



## **MEETING MINUTES**

### **LAND USE COMMISSION**

Wednesday, April 19, 2023 | 7:00 PM  
Lorraine H. Morton Civic Center, 2100 Ridge Avenue  
James C. Lytle City Council Chambers

Members Present: George Halik, Brian Johnson, Kiril Mirintchev, Kristine Westerberg, Myrna Arevalo, Max Puchtel, and Matt Rodgers

Members Absent: John Hewko and Jeanne Lindwall

Staff Present: Deputy City Attorney Alexandra Ruggie, Planner Katie Ashbaugh, Neighborhood and Land Use Planner Meagan Jones, Community Development Director Sarah Flax, Planning Manager Liz Williams and City Engineer Lara Biggs

Presiding Member: Matt Rodgers

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### **Call to Order**

Chair Rodgers opened the meeting at 7:03 PM. A roll call was then done and a quorum was determined to be present.

### **New Business**

**A. Public Hearing: Major Variations | 2000 Simpson Street | 23ZMJV-0022**  
**Alex Lopez of Cordogan Clark Architects, applicant and architect for the property owner, submits for the following Major Variations in order to construct a 3-story, K-8 educational institution - public: 1) Floor Area Ratio (FAR) of .62 where the maximum is 0.15 (Section 6-15-9-6), 2) a proposed height of 3 stories at 55 ft. where 2.5 stories or 35 ft. is maximum (Section 6-15-9-7). 3) Open parking location within the front yard (Section 6-16-2-1.C), 4) Loading area located in the required front yard (Section 6-16-4-1.B), and 5) Loading area dimension (10 X 35) that is located within the drive aisle width of the parking lot (Section 6-16-4-4). The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-8-10, and Ordinance 92-O-21. PIN: 10-13-201-028-0000.**

Sergio Hernandez, President of the District 65 School Board, introduced Chief Financial Officer Raphael Obafemi, Director of Student Assignments Sarita Smith, Executive Director of Communications Melissa Messenger, Board Counsel Brian Crowley, MaRous & Company's Mike MaRous who prepared the market impact study, and from Cordogan Clark Alex Lopez and Brian Kronewitter who represent their architectural and

construction company. Cordogan Clark provided an overview of the site development, community meeting input, conceptual exterior elevations, and conceptual floor plans.

### Commissioner Questions

Commissioner Halik asked how the site was selected. Mr. Lopez explained that the school district started with the largest parcel of land that they owned. He also reviewed the parcel ownership boundaries.

Commissioner Westerberg questioned whether parking below grade was explored. Mr. Lopez concurred that they had but eliminated it due to the local high-water table which significantly contributes to the construction expense. Commissioner Mirintchev followed up to inquire if covering the parking with a garden was investigated. Mr. Obafemi responded that it did not have the financial resources to do so.

Commissioner Westerberg requested the applicant to clarify the two schools and Mr. Lopez described that the building would house both a Kindergarten through 8<sup>th</sup> grade 5th Ward School and all grades from the Bessie Rhodes Magnet School. Mr. Obafemi added that the decision to include grades from Bessie Rhodes is because the majority of those students currently reside in the 5th Ward. Chair Rodgers further asked what the percentage from Bessie Rhodes was being brought over and what percentage was 5<sup>th</sup> Ward. Ms. Smith responded that they estimate that 200 students will come from Bessie Rhodes to the 5<sup>th</sup> Ward. Mr. Obafemi said they have 700 students that go to other Evanston schools who will go to the new 5<sup>th</sup> Ward school. Chair Rodgers inquired about the impact on the other schools. Ms. Smith responded that they are looking at specific school impacts and space reutilization.

Commissioner Halik asked what program was deleted to reduce the height of the school and if the building is being planned for the future. Mr. Lopez explained that the number of students and utilization of space drives the size of the building and that population trends are part of the calculation. Mr. Lopez then explained that following community feedback and surveys that it was decided that the scale of the building as it relates to classrooms could be scaled back. Chair Rodgers followed up by asking how 15-foot per floor was determined. Mr. Lopez replied that new school buildings have a window height of 10 feet to allow natural daylight in which sets the initial ceiling. The rest allows for mechanical, electrical and other structural issues to be hidden above the ceiling.

Commissioner Westerberg inquired if the Simpson Street building façade setback could be treated more like the Ashland Avenue setback. Mr. Lopez responded that they could look further into it.

Commissioner Halik asked about kindergarten drop off and drop off security in general. Mr. Lopez reviewed the entrances for students who would be walking and described the secured vestibules. Mr. Obafemi provided an overview of the greeters stationed at all schools and crossing guards.

Commissioner Mirintchev questioned whether the building could be further reduced. Mr. Obafemi described the projected number of 5<sup>th</sup> Ward students along with the program needed for those students that includes modern arts, lab, and gymnasium needs as well as new ventilation assumptions.

Commissioner Halik asked staff about parking and loading as it relates to the front yard. Ms. Jones responded that the lot is unique, and Simpson Street is the first front yard, the street side yard is Ashland Avenue, and the second front yard is Foster Avenue. Commissioner Halik noted that two variances are associated with the two front yard determination.

Commissioner Rodgers requested that the applicant comment on the parking arrangement with Fleetwood-Jourdain. Mr. Lopez explained that there have been ongoing discussions with Family Focus and the City with regards to parking usage. Mr. Obafemi responded that a parking use agreement with the City for access to parking spaces for Fleetwood-Jourdain will be completed as indicated in the signed Letter of Intent.

Commissioner Westerberg inquired about traffic flow, loading area, and impacts on local businesses. Mr. Lopez described the loading area as separate from the student drop off. Mr. Werthmann from KLOA, who conducted the traffic study, addressed both short and long-term parking. Regarding short-term parking, their study included walkers, staggered start times for the two schools, and before and after school programs which distribute traffic over time. Concerning long-term parking, he summarized adjacent property arrangements that are under consideration. For both he described the timing interaction with local businesses. Staff have made recommendations, and the school district agrees to the conditions. The school district also has a program to encourage their staff to use alternative modes of transportation to minimize parking demand for long-term parking.

Commissioner Mirintchev followed up by asking how businesses on Ashland Avenue and Simpson Street have access and parking. Mr. Werthmann replied that most of the pickup and drop off parking will occur between 8 and 9 AM in the morning before most of the businesses are open. In the afternoon, the businesses are already parked, and the amount of parking is usually less than in the morning because many parents and caregivers are working. Lay-by bus parking will be controlled with signage.

Commissioner Halik said some community members have raised concerns about the use of synthetic turf on the playfield. Mr. Lopez explained that the projected combined school and city use of the park may make it difficult to maintain natural grass. Mr. Obafemi added that turf is an option, and no final decision has yet been made.

Chair Rodgers asked about the stormwater management plan and Mr. Lopez said that underground structures are in discussion, and they will have to meet state and local code requirements.

Chair Rodgers inquired about the widening of Ashland Avenue. Ms. Jones answered that, at this time, it is recommended as a condition of approval. The city engineer, Ms. Laura Biggs, explained that the widening of the street is not currently budgeted for by the city or the school district and would be further negotiated as the project moves forward.

Commissioner Westerberg asked staff how to minimize any impact on Fleetwood-Jourdain programming. Ms. Biggs noted that they are working with the school district for shared use opportunities (field use during summer and holidays for example) and working to mitigate any negative effects on the ability to use the park and its facilities. She stated that there is an impact to the loss of the tennis courts and the basketball courts and playground are being relocated.

### Public Comment

Chair Rodgers called for public comment.

Jack, Ash, and Amanda Ziehm, a fifth grader, an eighth grader, and a parent, 1632 Wesley Avenue, voiced their concerns about the increased risk of cancer and injury associated with the use of artificial turf at the proposed 5<sup>th</sup> Ward School. Mrs. Ziehm mentioned the potential adverse impact on property values because of the loss of amenities and referenced the Climate Action and Resilience Plan because of the additional heat generated by artificial turf. She recommended that the proposed plan be revised to include natural grass in place of artificial turf.

Mark Mallchok, 1601-1607 Simpson Street, a business owner and resident near the proposed school spoke about his concerns regarding building height, traffic, and parking and requested to share some data and studies on the matter with the commission.

Jerome Summers, 1941 Hartrey Avenue, served as a former District 65 School Board member and made a few supporting comments and suggestions of adding a fourth floor to the school, moving the building to the south to keep the green space, avoiding using artificial turf, and potentially absorbing Betsy Rhodes into the 5th Ward school over time.

Cecile McHugh expressed her concern about the impact of artificial turf on the natural environment and its potential health hazards. She supports considering alternative options that align with the comprehensive plan's emphasis on preserving natural spaces.

Jeff Totsch, 2019 Darrow, expressed his support for the 5th Ward school but raised concerns about the details of the plan. He mentioned that Ashland Avenue needs to be widened, and raised concerns about the lack of tie-in between Dewey Avenue's cul-de-sac and the Family Focus parking lot, and the amount of impervious surface area.

Haley Greene, 2033 Ashland Avenue, expressed her concerns about the proposed drop-off zone on Ashland Avenue and potential congestion concurrent with the nearby doggy daycare drop-off times. She proposed widening the street and introducing resident only parking to address the parking issues.

Michael MaRous, MaRous & Company, summarized the value impact study conducted for the school which did not give any indication of negative impact on value. MaRous did not consider any commercial comparables for businesses next to a new school in the study. Mr. MaRous stated that having a vibrant activity in the neighborhood has a positive impact on value. MaRous explained that the study was completed knowing the school district had per zoning the right to build a school on the property.

Soo La Kim, 932 Hinman Evanston, Vice President of District 65, spoke of the importance of having a neighborhood school and the value of being able to walk to and from school. She emphasized the need to build the school on the timeline and budget set and to ensure that it meets the highest possible quality and efficiency standards.

Adam Kingsley, attorney for Julie Banaei, 2025 Ashland Avenue, questioned the design of widening Ashland Avenue, the request and purpose for a FAR (floor area ratio) variance in the open space district, and the width and parking situation on Ashland Street. Other topics examined include the proposed drop-off zone, the width of Simpson Street, and traffic flow during drop-off and pick-up times.

In response to Mr. Kingsley's questions regarding by right zoning, Mr. MaRous responded that he looked at the highest and best use of transit developments and the needs of the community for a neighborhood school in his study. When asked about newly built schools with a positive or negative impact on residential property values, Mr. MaRous suggested Emerson Middle School in Park Ridge, which had a positive impact on property values.

Julie Banaei, 2025 Ashland Avenue, expressed concerns about the proposed development's impact on the community, including the property values of adjoining properties, the enjoyment of the open space, and the impact on rental income. She also shared her view that the proposed development is unfair to the residents of Ashland Avenue.

### Deliberations

Chair Rogers asked for commissioner comments.

Commissioner Halik mentioned that the commission often looks at both the positive and negative effects of each case. He believes that providing a neighborhood school is the primary issue, although some residents may have specific issues with the project. He understands the concerns raised by the public and thinks that flipping the L-shaped design of the school may not be a good idea due to safety concerns. He believes that

additional conditions on turf, widening Ashland Avenue, parking, and tying the Dewey Avenue access road to the Family Focus parking should be taken into consideration.

Commissioner Westerberg stated that the changes needed to build the school are substantial, and while the school is needed, making concessions and adjustments to the project is important to make it work for the rest of the community. She is particularly concerned about stormwater management, traffic control, and coordinating pickups and drop-offs. Adding a third-floor setback to the Simpson Street elevation would be an improvement as well as a bit more setback on Ashland Avenue. While there is still a lot of work to be done before the council approves the project, she is in favor of it with recognizing these concerns in the conditions.

Commissioner Puchtel believes that the layout is quite good, particularly the L shape which protects green space for the students. He noted that concerns about the toxicity of the turf are not in the scope of the commission's work.

Commissioner Arevalo is in favor of the project and believes the school is needed but acknowledges that some compromise may be necessary for the benefit of the community.

Commissioner Mirintchev concurs with the necessity for the school but is concerned about the program which drives building size, height, traffic and parking. He mentioned that there are still many unknowns and that the schematic design needs more work, particularly regarding the resulting corridor effect on Simpson Street. He suggests reducing the program or size of the building and possibly moving a bit from the street.

Commissioner Johnson thinks that the plan does not meet all the required standards for approval, particularly standards four and seven regarding practical difficulty and least deviation, due to the variances being requested. He suggests that the project be reworked to meet all the standards required for approval.

Chair Rodgers explained that the purpose of the meeting is to evaluate a specific proposal for a school in the 5th Ward, not to decide whether a school should exist in general. He communicated his preference to have more factual materials to review rather than the conceptual material presented. Commissioner Halik added that many of the traffic and parking conditions being recommended are part of the process to ensure that the applicant addresses concerns.

Chair Rodgers reviewed the department recommended conditions for the project prior to city council, which include a final landscape plan, tree removal and replacement plan, waste removal plan, construction management plan, and pedestrian traffic circulation plan (amended to within three months of project approval). It was suggested that more details would be helpful before it goes to City Council and that the Pedestrian and Traffic Circulation Plan should include recommendations from the traffic study provided by KLOA. Chair Rodgers reviewed the remaining recommendations with no changes. Chair Rodgers added commissioner conditions for a tie-in from Dewey Avenue to

Family Focus parking, permeable pavers in the parking area, and grass in lieu of artificial turf.

The Chair reviewed the Standards for Major Variations (Section 6-3-8-12.E).

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties: The 22 conditions lessen the impact to meet the standard.
2. The requested variation is in keeping with the intent of the zoning ordinance: The Zoning Ordinance includes schools and there has been a long discussion about a neighborhood school within the 5th Ward. The open space is currently zoned to be built upon with an educational building and so the standard is met.
3. The alleged hardship or practical difficulty is peculiar to the property: The open space district has a low build by right which is a practical difficulty, meeting this standard.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out: Looking at the parking, FAR, two front yards, the strict letter of the regulations could not be carried out to build a school and so the standard is met.
5.
  - a. The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or
  - b. While the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 of the Zoning Code: The goal of building a school is not to gain additional income, but to provide a specific public benefit of education, and so the standard is met.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property: The property has been in district 65 ownership for years and the standard is met.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation: The applicant has made several program and building reductions, investigated parking alternatives, but including the additional recommended conditions would better meet the standard. It was noted that schools are formulaic to get light into classrooms which drives the building design. Chair Rodgers added a condition that the applicant consider all the testimony that has been given.

Chair Rodgers asked for Commissioner comments on the standards. There were none.

**Commissioner Westerberg made a motion to recommend approval of the Major Variations for the property located at 2000 Simpson Street, zoning case number 23ZMJV-0022, with the following conditions:**

- 1. Provide a final landscape plan prior to City Council**
- 2. Provide a tree removal and replacement plan prior to City Council**
- 3. Provide a waste removal plan prior to City Council**
- 4. A Construction Management Plan is required prior to construction to include how restoration of adjacent properties will be accomplished as a result of proposed construction activities.**
- 5. A Pedestrian and Traffic Circulation Plan shall be provided within 3 months of approval of the project. This plan will be evaluated, amended, and submitted to the City, as necessary, by the School District to address impacts to the neighborhood. Plan should include the following:**
  - Recommendations included within the Traffic Study provided by KLOA**
  - Confirmation and City approval of any proposed street closures for pick-up/drop-off times (Ashland Ave, Dewey Ave, etc.)**
  - Confirmation and City approval of any temporary one-way street designations for streets bordering the site during pick-up/drop-off times**
  - Use of crossing guards or other staff to direct traffic**
- 6. A robust educational Active Transportation Safety Initiative for students shall be developed to raise student and parent awareness regarding safe pedestrian and bicyclist behaviors. This program should not only teach safety principles but also encourage active transportation through the use of challenges and goal setting. The curriculum and plan shall be submitted for approval at least six months prior to the project completion.**
- 7. Additional parking alternatives should be pursued to support the City's CARP goals. Items to consider:**
  - The School District could consider increasing incentives to further promote staffers commuting via CTA, Metra and ride share. As stated above, the District has an existing program that enables staff to put money towards transit cards to encourage use of public transit.**
  - District 65 should regulate their parking lot via a permit program either virtual permit (license plate based) or stickered. This would allow correlation with a transit program. The District intends to regulate parking for teachers in this manner.**
  - Work with the City to utilize additional parking spaces within the Ecology Center or Civic Center parking lots.**
  - Parallel parking spaces on Ashland should be very short-term parking. This will allow residents and visitors to use the spaces. A 1 Hour max limit would be our suggestion. In addition, the spaces**

can disallow parking during certain hours of the day, example:  
“no parking between 7am-9am / 2pm-4pm Mon-Fri.

8. Should the surrounding community implement residential parking districts (permit parking) in the future, school staff will not be granted residential parking district permits.
9. The Applicant may be required to contract at their own expense with a traffic consultant to study pedestrian and traffic circulation over time and make necessary revisions to the pedestrian and traffic circulation and parking plan if the City identifies pedestrian and/or traffic issues with the development at any time in the future.
10. A Shared Use Agreement is required for City access to the required parking for Fleetwood-Jourdain and the playfield. Signage may be required to designate Fleetwood-Jourdain parking.
11. An easement agreement must be negotiated and approved by the City Council for the City to access the Fleetwood Jourdain maintenance drive on the west side of the parking lot.
12. A pedestrian path must be established through the parking lot.
13. A pick-up/drop-off area on the southern part of Ashland is added to mirror the parent pick-up/drop-off to the north.
14. Dimension the existing right-of-way & widen Ashland to 36' foot back of curb to back of curb.
15. A rodent control plan designed by a certified operator is provided before, during and after construction.
16. Snow removal plan required to be submitted within 6 months of project approval; snow must be stored on-site or hauled away.
17. Mechanical equipment is screened and designed to minimize noise impacts to the surrounding neighborhood.
18. Street light replacement required for all existing lights affected by the pick-up/drop-off areas and construction.
19. Public refuse containers are installed per Public Works standards.
20. Use of permeable pavers in the parking lot.
21. Use of grass instead of artificial turf for the playfield.
22. Tie in from Dewey Avenue to Family Focus parking lot.
23. Explore ways to further reduce the program and physical building in light of the testimony received during the public hearing.

Second by Commissioner Halik. A roll call vote was taken, and the motion carried, 5-2.

### **Communications**

A member of the public representing the business community in the 5th Ward supported the school and urged the school to engage directly with the business community.

### **Adjournment**

Commissioner Westerberg motioned to adjourn, Commissioner Arevalo seconded, and the motion carried, 7-0.

Adjourned 10:10 PM.

The next meeting of the Evanston Land Use Commission is a Special Meeting to be held on **Wednesday, April 26, 2023, at 7:00 PM, in the James C. Lytle Council Chambers in the Lorraine H. Morton Civic Center.**

Respectfully submitted,  
Amy Ahner, AICP, Planning Consultant

Reviewed by,  
Katie Ashbaugh, AICP, Planner  
Meagan Jones, Neighborhood and Land Use Planner