



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 aware 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 resident Jeff Smith provided at the previous Commission meeting relating the intention of including these properties in the Central Street overlay with the overall vision for the district. 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 in order to complete this portion of the process. The item would proceed to the 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 City's 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. She then explained that 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 likely occur. Until recently, the only kinds of development that

would be able to obtain financing were rental apartment buildings. She explained that some uses 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 the overlay created a process but without it, B1a is less stringent. Commissioner Lindwall concluded by asking what extra investment is needed if a property is within the overlay vs without it.

Ms. Klotz stated that the process 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 a minimum of 60 days. They would then apply for Major Variations, the cost for which for commercial properties is per variation. Would likely yield a larger number due to the shape of the lot in the overlay. In the overlay, the number of variations jumps and make the application more expensive, into the thousands of dollars, and the process itself would take 60 to 90 days, assuming no continuance requests or other process delays. At that point, it would be 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 but could be the development.

Commissioner Westerberg asked if the overlay seems to not work for just the transitional properties or if it presents difficulties 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 is 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 the 10 to 15 year mark and sees no harm in reviewing it. She stated that she 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 explained that he looked at aerial views and pedestrian flow. The 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 his preference to keep the overlay to have free movement and that reducing the front building setback concerns him, giving the west wall of CVS as an example. Believes removing the properties from the overlay is not the solution, it should stay and/or improvements should be made to 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 expressed that he is not a fan of overlays and thinks there are things that should be changed at the intersection. He then stated that he hopes to have a Comprehensive Plan that points in the direction of more straightforward and clear zoning.

Commissioner Lindwall stated that zoning changes will not change the traffic situation; they existed prior to the plan and will exist after a decision is made for this case as the uses will remain. It is important to help the existing businesses. The question remains what happens when someone comes and proposes new development and if we are looking at making things easier for existing businesses or looking more long term for the intersection.

The Commissioners then reviewed the Standards for Approval of the Map Amendment:

- A. There was 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 the case into the record. Chair Rodgers gave background on the amendment and the process that occurred up 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 nor has testimony 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. She stated that they are 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.

Adjourned 8:06 pm

Respectfully submitted,

Meagan Jones, Neighborhood & Land Use Planner