side yards.

The oCSC Overlay District does regulate uses. Changes to use regulations at the identified properties include:

	Additional Permitted Uses	Additional Uses	Special	Prohibited Uses
oCSC Subarea 6	Automobile Service Station, Specialty Food Store	Cultural Performance Entertainment Venue	Facility, Entertainment Venue	Drive-Through Facility (except at 2628 Gross Point Rd.)

This means that with the oCSC Overlay District removed from the identified properties, those properties revert to the underlying B1a Business District zoning only and could no longer redevelop into an Automobile Service Station (gas station), Specialty Food Store Establishment moves from permitted to only permitted outside of midnight-6am or all hours by special use, Cultural Facility becomes a permitted use instead of a special use, and Performance Entertainment Venue is no longer an eligible use.

Of note, the oCSC Overlay District currently prohibits Drive-Through Facilities at all properties in the Overlay but allows a Drive-Through Facility as a special use specifically at 2628 Gross Point Rd. Removal of the Overlay means all of the identified properties change to Drive-Through Facility as a special use (rather than a prohibited use). Planning & Zoning staff acknowledge that proper queueing for a Drive-Through Facility at any of the properties is likely infeasible, and new or additional curb cuts to the identified properties are also likely infeasible due to the surrounding busy automobile intersections, the Public Works Agency's curb cut requirements, and IDOT regulations. The City did see an application for a Drive-Through Facility in conjunction with a special use request for a Type 2 Restaurant and a significant amount of zoning relief required for a proposal for Nic's Organic Fast Food restaurant in 2018-2019 (2 application attempts). In both applications, it was infeasible for the property to fit all of the required parking plus the Drive-Through queueing without blocking drive-aisles and access to the site. The first application was denied by the City Council and the second application was

withdrawn by the applicant. If an application for a special use for a Drive-Through Facility is ever requested at the identified properties, City staff is aware of the severe site constraints and safety issues and will not recommend approval. The Public Works Agency agrees that Drive-Through Facilities at corner properties can be problematic and should not be approved, and follows curb cut regulations within the City Code in Section 7-3-8 and specifies that no curb cut shall be granted within 20' of any street intersection. Staff is not aware of any potential request for a Drive-Through Facility at the identified properties, and the property owner of Sarkis has stated there is no plan to add a Drive-Through Facility at Sarkis. Additionally, as a special use, any Drive-Through Facility would require City Council approval.

Also, the oCSC Overlay District requires Active Ground-Floor Uses (6-15-14-7) within the first 50' of any property's street frontage. Removal of the oCSC Overlay District regulations would mean there is no requirement for an Active Ground-Floor Uses. However, the recent text amendment to make Ground-Floor Office Uses into Administrative Review Uses effectively established the same regulation since Administrative Review Uses look closely at and typically require storefront activation.

Overall, the use requirements of Subarea 6 of the oCSC Overlay District are similar to those of the B1a Business District so the proposed rezoning would produce minimal or no change in uses. The proposed rezoning would reduce the extensive zoning regulations for setbacks, fenestration, and façade requirements so that current existing businesses in the area are able to move forward with appropriate site improvements.

Standards of Approval

Pursuant to Section 6-3-4-5 Standards for Amendments:

The wisdom of amending the text of the Zoning Ordinance or the Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one standard. In making their determination, however, the City Council should, in determining whether to adopt or deny, or to adopt some modification of the Plan Commission's recommendation consider, among other factors, the following:

- (A) Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive General Plan, as adopted and amended from time to time by the City Council.
- (B) Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the subject property.
- (C) Whether the proposed amendment will have an adverse effect on the value of adjacent properties.
- (D) The adequacy of public facilities and services.

The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive General Plan including:

- Promote the growth and redevelopment of business, commercial, and industrial areas.
- Recognize and support the strong role neighborhood business districts play in Evanston's economy and its identity.

The proposed rezoning is compatible with the overall character of existing development in the immediate vicinity by maintaining similar bulk structure and use regulations while reducing the extensive setbacks along street frontages given the highly automobile-oriented intersection, thereby allowing existing businesses to appropriately make façade improvements or construct additional permanent structures without the need for extensive zoning relief.

Legislative History:

July 13, 2022 - The Land Use Commission concluded testimony and received a petition against the map amendment prior to close of the public hearing as required by Section 6-3-4-7 of the Zoning Ordinance. If 30% of the property owners within 500 feet of the map amendment sites are verified on the petition, then a 3/4 vote is triggered for approval by the City Council. Following deliberation, the Land Use Commission voted 1-5 to recommend approval, effectively recommending denial of the proposed map amendment.

[July 13, 2022 Land Use Commission Packet](#) (case starts on p.17)

June 22, 2022 - The Land Use Commission heard the map amendment proposal and significant public comment in opposition, with opposing comments specifically stating drive-throughs are not wanted, and the intersection needs improvement. The public hearing was continued with testimony open to the July 13, 2022 Land Use Commission meeting to allow additional time for the petition opposing the proposal that was still circulating among property owners, at the request of the petition initiator.

[June 22, 2022 Land Use Commission Packet](#) (case starts on p.107)
[Public Comment Addendum](#)

Attachments:

[Ordinance 74-O-22 Amending Zoning Map to Remove Properties from the oCSC Central St Corridor Overlay District](#)

[Exhibit B - Map of Properties to be Rezoned](#)

[June 22, 2022 Land Use Commission Draft Meeting Minutes](#)

[July 13, 2022 Land Use Commission Draft Meeting Minutes](#)

[Spreadsheet with Petitioners Against Map Amendment 22PLND-0038](#)

[Paper Petitions](#)

[Digital Petitions](#)

7/25/2022

**74-O-22
AN ORDINANCE**

**Amending the Zoning Map to Remove Certain Properties from the oCSC
Central Street Corridor Overlay District**

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (*Scadron v. City of Des Plaines*, 153 Ill.2d 164); and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, (“the Zoning Ordinance”); and

WHEREAS, on June 22, 2022 and July 13, 2022, the Land Use Commission held public hearings, pursuant to proper notice, regarding case no. 22PLND-0038, to consider amendments to the Zoning Map, cited in Section 6-7-2 of the Zoning Ordinance, to remove 2600 Gross Point Road, 2608-2620 Gross Point Road/2620 Crawford Avenue, 2628-2636 Gross Point Road, and 2600 Crawford Avenue from the oCSC Central Street Corridor Overlay District;

WHEREAS, at its June 22, 2022 and July 13, 2022 meetings, the Land Use Commission received testimony and made findings pursuant to Subsection 6-3-4-6 of the Zoning Ordinance and recommended City Council denial thereof; and

WHEREAS, prior to the close of the Land Use Commission hearing on the matter, a written protest against the proposed map amendment, signed and acknowledged by thirty percent (30%) of the property owners whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way, was filed with the City Clerk, triggering a requirement that three-fourths (3/4) of City Council approve the passage of the amendment, pursuant to City Code Section 6-3-4-7; and

WHEREAS, at its meeting of July 25, 2022, the Planning and Development Committee of the City Council considered and reviewed the findings and recommendation of denial of the Land Use Commission in case no. 22PLND-0038 and recommended City Council approval thereof; and

WHEREAS, at its meetings of July 25, 2022 and August 8, 2022, the City Council considered and adopted the records and recommendations of the Planning and Development Committee; and

WHEREAS, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of Deerfield*, 213 Ill.App.3d 747) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124),

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby amends the Zoning Map to remove the properties listed in Exhibit A and identified in Exhibit B, both attached hereto and incorporated herein by reference, from the oCSC Central Street Corridor Overlay District.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2022

Approved:

Adopted: _____, 2022

_____, 2022

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

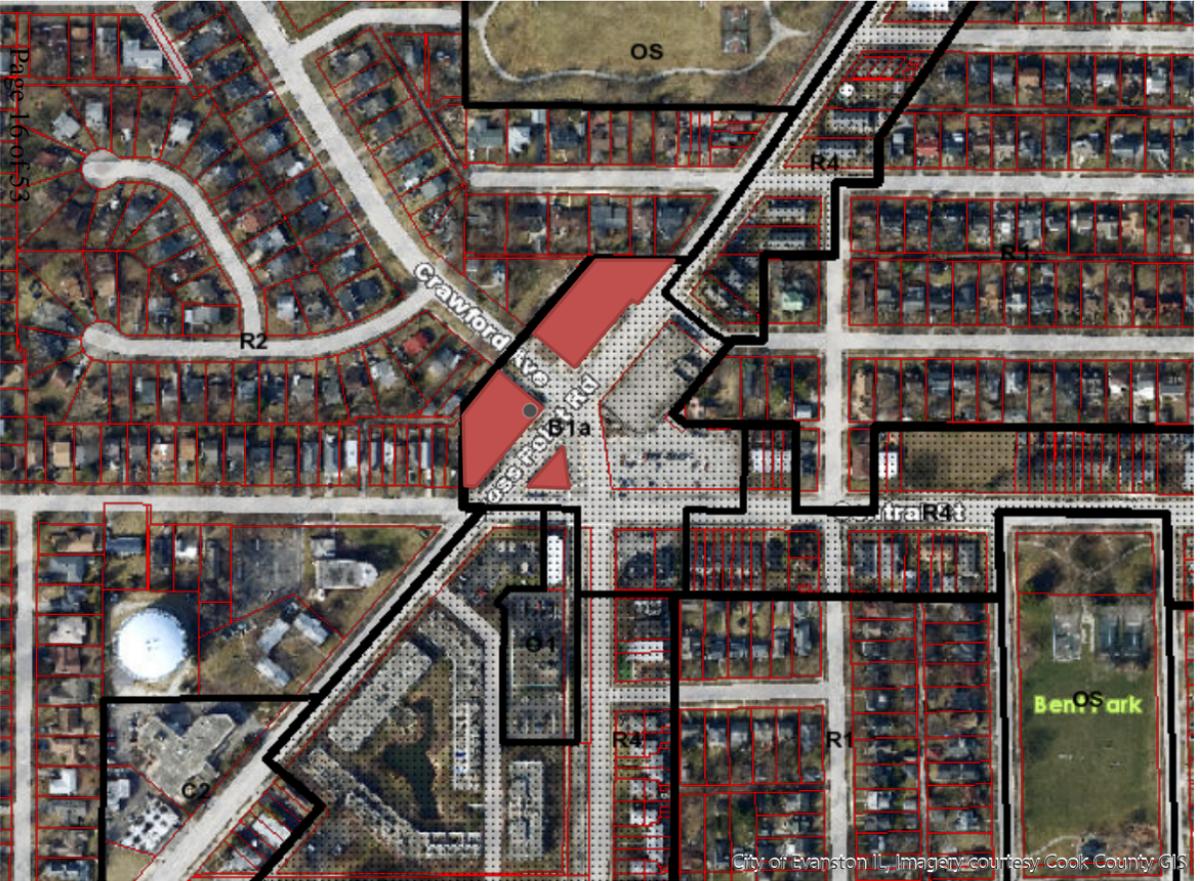
Nicholas E. Cummings, Corporation
Counsel

EXHIBIT A

Properties Removed from the oCSC Central Street Corridor Overlay District

EXHIBIT B

**Map of Properties Removed from the oCSC Central Street Corridor Overlay
District**





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 Mirtchev 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 should be done

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 this is one subject that has not been addressed, notice was provided for this about a month or so ago then continued, many letters have been received 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 with the 12/13 existing locations, many have less 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



MEETING MINUTES
LAND USE COMMISSION
Wednesday, July 13, 2022
7:00 PM

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

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

Members Absent: Myrna Arevalo, Violetta Cullen, John Hewko, Max Puchtel

Staff Present: Elizabeth Williams, Brian George, Melissa Klotz, Meagan Jones

Presiding Member: Matt Rodgers

Call to Order

Chair Rodgers opened the meeting at 7:10pm. A roll call was then done and a quorum was determined to be present.

Planning Manager Elizabeth Williams was introduced and she shared some information about herself.

Chair Rodgers then announced that new business item 22PLND-0010 would not be heard at this meeting as the applicant requested a continuance to a future meeting date. Staff confirmed that the continued date is intended to be September 28, 2022 and that plans, which will be updated, are available on the Large-Scale Developments page on the City’s website.

Approval of June 22, 2022 Meeting Minutes

Commissioner Halik suggested several edits to the meeting minutes. Commissioner Lindwall then made a motion to approve the Land Use Commission meeting minutes from June 22, 2022 as amended. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion passed, 6-0.

Old 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

Megan Lutz who requested the continuance for this case at the June 22, 2022 meeting, provided a statement thanking the Commission for granting the continuance to make neighbors away of the proposed change. She explained that 171 signatures were obtained for the submitted petition and stated that Councilmember Suffredin sent a letter to staff requesting that this case be withdrawn but staff was unable to do so. Ms. Lutz then referenced the information that Jeff Smith provided at the previous Commission meeting relating to the intention of including these properties in the Central Street overlay with the vision. Mr. Smith had also explained that a traffic and market study should be done before any proposed changes occur and deviates from standard map amendment procedures. Ms. Lutz then explained that comments regarding drive-throughs are due to an existing drive-through causing accidents and traffic. Several other drive-throughs have been proposed and have been recommended by staff, including those proposed by Nic's Organics. She expressed that the threshold for Special Uses is much lower without the overlay and the protection against such uses goes away if the proposed zoning change occurs. She then explained that although the intersection has been referenced as not being pedestrian oriented it is heavily used by residents and pantry customers. She finished by stating that to jettison the process would be counter to Evanston's plans and zoning and encouraged the Commission to not recommend approval.

Chair Rodgers explained that though the Commission did not receive the Councilmember's letter, he had been in contact with staff regarding it and that it was determined that the Land Use Commission's hearing would continue and complete this portion of the process then the item would proceed to Planning & Development Committee where Councilmember Suffredin would then explain his position.

No additional staff comment was provided.

Chair Rodgers then closed the record.

Deliberations

Commissioner Lindwall expressed that this is one of the most difficult and complicated intersections, with the worst being the Ridge/Green Bay/Emerson intersection. She explained that she has looked at the intersection and area to the north and noted no sidewalks on Crawford in addition to noting where property lines seem to be. Commissioner Lindwall then suggested that residents and businesses should consider working with the Councilmember Suffredin to install more sidewalks. The Central Street Plan is 15 years old and should be revisited. Since the adoption of the plan there has

been a worldwide financial crisis that impacted what type of development would occur. Until recently the only kinds of development that would be able to obtain financing were rental apartment buildings. Some items called for at that intersection were small office buildings and strip centers which, given the rise of the internet, is not the best use. Removal of properties from the overlay was to see what different development could be done. Setting up overlay was to create a process but without it, B2 is less stringent. She then asked what extra investment is needed in the overlay vs without it.

Ms. Klotz stated that the process without the overlay starts with a Zoning Analysis. An applicant can expect to go back and forth with staff 3 to 5 times to get a plan to an appropriate level, likely in minimum of 60 days. They would then apply for Major Variations, the cost for which is per variation for commercial properties. Would likely yield a larger number due to the shape of the lot in the overlay. In the overlay, the number of variations jump and make the application more expensive, into the thousands of dollars, and the process itself would take 60 to 90 days, assuming no continuances request or other process delays. Getting close to 6 months before an applicant would know if they are approved, after which they would go through the permit and construction process.

Commissioner Halik asked for clarification on what the difference between processes would be if the properties were removed from the overlay to which Ms. Klotz responded that the back and forth in the beginning for revising plans is reduced, likely half of the typical time overall. She then explained that her bigger concern from a land use perspective is that if properties are applying for 15 variations, something is wrong and in this case her belief is that the overlay is wrong or the development.

Commissioner Westerberg asked if the overlay seems to not work for just the transitional properties or for other properties as well. Ms. Klotz replied that the most significant issues are for the properties that are at this intersection as they have multiple busy roads surrounding them which is not typical for other properties within the overlay. The plan not perfect but most properties can comply with everything or come very close.

Commissioner Westerberg then asked staff's thoughts on other ways to look at these properties for relief. Ms. Klotz responded that it is good to review plans at 10 to 15 year mark and sees no harm in reviewing it. Thinks overlay is a good thing and operates as it should and wouldn't anticipate major changes. If the Commission thinks that is a better plan, that is something staff can look at.

Commissioner Mirintchev stated he looked at aerial view and how pedestrian flows most important thing is how people use the intersection and get to points of interest. Here, it continues to be bad for pedestrians and bicyclists. He stated a preference to keep the overly to have free movement and that reducing the front building setback concerns him, giving the west CVS wall as an example. Believes removing from overlay is not the solution, it should stay and/or improve the overlay.

Commissioner Halik explained that a lot of information has been submitted that has been helpful to read and he does not see a good reason to change what is there now. He expressed that he believes the Commission should listen to neighbors.

Commissioner Johnson agreed, stating he uses the intersection and reviewed the petition. There does not seem to be a great impetus to recommend approval.

Chair Rodgers stated that he is not a fan of overlays and thinks there are things that should be changed at the intersection. He then stated he hopes to have a Comprehensive Plan that points in the direction of more straightforward and clear zoning.

Commissioner Lindwall stated that zoning will not change the traffic situation. USes remain, importance

The Commissioner then reviewed the Standards for Approval of the Map Amendment:

- A. Some disagreement in whether the change is consistent with the adopted plan and belief that a more thoughtful process should occur.
- B. Standard met. Discussion on this being a transitional area and needing to have zoning that addresses that.
- C. Discussion occurred on allowing business to make improvements which would help the value of commercial properties. Concern over long term effects if a different use comes in that changes the nature of the area and property values.
- D. Standard met.

Chair Rodgers made a motion to recommend approval of the map amendment with the condition that the City begin a study looking at evaluation of increasing sidewalks in the area to improve pedestrian travel through that intersection and that the amendment be in compliance with the discussion held at this meeting and the previous Commission meeting. Seconded by Commissioner Lindwall. A roll call vote was taken and the motion failed, 1-5. Therefore, the motion failed and the amendment will move forward with a recommendation for denial.

New Business

A. Public Hearing: Text Amendment | Billboards | 22PLND-0042

City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to establish regulations to allow Billboards in all zoning districts. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-4 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Ms. Klotz read into the record. Chair Rodgers gave background on the amendment and the process that occurred to this point. He then read a statement exercising the powers and authority granted under Article X of the Rules and Procedures of Evanston's Land Use Commission, the Chair determined that this case presents no new evidence or testimony has been provided that was not available at the previous hearings. The initial

hearing determined that allowing billboards anywhere in the City was contrary to the character of the City and its adopted Comprehensive Plan. The City Council has not presented any new issues for the Commission to discuss, therefore, without objection, the Commission returns this item to the Planning and Development Committee and the unanimous decision to prohibit billboards throughout the City of Evanston stands.

Commissioner Halik expressed some disagreement with one item in the Chair's statement relating to new information as there was some discussion about the option to put billboards along the railroad tracks and face them towards the tracks. Chair Rodgers responded that there was no one present to present that new information and reiterated the ability of the Chair to determine whether there is significant change to the application that was reviewed before but that there is the ability to object to that determination and hold a vote on whether to hold a hearing.

Ms. Klotz clarified that there was a very brief point discussed on possible alternate locations when this item was previously discussed, including along train lines. She added that if the Commission wishes to continue discussion to please do so, but the possible alternate location was discussed briefly.

Commissioner Halik clarified that he wants to be sure that the Commission's recommendation is clear that it does not think it is a good idea to line the railroad tracks with billboards. Chair Rodgers clarified that the Commission's recommendation stated that billboards should not be allowed anywhere in the City, including along CTA and Metra lines.

Commissioner Westerberg supported the Chair's statement. Commissioner Lindwall also agreed and stated that she watched Committee meeting and noted discussion of the proposal and one thing that Councilmember Suffredin also mentioned was having the ability to have off-premises advertising on public buildings. Commissioner Westerberg pointed out that while the media may change the issue is still advertising which was deemed to not be in character with Evanston in previous discussion.

Commissioner Halik inquired if existing billboards would be part of the consideration retroactively to which Ms. Klotz responded no, they are considered to be legally nonconforming and may continue to exist.

Chair Rodgers stated that there is no one present to argue for this case so it does not make sense for the Commission to hold a new hearing. Hence why he wanted to refer it back to the Commission with the same unanimous decision to recommend denial.

B. Public Hearing: Map Amendment & Planned Development | 2044 Wesley Avenue | 22PLND-0010

John Cleary, applicant, submits for a Zoning Map Amendment to the Zoning Ordinance, Title 6 of the City Code, to remove properties known as 2024 Green Bay Road, 2026 Green Bay Road, and 2026 Wesley Avenue, PINs 10-13-205-003-0000, 10-13-205-002-0000, and 10-13-205-010-0000, from the oWE

Evanston Overlay District and to rezone properties known as 2017 Jackson Avenue and 2021 Jackson Avenue, PINs 10-13-204-023-0000 and 10-13-204-022-0000, from the R5 General Residential District to the R4 Residential District. The proposed Map Amendment is in conjunction with a Planned Development application.

John Cleary also submits for a Special Use for a Planned Development to construct 19 townhomes and a 12-unit multiple-family dwelling, 55 off-street parking spaces, and a new street connecting Jackson Avenue with Wesley Avenue on properties known as 2017 Jackson Avenue, 2021 Jackson Avenue, 2032 Jackson Avenue, 2026 Wesley Avenue, 2044 Wesley Avenue, 2024 Green Bay Road, 2026 Green Bay Road, and vacated Jackson Avenue north of Foster Street, PINs 10-13-203-024-0000, 10-13-204-021-0000, 10-13-204-022-0000, 10-13-204-023-0000, 10-13-204-030-0000, 10-13-205-002-0000, 10-13-205-003-0000, 10-13-205-010-0000. The applicant seeks site development allowances for impervious surface coverage, building height, single-family attached dwellings not having frontage onto a public street, elimination of required transition landscape strips, setback from street and development boundary line to a dwelling, yard obstructions into required setbacks, and separation between residential buildings. 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 these cases in accordance with Section 6-3-5-8 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Commissioner Lindwall made a motion to continue this item to the September 28, 2022 Commission meeting. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion was approved, 6-0.

Communications

No Communications.

Public Comment

Betty Bog, Executive Director of Connections for the Homeless, stated that at the May 25th meeting, Connections' legal representation stated that an application would be submitted in two weeks. This has not occurred due to the need to get the property owner's signature, which he has declined to sign without a finalized letter of intent or purchase agreement. Making good progress and are close to finalizing an agreement. Once signed a complete application will be submitted in accordance with the guidance provided by City staff. Connections is eager to have the process move forward. Chair Rodgers stated he has been made aware of the delay and thanked Ms. Bogg for her update.

Adjournment

Commissioner Westerberg motioned to adjourn, Commissioner Lindwall seconded, and the motion carried, 6-0.

DRAFT - NOT APPROVED

Adjourned 8:06 pm
Respectfully submitted,
Meagan Jones, Neighborhood & Land Use Planner

What is the proposed map amendment you are opposing? (ex. Map Amendment 22PLND-0038)	Full Name (First, Middle, Last) Nombre (Primer, Medio, y Apellido) (First Full Name (First, Middle, Last) Nombre (Primer, Medio, y Apellido) (Last Name)	Complete address of property for which you are owner/ Dirección completa
Map Amendment Central Street Overlay 22PLND-0038	Megan Lutz and Clark	Murray 2637 Crawford Avenue, Evanston, IL 60201
Crawford Ave & gross Point Map Amendment 22PLND-0038	Kristina Elisabeth	Pierce 3439 Park Place
22PLND-0038	Jeraldine	Dahlman 2650 Hillside Lane
22PLND-0038	Jacob	Noble 3445 Park Place
Map Amendment 22PLND-0038	Henry P.	Welch 3424 Park Place
Map Amendment 22PLND-0038	Mike	Murray 3530 Hillside Rd, Evanston
Map Amendment 22PLND-0038	Kara	Wilkinson 3513 Central St, Evanston, IL, 60201
Map Amendment 22PLND-0038	Diane	Alfile 2620 Princeton Avenue, Evanston IL 60201
22PLND-0038	Marion	Buckley 2606 Princeton Avenue, Evanston IL 60201
Map Amendment 22PLND-0038	Robert	Gamauf 2746 Bernard Place
Map Amendment 22PLND-0038	Stephanie	Gamauf 2746 Bernard Pl
22PLND-0038	Marlene M	Turvill 2535 Princeton Ave, Evanston, IL 60201-4940
Amendment 22PLND-0038.	Leslie	Wenzel 2650 Princeton Avenue
22PLND-0038	Joshua	Huppert 2630 CRAWFORD AVE
Map Amendment 22PLND-0038	Amy	Blanton 2710 Princeton Ave, Evanston 60201
Map Amendment 22PLND-0038	Jason	Blanton 2710 Princeton Ave, Evanston 60201
Map Amendment 22PLND-0038	Walker	Lawrence 2754 Crawford Avenue
22PLND-0038	Sigrid Hildegard	Pilgrim 2750 Bernard Place, Evanston,IL 60201
22PLND-0038	Jeanne-Arli	Hammer 2715 Princeton Ave, Evanston IL 60201
Map Amendment 22PLND-0038	Kendra	Marks 2662 Crawford Ave
Reference Map Amendment 22PLND-0038	Jenna	Kennedy 3521 Hillside Road Evanston IL 60201
Map Amendment 22PLND-0038	Michael	Rastigue 2662 Crawford Ave
2650	Ken	Wenzel 2650 Princeton Ave
Amendment 22PLND-0038.	Alan	Pilgrim 2750 Bernard Pl Evanston, IL 60201
Map Amendment 22PLND-0038	Jennifer	Packman 2555 Gross Point Road, #407, Evanston IL 60201
22PLND-0038	Fernando	Ferrer 3520 Hillside Rd.
Map Amendment 22PLND-0038	Anna	Taraboletti-Segre 2658 Hillside Lane
22PLND-0038	Mina	Ajami 3612 Thayer St., Evanston, IL 60201
22PLND-0038	Chris	Hobbs 3510 Hillside Rd
Central Street and Gross Point	Paula	Lange 2638 hillside lane
Reference Map Amendment 22PLND-0038	Cherie	Lockett 2668 Hillside Lane
Amendment 22PLND-0038	Edith E.	Batry 2625 Princeton Ave, Evanston, IL 60201
22PLND-0038	Lauren	Sklar 2655 Hillside Lane
22PLND-0038	Mina	Ajami 3612 Thayer St., Evanston, IL 60201
22PLND-0038	Steven	Green 2652 Crawford Avenue
22PLND-0038	Nancy	Marshall 2701 Princeton Ave, Evanston IL 60201
22PLND-0038	Amy	Lifshitz 3604 Central Street
Map Amendment 22PLND-0038	Aaron	Packman 2555 Gross Point Road, Evanston IL 60201
Map Amendment 22PLND-0038	Ariel	Packman 2555 Gross Point Road #407, Evanston IL 60201
22PLND-0038	Amy	Hauenstein 3507 Central St Evanston IL 60201
22PLND-0038	Jason	Gocek 3507 Central St Evanston, IL 60201

22PLND-0038	Jordan	Goldberg	3420 Park Place, Evanston, IL 60201
22PLND-0038	Jordan	Goldberg	3420 Park Place, Evanston, IL 60201
22PLND-0038	Hayden	Lee	2653 hillside ln, Evanston, IL
22PLND-0038	Seungyoon	Lee	2653 Hillside Ln, Evanston, IL, 60201
22PLND-0038	Bent	Hammeleff	2637 Hillside Lane
22PLND-0038	Jacqueline	Hammeleff	2637 Hillside Lane
22PLND-0038	Eric	Binder	3600 hillside rd. Evanston
Gross Point-Crawford-Central Street intersection - Ammdment #22PLND-0038	Chelsea	Cooper	2767 Bernard Pl, Evanston, IL 60201
22PLND-0038	Jola	Jakimik	2658 Crawford Ave
22PLND-0038	Lisa	Oberman	3535 Hillside Rd. Evanston, IL 60201
22PLND-0038	Aaron	Noffsinger	3501 Hillside Rd.
Map Amendment 22PLND-0038.	Jacqueline Elise	Allen	2626 Princeton Ave., Evanston, IL 60201-4943
Map Amendment 22PLND-0038.	Jordan	Jacobowitz	2626 Princeton Ave., Evanston, IL 60201-4943
Gross Point-Crawford-Central22PLND-0038	Claire	George	2633 Hillside Lane
22PLND-0038	Craig	McClure	2507 Princeton Ave
Central street overlay resining 22PLND-0038	Andrew	Gallimore	2635 crawford
22PLND-0038 central street overlay	Tiffany	Kusano	2635 crawford
22PLND-0038	Sital	Shah	2555 Gross Point Road, Evanston, IL 60201
22PLND-0038	Michael	Cholewa	3419 central street
Map Amendment 22PLND-0038	Andrew	Lerchen	2665 Hillside Lane, Evanston, IL 60201
22PLND-0038	Constance	Porteous	3600 Central Street
22PLND-0038	Catherine	Treiber	2649 Hillside Lane Evanston, IL 60201
22PLND-0038	Rick	Treiber	2649 Hillside Ln
22PLND-0038	Stephen	Orechowski	2507 Princeton Ave, Evanston, IL, 60201
Amendment 22PLND-0038.	William	Russo	3513 Central St, Evanston, IL, 60201
Amendment number 22PLND-0038	Cheryl	Wiese	2773 Bernard Pl
Amendment number 22PLND-0038	John	Iverson	2773 Bernard Pl
22PLND-0038	Amy	Malcom	3606 Central Street, Evanston, IL, USA
22PLND-0038	Joanne Doris	Ghiselli	2546 Gross Point Road.
22PLND-0038	Elizabeth	Neal	2530 Princeton Ave Evanston Il 60201
22PLND-0038	Mina	Ajami	3612 Thayer
22plnd-0038	patricia	kent	3501 central st evanston, il 60201
22PLND-0038	Leslie	Brown-Wilson	3517 Central St., Evanston
22PLND-0038	Mike	Murray	3530 Hillside Rd, Evanston, IL
22PLND-0038	Laura	Mahoney	2538 Gross Point Road, Evanston, IL 60201
22PLND-0038	Mary	Drotar	3521 Central St., Evanston, IL 60201
22PLND-0038	Andre	de Gouvea	3450 Thayer Street
22-PLND-0038	Constance Emily	Porteous	3600 Central Street
22PLND-0038	Lori	Colbert	2549 Greeley Ave
Map Amendment 22PLND-0038	Jeff and Marsha	Maass	3525 Central Street, Evanston, Illinois, 60201
Map Amendment 22PLND-0038	Narendran	Hariharan	2630 Hillside Lane, Evanston, IL 60201
22PLND-0038	Patrick	Burns	2525 Wellington Ct Apt 301 Evanston,IL 60201

Map Amendment 22PLND-0038	Catherine	Huggins	3434 PARK PL
22PLND-0038	Robert	Fabbri	3463 Harrison St (North Pointe Condominiums)
22PLND-0038	David	Kleiman	2536 Wellington Court
Map Amendment 22PLND-0038	Kristin	Swanson	3459 Harrison Street, Evanston, IL 60201
Map Amendment 22PLND-0038	Anya	Pierce	2672 Gross Point Rd
Central Street Overlay District Map Amendment 22PLND-0038	Courtenay R	Wood	3306 Hartzell Street
Map Ammendment 22PLND-0038	Susan	Sloss	3309 Culver St, Evanston IL
Map Amendment 22PLND-0038	Casey	Solomon	2550 Prospect Avenue
2554 Wellington Court	pamela	geyer-howell	2554 Wellington Court
Map Amendment 22PLND-0038	Kirstin	Gallagher	2661 Crawford Ave
Map amendment 22PLND-0038	barbara	stock	3255 hartzell st, evanston il 60201
22PLND-0038	Michelle	Albaugh	3508 Central St.
22PLND-0038	JOHN	ARNDT	2525 Wellington Ct. #101
Central, Crawford, and Gross Point	Andrew	Nelson	3451 Harrison St
22PLND-0038	Donald	Rubovits	3247 Park Place
22PLND-0038	Lee	Rader	2560 Wellington Court
22PLND-0038	David	Darakjian	2525 Wellington Court, Apt 300, Evanston, IL 60201
22plnd-0038	Nada	Pendic	2525 Wellington Ct, # 209, Evanston, IL 60201
Map amendment 22PLND-0038	CARL	HOLZMAN	2562 Wellington Ct, Evanston 60201
22PLND-0038	Rachel	Long	2669 Crawford Ave, Evanston, IL 60201
22PLND-0038	Bryan	Long	2669 Crawford Ave, Evanston, IL 60201
22PLND-0038	Benjamin	Yuhas	3434 Park Place
22PLND-0038	Margaret Hope	Nyadroh	3316 Central St, Evanston IL 60201
22PLND-0038	Steven	Cline	2633 Hillside Ln
Yes	Pamela	Gampetro	2532 Wellington court Evanston il
3 way intersection, Crawford, Gross Point, Central 22PLND-0038	Terry	Albaugh	3508 Cental St., Evanston, IL 60201
Map Amendment 22PLND-0038	Robert	Howard	2564 Wellington Court, Evanston IL 60201
Map Amendment 22PLND-0038	Denise	Gallagher	2528 Wellington Ct, Evanston
22PLND-0038	Richard	Sorock	#411, 2555 Gross Point Rd., IL
Map Amendment 22PLND-0038	Damita	Cravens	3309 Central St.
22PLND-0038	Alysa	Isaacson	3428 Park Pl Evanston, IL 60201
Rezone 7 parcels at Central, Crawford and Gross Point Roads	Nancy	Siegel Streifler	2540 Wellington Ct.
Central. Crawford and Gross Point	Ada P	Kahn	2555 Gross Point Rd Apt 205 Evanston IL
Map Amendment 22PLND-0038	Joseph	Page	3315 Culver Street
Map Amendment 22PLND-0038 Central,Crawford & Gross Poin	Lynn	Fiedler	2530 Prospect Ave
MAP Amendment 22PLND-0038	Kristine	Lofquist	2666 Gross Point Road
22PLND-0038	Milton	Rand	2538 Wellington Ct, Evanston, IL, 60201
22PLND-0038	Michael	Oris	3421 Park Pl, Evanston, IL 60201
Map Amendment 22PLND-0038	Joseph	LeKostaj	2525 Wellington Ct., Unit 205 Evanston, IL 60201
22PLND-0038	Rebecca	Sporn	2555 Gross Point Road 409 Evanston, IL 60201
Map amendment 22PLND-0038	Valerie	Fitzgerald	2525 Wellington Ct 60201
Street rezoning Gross Point/Crawford/Central	Steven	Sears	2525 Wellington Ct, 201. Evanston IL 60201

Rezoning at Crawford/Gross Point/Central	Judy	Sears	2525 Wellington CRT, 201, Evanston il 60201
Map Amendment 22PLND-0038	Margaret	Wood	2525 Wellington Ct Apt 106 Evanston IL 60201
rezone 7 parcels at crawford, central, gross pointe road	hillary a	lichtenstein	2525 wellington court #107 evanston il 60201
22PLND-0038	Lawrence	Weinstein	2556 Wellington Ct
22-PLND-0038	Karen	Radwin	3437 Harrison St., Evanston, IL 60201
2555 Gross Point Rd	Kevin	Wild	2555 Gross Point Rd unit 404
2555 Gross Point Rd	Diane	Wild	2555 gross point rd unit 404
22PLND-0038	Fabiana	Correa	2544 Wellington Court
Map Amendment 22PLND-0038	Linda	O'Mahoney	2555 Gross Point Rd. Apt.#303, Evanston, IL60201
Map Amendment 22PLND-0038	Dennis	Hansen	2525 Wellington Court Unit 305, Evanston, IL 60201
rezone 7 parcels at crawford, central, gross pointe road	hillary a	lichtenstein	2525 wellington court #107 evanston il 60201
Map amendment 22PLND-0038	Valerie	Fitzgerald	2525 Wellington Ct 60201
Map Amendment 22PLND-0038	William	Testa	North Pointe Association 3429 Harrison St. Evanston IL 60201
2555 Gross Point Road, 11	Thomas	Nawrocki	2555 Gross Point Road, 11, 112
22PLND-0038	Richard & Janet	Halstead	3320 Culver St Evanston IL 60201
Rezone seven parcels at Central, Crawford, and Gross Point	Grace L	Carlson-Lund	2555 Gross Point Rd, Apt 209, Evanston, IL 60201
Map Amendment 22PLND-0038	Jeremy	Bokor	3250 HARTZELL ST
Map Amendment 22PLND-0038 REZONE SEVEN PARCELS AT CENTRAL, C	Gayle L.	Anderson	3439 Harrison St, Evanston IL 60201
map amendment 22PLND-0038	Jody	Garland	2555 Gross Point Rd unit 204, Evanston, IL 60201
Map amendment 22Ind-0038	Reuven	Robinson	2555 gross point rd unit 300 evanston il 60201
22PLND-0038	Peter S	Groepper	2601 Prospect Ave Evanston IL 60201
6-3-4-7. - OPPOSITION TO AMENDMENT.	Donald	Raphael	3423 Central street, Evanston, IL 60201
19PLND-0089	Catherine	Brown	2437 Crawford
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Paul	Lowder	2648 Reese Ave Evanston IL 60201
Crawford Ave & gross Point Map Amendment 22PLND-0038	Kathleen	Roderer	3405 PARK PLACE
Map Amendment 22PLND-0038	Danielle	Green	2544 Prospect Ave, Evanston, IL 60201

PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	Susan Lewis	<i>Susan Lewis</i>	2558 Wellington Ct	Evanston, IL, Cook
2	DAVID ROSE	<i>David Rose</i>	2525 Wellington St ³⁰⁹	Evanston, IL, Cook
3	Helene Ellis	<i>Helene Ellis</i>	2530 Wellington Ct	Evanston, IL, Cook
4	MARCIA FLANNERY	<i>Marcia Flannery</i>	3445 Harrison St.	Evanston, IL, Cook
5	Patrick Gibbon	<i>Patrick Gibbon</i>	3465 Harrison	Evanston, IL, Cook
6	Paige Thulin	<i>Paige Thulin</i>	2546 Wellington	Evanston, IL, Cook
7	HARLENE BINSTOCK	<i>Harlene Binstock</i>	2525 WELLINGTON ³⁰⁹	Evanston, IL, Cook
8	FANITA GIBBON	<i>Fanita Gibbon</i>	2554 WELLINGTON CT	Evanston, IL, Cook
9	MIRIAM Ben-Yoseph	<i>MBY</i>	2542 Wellington Ct	Evanston, IL, Cook
10	JOHN "JOE" DUNN	<i>John Dunn</i>	2555 (Gibson out) Rd. # 405	Evanston, IL, Cook
11	Pamela Gampetro	<i>P Gampetro</i>	2532 Wellington	Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

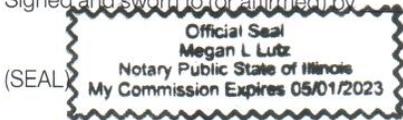
STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, Clark Murray attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

Clark Murray (Circulator's Signature)

Signed and sworn to (or affirmed) by Clark Murray before me, on 7/11/22
 (Circulator's Name) (Date)



Megan Lutz (Notary Public's Signature)

page 1 of 4

PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	John Moruca	<i>[Signature]</i>	2550 Wellington	Evanston, IL, Cook
2	Richard Milivoic	<i>[Signature]</i>	2548 Wellington	Evanston, IL, Cook
3	Kimberly Weinstein	<i>[Signature]</i>	2556 Wellington Ct	Evanston, IL, Cook
4	<i>[Signature]</i>	<i>[Signature]</i>	2552 Wellington	Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, FAMELA GEYER-HOWELL attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

FAMELA GEYER-HOWELL (Circulator's Signature)

Signed and sworn to (or affirmed) by FAMELA GEYER-HOWELL before me, on JULY 11, 2022
 (Circulator's Name) (Date)

(SEAL) 
Megan Lutz (Notary Public's Signature)

Page 2014

PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	MARC ROLFES	<i>[Signature]</i>	3447 HARRISON ST	Evanston, IL, Cook
2	LIZ BYLF	<i>[Signature]</i>	3321 Culver St.	Evanston, IL, Cook
3	Katrina Lewis	<i>[Signature]</i>	3431 Hewitt	Evanston, IL, Cook
4	JOAN DUFFY	<i>[Signature]</i>	3449 HARRISON St.	Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, MARCIA FLANNERY attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

Marcia Flannery (Circulator's Signature)

Signed and sworn to (or affirmed) by Marcia Flannery before me, on 7/11/22
 (Circulator's Name) (Date)



Megan Lutz (Notary Public's Signature)

Page 30 of 4

PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	Colleen White	<i>Colleen E White</i>	3522 Hillside Road	Evanston, IL, Cook
2				Evanston, IL, Cook
3				Evanston, IL, Cook
4				Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

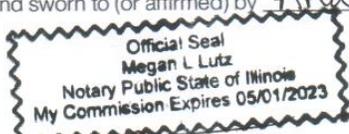
Circulator's Affidavit

I, Andrew Gallimore attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

Andrew Gallimore (Circulator's Signature)

Signed and sworn to (or affirmed) by Andrew Gallimore before me, on 7/10/22
 (Circulator's Name) (Date)

(SEAL)



Megan Lutz (Notary Public's Signature)

page 4 of 4

What is the proposed map amendment you are opposing? (ex. Map Amendment 22PLND-0038)	Full Name (First, Middle, Last) Nombre (Primer, Medio, y Apellido) (Las	Complete address of property for which you are owner/ Dirección completa
Map Amendment Central Street Overlay 22PLND-0038	Megan Lutz and Clark	Murray 2637 Crawford Avenue, Evanston, IL 60201
Crawford Ave & gross Point Map Amendment 22PLND-0038	Kristina Elisabeth	Pierce 3439 Park Place
22PLND-0038	Jeraldine	Dahlman 2650 Hillside Lane
22PLND-0038	Jacob	Noble 3445 Park Place
Map Amendment 22PLND-0038	Henry P.	Welch 3424 Park Place
Map Amendment 22PLND-0038	Mike	Murray 3530 Hillside Rd, Evanston
Map Amendment 22PLND-0038	Kara	Wilkinson 3513 Central St, Evanston, IL, 60201
Map Amendment 22PLND-0038	Diane	Alfile 2620 Princeton Avenue, Evanston IL 60201
22PLND-0038	Marion	Buckley 2606 Princeton Avenue, Evanston IL 60201
Map Amendment 22PLND-0038	Robert	Gamauf 2746 Bernard Place
Map Amendment 22PLND-0038	Stephanie	Gamauf 2746 Bernard Pl
22PLND-0038	Marlene M	Turvill 2535 Princeton Ave, Evanston, IL 60201-4940
Amendment 22PLND-0038.	Leslie	Wenzel 2650 Princeton Avenue
22PLND-0038	Joshua	Huppert 2630 CRAWFORD AVE
Map Amendment 22PLND-0038	Amy	Blanton 2710 Princeton Ave, Evanston 60201
Map Amendment 22PLND-0038	Jason	Blanton 2710 Princeton Ave, Evanston 60201
Map Amendment 22PLND-0038	Walker	Lawrence 2754 Crawford Avenue
22PLND-0038	Sigrid Hildegard	Pilgrim 2750 Bernard Place, Evanston,IL 60201
22PLND-0038	Jeanne-Arli	Hammer 2715 Princeton Ave, Evanston IL 60201
Map Amendment 22PLND-0038	Kendra	Marks 2662 Crawford Ave
Reference Map Amendment 22PLND-0038	Jenna	Kennedy 3521 Hillside Road Evanston IL 60201
Map Amendment 22PLND-0038	Michael	Rastigue 2662 Crawford Ave
2650	Ken	Wenzel 2650 Princeton Ave
Amendment 22PLND-0038.	Alan	Pilgrim 2750 Bernard Pl Evanston, IL 60201
Map Amendment 22PLND-0038	Jennifer	Packman 2555 Gross Point Road, #407, Evanston IL 60201
22PLND-0038	Fernando	Ferrer 3520 Hillside Rd.
Map Amendment 22PLND-0038	Anna	Taraboletti-Segre 2658 Hillside Lane
22PLND-0038	Mina	Ajami 3612 Thayer St., Evanston, IL 60201
22PLND-0038	Chris	Hobbs 3510 Hillside Rd
Central Street and Gross Point	Paula	Lange 2638 hillside lane
Reference Map Amendment 22PLND-0038	Cherie	Lockett 2668 Hillside Lane
Amendment 22PLND-0038	Edith E.	Battry 2625 Princeton Ave, Evanston, IL 60201
22PLND-0038	Lauren	Sklar 2655 Hillside Lane
22PLND-0038	Mina	Ajami 3612 Thayer St., Evanston, IL 60201
22PLND-0038	Steven	Green 2652 Crawford Avenue
22PLND-0038	Nancy	Marshall 2701 Princeton Ave, Evanston IL 60201
22PLND-0038	Amy	Lifshitz 3604 Central Street
Map Amendment 22PLND-0038	Aaron	Packman 2555 Gross Point Road, Evanston IL 60201
Map Amendment 22PLND-0038	Ariel	Packman 2555 Gross Point Road #407, Evanston IL 60201
22PLND-0038	Amy	Hauenstein 3507 Central St Evanston IL 60201
22PLND-0038	Jason	Gocek 3507 Central St Evanston, IL 60201

22PLND-0038	Jordan	Goldberg	3420 Park Place, Evanston, IL 60201
22PLND-0038	Jordan	Goldberg	3420 Park Place, Evanston, IL 60201
22PLND-0038	Hayden	Lee	2653 hillside ln, Evanston, IL
22PLND-0038	Seungyoon	Lee	2653 Hillside Ln, Evanston, IL, 60201
22PLND-0038	Bent	Hammeleff	2637 Hillside Lane
22PLND-0038	Jacqueline	Hammeleff	2637 Hillside Lane
22PLND-0038	Eric	Binder	3600 hillside rd. Evanston
Gross Point-Crawford-Central Street intersection - Ammendment #22PLND-0038	Chelsea	Cooper	2767 Bernard Pl, Evanston, IL 60201
22PLND-0038	Jola	Jakimik	2658 Crawford Ave
22PLND-0038	Lisa	Oberman	3535 Hillside Rd. Evanston, IL 60201
22PLND-0038	Aaron	Noffsinger	3501 Hillside Rd.
Map Amendment 22PLND-0038.	Jacqueline Elise	Allen	2626 Princeton Ave., Evanston, IL 60201-4943
Map Amendment 22PLND-0038.	Jordan	Jacobowitz	2626 Princeton Ave., Evanston, IL 60201-4943
Gross Point-Crawford-Central22PLND-0038	Claire	George	2633 Hillside Lane
22PLND-0038	Craig	McClure	2507 Princeton Ave
Central street overlay resining 22PLND-0038	Andrew	Gallimore	2635 crawford
22PLND-0038 central street overlay	Tiffany	Kusano	2635 crawford
22PLND-0038	Sital	Shah	2555 Gross Point Road, Evanston, IL 60201
22PLND-0038	Michael	Cholewa	3419 central street
Map Amendment 22PLND-0038	Andrew	Lerchen	2665 Hillside Lane, Evanston, IL 60201
22PLND-0038	Constance	Porteous	3600 Central Street
22PLND-0038	Catherine	Treiber	2649 Hillside Lane Evanston, IL 60201
22PLND-0038	Rick	Treiber	2649 Hillside Ln
22PLND-0038	Stephen	Orechowski	2507 Princeton Ave, Evanston, IL, 60201
Amendment 22PLND-0038.	William	Russo	3513 Central St, Evanston, IL, 60201
Amendment number 22PLND-0038	Cheryl	Wiese	2773 Bernard Pl
Amendment number 22PLND-0038	John	Iverson	2773 Bernard Pl
22PLND-0038	Amy	Malcom	3606 Central Street, Evanston, IL, USA
22PLND-0038	Joanne Doris	Ghiselli	2546 Gross Point Road.
22PLND-0038	Elizabeth	Neal	2530 Princeton Ave Evanston Il 60201
22PLND-0038	Mina	Ajami	3612 Thayer
22plnd-0038	patricia	kent	3501 central st evanston, il 60201
22PLND-0038	Leslie	Brown-Wilson	3517 Central St., Evanston
22PLND-0038	Mike	Murray	3530 Hillside Rd, Evanston, IL
22PLND-0038	Laura	Mahoney	2538 Gross Point Road, Evanston, IL 60201
22PLND-0038	Mary	Drotar	3521 Central St., Evanston, IL 60201
22PLND-0038	Andre	de Gouvea	3450 Thayer Street
22-PLND-0038	Constance Emily	Porteous	3600 Central Street
22PLND-0038	Lori	Colbert	2549 Greeley Ave
Map Amendment 22PLND-0038	Jeff and Marsha	Maass	3525 Central Street, Evanston, Illinois, 60201
Map Amendment 22PLND-0038	Narendran	Hariharan	2630 Hillside Lane, Evanston, IL 60201
22PLND-0038	Patrick	Burns	2525 Wellington Ct Apt 301 Evanston,IL 60201

Map Amendment 22PLND-0038	Catherine	Huggins	3434 PARK PL
22PLND-0038	Robert	Fabbri	3463 Harrison St (North Pointe Condominiums)
22PLND-0038	David	Kleiman	2536 Wellington Court
Map Amendment 22PLND-0038	Kristin	Swanson	3459 Harrison Street, Evanston, IL 60201
Map Amendment 22PLND-0038	Anya	Pierce	2672 Gross Point Rd
Central Street Overlay District Map Amendment 22PLND-0038	Courtenay R	Wood	3306 Hartzell Street
Map Ammendment 22PLND-0038	Susan	Sloss	3309 Culver St, Evanston IL
Map Amendment 22PLND-0038	Casey	Solomon	2550 Prospect Avenue
2554 Wellington Court	pamela	geyer-howell	2554 Wellington Court
Map Amendment 22PLND-0038	Kirstin	Gallagher	2661 Crawford Ave
Map amendment 22PLND-0038	barbara	stock	3255 hartzell st, evanston il 60201
22PLND-0038	Michelle	Albaugh	3508 Central St.
22PLND-0038	JOHN	ARNDT	2525 Wellington Ct. #101
Central, Crawford, and Gross Point	Andrew	Nelson	3451 Harrison St
22PLND-0038	Donald	Rubovits	3247 Park Place
22PLND-0038	Lee	Rader	2560 Wellington Court
22PLND-0038	David	Darakjian	2525 Wellington Court, Apt 300, Evanston, IL 60201
22plnd-0038	Nada	Pendic	2525 Wellington Ct, # 209, Evanston, IL 60201
Map amendment 22PLND-0038	CARL	HOLZMAN	2562 Wellington Ct, Evanston 60201
22PLND-0038	Rachel	Long	2669 Crawford Ave, Evanston, IL 60201
22PLND-0038	Bryan	Long	2669 Crawford Ave, Evanston, IL 60201
22PLND-0038	Benjamin	Yuhas	3434 Park Place
22PLND-0038	Margaret Hope	Nyadroh	3316 Central St, Evanston IL 60201
22PLND-0038	Steven	Cline	2633 Hillside Ln
Yes	Pamela	Gampetro	2532 Wellington court Evanston il
3 way intersection, Crawford, Gross Point, Central 22PLND-0038	Terry	Albaugh	3508 Cental St., Evanston, IL 60201
Map Amendment 22PLND-0038	Robert	Howard	2564 Wellington Court, Evanston IL 60201
Map Amendment 22PLND-0038	Denise	Gallagher	2528 Wellington Ct, Evanston
22PLND-0038	Richard	Sorock	#411, 2555 Gross Point Rd., IL
Map Amendment 22PLND-0038	Damita	Cravens	3309 Central St.
22PLND-0038	Alysa	Isaacson	3428 Park Pl Evanston, IL 60201
Rezone 7 parcels at Central, Crawford and Gross Point Roads	Nancy	Siegel Streifler	2540 Wellington Ct.
Central, Crawford and Gross Point	Ada P	Kahn	2555 Gross Point Rd Apt 205 Evanston IL
Map Amendment 22PLND-0038	Joseph	Page	3315 Culver Street
Map Amendment 22PLND-0038 Central,Crawford & Gross Poin	Lynn	Fiedler	2530 Prospect Ave
MAP Amendment 22PLND-0038	Kristine	Lofquist	2666 Gross Point Road
22PLND-0038	Milton	Rand	2538 Wellington Ct, Evanston, IL, 60201
22PLND-0038	Michael	Oris	3421 Park Pl, Evanston, IL 60201
Map Amendment 22PLND-0038	Joseph	LeKostaj	2525 Wellington Ct., Unit 205 Evanston, IL 60201
22PLND-0038	Rebecca	Sporn	2555 Gross Point Road 409 Evanston, IL 60201
Map amendment 22PLND-0038	Valerie	Fitzgerald	2525 Wellington Ct 60201
Street rezoning Gross Point/Crawford/Central	Steven	Sears	2525 Wellington Ct, 201. Evanston IL 60201

Rezoning at Crawford/Gross Point/Central	Judy	Sears	2525 Wellington CRT, 201, Evanston il 60201
Map Amendment 22PLND-0038	Margaret	Wood	2525 Wellington Ct Apt 106 Evanston IL 60201
rezone 7 parcels at crawford, central, gross pointe road	hillary a	lichtenstein	2525 wellington court #107 evanston il 60201
22PLND-0038	Lawrence	Weinstein	2556 Wellington Ct
22-PLND-0038	Karen	Radwin	3437 Harrison St., Evanston, IL 60201
2555 Gross Point Rd	Kevin	Wild	2555 Gross Point Rd unit 404
2555 Gross Point Rd	Diane	Wild	2555 gross point rd unit 404
22PLND-0038	Fabiana	Correa	2544 Wellington Court
Map Amendment 22PLND-0038	Linda	O'Mahoney	2555 Gross Point Rd. Apt.#303, Evanston, IL60201
Map Amendment 22PLND-0038	Dennis	Hansen	2525 Wellington Court Unit 305, Evanston, IL 60201
rezone 7 parcels at crawford, central, gross pointe road	hillary a	lichtenstein	2525 wellington court #107 evanston il 60201
Map amendment 22PLND-0038	Valerie	Fitzgerald	2525 Wellington Ct 60201
Map Amendment 22PLND-0038	William	Testa	North Pointe Association 3429 Harrison St. Evanston IL 60201
2555 Gross Point Road, 11	Thomas	Nawrocki	2555 Gross Point Road, 11, 112
22PLND-0038	Richard & Janet	Halstead	3320 Culver St Evanston IL 60201
Rezone seven parcels at Central, Crawford, and Gross Point	Grace L	Carlson-Lund	2555 Gross Point Rd, Apt 209, Evanston, IL 60201
Map Amendment 22PLND-0038	Jeremy	Bokor	3250 HARTZELL ST
Map Amendment 22PLND-0038 REZONE SEVEN PARCELS AT CENTRAL, C	Gayle L.	Anderson	3439 Harrison St, Evanston IL 60201
map amendment 22PLND-0038	Jody	Garland	2555 Gross Point Rd unit 204, Evanston, IL 60201
Map amendment 22Ind-0038	Reuven	Robinson	2555 gross point rd unit 300 evanston il 60201
22PLND-0038	Peter S	Groepper	2601 Prospect Ave Evanston IL 60201
6-3-4-7. - OPPOSITION TO AMENDMENT.	Donald	Raphael	3423 Central street, Evanston, IL 60201
19PLND-0089	Catherine	Brown	2437 Crawford
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Jacqueline Elise	Allen	2626 Princeton Ave. , Evanston, IL 60201-4943
Map Amendment 22PLND-0038	Paul	Lowder	2648 Reese Ave Evanston IL 60201
Crawford Ave & gross Point Map Amendment 22PLND-0038	Kathleen	Roderer	3405 PARK PLACE
Map Amendment 22PLND-0038	Danielle	Green	2544 Prospect Ave, Evanston, IL 60201

PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	Susan Lewis	<i>[Signature]</i>	2558 Wellington Ct	Evanston, IL, Cook
2	DAVID ROSE	<i>[Signature]</i>	2525 Wellington Ct ³⁰⁹	Evanston, IL, Cook
3	Helene Ellis	<i>[Signature]</i>	2530 Wellington Ct	Evanston, IL, Cook
4	MARCIA FLANNERY	<i>[Signature]</i>	3445 Harrison St.	Evanston, IL, Cook
5	Patrick Gibbon	<i>[Signature]</i>	3465 Harrison	Evanston, IL, Cook
6	Paige Thulin	<i>[Signature]</i>	2546 Wellington	Evanston, IL, Cook
7	HARLENE BINSTOCK	<i>[Signature]</i>	2525 WELLINGTON ³⁰⁷	Evanston, IL, Cook
8	FANITA GIBBON	<i>[Signature]</i>	2554 WELLINGTON CT	Evanston, IL, Cook
9	MIRIAM Ben-Yoseph	<i>[Signature]</i>	2542 Wellington Ct	Evanston, IL, Cook
10	JOHN "JOE" DUNN	<i>[Signature]</i>	2555 (shown out) Rd. # 405	Evanston, IL, Cook
11	Pamela Gampetro	<i>[Signature]</i>	2532 Wellington	Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, Clark Murray attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

[Signature] (Circulator's Signature)

Signed and sworn to (or affirmed) by Clark Murray before me, on 7/11/22
 (Circulator's Name) (Date)



[Signature] (Notary Public's Signature)

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PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	John Moruca	<i>[Signature]</i>	2550 Wellington	Evanston, IL, Cook
2	Richard Milivoic	<i>[Signature]</i>	2548 Wellington	Evanston, IL, Cook
3	Kimberly Weinstein	<i>[Signature]</i>	2556 Wellington Ct	Evanston, IL, Cook
4	<i>[Signature]</i>	<i>[Signature]</i>	2552 Wellington	Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, FAMELA GEYER-HOWELL attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

FAMELA GEYER-HOWELL (Circulator's Signature)

Signed and sworn to (or affirmed) by FAMELA GEYER-HOWELL before me, on JULY 11, 2022
 (Circulator's Name) (Date)

(SEAL) 
Megan Lutz (Notary Public's Signature)

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PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	MARC ROLFES	<i>[Signature]</i>	3447 HARRISON ST	Evanston, IL, Cook
2	LIZ BYLF	<i>[Signature]</i>	3321 Culver St.	Evanston, IL, Cook
3	Katrina Lewis	<i>[Signature]</i>	3431 Hewitt	Evanston, IL, Cook
4	JOAN DUFFY	<i>[Signature]</i>	3449 HARRISON St.	Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

Circulator's Affidavit

I, MARCIA FLANNERY attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

Marcia Flannery (Circulator's Signature)

Signed and sworn to (or affirmed) by Marcia Flannery before me, on 7/11/22
 (Circulator's Name) (Date)



Megan Lutz (Notary Public's Signature)

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PETITION IN OPPOSITION TO MAP AMENDMENT 22PLND-0038

We, the undersigned, represent owners of property whose lot lines are located within five hundred (500) feet of the boundary of the area to be amended, inclusive of public rights of way. Pursuant to Subsections 6-3-4-6(E) and 6-3-4-7 of the Evanston Municipal Code, by this Petition, which we sign and acknowledge below, we collectively oppose the map amendment to remove these parcels from the Central Street Overlay District.

Signed and acknowledged:

#	Printed Name	Signature	Street Address	City, State, County
1	Colleen White	<i>Colleen E White</i>	3522 Hillside Road	Evanston, IL, Cook
2				Evanston, IL, Cook
3				Evanston, IL, Cook
4				Evanston, IL, Cook
5				Evanston, IL, Cook
6				Evanston, IL, Cook
7				Evanston, IL, Cook
8				Evanston, IL, Cook
9				Evanston, IL, Cook
10				Evanston, IL, Cook
11				Evanston, IL, Cook
12				Evanston, IL, Cook
13				Evanston, IL, Cook
14				Evanston, IL, Cook
15				Evanston, IL, Cook

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

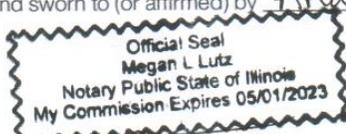
Circulator's Affidavit

I, Andrew Gallimore attest that the signatures on this sheet were signed in my presence, are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition owners of the property within 500 feet of the properties included in 22PLND-0038.

Andrew Gallimore (Circulator's Signature)

Signed and sworn to (or affirmed) by Andrew Gallimore before me, on 7/10/22
 (Circulator's Name) (Date)

(SEAL)



Megan Lutz (Notary Public's Signature)

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