



# LAND USE COMMISSION ACTIONS

Wednesday, February 22, 2023  
7:00 P.M.

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

## AGENDA

Those wishing to make public comments at the Land Use Commission meeting may submit written comments in advance or sign up to provide public comment in-person during the meeting by calling/texting 847-448-4311 or completing the Land Use Commission meeting online comment form available by clicking [here](#), or visiting the Land Use Commission webpage, <https://www.cityofevanston.org/government/boards-commissions-and-committees/land-use-commission>, clicking on How You Can Participate, then clicking on Public Comment Form. Community members may watch the Plan Commission meeting online at [www.cityofevanston.org/channel16](http://www.cityofevanston.org/channel16) or on Cable Channel 16.

### I. CALL TO ORDER/DECLARATION OF A QUORUM

<i>Present</i>	<i>Absent</i>
M. Arevalo	M. Rodgers
G. Halik	
J. Hewko	
B. Johnson	
J. Lindwall	
K. Mirintchev	
M. Puchtel	
K. Westerberg	
8	1

### II. APPROVAL OF MEETING MINUTES: February 8, 2023

*Action: Motion to approve with minor edits, carried 7-0, with one abstention.*

### III. OLD BUSINESS (Continued from January 25, 2023)

#### A. Public Hearing: Major Variations | 1420 Leonard Place | 23ZMJV-0002

David Reid, property owner, requests four Major Variations from the Evanston Zoning Code to allow for the construction of a new single-family home in the R3 Two-Family Residential District. The variations are as follows: a front yard setback for the principal structure of 7.7 feet where a minimum front yard setback

of 27 feet is required [Section 6-8-4-7(A)(1)]; a west interior side yard of 3 feet for the principal structure where a minimum of 5 feet is required [Section 6-8-4-7(A)(3)]; a west interior side yard of 2.5 feet for the eave (roof overhang) where a minimum of 4.5 feet is required [Section 6-4-1-9(B)(1)]; and a west interior side yard of 3 feet for the air conditioning equipment where a minimum of 6 feet is required [Section 6-4-6-9]. The Land Use Commission is the determining body for this case in accordance with Section 6-3-8-10 of the Evanston Zoning Code and Ordinance 92-O-21. **Due to an initial vote of 4-4 on a motion to approve the requested zoning relief with conditions, the application for zoning relief was continued to this meeting in order to obtain a fifth vote to render a majority of the 9 seated members.**

**Action:** The remaining Commissioner voted, 1-0, on the previous motion to approve this request with conditions, bringing the total vote count to 4-5. The motion, therefore, failed and the request was denied.

**B. Public Hearing: Major Variation | 1811-1815 Church Street and 1708-1710 Darrow Avenue | 22ZMJV-0092**

Richard Koenig, Housing Opportunity Development Corporation, applicant, submits for the following Major Variations from the Evanston Zoning Code:

1) Reduce the required front yard build to zone from 5'-10' to 0' (Section 6-15-15-IX-A.3), 2) Reduce the required west and east interior side yard setbacks from 5' to 0' (Section 6-15-15-IX-A.5), 3) Reduce the required rear yard setback from 5' to 0' (Section 6-15-15-IX-A.6), 4) Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area (Sections 6-15-15-IX-A.7 and 6-15-15-IX-A.8), 5) Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7' (Section 6-15-15-IX-B.1), 6) Eliminate the required 8' ziggurat setback at the 3rd story (Section 6-15-15-IX-B.1), 7) Eliminate the required one short loading berth (Section 6-16-5, Table 16-E), in order to construct a 5-story mixed-use building with ground floor retail, 44 dwellings, and on-site parking in the B2 Business and oWE West Evanston Overlay Districts. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

**Action:** Motion to recommend approval, carried 4-3, with one abstention, in accordance with updated plans dated February 10, 2023 as presented at the February 22, 2022 meeting with the following conditions:

1. Approval of a plat of subdivision establishing new property lines.
2. Compliance with Green Building and Bird Friendly Ordinances.
3. Compliance with rental registration requirements.
4. Rooftop mechanical equipment to comply with the maximum permitted sound level at the property line. The applicant is encouraged to use equipment that does not need sound attenuation modifications.

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5. *If exterior lighting is proposed, a photometric plan is required at the time of building permit submittal showing light levels at the property line. Exterior lighting is not to glare or spill over onto adjacent properties.*
6. *Parking Services and Public Works Agency approval for the on-street loading zone.*
7. *Replace any sidewalk displaced during construction.*
8. *Provide Stop control and stop bar at the access drives for northbound site traffic exiting onto the alley along the north side of the development site.*
9. *Provide bike storage/racks for both residents and commercial uses in the HODC project.*
10. *Run an AutoTurn to examine turning operations at the new access drive.*
11. *Approval of a Construction Management Plan (CMP) to address potential impacts to 1817 Church Street and in coordination with adjacent properties. Neighboring properties should be kept informed and involved in the development of the CMP.*

**C. Public Hearing: Special Use & Major Variation | 1801-1805 Church Street and 1708-1710 Darrow Avenue | 22ZMJV-0089**

Pastor Clifford Wilson, Mt. Pisgah Ministry, Inc., applicant, submits for a Special Use for a use (religious institution) in the oWE West Evanston Overlay District exceeding 10,000 square feet but less than 40,000 square feet (Sections 6-15-15-XVII-B.4 and 6-15-15-XVII-B.6), and submits for the following Major Variations from the Evanston Zoning Code: 1) Reduce required front yard build to zone from 5'-25' to 0' at upper floors (Section 6-15-15-XVII-A.2), 2) Reduce required west interior side yard setback from 5' to 0' (Section 6-15-15-XVII-A-6), 3) Increase impervious surface coverage from 60% + 20% semi-pervious surface material to 90.3% (Sections 6-15-15-XVII-A.8 and 6-15-15-XVII-A.9), 4) Increase building height from 2 stories or 30' to 3 stories at 44.0' to parapet (Section 6-15-15-XVII-B.1), 5) Eliminate the required building stoop base type and provide a storefront base type instead (Section 6-15-15-IV, Table IV.A, and 6-15-15-V-C.4), 6) Provide occupied space behind building parapet cap type where occupied space is not permitted (Section 6-15-15-IV, Table IV.A, and 6-15-15—VI-A.3), 7) Eliminate the required one short loading berth (Section 6-16-5, Table 16-E), 8) Increase yard obstruction from 10% to 40% into corner side setback for exterior building fins and vertical trellis (Section 6-4-1-9-B.1), 9) Eliminate the required 3'-4' tall steel or PVC picket fence around the parking area (6-15-15-XVIII.B.5), in order to construct a 3-story building for a religious institution with both on-site and leased offsite parking in the B2 Business and oWE West Evanston Overlay Districts. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

**Action:** *Motion to recommend approval with conditions as recommended by staff, failed 3-5. Case will move forward with a negative recommendation.*

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#### IV. NEW BUSINESS

**A. Public Hearing: Zoning Text Amendment | U2 University Athletic Facilities District | 23PLND-0010**

Luke Figora, applicant on behalf of Northwestern University, requests a Text Amendment to the Zoning Ordinance, Section 6-15-7-2 Permitted Uses, to modify the list of permitted uses in the U2 District and conditions required for public facing concerts. The Land Use Commission is the recommending body for this case in accordance with Section 6-3-4-6 of the Evanston Zoning Code and Ordinance 92-O-21. ***The applicant has requested to continue this case to a date uncertain. The case will not be discussed at this meeting and will be re-noticed for a future meeting date.***

***Action:*** No action taken

**B. Public Hearing: Zoning Text Amendment | List of Special Uses in B1 | 23PLND-0007**

In conjunction with zoning case no. 23ZMJV-0008, Hana Samuels of Blue Star Properties, applicant on behalf of 1243 Chicago (Evanston) LLC and Chicago Roadhouse, owners of properties located at 1243 Chicago Avenue and 1245 Chicago Avenue, respectively, request an amendment to Evanston City Code §6-9-2-3 to add 'performance entertainment venues' to the list of Special Uses in the B1 Business District. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with City Code §6-3-4-6.

***Action:*** Motion to recommend approval, carried 8-0.

**C. Public Hearing: Special Use Permit & Major Variation | 1243-45 Chicago Avenue | 23ZMJV-0008**

In conjunction with zoning case no. 23PLND-0007, a request for an amendment to add 'performance entertainment venues' to the list of Special Uses in City Code §6-9-2-3 of the Evanston City Code, Hana Samuels of Blue Star Properties, applicant on behalf of 1243 Chicago (Evanston) LLC and Chicago Roadhouse, owners of properties located at 1243 Chicago Avenue and 1245 Chicago Avenue, respectively, requests a Special Use Permit to allow a performance entertainment venue (City Code §6-9-2-3) and a Major Variation to not provide one (1) loading stall where one (1) is required (City Code §6-16-5, Table 16-E) for an addition to an existing type 1 restaurant (Union Pizzeria) in the B1 Business District. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with City Code §6-3-5-9.

***Action:*** Motion to recommend approval, carried 8-0, with the following conditions:

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1. *That hours of operation for both the restaurant and SPACE be 11:00 am to 11:00 pm Sunday through Thursday, and 11:00 am to midnight (12:00 am) Friday and Saturday plus New Year's Eve;*
2. *That the facility will operate within guidelines of Evanston's Noise Zoning Ordinance;*
3. *No performance occurring inside the building will be allowed to perform in the outdoor space. There will be no live performances outdoors where the primary purpose of the event is to listen to music. Any outdoor performances shall be accessory in nature and will be held on an infrequent basis, such as when string music or a jazz combo may be proposed for a wedding.*
4. *Any speakers installed to project sound outside of the building shall be used only for ambient background music during the approved hours of operation;*
5. *That parking fees be paid as required for use of the on-street parking stalls for the purposes of loading and delivery;*
6. *That any change in ownership of the property located at 1307 Chicago Avenue, where off-site parking is provided for the performance entertainment venue, require an amendment to this Special Use; and*
7. *That composting of any food waste or other compostable materials be added to the waste management plans of the property.*
8. *Two of the three on-site parking spaces will be made available for performers and their equipment*

**V. COMMUNICATION**

**VI. PUBLIC COMMENT**

**VII. ADJOURNMENT**

The next meeting of the Evanston Land Use Commission will be held on **Wednesday, March 8, 2023, at 7:00 pm, in the James C. Lytle Council Chambers in the Lorraine H. Morton Civic Center.**

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