



MEETING MINUTES

LAND USE COMMISSION

Wednesday, December 13, 2023

7:00 PM

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

Members Present: George Halik, Jeanne Lindwall, Kristine Westerberg, Myrna Arevalo, and Matt Rodgers

Members Absent: John Hewko, Max Puchtel, Kiril Mirintchev, and Brian Johnson

Staff Present: Community Development Director Sarah Flax, Assistant City Attorney Brian George, and Neighborhood and Land Use Planner Meagan Jones

Presiding Member: Matt Rodgers

Call to Order

Chair Rodgers opened the meeting at 7:00 PM. A roll call was then done and a quorum was determined to be present.

Approval of November 29, 2023 Meeting Minutes

Commissioner Westerberg made a motion to approve the Land Use Commission meeting minutes from November 29, 2023. Seconded by Commissioner Lindwall. A voice vote was taken, and the motion passed 4-0 with Commissioner Halik abstaining.

Old Business

B. Public Hearing: Major Variation | 2505 McCormick Blvd. | 23ZMJV-0064

Lisa Gendel, applicant and property owner, submits for a Major Variation to store a recreational vehicle (camper trailer) within the front yard at a single-family residence in the R1 Single Family Residential District. The applicant requests to store the recreational vehicle (camper trailer) in the required front yard on the existing driveway where storage of recreational vehicles is only permitted within a building or in a rear yard and not in a front or side yard or in any court area that opens toward a public street (Section 6-4-6-3 Table 4-A-28). The Land Use Commission is the determining body for this case in accordance with Section 6-3-8-10 of the Evanston Zoning Code. PIN: 10-14-205-031-0000. ***Due to an initial vote of 4-2 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 5 concurrent votes to render a majority of the 9 seated members.***

Chair Rodgers asked Commissioner Halik if he had reviewed the materials and was prepared to vote. Commissioner Halik responded that he had reviewed the materials, visited the site, and was prepared to vote. His vote was nay.

A tally of votes stands at 4-3. Due to a concurring vote of five (5) Commissioners being necessary to decide any matter upon which the Commission is the determining body, the matter was continued to the January 10, 2024 meeting, with the votes so far recorded standing, to allow additional commissioners to view the minutes and/or audio-visual recording of the proceedings, and then vote on the motion at the hearing, until a concurrent vote of 5 commissioners is obtained.

Ayes: Hewko, Arevalo, Lindwall and Rodgers

Nays: Halik, Johnson, Westerberg

Absent: Hewko, Puchtel, Johnson and Mirintchev

New Business

Chair Rodgers noted that Items A and B would be discussed concurrently but voted on separately.

A. Public Hearing: Text Amendment | Efficiency Homes | 23PLND-0060

David Wallach, Blue Paint Development, submits for a text amendment to the Zoning Ordinance, Title 6 of the City Code, to adjust regulations related to the definition of efficiency homes (Section 6-18-3) and the construction of efficiency homes within residential districts (Section 6-4-1-6; Section 6-8-1-14). The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-4-6 of the Evanston Zoning Code.

B. Public Hearing: Special Use | 1915-1917 Grant Street | 23ZMJV-0046

In association with 23PLND-0060, David Wallach submits for a Special Use to construct 12 efficiency homes with related zoning relief at 1915-1917 Grant Street in the R3 Two-family Residential District. The request requires the following zoning relief: 1.) 12 proposed dwelling units where a maximum of 6 are permitted on the zoning lot (8 permitted with an IHO bonus), and 2.) An open parking setback of 0 ft. where 3 ft. is required. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-5 of the Evanston Zoning Code. PIN: 10-12-309-020-0000, 10-12-309-021-0000.

David Wallach, 650 Waukegan Road, Glenview, presented the twelve (12) 2BR efficiency home project, one (1) of which is an inclusionary housing home. He reviewed the lot coverage calculations, statutory considerations including fulfillment of standards, the addition of off-street parking and the removal of two (2) curb cuts.

Commissioner Questions

Commissioner Halik inquired what the impact of increasing the home square footage would be and Mr. Wallach responded that it would drive up the cost of each home.

Commissioner Westerberg asked about the target sales price and Mr. Wallach said that it was between \$359,000-\$379,000 with the affordable unit being at \$275,000. She questioned staff if that was considered affordable and Ms. Flax answered that the income level for inclusionary for sale houses is at the median so it currently would be considered affordable. It is calculated at the time the home comes on the market. Commissioner Lindwall asked if the homes will be sold but the land will be under a homeowner's association and Mr. Wallach confirmed that was correct.

Commissioner Westerberg recalled earlier planning conversations on efficiency homes for odd-sized or odd-shaped lots as infill versus the development nature of this proposed project. She asked why it is a Special Use rather than a Planned Development and how the project aligns with earlier efficiency home location discussions. Director Flax noted that the original efficiency home discussion was generated through an applicant who was seeking to add smaller homes to the neighborhood which led to a conversation on how to bring smaller homes to conforming lots. She stated that Planned Development setbacks would not make good use of this property. Ms. Jones added that originally there was a process proposed for more than one efficiency home on a lot which changed over time to be a Planned Development. For this project, the typical Planned Development minimum thresholds are significantly higher than what would be required for more than one efficiency home on a lot.

Commissioner Westberg appreciated the pocket neighborhood design and asked who the target audience for these homes was. Mr. Wallach described that size is the primary mechanism to bring down housing costs and the audience is across demographics. He noted comparative sales of older homes, adding that the cost burden of a new better built home (utilities, homeowner association, etc.) is less than an older home.

Commissioner Halik asked what the alley surface was, and Mr. Wallach said that it was unimproved. Distance to the garbage enclosure and its size were discussed. Mr. Wallach said that there will be a door on the Grant Street side of the enclosure and the size could be increased.

Commissioner Lindwall asked why the rear yard setback variation for the parking spaces was being requested. Mr. Wallach responded that the three-foot setback versus the zero-lot line could be accommodated.

Commissioner Westerberg asked if the homes have patios. Mr. Wallach described a pending revision that will add a glass double door off the kitchen to access a permeable paver patio. This will add a second means of egress. Furthermore, some of the homes will be reoriented so the side yards will not face each other. A common sitting area will also be added to the landscape plan as it is developed.

Commissioner Westerberg inquired about storage. Mr. Wallach said that they have discussed decreasing the front porch space to create an additional closet. Commissioner Westerberg asked about the water heater and furnace locations. The furnace is a 24-inch square heat pump that sits above the hallway near the bathroom. The washer and dryer will be located in the hallway closet and the water heater is located in the bathroom closet.

Commissioner Westerberg asked about varying the rooflines or adding lofts. Mr. Wallach explained that there is some loft space, which they plan to build for storage. A general discussion on storage space trends followed.

Commissioner Halik asked if townhomes were considered. Mr. Wallach noted that the product cost would increase for townhomes, missing the opportunity to add lower cost homes to the city.

Commissioner Lindwall questioned the rendering on page 63 of 143 in the packet which shows a street in front of the homes and Mr. Wallach confirmed that it would be a sidewalk for this project.

Commissioner Westerberg asked if the homes are prefabricated, and Mr. Wallach answered that the walls are pre-made and then the home is built on site.

Chair Rodgers asked if the bathroom is ADA compliant and Mr. Wallach replied that the layout has changed and updated drawings will be provided.

Chair Rodgers inquired if the project concept should be done prior to the Comprehensive Plan update. Mr. Wallach described the housing crisis and said that waiting will only perpetuate the problem.

Commissioner Halik noted the staff recommendation to orient the two end homes toward Grant Street and Mr. Wallach acknowledged that it could be done.

Public Comment

Chair Rodgers called for public comment.

Pamela Powell Rosenbush, 1914 Grant Street, spoke in opposition to the density of the project especially regarding parking.

Cindy Beebe, 1915 Noyes Street, spoke in opposition due to the ongoing Comprehensive Plan effort and that the project does not meet the current definition for efficiency homes.

Eric Pauli, spoke in opposition to density, traffic, and expressed concern regarding property values.

Gionmatthias Schelbert, 1905 Grant Street, spoke in opposition due to the projected sale price per square footage, density, and questioned the AC pad setback.

Garin Ferri, expressed concern about infrastructure including parking, trash collection, and adding vehicles to the unpaved rear alley.

Chair Rodgers asks for final statements.

Mr. Wallach reiterated the need to control costs by reducing home size. The VTAC is a self-contained air conditioning unit that does not require a condenser and an outdoor pad. He provided an example of the density as of right that could be built if townhomes were proposed which would be 32 BRs rather than the 24 BRs of the proposed project.

Chair Rodgers closed public testimony.

Deliberations

Commissioner Lindwall asked staff if the city charges impact fees and Ms. Flax responded no. She also thought three (3) of the twelve (12) homes could qualify as inclusionary housing and asked staff how long a for sale home remains affordable. Ms. Flax responded that the same calculation of income level is applied, including inflation, so it is maintained in perpetuity.

Commissioner Halik expressed concern that the project may not meet the neighborhood character at its current initial stage of development. He would like the Comprehensive Plan process to address this type of housing on various lot sizes and how they affect neighborhoods. He acknowledged the lack of neighborhood support for the project.

Commissioner Westerberg supports the idea of a pocket neighborhood and expanding home ownership opportunities. She would like to see a market study on how efficiency homes sell, how they have impacted other neighborhoods across the country, how efficiency homes can work architecturally with adjacent neighborhoods, and a better landscape plan depicting how the common areas work with the private green spaces.

Commissioner Lindwall noted that one of the Comprehensive Plan goals is diversity of housing types and described Evanston's existing variety. She is not opposed to the zoning amendment but thinks that a planned development approach with a market and traffic study would address questions raised about this project.

Commissioner Arevalo supports the idea of a pocket neighborhood and wants to bring in opportunities for new homeowners but is concerned about the proposed price.

Chair Rodgers described the original efficiency home commission discussion which looked at ways to make unique properties more buildable including changes to parking and setbacks. More than two homes on a lot were not contemplated at that time. He believes that the current plan is not far enough developed and is hesitant to recommend a project without a related mature planning policy. He also prefers a planned development process for pocket neighborhoods.

A. Public Hearing:Text Amendment | Efficiency Homes | 23PLND-0060

The Chair reviewed the Standards for Amendments (Section 6-3-4-5).

1. Whether the proposed amendment is consistent with the goals, objectives and policies of the Comprehensive General Plan as adopted and amended from time to time by the City Council: *Chair Rodgers reviewed that the current Comprehensive General Plan encourages expanding the types and variety of provided housing, but it does not address pocket neighborhoods. Commissioner Halik agreed that it is a new site development type not included in the current plan. Commissioner Lindwall noted that there will be a discussion in the near term as the Comprehensive Plan process kicks off. Therefore, the proposed amendment does not meet the standard.*
2. Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the subject property: *Chair Rodgers cited testimony that it is new and does not necessarily fit in with the surrounding R3 density, so he believes that the standard is not met.*
3. Whether the proposed amendment will have an adverse effect on the value of adjacent properties: *Chair Rodgers said that it is difficult to evaluate since it is new, different, and unique but the proposed sales prices would have a positive effect on adjoining properties. A Planned Development would have a market study to better inform that conclusion. However, he believes the standard is met.*
4. The adequacy of public facilities and services: *Chair Rodgers again noted that this is looked at with a Planned Development noting that some of the adequacies of facilities and services would be addressed in order to receive a building permit, so the standard is met.*

Chair Rodgers asked for Commissioner comments on the standards. For the third standard, Commissioner Westerberg mentioned that an efficiency home would not have an adverse effect but the effect of a group of efficiency homes on adjacent properties is unknown.

Commissioner Lindwall made a Motion to recommend approval of a Text Amendment for Efficiency Homes, 23PLND-0060 amended to include the following:

1. **Update Section 6-18-3.- Definitions to increase the maximum square footage of the ground level to 600 square feet.**
2. **Update Section 6-4-1-6. – Number of Buildings or Uses on a Zoning Lot, to add: (C) Except when authorized as a planned development, approved pursuant to Section 6-3-6. -“Planned Developments” of this Title, not more than one efficiency home shall be located on a zoning lot, regardless of**

lot size, width, or shape, in all residential zoning districts.

3. Update Section 6-8-1-14. – Efficiency Homes to reference the new subsection stated above.

Second by Commissioner Westerberg. A roll call vote was taken, and the motion passed, 5-0.

Ayes: Arevalo, Lindwall, Halik, Westerberg, and Rodgers

Nayes:

Absent: Hewko, Puchtel, Johnson and Mirintchev

B. Public Hearing: Special Use | 1915-1917 Grant Street | 23ZMJV-0046

The Chair reviewed the Standards for a Special Use (Section 6-3-5-10).

1. Is one of the listed special uses for the zoning district in which the property lies: *Chair Rodgers said that it is currently not a Special Use in the district, and the recommended text amendment has been changed from a Special Use to a Planned Development so the standard is not met.*
2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance as amended from time to time: *Chair Rodgers again reviewed that the current Comprehensive General Plan encourages expanding the types and variety of provided housing, but it does not address a pocket neighborhood, so the standard is not met.*
3. 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: *Chair Rodgers believes that since a Special Use for a pocket neighborhood under the current ordinances was not supported in the text amendment, the standard is not met.*
5. Does not interfere with or diminish the value of property in the neighborhood: *Chair Rodgers again noted that it is difficult to evaluate since it is new without the benefit of a market study. However, he believes the standard is met.*
6. Is adequately served by public facilities and services: *Chair Rodgers restated that the developer would need a plan to address public facilities and services, so the standard is met.*
4. Does not cause undue traffic congestion: *Chair Rodgers noted testimony to challenging alley winter conditions that may push cars onto the street; however with the additional on-site parking spaces provided, he believes the standard is met.*
5. Preserves significant historical and architectural resources: *Chair Rodgers said there are no known resources, so the standard is met.*

6. Preserves significant natural and environmental resources: *Chair Rodgers noted the discussed goals to retain greenspace and permeability on the lots, so the standard is met.*
7. 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: *Chair Rodgers again reflected that the recommended text amendment has been changed from a Special Use to a Planned Development and a Planned Development is not presented so the standard is not met.*

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

Commissioner Lindwall made a Motion to recommend approval of a Special Use for the property located at 1915-1917 Grant Street, 23ZMJV-0046 with the following conditions:

- 1. Provide 1 electric vehicle charging station in addition to the required EV-ready spaces.**
- 2. Continue to work with staff on the building façade materials and layout of interior walkways for creation of an outdoor common area.**
- 3. Elimination of curb cuts on Grant Street.**
- 4. Work with staff on design that includes reorienting front homes to Grant Street.**
- 5. Improving access to the garbage enclosure.**
- 6. Full revised set of plans including material use, home design and green spaces.**

Second by Commissioner Westerberg. A roll call vote was taken, and the motion failed, 1-4.

Ayes: Arevalo

Nayes: Lindwall, Halik, Westerberg, and Rodgers

Absent: Hewko, Puchtel, Johnson and Mirintchev

Other Business

A. Adoption of 2024 Meeting Calendar

Commissioner Rodgers made a Motion to table adoption of the 2024 Meeting Calendar to the January 10, 2024 meeting. Second by Commissioner Lindwall. A roll call vote was taken, and the motion passed, 5-0.

Ayes: Arevalo, Lindwall, Halik, Westerberg, and Rodgers

Nayes:

Absent: Hewko, Puchtel, Johnson and Mirintchev

B. Election of Chair and Vice-Chair

Commissioner Westerberg made a Motion to nominate Commissioner Rodgers as Chair and Commissioner Puchtel as Vice Chair. Second by Commissioner Lindwall. A roll call vote was taken, and the motion passed, 5-0.

Ayes: Arevalo, Lindwall, Halik, Westerberg, and Rodgers

Nays:

Absent: Hewko, Puchtel, Johnson and Mirintchev

Communications

Ms. Jones briefed that staff is working with the consultant HDR for the Comprehensive Plan Public Engagement Plan to schedule presentation dates and engage with the commission and asked members for input on the dates drafted in the calendar.

Commissioner Halik asked if City Council also reviews the commission standards and Chair Rodgers responded that they use the commission review as a resource to potentially develop other conditions. Commissioner Halik asked if a commissioner could ask staff to do independent research. Chair Rodgers said that reasonable requests are accommodated. Commissioner Halik asked if a commissioner could negotiate with an applicant. Chair Rodgers answered that it is not permissible.

Adjournment

Commissioner Lindwall motioned to adjourn, Commissioner Arevalo seconded, and the motion carried, 5-0.

Adjourned 9:56 PM.

The next meeting of the Evanston Land Use Commission is a Special Meeting to be held on **Wednesday, January 10, 2024, 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,
Meagan Jones, Neighborhood and Land Use Planner