

121-O-20

AN ORDINANCE

**Granting a Special Use Permit for a Banquet Hall Located at 800
Greenwood Street in the C2 Commercial District
("Eight Hundred")**

WHEREAS, the Zoning Board of Appeals ("ZBA") met on October 20, 2020, pursuant to proper notice, to consider case no. 20ZMJV-0058, an application filed by Andrea Liss (the "Applicant"), for the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 800 Greenwood Street (the "Subject Property") and located in the C2 Commercial District, for a Special Use Permit to establish, pursuant to Subsection 6-10-4-3 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a Banquet Hall business on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Banquet Hall business met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of December 14, 2020, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA's record and findings and recommended the City Council accept the ZBA's recommendation and approved the application in case no. 20ZMJV-0058; and

WHEREAS, at its meetings of December 14, 2020 and January 11, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

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 approves the Special Use Permit for a Banquet Hall business on the Subject Property as applied for in case no. 20ZMJV-0058.

SECTION 3: Pursuant to Subsection 6-3-5 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-5 of the Zoning Ordinance:

- A. The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. The use of amplified outdoor music shall not be permitted beyond 11:00 p.m. Sunday through Thursday and midnight Friday and Saturday, and;
- C. There shall be a re-review of the proposed parking plan by the Design and Project Review Committee within twelve (12) months, and;
- D. Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

SECTION 4: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

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

SECTION 7: 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.

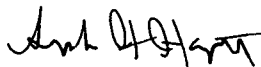
SECTION 8: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: December 14, 2020

Approved:

Adopted: January 11, 2020


December 31, 2020



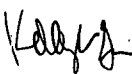
Stephen H. Hagerty, Mayor

Attest:

Approved as to form:



Devon Reid, City Clerk



Kelley A. Gandurski, Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

LOT 12 (EXCEPT THE SOUTH 30 FEET AND THE WEST 40 FEET THEREOF) AND
LOT 13 (EXCEPT THE SOUTH 30 FEET THEREOF) IN A.J. BROWN'S SUBDMISION
OF BLOCK 40 IN THE CITY OF EVANSTON IN SECTION 18, TOWNSHIP 41 NORTH,
RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

COMMONLY KNOWN AS 800 GREENWOOD STREET

PIN # 11-18-329-012-0000



FINDINGS

FOR STANDARDS OF
SPECIAL USE PERMITS

In the case of

Case Number: 20ZMJV-0058
Address or Location: 800 Greenwood Street
Applicant: Andrea Liss, "Eight-Hundred"
Proposed Special Use: Banquet Hall

After conducting a public hearing on October 20, 2020, the Zoning Board of Appeals makes the following findings of fact, reflected in the audio-visual recording of the hearings, based upon the standards for special uses specified in Section 6-3-5-10 of the Zoning Ordinance:

<u>Standard</u>	<u>Finding</u>
(A) It is one of the special uses specifically listed in the zoning ordinance;	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met Vote 5-0
(B) It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time;	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met Vote 5-0
(C) It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the city as a whole;	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met Vote 5-0
(D) It does not interfere with or diminish the value of property in the neighborhood;	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met Vote 5-0

(E) It can be adequately served by public facilities and services	<u> X </u> Met <u> </u> Not Met Vote 5-0
(F) It does not cause undue traffic congestion;	<u> X </u> Met <u> </u> Not Met Vote 5-0
(G) It preserves significant historical and architectural resources;	<u> X </u> Met <u> </u> Not Met Vote 5-0
(H) It preserves significant natural and environmental features; and	<u> X </u> Met <u> </u> Not Met Vote 5-0
(I) It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.	<u> X </u> Met <u> </u> Not Met Vote 5-0

and, based upon these findings, and upon a vote

 5 in favor & 0 against

Recommends to the City Council

 approval without conditions

 denial of the proposed special use

 X approval with conditions *specifically*:

1. The use of amplified outdoor music shall not be permitted beyond 11:00pm Sunday through Thursday and midnight Friday and Saturday, and;
2. Re-review of the proposed parking plan by the Design and Project Review Committee within 12 months, and;
3. The project be developed in substantial compliance with the documents and testimony on record for the case.

Attending:

<u> X </u>	Max Puchtel
<u> X </u>	Myrna Arevalo
<u> </u>	Jill Zordan
<u> X </u>	Violetta Cullen
<u> </u>	Lisa Dziekan
<u> X </u>	Mary McAuley
<u> X </u>	Kiril Mirintchev

Vote:

Aye	No
<u> X </u>	<u> </u>
<u> X </u>	<u> </u>
<u> </u>	<u> </u>
<u> X </u>	<u> </u>
<u> </u>	<u> </u>
<u> X </u>	<u> </u>
<u> X </u>	<u> </u>



Melissa Klotz <mklotz@cityofevanston.org>

New form response notification

1 message

Google Form <smangum@cityofevanston.org>

Tue, Oct 20, 2020 at 7:22 PM

Reply-To: smangum@cityofevanston.org

To: mklotz@cityofevanston.org, csterling@cityofevanston.org

Your form has a new entry. Here are all the answers.

Name	Vince Gerasole and Heidi Umbhau
Address of Residence	1335 Elmwood Avenue
Please leave your phone number (for phoning in) or email (for video comment through Zoom platform) so that we may identify and call on you for your public comment and you may be able to call/video in.	312 446 5835
How would you like to make your public comment?	Written (see below)
Agenda Item (or comment on item not on the agenda)	Agenda Item
Provide Written Comment Here	I want Andrea to succeed and she is a great neighbor, my only concern is music ppast 11 pm.

Sent via Google Form Notifications



Melissa Klotz <mklotz@cityofevanston.org>

New form response notification

1 message

Google Form <smangum@cityofevanston.org>

Tue, Oct 20, 2020 at 6:39 PM

Reply-To: smangum@cityofevanston.org

To: mklotz@cityofevanston.org, csterling@cityofevanston.org

Your form has a new entry. Here are all the answers.

Name	Yvette Meltzer
Address of Residence	1407 ELMWOOD AVE
Please leave your phone number (for phoning in) or email (for video comment through Zoom platform) so that we may identify and call on you for your public comment and you may be able to call/video in.	yvettemeltzer@yahoo.com
How would you like to make your public comment?	Written (see below)
Agenda Item (or comment on item not on the agenda)	Special Permit Request for Special use for a Banquet Hall at 800 Greenwood
Position on Agenda Item	Opposed
Provide Written Comment Here	Living within 500 feet of this venue we are strongly opposed to this use of the space. In the time of COVID it is inappropriate to have gatherings of 50 people in a residential neighborhood. We are concerned about people walking through the neighborhood and the spread of Covid . We already are squeezed out of parking as people choose not to pay the parking fees on Greenwood and instead park on Elmwood. Having so many cars coming into the neighborhood is unwelcome. Banquets often serve alcohol and people leaving an event may be loud and unruly. We have no interest in having a banquet hall as a neighbor. Please vote NO! Thank you!

Sent via Google Form Notifications



Melissa Klotz <mklotz@cityofevanston.org>

Zoning Variance Request for 800 Greenwood.

1 message

KATHERINE ROGERS <kg.rogers@comcast.net>
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>

Tue, Oct 27, 2020 at 8:49 AM

Dear Ms. Klotz,

I am a home owner at 1329 Elmwood Avenue, Evanston, and am writing to say that I am **not** in favor of the requested variance for the 800 Greenwood property. The requested variance to lease the space as an events venue would conflict with the normal expectations of residential living. Issues of parking (already a strain in this area) and noise after set hours negatively impact the family neighborhood where we go to bed early and hope to park near to our homes. As the property under discussion shares half the block with residential homes it would be a fundamental change to the zoning.

I regret that I missed the zoning hearing when this request for a variance was discussed. And would be happy to provide any other form of input to help raise the awareness of this issue. Would you please let me know where I might go to track any developments or decisions on this requested zoning variance?

Thank you.

Katherine Rogers
1329 Elmwood Avenue



MEETING MINUTES

ZONING BOARD OF APPEALS

Tuesday, October 20, 2020

7:00 PM

Via Virtual Meeting

Members Present: Violetta Cullen, Myrna Arevalo, Kiril Mirintchev,
Max Puchtel, Mary McAuley

Members Absent: Jill Zordan, Lisa Dziekan

Staff Present: M. Klotz, C.W. Sterling

Presiding Member: Violetta Cullen

Declaration of Quorum

With a quorum present, Chair Cullen called the meeting to order at 7:03 p.m.

Suspension of Rules for digital meeting

Ms. McAuley motioned to suspend the rules to permit members to convene via virtual meeting. Second by Ms. Arevalo and approved 5-0.

Minutes

Ms. McAuley motioned to approve the meeting minutes of September 15, 2020. Second by Mr. Mirintchev and approved 5-0.

800 Greenwood Street

ZBA 20ZMJV-0058

Andrea Liss, proprietor, submits for a special use for a Banquet Hall, "Eight Hundred", in the C2 Commercial District (Zoning Code Section 6-10-4-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Andrea Liss, proprietor, explained the proposal:

- Gave a brief description of the proposed use and her history in the space since purchasing it many years ago
- Business has been severely impacted by COVID
- All client events cancelled into 2022
- Inspiration for the idea is necessity
- Refined micro-events in her design studio and terrace
- Use a preferred list of vendors
- 29 years of experience in special events
- Loyal client base across the gold coast and north shore
- Explained hours of operation and asked about extending hours to 1am on weekends to be more congruent with competitors.

Ms. McAuley stated she was familiar with the location and the venue makes a certain amount of sense, but opening until 1am on weekends might be a problem for residential properties in close proximity. Have you received feedback from residential neighbors?

Ms. Liss stated she had not received any immediate feedback from neighbors but would talk to adjacent neighbors. Some neighbors said they would call in today.

Ms. McAuley: 1am depends on the type of music that's being played. It is a concern, but one she would entertain once the neighbors gave feedback.

Ms. Liss: Does have letters of support from most adjacent neighbors

Ms. Klotz: read a letter of opposition received in the last hour, noting parking and noise as immediate concerns due to proximity to the residential homes.

Chair Cullen: Asked about DAPR restrictions for music and parking being reviewed in 12 months time? Is this something that would assuage neighbors concerns?

Ms. Liss: Explained the parking plan including the use of a valet. Open to other suggestions but the location is relatively deserted on nights and weekends. For smaller events it seems appropriate. Hours are consistent with other similar uses approved in Evanston.

Ms. McAuley: On weekends and evenings, that is correct.

Ms. McAuley: Love the idea of activating the courtyard, but if dumpsters were moved to the alley as is typical, some concerns may come up regarding trash removal after big events. Can you discuss this as well as activation of the courtyard due to its size? How would social distancing occur?

Ms. Liss: Garbage and dumpsters didn't exist for 20+ years, but now we're contracted with Groot and they come twice a week. Willing to extend this if needed. The outdoor terrace is something we're so excited about. We can get 50 people but comfortable for sit-down is 35 or so. 50 would be a mingling event that was standing only.

Mr. Puchtel: You are requesting to increase hours for music F-S to 1am? Would it be ok to have music if it wasn't amplified? Would you be willing to move music indoors after midnight?

Ms. Liss: Perhaps not in conflict, and yes I suppose moving the party inside would work if that's what is needed.

Ms. McAuley: Proximity to residential would be better served to limiting hours as recommended by DAPR. I wouldn't push 1am at this location, particularly because this is going to City Council and they can ultimately determine if the hours are appropriate or not.

Ms. Liss: This is acceptable.

Public Comment:

912 Greenwood, Dave Simmons: Some similar concerns with my earlier email in regards to traffic. If there is catering trash in the alley dumpsters, it may cause problems with rodents. If traffic is going on around midnight, there would be a lot of people outside leaving, coming and going. This is a quiet neighborhood. Concerns with this use in a residential area.

Ms. Liss: Responds that she would likely have 20-30 person events. Garbage would be picked up every morning if that's what is needed. Perhaps the valet could not traverse the residential districts and go toward Chicago Ave. The area is zoned C2, and this is a listed special use. I am willing to give out my number to allow neighbors to ask her to mitigate if things become too loud or obstructive.

Ms. McAuley: I have similar concerns with the use in this location in regards to traffic, but think that the DAPR conditions are appropriate. Parking would be reviewed in a years time. If the use and traffic were problematic for neighbors, there is potential for restitution.

Mr. Simmons: This would be appropriate and assuages my concern.

Ms. McAuley: Your feedback is appreciated Mr. Simmons.

Ms. Liss: Would it just be parking and not the whole use that would be re-reviewed?

Ms. McAuley: Correct. DAPR thought it was a good use, but had two good conditions for hours and parking.

Mr. Simmons: Music at 11pm is not appropriate either. It reverberates off the railroad tracks and pushes sound into the neighborhood. 10pm is more appropriate in my mind.

Chuck Oseberg at 912 Greenwood: Concerned about parking, but appreciates that it would be looked into by DAPR and is happy if they could get in touch with Ms. Liss if there were problems. There wouldn't be music every night and it likely wouldn't be amplified. It's not a music venue.

Ms. Liss: Correct.

Mr. Oseberg: Parking is the concern for me, not the music.

Vince and Heidi, House closest to the proposed venue: We are supportive of the business because Andrea will do a great job. We want to support her as a neighbor. We have some concerns with music going to 11pm but think it is a lovely venue and it isn't 7 days a week of intense use. There is some concern about the music if its loud and amplified, but expects it won't be often. Applauds Ms. Liss for the effort to pick up and dispose of trash. Parking is awful here, but there sounds like there are good guidelines in place to address this concern. We want to support small businesses like this, especially now.

Ms. McAuley: Shutting down the business or music at 10pm if other venues are open later, would put her business at a disadvantage. The key is open communication between the venue and the neighbors. 10pm would be a huge burden on the business and make it non-competitive.

Vince: Only concern was for outdoor music, not indoors.

Dan Simmons: Amplified music is really the problem, but other music, even outdoors would be fine.

Dan Clark 1325 Elmwood: Andrea does amazing work. We are supportive of the use!

Ms. Liss: The venue is too small for loud music, it would be terrible. What I'm proposing is like an electric violin or guitar. I don't want to do anything that would make any of my neighbors unhappy and would bend over backward to make this happen and make them approve and support it.

Vince: We should be supportive of a small business. This isn't like a Casino. I'm the closest house to this use and I support it with the necessary processes that are being talked about

Deliberation:

Chair Cullen: I approve of this use and agree we need to support a small business that is locally owned.

Ms. Arevalo: I am also supportive. The business plan and all the accommodations by Andrea is commendable and thoughtful. Everything involved in this project is exemplary.

Mr. Mirintchev: I am also supportive. The concerns are real, but the adjacent two properties are more commercial than residential. I know this location very well. Parking is an issue, but the conflict is likely not to occur, especially with the valet and hours for the events. I support the 12 month reevaluation of parking. This is important.

Mr. Puchtel: I am in favor of the project. Andrea is a responsible business owner and the DAPR conditions are prudent and reasonable. I have no doubts that any concerns that may arise can and will be resolved.

Ms. McAuley: I am also supportive of the use and a long time Evanstonian.

Reading of standards:

- A. Yes
- B. Yes
- C. Yes (MM Would like to add condition for review by DAPR)
- D. Yes
- E. Yes
- F. Yes
- G. NA

- H. NA
- I. Yes

Ms. McAuley made a motion for approval with conditions on hours of operation (exterior music end at 11pm SU-TH and 12am F-S and review of parking in 12 months by DAPR as well as development in substantial compliance with the documents and testimony on record. Ms. Arevalo seconded the motion and unanimously approved 5-0.

Adjourned 8:45pm