

4/16/2018
5/4/2018
5/8/2018

59-O-18

AN ORDINANCE

**Granting a Special Use Permit for a Planned Development
Located at 1725-1737 Oak 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, 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 1979, as amended, (“the Zoning Ordinance”); and

WHEREAS, Trammell Crow Chicago Development, Inc. (the “Applicant,”), developer of the property located at 1727 Oak 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 seventeen (17) story one hundred fifty-five (155) foot tall age-restricted, multi-family rental development that may provide operation and/or supportive services that include, but are not limited to, local transportation, valet, housekeeping, socialization events, fitness sessions, food and meals, spa, salon, cafeteria, sale of sundries for personal consumption, and similar amenities, consisting of one hundred sixty-nine (169) dwelling units, a ground floor commercial kitchen to serve the occupants, one hundred thirty-nine (139) parking spaces, and approximately 149,571 square feet of gross floor area; 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 number of dwelling units per lot size, building height, front yard setback, and a fence and pergola; and

WHEREAS, on February 28, 2018, the Applicant submitted revised plans seeking approval for the following: approval to construct a new seventeen (17) story one

hundred fifty five (155) foot tall age-restricted, multi-family rental development consisting of one hundred sixty nine (169) dwelling units, with one hundred thirty nine (139) parking spaces, and approximately 149,571 square feet of gross floor area; and

WHEREAS, construction of the Planned Development, as proposed in the amended application, requires exception from the strict application of the Zoning Ordinance with regards to number of dwelling units per lot size, building height, front yard setback, and one short loading berth; and

WHEREAS, pursuant to Subsection 6-3-6-5 of the Zoning Ordinance, the City Council may grant Site Development Allowances to the normal district regulations established in the Zoning Ordinance; and

WHEREAS, on March 14, 2018 and April 11, 2018, 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 amended application for a Special Use Permit for a Planned Development, case no. 18PLND-0005, 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 amended 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 Zoning District per Subsection 6-11-1-10 of the Zoning Ordinance; and

WHEREAS, the Plan Commission recommended the City Council approve the amended application with conditions; and

WHEREAS, on May 3, 2018, the Applicant submitted revised plans seeking approval for the following: approval to construct a new seventeen (17) story one hundred fifty-five (155) foot tall age-restricted, multi-family rental development consisting of one hundred sixty nine (169) dwelling units, with one hundred thirty-six (136) parking spaces, and approximately 156,189 square feet of gross floor area; and

WHEREAS, on May 14, 2018, 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 of May 14, 2018 and May 29, 2018, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council considered the recommendation of the P&D Committee, the Applicant’s amended application dated February 28, 2018, 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 (1991)) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass’n v. City of Chicago*, 45 F.3d 1124 (7th Cir. 1995)),

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. 18PLND-0005, to allow construction and operation of the Planned Development described herein.

SECTION 3: The City Council hereby grants the following Site Development Allowances:

- (A) **Number of Dwelling Units Per Lot Size:** A Site Development Allowance is hereby granted for one hundred sixty nine (169) dwelling units, whereas subsection 6-11-4-4 of the Zoning Ordinance allows a maximum of one hundred seventeen (117) dwelling units for a lot sized at 35,240 sq. ft. in the D3 District.
- (B) **Building Height:** A Site Development Allowance is hereby granted for an approximately one hundred fifty-five (155) foot maximum building height, excluding the height of twenty-one (21) feet of parking levels per subsection 6-11-4-8, whereas subsection 6-11-4-8 of the Zoning Ordinance requires a maximum allowed building height of eighty-five (85) feet in the D3 District, with Subsection 6-11-1-10(C)(1) allowing for an additional eighty five (85) feet of height in the D3 District as a site development allowance.
- (C) **Front Yard Setback:** A Site Development Allowance is hereby granted permitting a front yard setback of zero (0) feet from the Subject Property line for the second and third floor of the proposed development, whereas subsection 6-11-4-7(A) of the Zoning Ordinance requires a minimum of a three and a half (3.5) foot front yard setback from the Subject Property line for the second and third floor of the proposed development in the D3 District.
- (D) **Loading Berth:** A Site Development Allowance is hereby granted permitting one (1) short loading berth on the Subject Property, whereas subsection 6-16-5 of the Zoning Ordinance requires a minimum of two (2) short loading berths on the Subject Property 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 terms of this ordinance; the Site and Landscape Plans in Exhibits B and C, attached hereto and incorporated herein by reference; all applicable legislation; the Applicant's testimony and representations to the Design and Project 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 phasing/staging plans; construction hours; site access including traffic and pedestrian safety plans; contractor parking; damage control and vibration monitoring; construction exhibits; project communication and signage.
- (C) **Changes in Building Use:** Any material changes in the use of the building on the Subject Property beyond the documents and testimony on record must be approved as an amendment to this Planned Development.
- (D) **On-Street Parking Pay Boxes:** The Applicant agrees to make a one-time contribution to the City of Evanston in the amount of seventeen thousand dollars (\$17,000.00) to pay for the installation of two additional on-street parking pay boxes, as well as the cost of lost meter revenue directly related to the construction of the building on the Subject Property at a rate of seventy-five dollars (\$75.00) per parking space per month.
- (E) **Traffic Study:** Within one year of the issuance of the Final Certificate of Occupancy for the building, the Applicant must submit a traffic study analyzing any traffic incidents adjacent to the Subject Property, at the intersection of Church St. and Oak Ave., and at the curve from Oak Ave. to Clark St. Upon review of the applicant's submitted traffic study, the City reserves the right to restrict movement in or out of the site or require additional traffic calming and pedestrian safety measures.
- (F) **Remedial Action Plan Approval:** Prior to issuance of the Final Certificate of Occupancy, the Applicant must provide evidence that a Remedial Action Plan has been approved by the Illinois Environmental Protection Agency and completed by the Applicant.
- (G) **Affordable Housing Units:** The Applicant shall provide seventeen (17) units of on-site affordable housing for the following twenty-five (25) years in accordance with the approved equivalent alternative inclusionary housing proposal, which provides that affordable studio and 1-bedroom units are interchangeable by Applicant (i.e., allows for a mix of studio units and 1-bedroom units, all studio units, or all 1-bedroom units). The affordable units shall be affordable to households earning no more than the following area median income (AMI): four

- (4) units must be affordable at fifty percent (50%) AMI, five (5) units must be affordable at sixty percent (60%) AMI and eight (8) units must be affordable at eighty percent (80%) AMI.
- (H) **Deliveries:** On-site building management is responsible for ensuring that all delivery and moving trucks exclusively utilize the one (1) provided on-site loading berth in a timely manner so that at no time is one truck waiting on the street for the loading berth to become available.
 - (I) **On-Site Public Dog Park:** Applicant agrees to create a publicly accessible public dog park to be maintained by on-site building management. Dog refuse pickup bags and refuse containers shall be available for public use within the dog park at all times. All users of the dog park must have their dogs licensed in Evanston.
 - (J) **Transit Tracker:** The Applicant agrees to install a Transit Tracker Display Board or like system as information/technology changes within the building's lobby area and visible from the adjacent sidewalk in perpetuity.
 - (K) **Streetscaping:** Applicant must install and maintain the streetscaping improvements including bike racks, wayfinding signage, curb extension, street trees, and landscaping, as depicted in Exhibit C.
 - (L) **Church Street Bike Lane:** The Applicant shall be responsible for repainting the protected bike lane on Church Street between Oak Avenue and Maple Avenue.
 - (M) **Pedestrian Countdown Timers:** The Applicant agrees to make a one-time contribution to the City of Evanston in the amount of fifteen thousand dollars (\$15,000.00) to be utilized for the installation of pedestrian countdown timers at Ridge Avenue and Church Street when the City conducts its traffic light update.
 - (N) **Oak Avenue Crosswalk:** The Applicant shall make improvements to the midblock crosswalk on Oak Avenue, including curb extensions, restriping, and additional signage as presented in the development plans.
 - (O) **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: May 14, 2018

Approved:

Adopted: May 29, 2018

June 26, 2018

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Interim Corporation Counsel

EXHIBIT A**Legal Description**

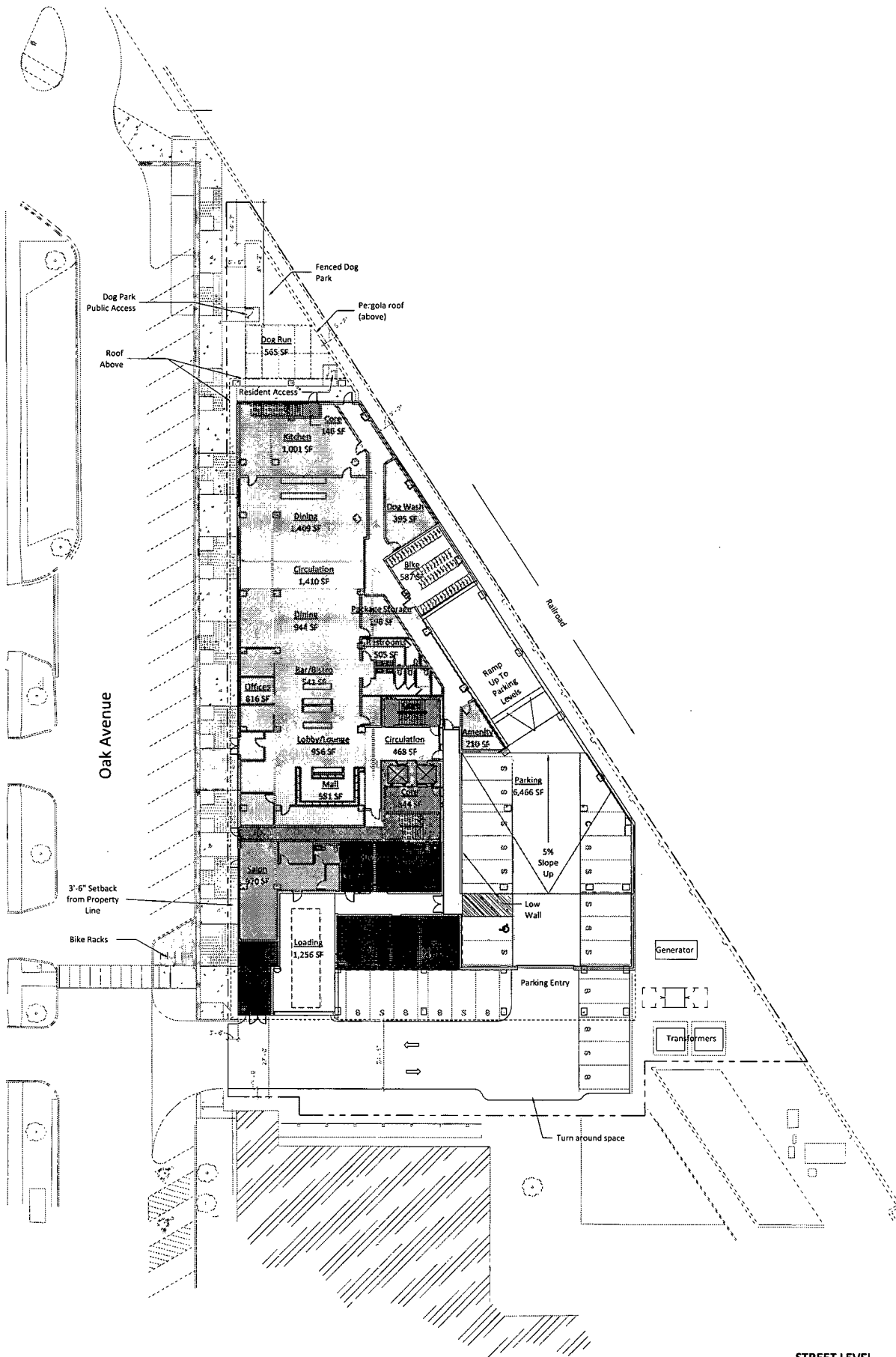
THAT PART OF LOTS 1-6 (TAKEN AS A SINGLE TRACT) IN BLOCK 3 OF E.A. PRATT'S ADDITION TO EVANSTON, BEING A SUBDIVISION OF THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF RIDGE ROAD AND WEST OF THE CHICAGO AND NORTHWESTERN RAILROAD, IN THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 6 AND THE EAST LINE OF OAK AVENUE, 171.50 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 7 IN SAID BLOCK 3; THENCE EAST PARALLEL TO THE NORTH LINE OF CHURCH STREET, 25.09 FEET; SOUTH PARALLEL TO THE EAST LINE OF OAK AVENUE, 6.50 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF CHURCH STREET, 122.91 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF OAK AVENUE 19.50 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF CHURCH STREET, 57.51 FEET TO THE EAST LINE OF SAID LOT 6, BEING ALSO THE WESTERLY LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOTS 1-6, 362.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE WEST 8.26 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH ON THE EAST LINE OF OAK AVENUE, 317.22 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINs: 11-18-123-012-0000

COMMONLY KNOWN AS: 1727 Oak Avenue, Evanston, IL (approx. 35,240 sq. ft.)

EXHIBIT B

Development Plans

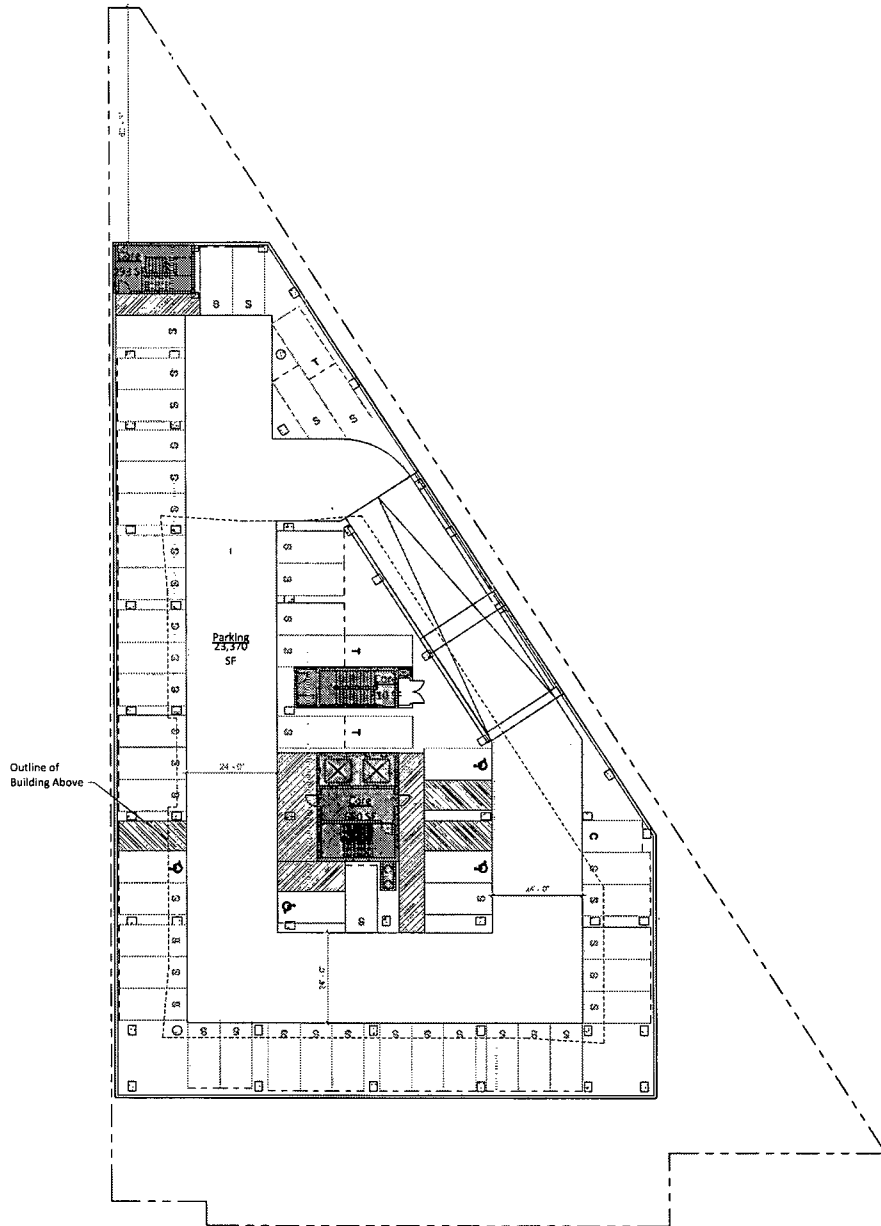


May 3, 2018

STREET LEVEL

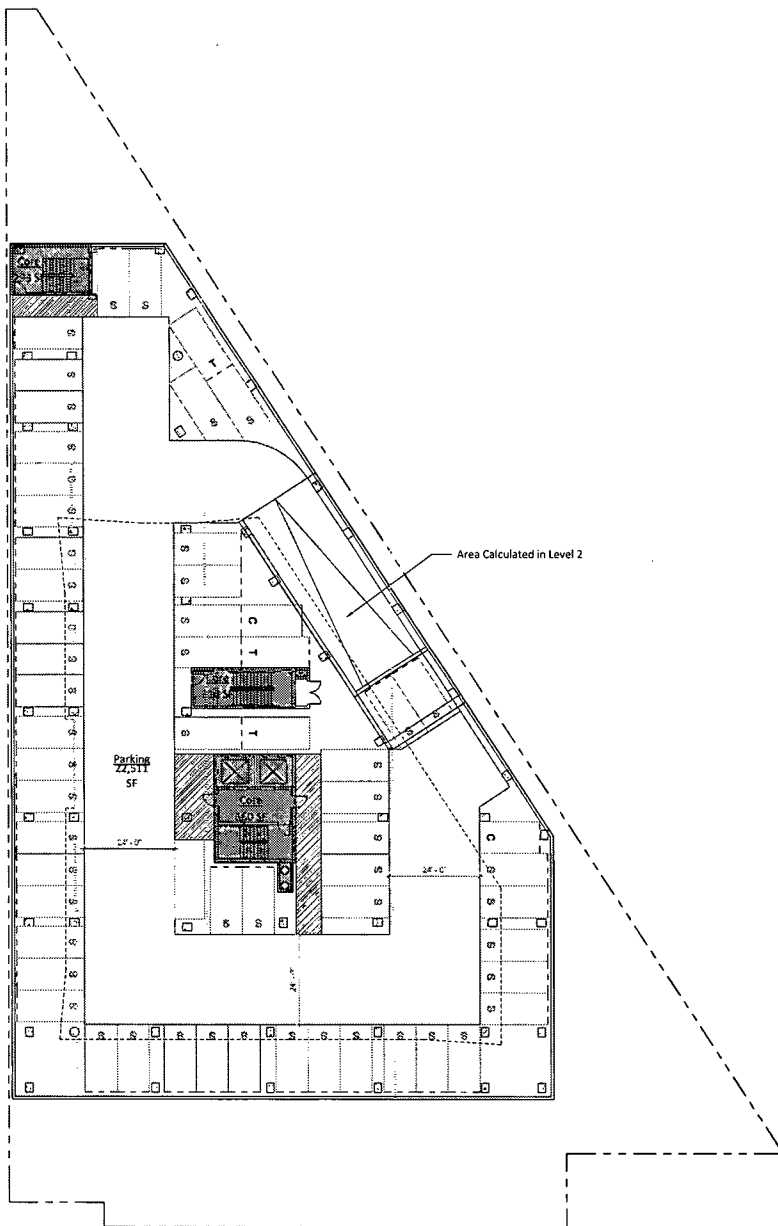


1/32"=1'-0" SCALE



May 3, 2018

LEVEL 2
 1/32"=1'-0" SCALE



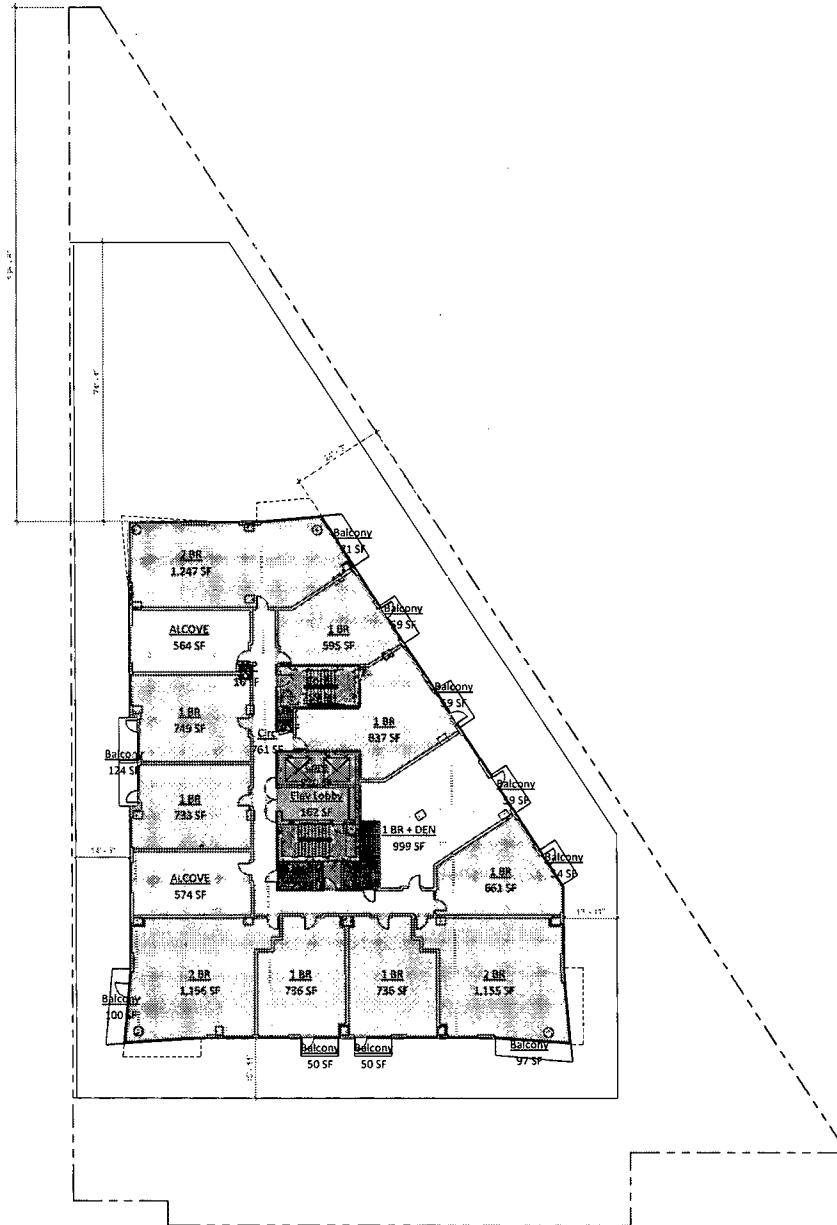
Area Calculated in Level 2

LEVEL 3



1/32"=1'-0" SCALE

May 3, 2018

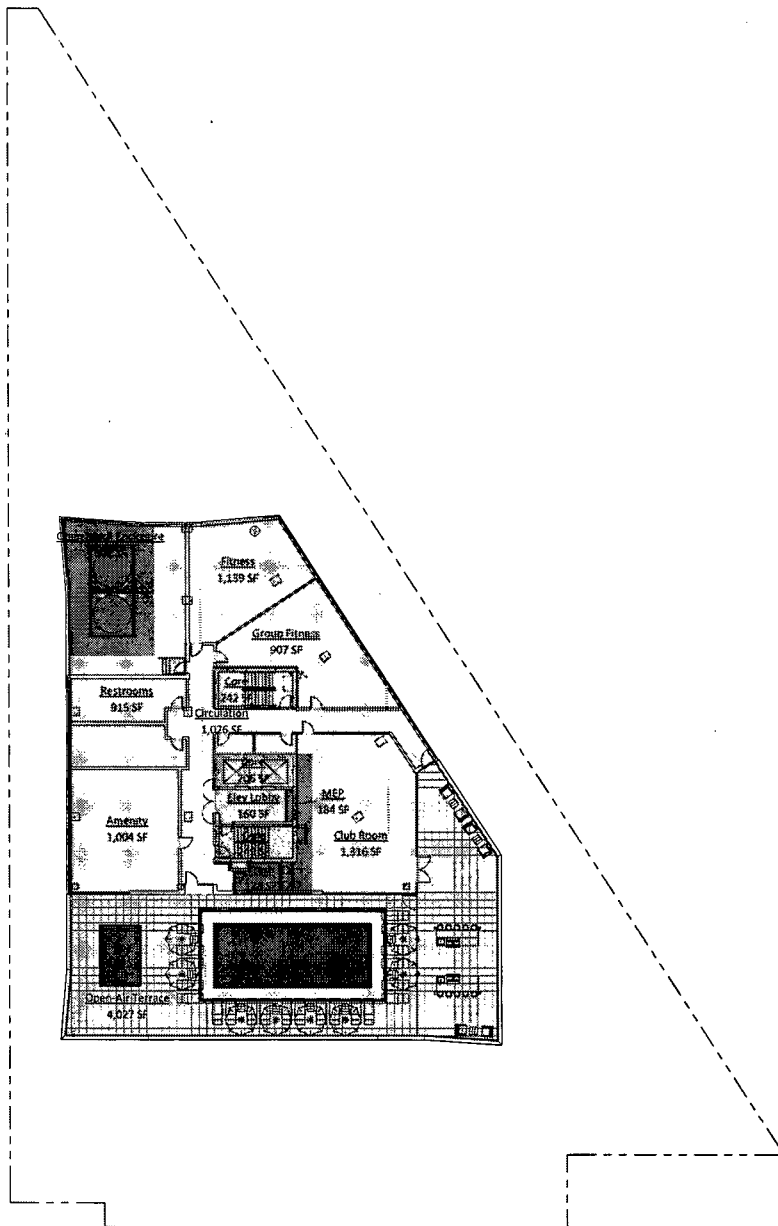


May 3, 2018

LEVELS 4-16



1/32"=1'-0" SCALE



LEVEL 17



1/32"=1'-0" SCALE

May 3, 2018



May 3, 2018

Trammell Crow Company

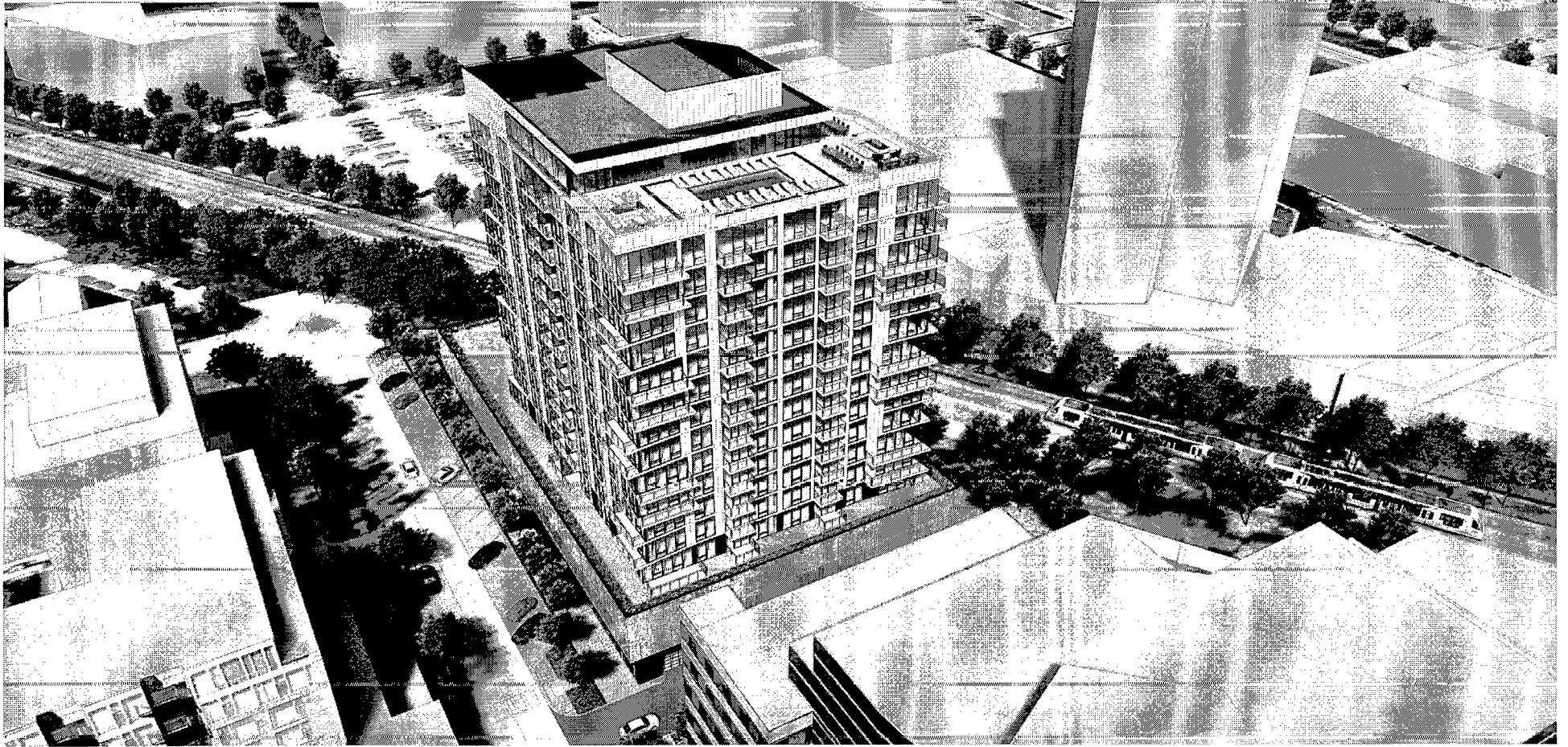
HIGH STREET
RESIDENTIAL

esg

EVANSTON ACTIVE ADULT APARTMENTS

EXTERIOR BUILDING IMAGE

6



May 3, 2018

Trammell Crow Company



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EVANSTON ACTIVE ADULT APARTMENTS

EXTERIOR BUILDING IMAGE



May 3, 2018

Trammell Crow Company

HIGH STREET
RESIDENTIAL

esg

EVANSTON ACTIVE ADULT APARTMENTS

EXTERIOR BUILDING IMAGE

8



May 3, 2018

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RESIDENTIAL

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EVANSTON ACTIVE ADULT APARTMENTS

EXTERIOR BUILDING IMAGE

9



May 3, 2018

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RESIDENTIAL

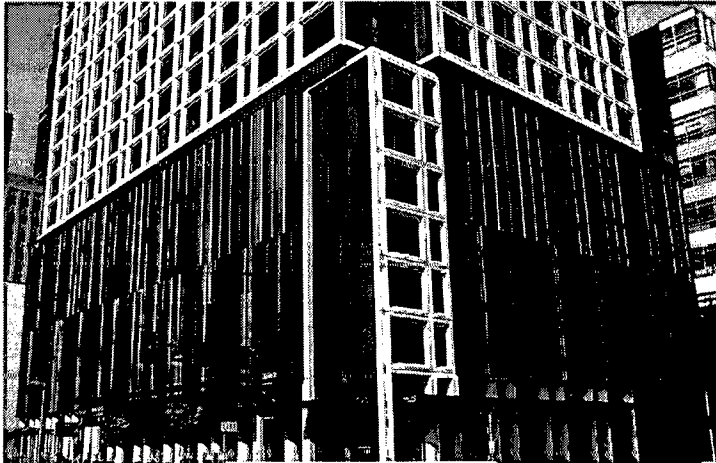
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EVANSTON ACTIVE ADULT APARTMENTS

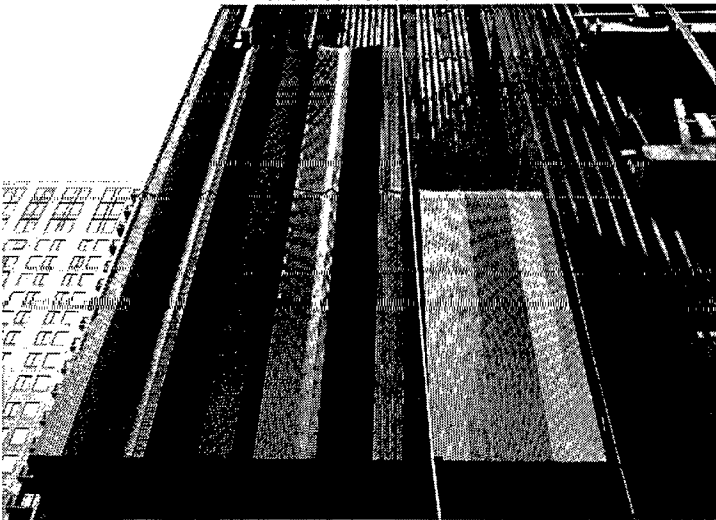
EXTERIOR BUILDING IMAGE

10

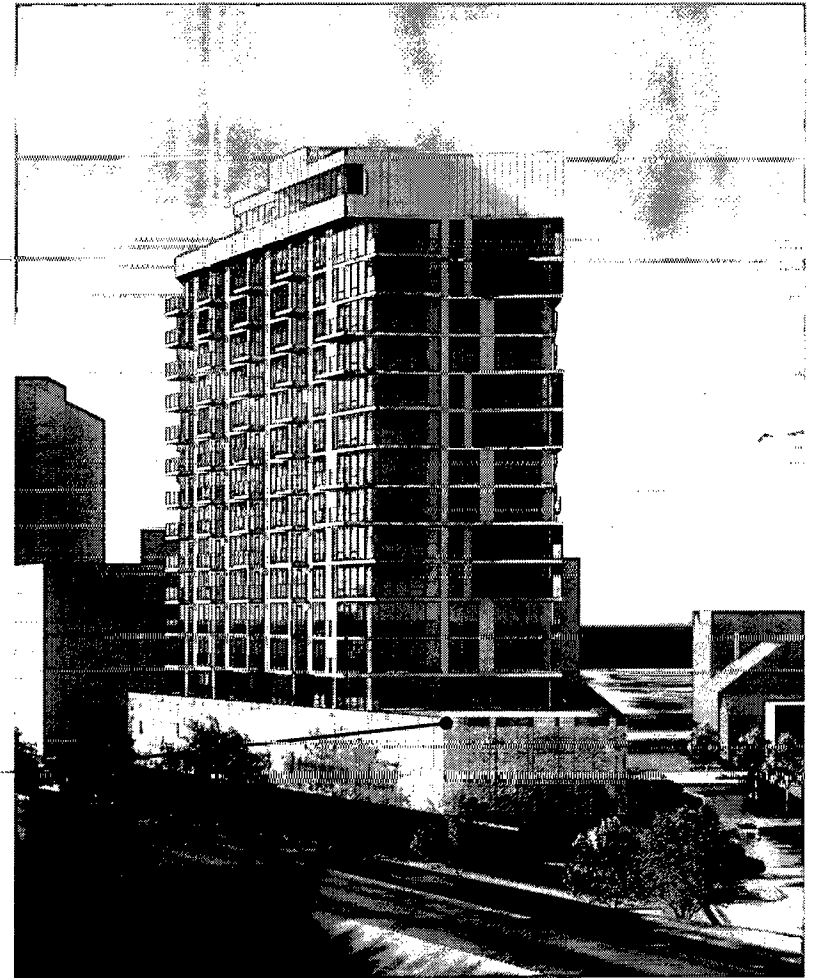
Architectural Metal Panel (Parking Ramp Screening):
Preferred material includes vertical placement,
perforation, corrugated shape, color gradation



Panel: zoomed-out view

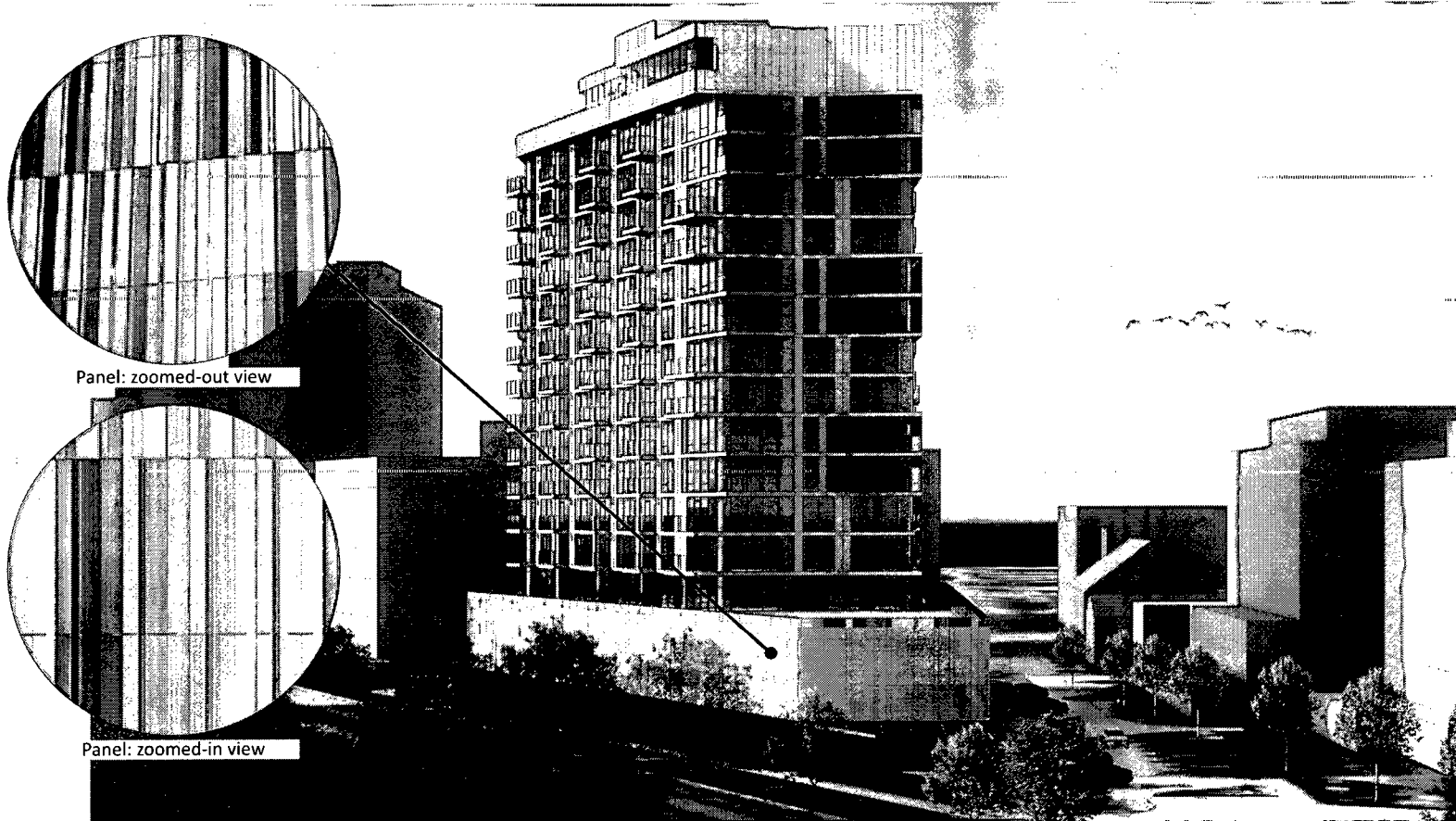


Panel: zoomed-out view from below



May 3, 2018

Architectural Metal Panel (Parking Ramp Screening):
Preferred material includes vertical placement,
perforation, corrugated shape, color gradation



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EVANSTON ACTIVE ADULT APARTMENTS

EXTERIOR BUILDING IMAGE

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Dog Park:
Pergola — steel and treated wood
Fence — steel

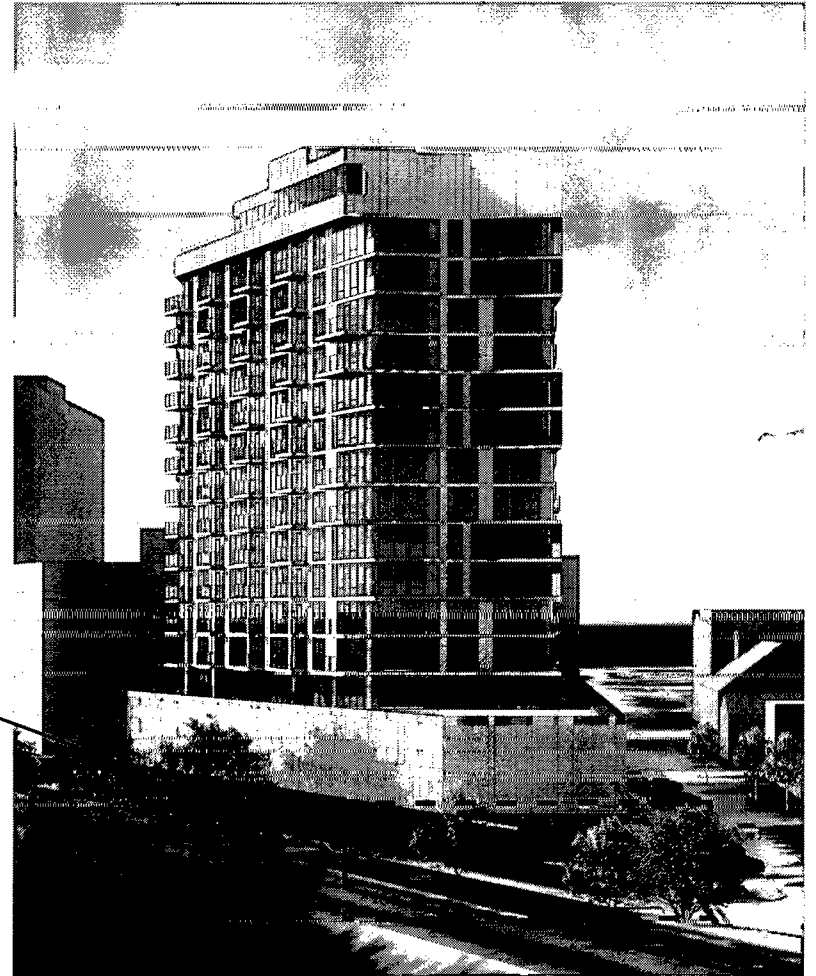
PERGOLA:
12'-0"
FENCE:
5'-0"



Dog Park Rendering

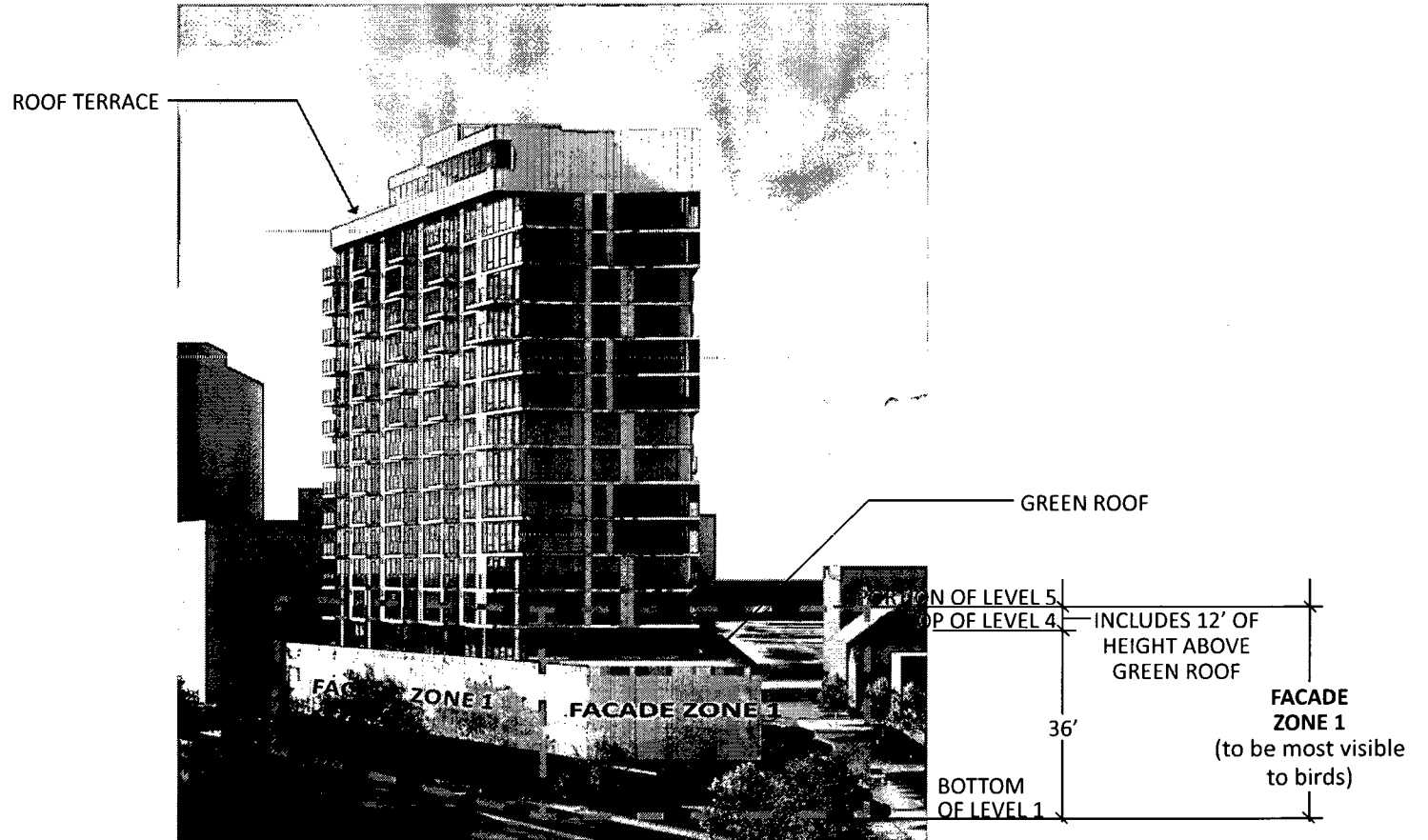


Dog Park Rendering

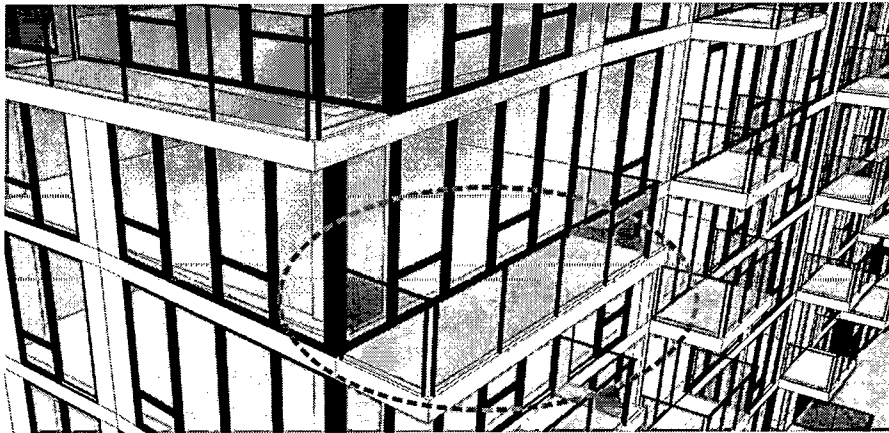


May 3, 2018

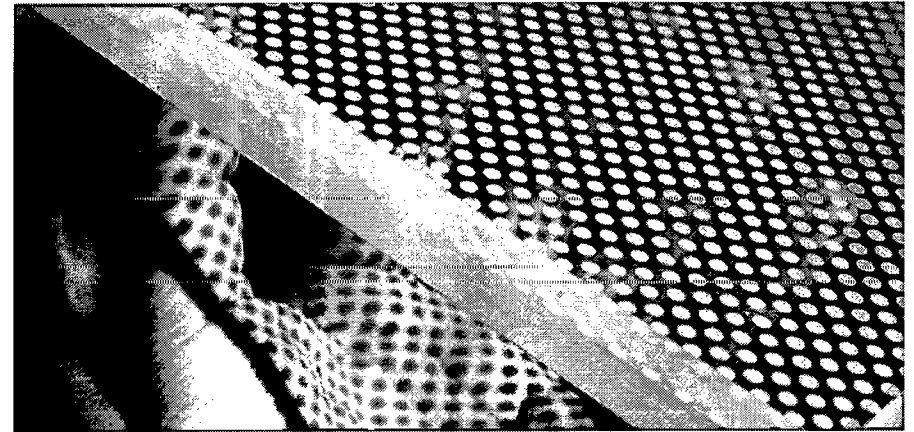
BIRD COLLISION DETERRENCE



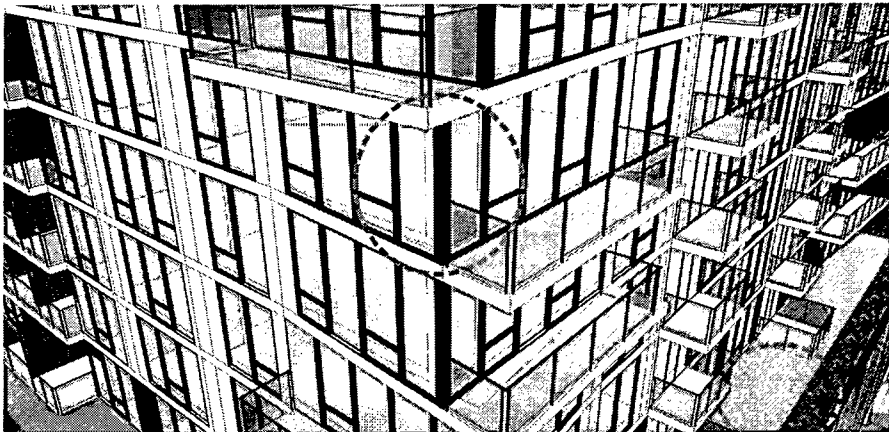
May 3, 2018



Balconies will incorporate interruptions between glass sheets (to be metal framed)

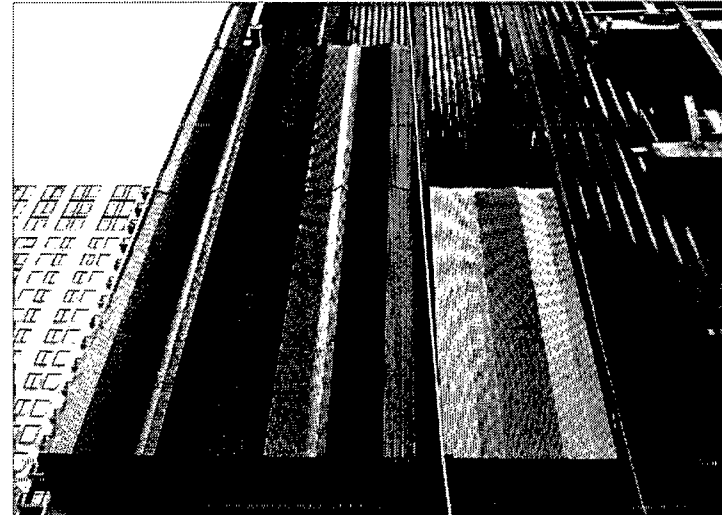


5th-level balconies: glass will include fritting pattern similar to above image



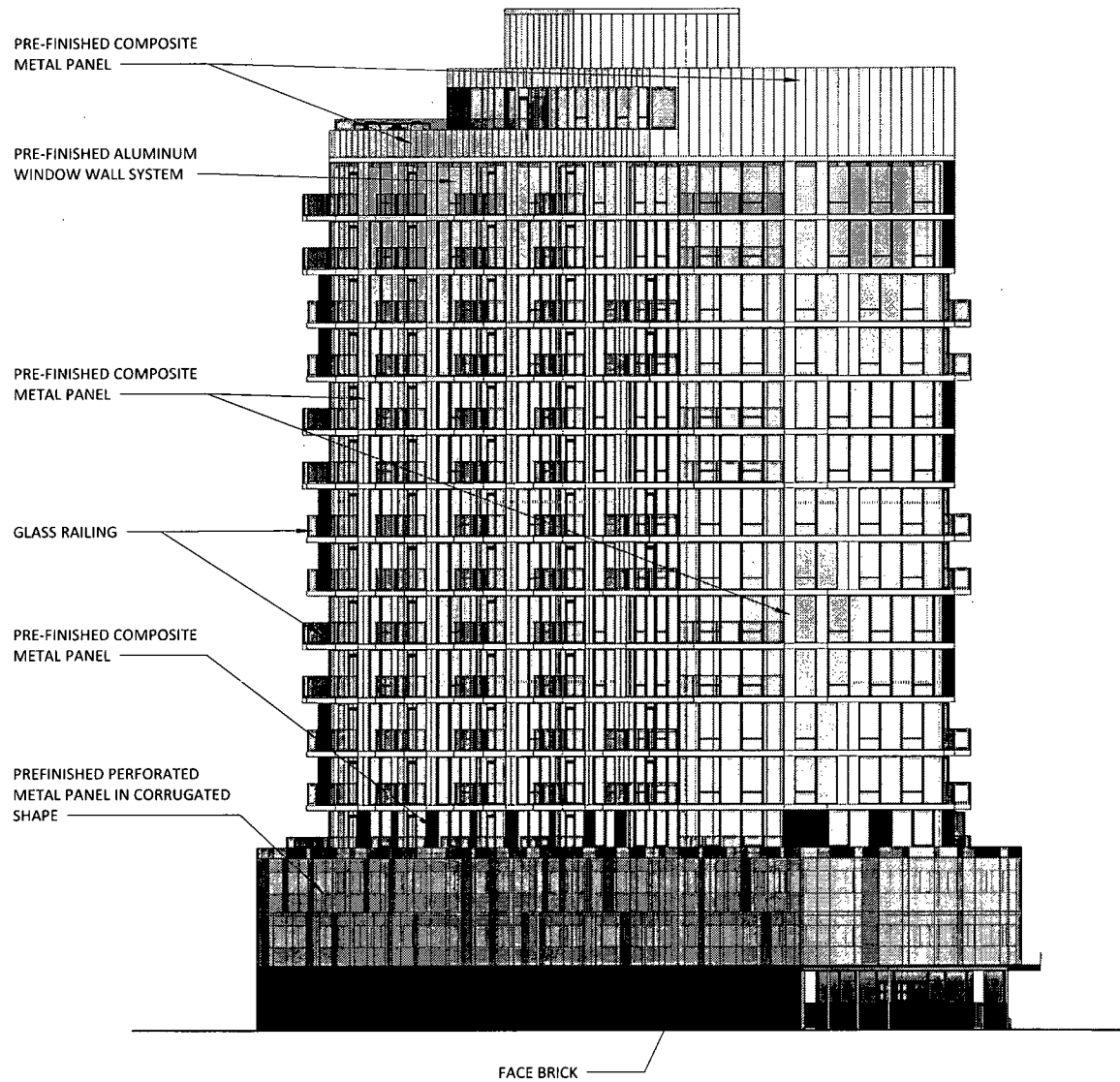
Glazing at building corners will incorporate metal mullions

Green roof not to contain taller trees nor shrubs which correlate with more bird collisions (credit: ABC Bird-Friendly Building Design)



Metal screening at parking levels will not have shiny finish (to be matte finish)

May 3, 2018



May 3, 2018

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EVANSTON ACTIVE ADULT APARTMENTS

NORTH ELEVATION

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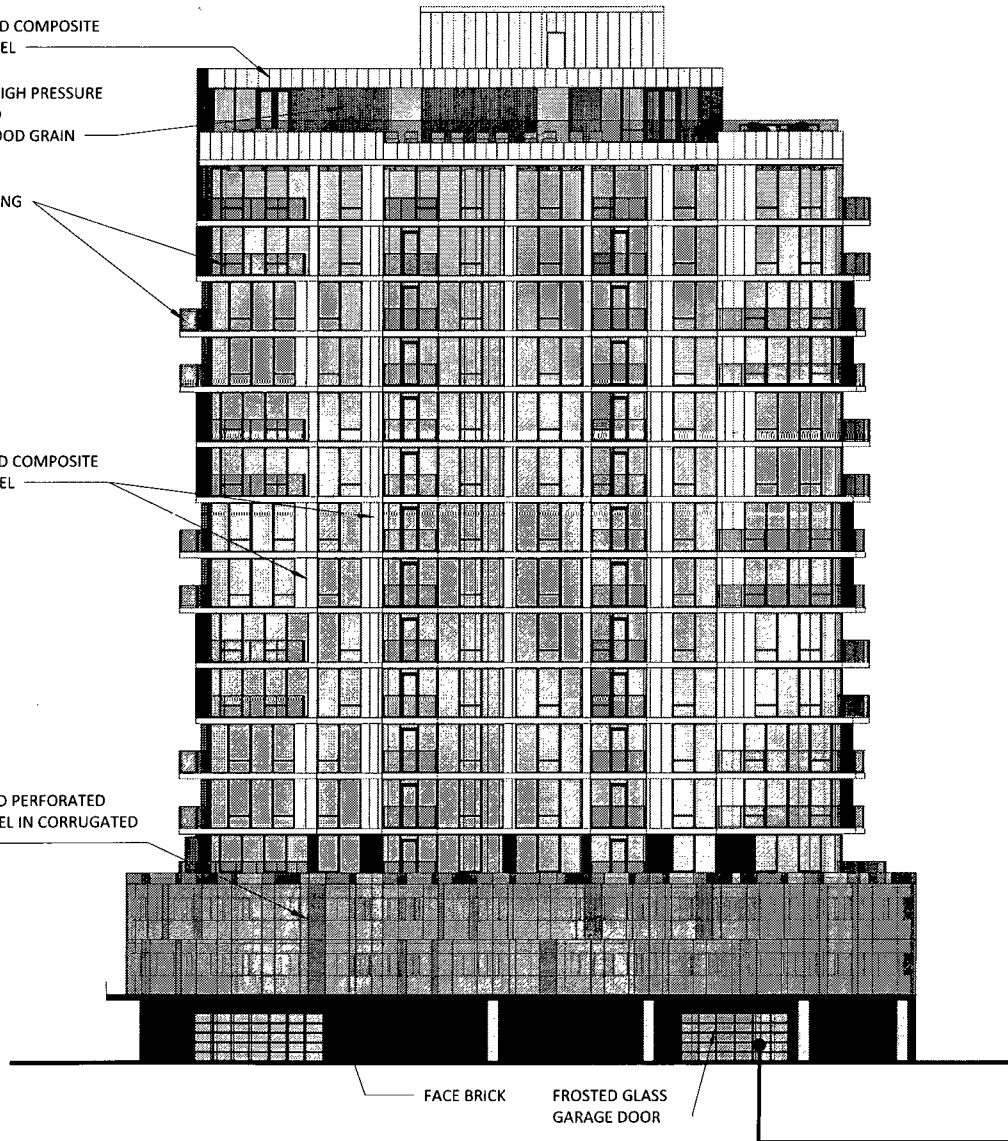
PREFINISHED COMPOSITE METAL PANEL

EXTERIOR HIGH PRESSURE LAMINATED PANEL - WOOD GRAIN

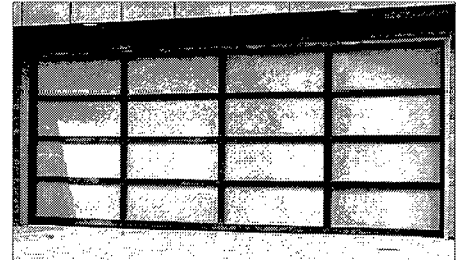
GLASS RAILING

PREFINISHED COMPOSITE METAL PANEL

PREFINISHED PERFORATED METAL PANEL IN CORRUGATED SHAPE



Frosted Glass Garage Door (at Parking & Loading entries):



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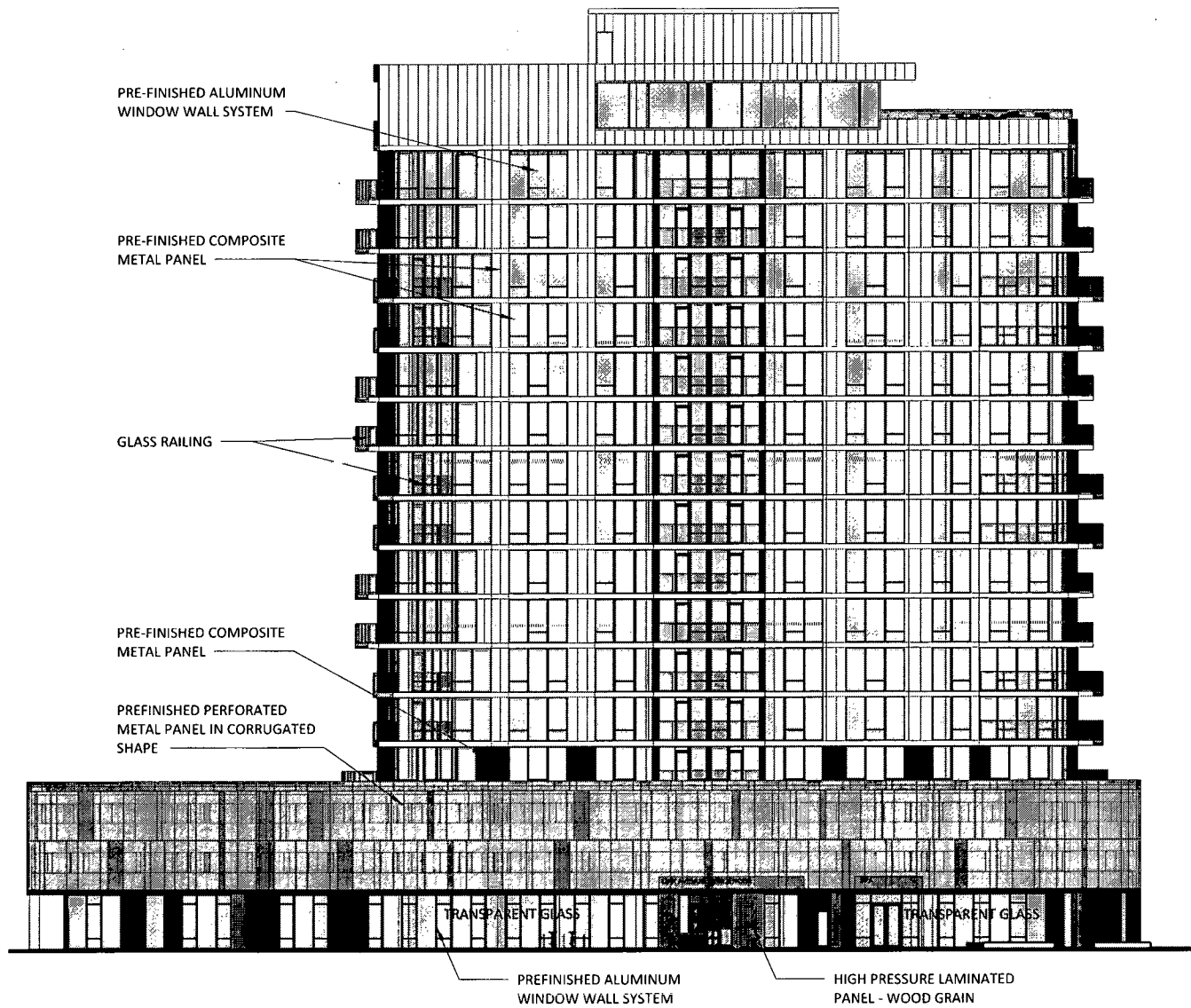
EVANSTON ACTIVE ADULT APARTMENTS

SOUTH ELEVATION

17



May 3, 2018



May 3, 2018

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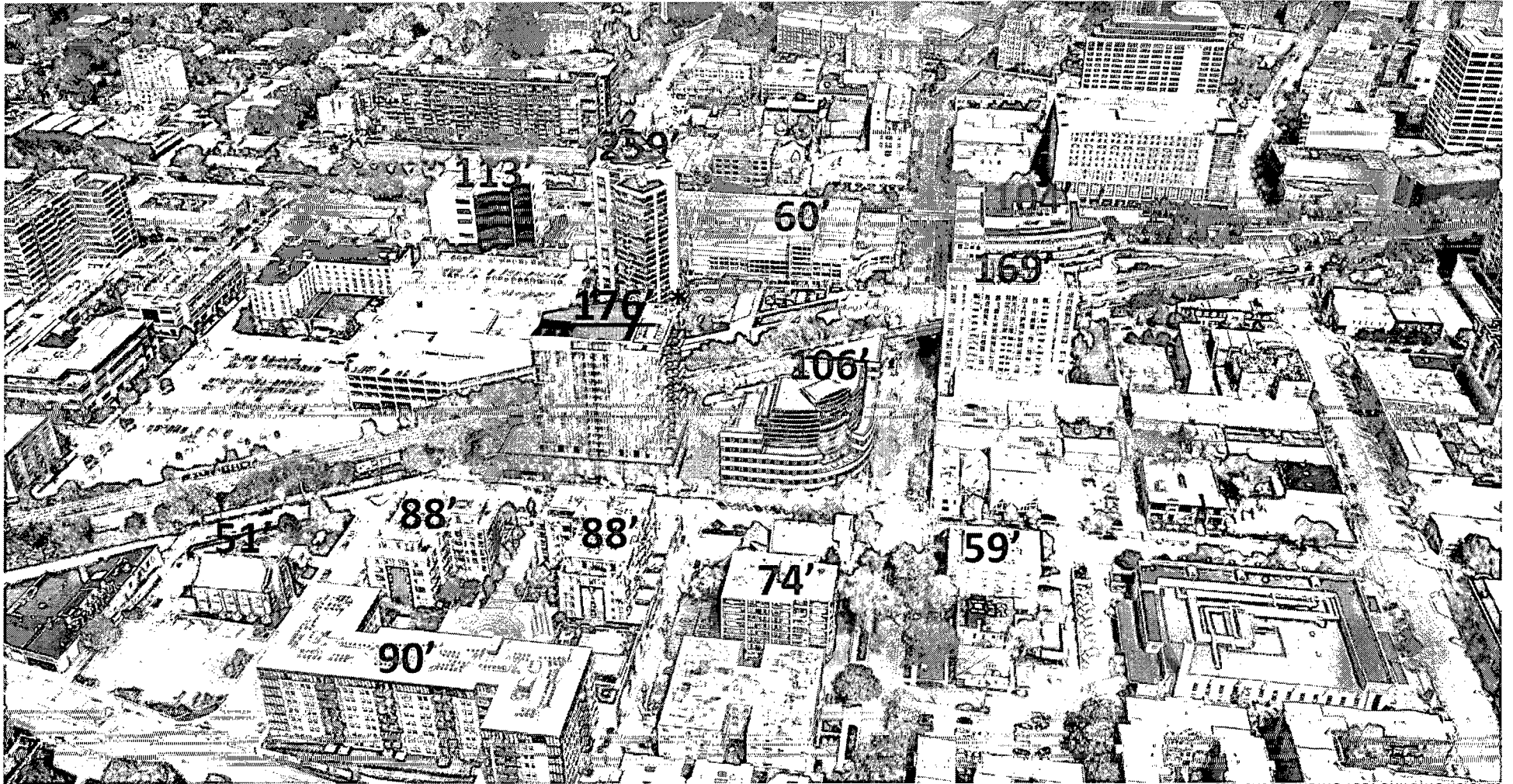
HIGH STREET
RESIDENTIAL

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EVANSTON ACTIVE ADULT APARTMENTS

WEST ELEVATION

19



*TO TOP OF ROOF OF 17TH STORY

NOTE: SURROUNDING AREA BUILDING HEIGHTS
MEASURED FROM GOOGLE EARTH PRO

May 3, 2018

Trammell Crow Company

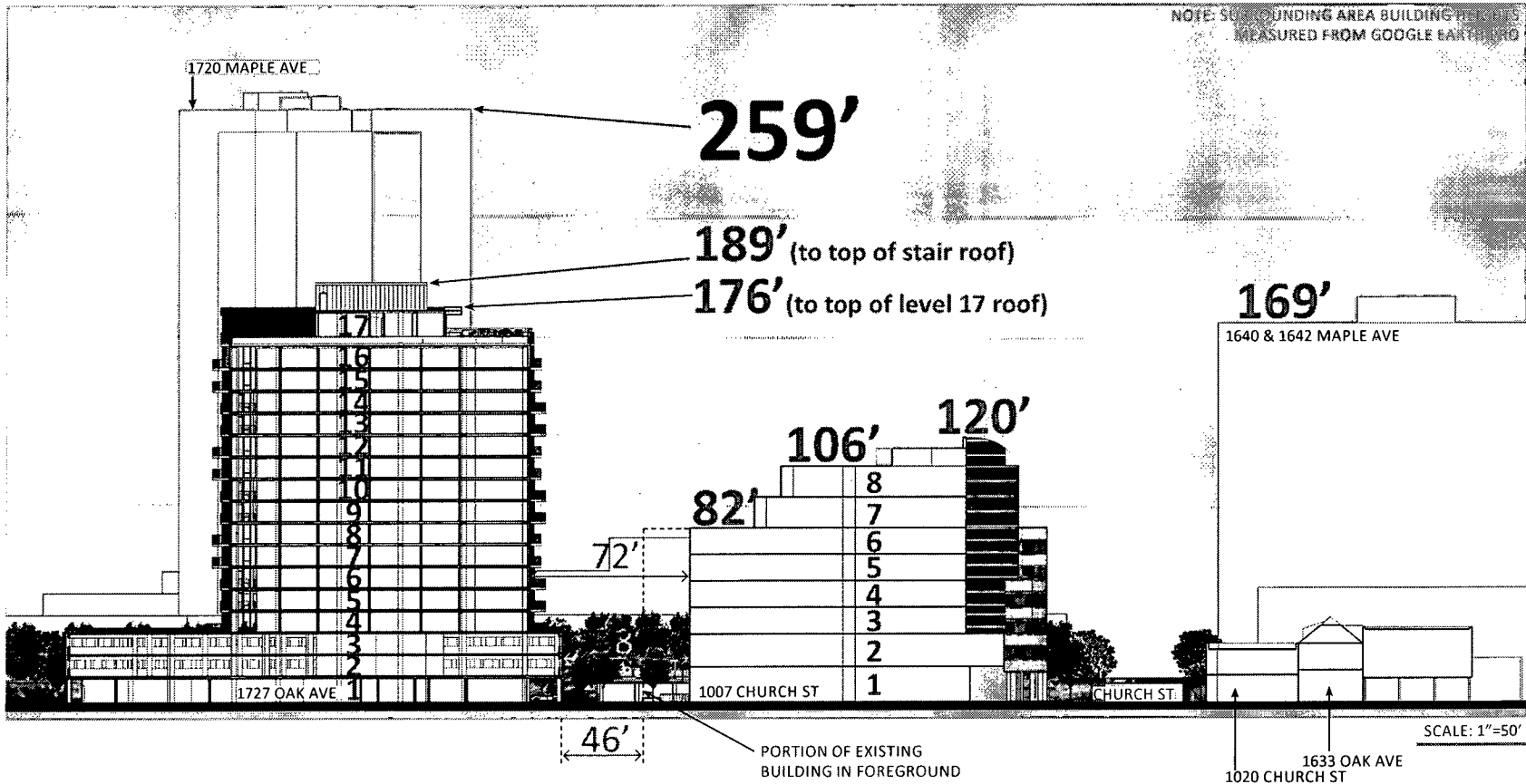
HIGH STREET
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EVANSTON ACTIVE ADULT APARTMENTS

HEIGHT COMPARISON

20



May 3, 2018

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EVANSTON ACTIVE ADULT APARTMENTS

CONTEXT SECTION: NORTH-SOUTH

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Area Summary																				
Level	Uses	Total GSF	Off-street Parking/Loading	Hallways / Stairs / Elevator	Elevator Lobbies	Mechanical / Accessory / Trash	Retail	Dog Park Pergola GSF	Res GSF	Terraces GSF*	Green Roof GSF*	Lobby or Amenity	Res Net RSF	DUs	Efficiency	Parking				
																Standard	ADA	Compact	Tandem	Surface
Level 1	Multiple	22,282	8,309	3,098		1,834	920	565				7,556				11	1	1		10
Level 2	Parking	24,633	23,370	1,263												45	4	7	2	
Level 3	Parking	23,774	22,511	1,263												47		6	2	
Level 4	Residential	12,672		1,518	162	170			12,672	728	11,882		10,984	13	86.7%					
Level 5	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 6	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 7	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 8	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 9	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 10	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 11	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 12	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 13	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 14	Residential	12,676		1,518	162	170			12,676	728			10,988	13	86.7%					
Level 15	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 16	Residential	12,672		1,518	162	170			12,672	728			10,984	13	86.7%					
Level 17	Amenity	6,849		1,359	162	1,158				4,903		5,392								
Total		242,298	54,190	26,717	2,268	5,202	920	565	164,760	14,367	11,882	12,948	142,816	169	86.7%	103	5	14	4	10

Total Parking Spaces	136
Total Parking Spaces that meet City's space dimensions	122

Parcel Area: 35,240 SF 156,189
 FAR (Total GSF excluding Off-street Parking/Loading, Hallways/Elev/Stairs, Mech/Accessory/Trash): 4.43
 Avg RSF per Unit: 845 SF

*Outdoor terrace and green roof numbers not included in total GSF

Unit Distribution Summary											
Level	Studio	Alcove	SM 1 BR	M 1 BR	LG 1 BR	1 BR DEN / SM 2 BR	2 BR	LG 2 BR	Beds	Total DUs	
Level 4		2	2	3	2	1	2	1	17	13	
Level 5		2	2	3	2	1	2	1	17	13	
Level 6		2	2	3	2	1	2	1	17	13	
Level 7		2	2	3	2	1	2	1	17	13	
Level 8		2	2	3	2	1	2	1	17	13	
Level 9		2	2	3	2	1	2	1	17	13	
Level 10		2	2	3	2	1	2	1	17	13	
Level 11		2	2	3	2	1	2	1	17	13	
Level 12		2	2	3	2	1	2	1	17	13	
Level 13		2	2	3	2	1	2	1	17	13	
Level 14		2	2	3	2	1	2	1	17	13	
Level 15		2	2	3	2	1	2	1	17	13	
Level 16		2	2	3	2	1	2	1	17	13	
Total		26	26	39	26	13	26	13	221	169	
%		15%	15%	23%	15%	8%	15%	8%		100%	
Ave Size		569	650	731	764	1000	1144	1245		818	
Range		569	614-686	730-732	750-778	1000	1085-1202	1245			

May 3, 2018

Tranmell Crow Company

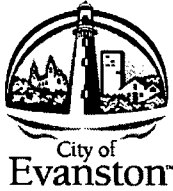


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EVANSTON ACTIVE ADULT APARTMENTS

PROJECT METRICS

22



MEETING MINUTES

PLAN COMMISSION

Wednesday, April 11, 2018
7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Terri Dubin, Carol Goddard, George Halik, Peter Isaac, Andrew Pigozzi, Jolene Saul

Members Absent: Patrick Brown, Simon Belisle

Staff Present: Melissa Klotz, Zoning Planner
Scott Mangum, Planning and Zoning Administrator
Mario Treto, Assistant City Attorney

Presiding Member: Colby Lewis, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Lewis called the meeting to order at 7:02 P.M.

2. APPROVAL OF MEETING MINUTES: March 14, 2018

Commissioner Dubin made a motion to approve the minutes from March 14, 2018 as edited. Commissioner Goddard seconded the motion. A voice vote was taken and the minutes were unanimously approved, 7-0.

3. OLD BUSINESS

A. PLANNED DEVELOPMENT

18PLND-0005

1727 Oak Avenue

Trammell Crow Company, developer, proposes to construct a 17-story active adult, age restricted, multi-family rental development with 169 units and 139 parking spaces in the D3 Downtown Core Development District. The applicant seeks site development allowances for: 1) number of dwelling units (169 where 117 allowed); 2) building height (155 feet where 170 feet allowed as a site development allowance); 3) front yard setback (1 foot where a minimum of 3 feet required); and 4) loading (1 short berth where 2 short berths required).

Ms. Klotz presented a brief overview of updates to the proposed planned development.

Johnny Carlson explained the details of the updated proposal, clarifying the building is age-restricted in accordance with Fair Housing regulations with every unit being occupied by at least one person 55 years of age or older. He also stated that the Development adds additional street parking and removes a curb cut. The parking provided is in excess of the minimum code requirement.

Leah Riley, ADA Specialist, added that 2 ADA spaces will be added on the street, plus ADA curb ramps, the midblock crosswalk will be shortened and restriped and additional signage will be added. She continued, stating that the entire building will be in full compliance with all ADA codes. There will be a power operated door at the building entrance and an indoor accessible bicycle parking and maneuvering space. There will also be extra wide doors and corridors that fit stretchers, built-in seats and grab bars in showers, and an ADA accessible rooftop pool.

Luay Aboona, KLOA Traffic Consultant, added that enhancement of Oak/Clark three-way intersection (to be done by 1815 Ridge/Oak development) will connect crosswalks to the north end of the 1727 Oak development. Additionally, a speed study was done by the City for 1 week to measure the speed of traffic. Results show there is no speeding problem occurring on the block with existing conditions. Average speeds were 13 and 14 mph. The 85% speed (typically used) was 21 mph, still below the speed limit. Mr. Aboona also explained vehicular use of an age restricted building compared to other uses that are allowed to show a much lower vehicular demand from an age-restricted building.

Aaron Roseth, ESG Architects, stated that based on feedback from the previous meeting and the community, architectural details were refined to show a modern style building with playful fenestration and a strong podium. He also clarified that the stairwell to the roof was added per code requirement.

Johnny Carlson then compared the building height to surrounding buildings, noting 88' height of the Sienna development, 120' Shand Morahan building, and 259' building across the tracks on Maple Ave. He then emphasized that the proposed building does not max out height (max 268.5' allowed Site Development Allowance) nor does it max out height described in the downtown plan. Shadow studies were shown for all seasons, animating an 8 hour day for each.

Chair Lewis then opened up the hearing for public comment. 21 people spoke which included the following comments:

- Clarification on whether or not the street will be narrowed to shorten the crosswalk? Mr. Aboona responded no, not to vehicular traffic.

DRAFT- NOT APPROVED

- If consideration been given to reducing the allowances based on community input. Mr. Roseth responded architectural issues were addressed based on community input.
- How many units will have a roll-in shower so residents can age in place? Ms. Riley responded the entire building will be ADA compliant and many units have bathtubs instead. Some units have transfer showers, and all showers have shower seats and grab bars. Many of these are enhancements beyond code requirements
- Concern that this building will obstruct the view from across the street and add more traffic, making it difficult to bike around the area and add to general bike and pedestrian safety.
- Concerns about the speed study. Since there were big blinking signs, that would affect the vehicle speeds. Officer Napier responded the speed was evaluated first, and the sign was put up after the study, which is typically done when there are questions of excessive speed.
- Concerns that the intersection of Ridge/Green Bay/Emerson was not analyzed as part of the applicant's study.
- Commissioner Dubin interjected and stated it would be best to fix the Oak curve to make it a true 90 degree corner, and asked if the City has considered that. Ms. Klotz responded she was not aware of any discussion to modify the curve, and it would likely be difficult to do so given the existing structures in the area.
- A presentation was given by Philip Carihfield, 1720 Oak, on behalf of 18 concerned Sienna condo owners:
 - Approximately 20% of Sienna population is physically and developmentally disabled.
 - Proposal is twice the height of Sienna.
 - Average height of all buildings west of the track is 100'. East of the tracks the buildings are taller with an average of 134'.
 - There is not enough on-street parking already, so this building will make it worse.
 - Developer was asked to add more parking underground but declined.
 - Building is too large, too intense, will overwhelm the area, and create safety hazards.
- Questions regarding whether or not the Inclusionary Housing Ordinance is being followed for size, rate, number, Code says 50-60% AMI rates. A representative from Interfaith Action and Joining Forces stated he was pleased 10% of the units will be affordable, however, of those units really need to be at 50% AMI and the other half at 60% AMI. If we want people to age in place then we need more 2 bedroom units to house a caregiver.
- Concerns over how the proposed project will impact Mt. Zion church. Questions included: Were any traffic studies done on Sundays when parishioners were present? 1815 Oak will be close, and now 1727 Oak close by in the other direction. Will there be other uses in the building such as a restaurant, hotel,

etc.? Will street parking become parallel? Is the dog park entirely on 1727 Oak property?

- Delores Holmes, former alderman stated that good communication makes great neighbors. As a member of Mt. Zion church, she had the questions regarding: will parking change on Clark St, dog park location, and public benefits.
- Developer has stated underground parking is not an option due to the water table, but surrounding buildings have underground parking. The stormwater management calculation has 6 square feet to spare, so it did not take into account changing climate. Mr. Carlson stated that the water table fluctuates from property to property - on this site it is at 6-8'.so it is not feasible to put parking underground.
- Concern that the architect/firm is not licensed in Illinois, per the IDPR. Project needs to do full appraisals of surrounding properties to determine if values will be affected by the development. Project is noncompliant with Fair Housing laws. Submitted evidence.
- Ann Sychon, Executive Director of Center for Independent Futures, which owns a condo at 1740 Oak - increased density and traffic will affect the quality of life for many residents of Sienna. Parking for supportive staff is already not enough. With 1815 Oak/Ridge and this project, that is 323 more units but only 206 parking spaces. More parking is needed. Additionally, there are residents with special needs who are still able to drive and work. There is some concern for their safety.
- General opinion and public statements that the building is a bad idea.

Mr. Carlson responded to several items, providing the following additional information after public testimony:

- The project architect is licensed and perhaps the search for architect was for ESG and not the full name (Elness Swenson Graham Architects).
- Stormwater calculations will meet LEED Silver requirement.
- Both staff and the development team have tried to contact and notice residents multiple times in a variety of ways. Will continue to reach out in various ways and would like to meet with Mt. Zion.
- Street will not be narrowed - only at the crosswalk section and not impacting vehicular lanes. On street parking will be angled stalls.
- The proposed dog park is completely on private property, and will follow City licensing/permitting dog park requirements.
- There are 2-bedroom units, as well as varying sized studio and 1-bedroom units. 15% are small 2 bedrooms and 8% are large 2 bedrooms. The average unit size is 818 sq. ft.
- Originally proposed to pay fee in lieu for affordable housing but worked with the City to find an alternative that is better for the community and have now agreed to put all 17 affordable units on-site with modified AMIs and unit sizes. All 17 units at 50 and 60% AMI is not economically feasible. Instead, half of the 17 units will be at 50 and 60% AMI and the other half will be at 80% AMI.

The Commission then entered deliberation. Comments included the following:

Commissioner Halik stated that the proposed use, density and height are appropriate. This is close to downtown, and we want to encourage a walkable community. Traffic won't be as much of an issue since it is an age restricted building in a walkable area with nearby public transportation. There is never enough street parking no matter what buildings and uses are there. Evanston has great architecture; however, the "playful architecture" is not good enough for Evanston and seems chaotic. If the project is recommended for approval, it should be conditioned on a different facade.

Chair Lewis asked if the development fits with the 2009 Downtown Plan, and Ms. Klotz responded yes, the use is appropriate and encourages walkability that is beneficial to other uses in the area. The bulk and height are within the Downtown Plan that calls for a 15-18 story building in that area which is specifically west of the train tracks.

Commissioner Isaac noted the project meets the requirements and guidelines of the Plan Commission. Parking is a concern in the area already. Chair Lewis noted existing parking conditions are not the fault of the developer, though their project should not exacerbate bad conditions.

Commissioner Isaac stated the Metra tracks at Oak and Clark block pedestrian access to parking right on the other side (farmers market location and the Maple St garage). A structural fix that is well beyond the scope of what this or another developer could do would help the parking situation dramatically by creating a pedestrian tunnel to connect the area to the underutilized parking.

Commissioner Dubin asked if Sienna residents and caregivers could get discounted parking passes for the parking garage to alleviate some parking concerns.

Commissioner Saul encouraged more community outreach beyond notices, which don't always work.

Commissioner Pigozzi stated this is the right development for this property. There is no compelling evidence that the development would make the area less safe or less habitable, and the development may even improve the area/traffic/parking. Appreciate the effort to mitigate bird deaths, and like the design of the balconies on the building.

Commissioner Goddard stated it is a good use of the site. Big concern is the timing of construction with two large buildings being constructed in the area at the same time, and hopes staff can work out the best construction plan that minimally impacts others.

DRAFT- NOT APPROVED

Chair Lewis agreed this is a good development for the site. It is not the burden of this developer to fix other problems that exist to the neighborhood. Truck traffic is a problem, but this development does not add to that problem.

Mr. Mangum summarized the 4 site development allowances requested.

Commissioner Halik motioned to recommend approval of the project with listed staff conditions as well as an added condition that the developer work with members of the appropriate City Committee on facade improvements. The motion was seconded by Commissioner Pigozzi.

Mr. Mangum noted the project could undergo design modifications that DAPR could review and approve and noted a Construction Management Plan is one of the conditions listed, which can incorporate a coordinated effort with the 1815 Oak/Ridge construction.

**Ayes: Dubin, Halik, Isaac, Pigozzi, Saul, Lewis
Nays: Goddard**

Recommendation for approval with staff conditions and 1 additional condition as noted.

Alderman Braithwaite, spoke to residents thanking them for their patience and apologizing to Mt. Zion Church regarding the lack of communication. He then requested that additional community meeting take place.

4. OTHER BUSINESS

There was no other business.

5. PUBLIC COMMENT

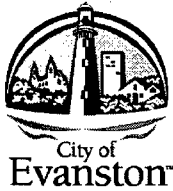
There was no public comment.

6. ADJOURNMENT

Commissioner Goddard made a motion to adjourn the meeting. Commissioner Pigozzi seconded the motion.

**A voice vote was taken and the motion was approved by voice call 7-0.
The meeting was adjourned at 9:16 pm.**

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department



MEETING MINUTES

PLAN COMMISSION

Wednesday, March 14, 2018
7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Patrick Brown, Terri Dubin, Carol Goddard, George Halik, Peter Isaac, Andrew Pigozzi, Jolene Saul

Members Absent: Simon Belisle

Staff Present: Melissa Klotz, Zoning Planner
Scott Mangum, Planning and Zoning Administrator
Mario Treto, Assistant City Attorney

Presiding Member: Colby Lewis, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Lewis called the meeting to order at 7:00 P.M.

2. APPROVAL OF MEETING MINUTES: February 21, 2018

Chair Lewis provided a minor edit to the minutes. Commissioner Pigozzi made a motion to approve the minutes from February 21, 2018, 2018 as edited. Commissioner Saul seconded the motion. A voice vote was taken and the minutes were unanimously approved with the minor edit, 8-0.

3. NEW BUSINESS

A. PLANNED DEVELOPMENT

18PLND-0005

1727 Oak Avenue

Trammell Crow Company, developer, proposes to construct a 17-story active adult, age restricted, multi-family rental development with 169 units and 139 parking spaces in the D3 Downtown Core Development District. The applicant seeks site development allowances for: 1) number of dwelling units (169 where 117 allowed); 2) building height (155 feet where 170 feet allowed as a site development allowance); 3) front yard setback (1 foot where a minimum of 3 feet required); and 4) loading (1 short berth where 2 short berths required).

Ms. Klotz presented a brief background on the proposed planned development. She

APPROVED

provided general development characteristics, proposed public benefits and the staff recommendations and suggested conditions for approval.

Katie Janke-Dale, attorney for the developer, stated that the development team is in agreement with the recommendations provided and welcomed questions and feedback from the Commission.

Johnny Carlson, representative for the developer, described development team and concept, requested allowances, public benefits. The building will be for Active Adults with age restricted to 55 years and older. He mentioned changes to the plans regarding loading and parking as well as affordable housing units being provided on site.

Aaron Roseth, architect for the developer, described floor plans, site plan, renderings, materials, bird-friendly measures, stairwell additional 12 feet.

Chair Lewis stated that a request for continuance had been submitted from a resident living within 1,000 feet of the subject property. The Commission would entertain granting the continuance with the hearing being continued to April 11, 2018 after additional public comment is received. He then opened up the hearing to questions from the Public. 12 people spoke which included:

- Submission of a written continuance request. Reasons stated were many residents of 1720 Oak Ave. were not aware of this development or were confused between this proposal and the previous building that was approved (1815 Ridge/Oak).
- At the recent neighborhood meeting, Alderman Braithwaite asked Mr. Mangum to update the traffic study. Mr. Mangum responded the request was for accident data from the police department and would likely be available prior to the next meeting.
- If the proposed dog park is open to the public, how will Trammell Crow ensure dogs are properly licensed and with appropriate shots as required for off-leash dogs in Evanston? Ms. Janke Dale stated that the building will condition resident animals to be licensed and will work with the City regarding non-resident dogs and how to ensure safety and appropriate licensing.
- Request for clarification on the green areas on the plan. Will the 17-20 nice trees on the west side of the embankment near the tracks be removed? What public benefit will there be to require the developer to replace the trees elsewhere for birds and wildlife to use? Tom Runkle, Engineer for the developer, provided information on the building landscaping and stated that the dog park surface will likely be a decomposed granite or pea rock. Turf grass would be installed around it. Trees along the east property line are in different states of health and due to construction, trees will be removed but developer will comply with City

requirements to replace them and/or provide a fee-in-lieu. Green-roof to be extensive system with shallow rooted plantings.

- The proposed building will block all of the sunlight to neighboring buildings. How was no one notified of this until last weekend when a letter came in the mail but then no other information was provided?
- Why is it necessary for the second and third floor to get so close to the property lines? Other large buildings have done without that. Mr. Roseth clarified that the building is compliant with setbacks on all except the west side of the building. Circulation drove need for relief on west side setback.
- What will happen to the street parking between Ridge and Church? Will there be less street parking that church patrons use? Did Trammell Crow have any meetings with church staff?
- How many staff members will be hired for this development? Mr. Carlson stated there will be 6 full time staff members on-site plus 2 additional for various activities. Not all will be on-site at the same time.
- What outreach has Trammell Crow done to sit down and hear concerns from neighboring Center for Independent Futures and if so, what dates?
- Allowance for only 1 loading: how can it be ensured there won't be future congestion with trucks waiting, and how does the developer know 1 loading area is adequate? Mr. Carlson stated he does not anticipate a need for 2 loading spaces; management will manage scheduling of move-in/move-out and trash pickup.
- There is a 1 way alley between Sienna and the 1111 Church St building - how will that traffic flow during and after construction? Luay Aboona, KLOA, stated that the orientation of the alley across the street will not be changed.
- How is active adult defined and what are the age restrictions?

Ms. Janke-Dale provided information on community meetings and the notice that was provided. This included two community meetings and a ward meeting in addition to the standard noticing required by the City for public hearings and community meetings (no mailed notice was required for the Ward meeting).

Chair Lewis then opened the hearing to questions from the Commission. Questions included:

- Mr. Pigozzi - how will trash pickup be handled? Fear dumpsters will end up taking up loading berth area. Will any residents have caregivers, and if so how will parking for the caregivers be handled?
- Mr. Isaac - Regarding parking, 45 spaces for 1007 Church will be lost. The parking requirement for 1007 Church was calculated at 2 per 1000 sq. ft. of floor area. Should that be 5 per 1000 since it is a medical use (question is for staff). What exactly was the Sienna PD requirement and how does that work if 1007 is using the parking? What is the relationship between the Sienna spaces and 1007? How long term is that relationship? Ms. Klotz stated that 1007 Church was previously required to have 245 spaces which then increased to 294 parking

spaces with the addition of medical office. Had more than needed and with new development required parking is not affected.

- Ms. Goddard - has the site always been a parking lot or is there the possibility of ground contamination, and what will be done to address that?
- Ms. Saul - is Transit Tracker available to the public or just the building residents? What about improving the crosswalk midblock? The traffic study that is done 1 year after the building is built could instead be done when the building is 90% occupied to get a better read of the traffic implications. Luay Aboona, KLOA, stated Crosswalks will be restriped. Will take a look at post construction traffic impacts and any needed signage. Crosswalk traffic signals will be upgraded with countdown timers at Oak and Church by the 1815 Ridge/Oak development. Mr. Mangum stated that staff is open to amending the condition regarding the traffic study post occupancy.
- Ms. Dubin – How does the City control the health of dogs at the dog beach? Mr. Mangum provided information on how the City's dog beach regulates use.
- Has the City considered making the intersection at the curve onto Clark Street a controlled intersection? Mr. Mangum stated that the intersection at Oak and Clark had plans reviewed but no recommendation has come up.
- Chair Lewis - Shadow studies done for the project?
- Mr. Halik - would like architect to explain the "playful" architecture proposed and how that relates to the architecture of Evanston. Mr. Roseth provided clarification on "playful" architecture.

Johnny Carlson answered remaining questions. An Active Adult is someone who wants to live in a rich social environment with activities. Active Adult living does not anticipate having caregivers, tenants would more likely move to a different facility that fits their needs. Parking meters will be taken down and a meter box added to block. 2 additional stalls and 2 ADA stalls will also be added. He anticipates a summer construction start with an 18 month construction period. A Construction Management Plan that addresses impacts to neighboring properties during construction, including the alley, wayfinding signage, and people on-site directing traffic. Transit Tracker board may be able to be located where it is visible both inside and outside the building. The development team will, per City code, handle removal of any soil in need of remediation (have not found this need upon testing). Shadow study will be provided for the next meeting.

Chair Lewis opened the hearing for public testimony and offered to allow testimony to individuals at either this hearing or at the continued hearing on April 11. A total of 4 people spoke, providing the following comments:

- Speeding around Oak Ave. curve creates a dangerous situation with the midblock crosswalk. If the project moves forward, do not grant the special allowances requested, which just add to the congestion. Sienna was originally marketed for people with mental and physical disabilities.

APPROVED

- Building height is double that of Sienna development. Sienna was in a less congested area and had enough parking for home medical staff and caregivers. Adding 2 new towers in the immediate area without enough parking will increase congestion and affect property values. The addition of 2 new on-street spaces is not enough. Physical limitations of some residents make moving elsewhere difficult, doing so due to issues created by development not an option
- The building would cause more congestion, block views from Sienna, and cast shadows.
- The requested affordable housing does not meet IHO requirements and a shortage of moderately priced senior housing. Market rent for a 1 bedroom in this building is around \$2800, which is not moderately priced senior housing. The average Social Security benefit is \$1,369. Proposal not an alternative equivalent. It is not equivalent and not in compliance with the AMIs. Also there are no 2 bedroom units proposed as affordable, which is required by the IHO.

Commissioner Saul made a motion to continue the item to April 11, 2018 at 7:00 PM in Council Chambers. Commissioner Isaac seconded the motion. A roll call vote was taken and the motion was approved, 7-1.

**Ayes: Brown, Dubin, Goddard, Halik, Isaac, Lewis, Saul.
Nays: Pigozzi**

B. TEXT AMENDMENT

18PLND-0013

Coach House Definition

A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to revise the definition of a coach house.

Mr. Mangum explained the text amendment was a City Council referral, and the proposed text amendment modifies the definition of a coach house so that a coach house could be rented out to a separate tenant unrelated to the owners of the principal structure.

Chair Lewis opened the hearing to questions from the public. One person, Birch Berdhardt spoke stating that the proposed regulation does not discuss affordability at all. In talking with Housing staff, coach houses could provide a great deal of affordable units. She then asked if that is possible. Mr. Mangum explained that City Council did not provide direction regarding affordability or restricting income levels so, while it is not proposed at this time, it could be considered in the future.

Chair Lewis opened the hearing to questions from the Commission. Ms. Goddard asked if there is a limit to the number of tenants that could live in the structure, and if there is a definition of dwelling. Mr. Mangum responded each dwelling unit on the property could have a family that complies with the definition of family (no more than 3 unrelated). A dwelling unit is defined by having cooking and eating, sleeping, and living

accommodations.

Mr. Pigozzi asked what the new limit would be – could someone tear down their garage and build a new one with an apartment above it in an R1 District? That would change the nature of the R1 District. Mr. Mangum explained yes, one could do that. Currently you could build the same but only be used by a family member (per the definition of family).

Mr. Isaac noted accessory structures are limited to 20 feet in height so that in itself may prevent new coach houses from being constructed.

Mr. Brown asked how the City currently polices coach houses, and Mr. Mangum explained currently it is on a complaint basis and is handled by Zoning staff and Property Standards staff.

Ms. Saul asked if rented coach houses will have to be registered as rentals, and Mr. Mangum said he believes so.

Chair Lewis noted this change will create a profit availability that could change neighborhoods. Are there limitations to how many per property, etc? Mr. Mangum stated that no additional limitations are proposed regarding the number of units allowed per block but current existing regulations would still provide limitations on the size, required parking, etc.

Commissioner Pigozzi made a motion to recommend that the proposed amendment be rejected. Commissioner Isaac seconded the motion.

A roll call vote was taken and the motion failed with a tie vote, 4-4.

Ayes: Brown, Dubin, Isaac, Pigozzi.

Nays: Goddard, Halik, Lewis, Saul.

The vote was incorrectly tabulated to fail 4-3 during the meeting.

Commissioner Halik made a motion to recommend that the proposed amendment be adopted. Commissioner Saul seconded the motion.

A roll call vote was taken and the motion failed with a tie vote, 4-4.

Ayes: Goddard, Halik, Lewis, Saul.

Nays: Brown, Dubin, Isaac, Pigozzi.

The vote was incorrectly tabulated as approved 4-3 during the meeting.

APPROVED

The text amendment will move forward to City Council without a recommendation.

4. OTHER BUSINESS

There was no other business.

5. PUBLIC COMMENT

There was no public comment.

6. ADJOURNMENT

Commissioner Goddard made a motion to adjourn the meeting. Commissioner Saul seconded the motion.

**A voice vote was taken and the motion was approved by voice call 8-0.
The meeting was adjourned at 9:15 pm.**

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department