EVANSTON PLAN COMMISSION

Wednesday, July 11, 2012
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, COUNCIL CHAMBERS

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MAY 09, 2012 MEETING MINUTES

3. PLANNED DEVELOPMENT 12PLND-0051
   1211 CHICAGO AVENUE (TRADER JOE’S)
   Scott Gendell, representative for Gendell/WNB, LLC, developer of the proposed project, applies for a Planned Development to construct a 13,000 square foot grocery store to be operated by Trader Joe’s, on a parcel of land totaling 48,400 square feet in size. 6-10-1-9 (D-1) of the Municipal Code requires all proposed developments with a zoning lot over 30,000 square feet to apply for a Planned Development. The Plan Commission is a recommending body to the City Council. City Council is the determining body in this case.

4. ZONING TEXT AMENDMENT 12PLND-0036
   Consideration of the proposed text amendment to the Zoning Ordinance to discuss the regulation of aquaponics.

5. ZONING TEXT AMENDMENT 12PLND-0047
   Consideration of the proposed text amendment to the Zoning Ordinance to discuss the zoning regulations for residential building height and dormer size in the R1, R2 and R3 districts.

6. COMMITTEE REPORTS

7. ADJOURNMENT

The next regular Plan Commission meeting is scheduled for WEDNESDAY, AUGUST 08, 2012 at 7:00PM in COUNCIL CHAMBERS of the Lorraine H. Morton Civic Center.

Order of agenda items are subject to change. Information about the Plan Commission is available online at: http://www.cityofevanston.org/plancommission. Questions can be directed to the General Planner, Craig Sklenar, at 847-448-8683 or by e-mail at csklenar@cityofevanston.org.

The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact the Community and Economic Development Department 48 hours in advance of the scheduled meeting so that accommodations can be made at 847-448-8683 (Voice) or 847-448-8064 (TTY).
MEETING MINUTES
PLAN COMMISSION
Wednesday, June 20, 2012
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Jim Ford, Seth Freeman, Kwesi Steele, David Galloway, Patricia Ledesma

Members Absent: Scott Peters (Chair), Richard Shure, Lenny Asaro, Barbara Putta, Stuart Opdycke (Associate)

Staff Present: Craig Sklenar, Ken Cox, Dennis Marino

Presiding Member: David Galloway, Vice Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

With a quorum present, Chairman Peters called the meeting to order at 7:08 P.M.

2. APPROVAL OF MAY 09, 2012 MEETING MINUTES

Commissioner Freeman motioned for approval of the May 09, 2012 meeting minutes. Commissioner Ford seconded the motion. A voice vote was taken and the minutes were approved.

3. ZONING TEXT AMENDMENT 11PLND-0081
   Continued from the May 09, 2012 Meeting of the Plan Commission: Amendment of the Zoning Code Section 6-15-14-6 Table 2, to remove “Drive-through facility” from the list of prohibited uses in Subarea 6 of the Central Street Overlay District.

4. ZONING MAP AMENDMENT 11PLND-0076
   Continued from the May 09, 2012 Meeting of the Plan Commission: A petition by Edgemark Development LLC, on behalf of JP Morgan Chase Bank, contract purchaser of the subject property, to amend the Zoning Ordinance by requesting the City Council to remove a parcel from the R2 Single Family Residential Zone and place it within the B1a Business Zoning District for the purpose of commercial/retail use.

Residents were allowed to provide opposing testimony to the Applicant’s presentations. Residents Joshua Huppert at 2630 Crawford Avenue and Megan Lutz at 2637 Crawford Avenue provided testimony that spoke in opposition of the map amendment at 2635 Crawford Avenue.

After testimony and cross examination of the witnesses were provided, the Plan Commission allowed time for public comment. Comments spoke to concerns of traffic...
congestion, precedence of zoning changes and perceived need for a drive-through. Comments supporting the project included the need to clean up the old Citgo station and the desire to see development occur in this area of Evanston.

After all testimony was provided, Vice Chairman David Galloway closed the hearing to begin deliberations amongst commissioners.

Commissioner concerns were mostly concerning the proposed site plan, stating that if it were about the site plan and not the merits of a map or text amendment they would be inclined to vote against the recommendation. Some commissioners were concerned about the rezoning of residential properties to business zones, citing that this is done rarely in the city.

Commissioner Ford motioned to provide the City Council with a favorable recommendation to amend the Zoning Ordinance that creates Subarea 6a of the Central Street Overlay District (oCSC) that would provide Drive-throughs as a Special Use.

Commissioner Steele seconded the motion.

A voice vote was taken; the motion passes 5-0.

Commissioner Ford motioned to provide the City Council with a favorable recommendation to amend the Zoning Map that would change the underlying zoning of the subject property at 2635 Crawford Avenue from an R2 Single Family Residential to a B1a Business Zoning District.

Commissioner Galloway Seconded the Motion.

A voice vote was taken; the motion passes 3-2. Commissioners Freeman and Ledesma opposed the vote.

5. COMMITTEE REPORTS

Craig Sklenar, General Planner, provided the Commission with an update concerning the Comprehensive Plan Subcommittee. The Subcommittee will meet again July 18 at 7:30AM.

6. ADJOURNMENT

Commissioner Ledesma motioned for adjournment
Commissioner Steele seconded the motion.

The meeting adjourned at 10:45 P.M.

Respectfully Submitted,
Craig Sklenar, AICP
General Planner, Community and Economic Development Department

The next regular Plan Commission meeting is scheduled for WEDNESDAY, JULY 11, 2012 at 7pm in COUNCIL CHAMBERS of the Lorraine H. Morton Civic Center.
To: Chair and Members of the Plan Commission
From: Dennis Marino, Manager, Planning and Zoning Division
       Craig Sklenar, General Planner
Subject: Planned Development (Trader Joe’s), 635 Chicago Avenue, 12PLND-0051
Date: July 3, 2012

Staff Recommendation
City staff recommends approval of the proposed Planned Development 1211 Chicago Avenue. City staff also recommends approval for Site development allowance of a side yard setback of 3.75’, where a required setback of 5’0” is required. The redevelopment of a former Blockbuster Video and Saxon Paint Store a long term vacant building, and an existing residential home is in line with the continued redevelopment of Chicago Avenue as a mixed-use corridor in that has been undergoing a positive transformation for nearly a decade. The applicant has complied with all zoning requirements, and meets all of the standards of a Planned Development for this district.

Background
The property at 1211 Chicago Avenue has been vacant for several years. This development is made possible by a public/private partnership between the City and developer and fulfills a goal of the City to attract a Trader Joe’s to Evanston. In order for the Trader Joe’s site to be developed properly, the City of Evanston is purchasing the properties to the north of 1211 Chicago Avenue and will be leasing the land to the Applicant under a long term lease to achieve the parking needs of Trader Joe’s.

Project Description
Currently occupied on site by two retail enterprises and a single family home, the Applicant has proposed a new development that will demolish the existing buildings and attempt to move the home to a new location. A 13,000 square foot retail building and a 78 space parking lot are to be developed on a site equaling 48,400 square feet in size. Some of the parking will be available for general use on the northern perimeter of the property.

Zoning Ordinance
The C1 Commercial District governs the subject property at 1211 Chicago Avenue. 6-10-1-9 Section D-1 requires any development whose lot area is over 30,000 square feet...
in size must apply for a Planned Development. The Applicant’s property is 71,417 square feet in size, requiring a Planned Development for approval by the City Council.

Ordinances Identified for Requested Relief:
6-10-2-8 (E): C1 Commercial District
YARD REQUIREMENTS, SIDE YARD – Side Yard when abutting nonresidential district: building – 5 feet; parking – 5 feet.

Traffic Impact
There is minimal traffic impact within the neighborhood as the development does not add significant amounts of traffic to the block.

2000 Comprehensive General Plan
The Comprehensive Plan has specific goals and objects to promote the growth and redevelopment of business, commercial and industrial areas of Evanston. The redevelopment and site improvements of the property at 1211 Chicago Avenue achieve these goals by developing a property that is underutilized into an asset to neighbors.

An evaluation of the proposal as it relates to Comprehensive Plan goals is as follows:

**LEGEND**

- **M** = Meets Guideline
- **D** = Does Not Meet Guideline
- **NA** = Does not Apply

**LAND USE**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood assets should be enhanced while recognizing that each neighborhood contributes to the overall social and economic quality of Evanston</td>
<td><strong>M</strong></td>
</tr>
<tr>
<td>Evanston’s housing stock should continue to offer buyers and renters a desirable range of choice in terms of style and price</td>
<td><strong>M</strong></td>
</tr>
<tr>
<td>Evanston should maintain a diverse range of business and commercial areas, all of which will be viable locations for business activity</td>
<td><strong>M</strong></td>
</tr>
<tr>
<td>Downtown Evanston should be an attractive, convenient, and economically vital center of diverse activity.</td>
<td><strong>NA</strong></td>
</tr>
<tr>
<td>The growth and evolution of Evanston’s institutions should be supported so long as the growth does not have an adverse impact upon the residentially-zoned adjacent neighborhoods</td>
<td><strong>NA</strong></td>
</tr>
</tbody>
</table>

**PUBLIC FACILITIES**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>The City of Evanston’s public buildings should be fully accessible, modernized buildings that serve civic needs and interests of residents.</td>
<td><strong>NA</strong></td>
</tr>
<tr>
<td>City parks and recreation areas should be of the highest quality in order to meet residents various recreation and leisure interests</td>
<td><strong>NA</strong></td>
</tr>
<tr>
<td>Utility systems in Evanston should provide reliable, quality service and support future development throughout Evanston</td>
<td><strong>M</strong></td>
</tr>
</tbody>
</table>
### CIRCULATION

<table>
<thead>
<tr>
<th>Standard</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evanston’s streets should safely, conveniently, and efficiently link neighborhoods to the rest of the community and to the metropolitan area</td>
<td>M</td>
</tr>
<tr>
<td>Evanston’s parking system should serve the needs of residents, commuters, employees, shoppers, and visitors to Evanston’s neighborhoods and business districts</td>
<td>M</td>
</tr>
<tr>
<td>Transportation providers should offer safe, convenient, affordable, and easily accessible transit alternatives to the automobile</td>
<td>M</td>
</tr>
<tr>
<td>The safety and convenience of pedestrians and bicyclists should be a priority</td>
<td>M</td>
</tr>
</tbody>
</table>

### COMMUNITY ENVIRONMENT

<table>
<thead>
<tr>
<th>Standard</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings and landscaping should be attractive, interesting and compatible design</td>
<td>M</td>
</tr>
<tr>
<td>The historic heritage of Evanston should continue to be identified and preserved for the benefit of current and future residents</td>
<td>M</td>
</tr>
<tr>
<td>The creation of art and arts activities should be recognized and promoted as a vital component of the local economy</td>
<td>NA</td>
</tr>
<tr>
<td>Locally and regionally, natural resources should be preserved and public health should be promoted through a clean environment</td>
<td>M</td>
</tr>
</tbody>
</table>
Guidelines for Building Design and Exterior Appearance

✓ New Construction/Additions to Existing Buildings
  ✓ Mass
  ✓ Scale and Context
  ✓ Exterior Building Materials
  ✓ Roofs
  ✓ Architectural Features
  ✓ Security and Exterior Lighting
  ✓ Loading Docks and Refuse Collection Areas
  ✓ Utilities, Mechanical Equipment, and Stormwater
  n/a Wireless Communication Antennas

✓ Parking Structures
n/a Ground Floor Uses
n/a Retail Services
n/a Sidewalk Cafes
n/a Offices
n/a Signage
X Adaptive Reuse of Buildings—Proposed site will be razed of individual buildings to allow for development of all proposed uses. It is not known if any adaptive reuse of existing buildings is possible or desirable.
✓ Green/LEED buildings

Guidelines for Site Planning
✓ Landscaping
✓ Requirements for Parking Lots
✓ Circulation
n/a Public Art
SITE PLAN AND APPEARANCE REVIEW COMMITTEE (SPAARC)
MEETING NOTES
June 27, 2012


Presiding Member: W. Hallen

A quorum being present, Chair Hallen called the meeting to order at 2:31 p.m.

1) 1004 Greenwood Street

Recommendation to ZBA
Request for a front yard setback variance of 14.5’ for the construction of a new front entrance terrace and handicap accessible ramp at St. Paul’s Lutheran Church.

APPLICATION PRESENTED BY: Claire Kettelkamp Architect

GENERAL DISCUSSION:
Ms. Kettelkamp presented plans for the ramp. The following was discussed:
• Front yard setback variance requesting 14.5’ for ramp; 24.3 required
• Proposed ramp is to be placed at entrance to chapel (only opportunity; otherwise, goes into a closet
• Church was built in 1922 and is in the Ridge Historic District: Preservation Commission has granted a certificate of appropriateness
• Church received a matching grant and has met quota to receive grant
• Platform is approximately 1.5’ high; blending with foundation detail on the church
• Chair Hallen noted that a guard is not needed if it is below 30”, but handrails are needed on both sides of ramp

Action: The committee voted unanimously 6-0 to recommend approval to the ZBA.

2) 1211 Chicago Avenue

Pre-Application Conference
Application for a Planned Development to construct a 13,000 square foot grocery store to be operated by Trader Joe’s, on a parcel of land totaling 48,400 square feet in size.

APPLICATION PRESENTED BY: Michael Breclaw OKW Architects

GENERAL DISCUSSION:
Mr. Breclaw presented plans and elevations for the Trader Joe’s. The following was discussed:
• Trader Joe’s 13,000 s.f. building proposed on the site of the former BlockBuster, L.A. Tan and a single family home
• Propose:
  o 78 parking spaces including 4 handicap spaces plus 1 on street in front of store
  o Primary entrance toward Chicago Avenue
  o Cash stations near front of building
Hard surface for bike racks and cart storage to the east of the Chicago Ave. entrance, facing the parking lot.
- Loading under a roof in rear of building
- Enclosed trash area off alley
- Outdoor pallet storage in a concealed space
- All vehicles to enter through Chicago Ave. and use the alley only for turning purposes
- Removable barriers (moved by store employees) to enable trucks to maneuver during business hours
- Smaller wine and bread trucks to make deliveries during business hours
- North setback: 3'9”; South setback 1’

Met with Design Evanston regarding Chicago Avenue Streetscape Plan. Propose:
- Paver border and pavers around tree grates
- Plantings if possible in large hard surface area at entrance
- Metal trellis structure between sidewalk and parking area which plants can climb up; also possibly hang plants
- 9’ – 10’ of glazing above canopy
- 6’ fencing at portion of alley at trash area and along north end of parking lot

Materials:
- Panel surface of wood “trespa” (resin) in 2” X 6” panels
- Rain screen design
- Slate-like stacked stone
- North side: reddish brown brick and clear windows
- Alley side: mostly brick
- Front: clear glass windows, stone material and corrugated siding (“terraco”)
- Overhang at entrance is part solid and part trellis, providing protection from weather over carts, entrance and partially over the bike area
- Meet requirements of Evanston’s Green Building Ordinance

Working with civil engineer regarding storm water management

Action: The committee voted unanimously 6-0 enthusiastically in favor of the concept.

Other Business:
The Committee voted unanimously 6-0 to approve the June 20, 2012 meeting notes.

There being no other business, the meeting adjourned at 3:07 p.m.

The next SPAARC meeting will take place on Wednesday, July 11, 2012 unless otherwise notified.

Respectfully submitted,
Bobbie Newman
### FINDINGS OF FACT WORKSHEET

**PLANNED DEVELOPMENT (A Special Use)**  
1211 CHICAGO AVE.

#### 6-3-5-10: STANDARDS FOR SPECIAL USES

<table>
<thead>
<tr>
<th>Standard</th>
<th>Draft Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) It is one of the special uses specifically listed in the zoning ordinance;</td>
<td></td>
</tr>
<tr>
<td>(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;</td>
<td></td>
</tr>
<tr>
<td>(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;</td>
<td></td>
</tr>
<tr>
<td>(D) It does not interfere with or diminish the value of property in the neighborhood;</td>
<td></td>
</tr>
<tr>
<td>(E) It can be adequately served by public facilities and services;</td>
<td></td>
</tr>
<tr>
<td>(F) It does not cause undue traffic congestion;</td>
<td></td>
</tr>
<tr>
<td>(G) It preserves significant historical and architectural resources;</td>
<td></td>
</tr>
<tr>
<td>(H) It preserves significant natural and environmental features; and</td>
<td></td>
</tr>
<tr>
<td>(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.</td>
<td></td>
</tr>
<tr>
<td>(J) 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.</td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>Draft Finding</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(A) Each planned development shall be compatible with surrounding development and not be of such a nature in height, bulk, or scale as to exercise any influence contrary to the purpose and intent of the Zoning Ordinance as set forth in Section 6-1-2, &quot;Purpose and Intent&quot;. If the proposed planned development is for a property listed as an Evanston landmark, or for property located within an historic district listed on the National Register of Historic Places or for property located within a historic district so designated by the Evanston Preservation Commission, the planned development shall be compatible with the &quot;Secretary of the Interior's Standards for Rehabilitation&quot; set forth in the National Historic Preservation Act of 1966. as</td>
<td></td>
</tr>
<tr>
<td>(B) Each planned development shall be compatible with and implement the Comprehensive General Plan as amended, any adopted land use or urban design plan specific to the area, this Zoning Ordinance, and any other pertinent City planning and development policies, particularly in terms of:</td>
<td></td>
</tr>
</tbody>
</table>
6-10-1-9 (A): General Conditions for Commercial District Planned Developments

(D) No special use permit for a planned development shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is diligently pursued to completion. The City Council may, however, for good cause shown, extend the one year period for such time as it shall determine, without further hearing before the Plan Commission. The City Council may, at its sole discretion, place conditions on the extension in order to assure that the planned development is diligently pursued to its completion.

(E) All landscaping treatment within the planned development shall be provided in accordance with the requirements set forth in Chapter 17, "Landscaping and Screening", and shown on the required landscape plan submitted as part of the planned development application.
### 6-10-1-9 (B): Site Controls and Standards for Commercial District Planned Developments

<table>
<thead>
<tr>
<th>Standard</th>
<th>Draft Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>For all boundaries of the planned development immediately abutting a</td>
<td></td>
</tr>
<tr>
<td>residential property, there shall be provided a transition landscaped</td>
<td></td>
</tr>
<tr>
<td>strip of at least ten feet (10') consisting of vegetative screening,</td>
<td></td>
</tr>
<tr>
<td>fencing or decorative walls in accordance with the Manual of Design</td>
<td></td>
</tr>
<tr>
<td>Guidelines and Chapter 17, &quot;Landscaping and Screening&quot;. The transition</td>
<td></td>
</tr>
<tr>
<td>landscaped strip and its treatment shall be depicted on the required</td>
<td></td>
</tr>
<tr>
<td>landscape plan submitted as part of the planned development application.</td>
<td></td>
</tr>
<tr>
<td>(A)</td>
<td></td>
</tr>
<tr>
<td>Walkways developed for a planned development shall form a logical, safe</td>
<td></td>
</tr>
<tr>
<td>and convenient system for pedestrian access to all project facilities</td>
<td></td>
</tr>
<tr>
<td>as well as any off-site destination likely to attract substantial</td>
<td></td>
</tr>
<tr>
<td>pedestrian traffic. Pedestrian-ways shall not be used by other</td>
<td></td>
</tr>
<tr>
<td>automotive traffic.</td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td></td>
</tr>
<tr>
<td>The location, construction, and operation of parking, loading areas,</td>
<td></td>
</tr>
<tr>
<td>and service areas, shall be designed to avoid adverse effects on the</td>
<td></td>
</tr>
<tr>
<td>residential uses within or adjoining the development and where</td>
<td></td>
</tr>
<tr>
<td>possible, provide additional parking beyond that required for the</td>
<td></td>
</tr>
<tr>
<td>planned development to service the business district in which it is</td>
<td></td>
</tr>
<tr>
<td>located.</td>
<td></td>
</tr>
<tr>
<td>(C)</td>
<td></td>
</tr>
<tr>
<td>Principal vehicular access points shall be designed to permit smooth</td>
<td></td>
</tr>
<tr>
<td>traffic flow with controlled turning movements and minimum hazards to</td>
<td></td>
</tr>
<tr>
<td>vehicular and pedestrian traffic.</td>
<td></td>
</tr>
<tr>
<td>(D)</td>
<td></td>
</tr>
<tr>
<td>The planned development shall provide, if possible, for underground</td>
<td></td>
</tr>
<tr>
<td>installation of utilities (including electricity and telephone) both</td>
<td></td>
</tr>
<tr>
<td>in public ways and private extensions thereof. Provisions shall be</td>
<td></td>
</tr>
<tr>
<td>made for acceptable design and construction of storm water facilities</td>
<td></td>
</tr>
<tr>
<td>including grading, gutter, piping, treatment of turf, and maintenance</td>
<td></td>
</tr>
<tr>
<td>of facilities.</td>
<td></td>
</tr>
<tr>
<td>(E)</td>
<td></td>
</tr>
<tr>
<td>For every planned development there shall be provided a market</td>
<td></td>
</tr>
<tr>
<td>feasibility statement that shall indicate the consumer market areas for</td>
<td></td>
</tr>
<tr>
<td>all uses proposed in the development, the population potential of the</td>
<td></td>
</tr>
<tr>
<td>area or areas to be served by the uses proposed, and other pertinent</td>
<td></td>
</tr>
<tr>
<td>information concerning the need or demand for such uses of land.</td>
<td></td>
</tr>
<tr>
<td>(F)</td>
<td></td>
</tr>
<tr>
<td>For every planned development involving twenty (20) dwelling units or</td>
<td></td>
</tr>
<tr>
<td>more there shall be provided a traffic circulation impact study that</td>
<td></td>
</tr>
<tr>
<td>shall show the effect of all proposed uses upon adjacent and nearby</td>
<td></td>
</tr>
<tr>
<td>roads and highways. The study shall also show the amount and direction</td>
<td></td>
</tr>
<tr>
<td>of anticipated traffic flow and clearly describe what road and traffic</td>
<td></td>
</tr>
<tr>
<td>control improvements might become necessary as result of the</td>
<td></td>
</tr>
<tr>
<td>construction of the proposed development.</td>
<td></td>
</tr>
<tr>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td>The Zoning Administrator may, at his discretion, require of the</td>
<td></td>
</tr>
<tr>
<td>applicant additional studies or impact analyses when he determines that</td>
<td></td>
</tr>
<tr>
<td>a reasonable need for such investigation is indicated.</td>
<td></td>
</tr>
<tr>
<td>(H)</td>
<td></td>
</tr>
</tbody>
</table>
## 6-10-1-9 (C): Development Allowances for Commercial District Planned Developments

<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Draft Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)</td>
<td>The maximum height increase over that otherwise permitted in the C1a commercial districts shall be no more than: Thirty Feet (30')</td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td>The maximum increase in the number of dwelling units over that otherwise permitted in the C1a Commercial Districts shall be Forty Percent (40%)</td>
<td></td>
</tr>
<tr>
<td>(C)</td>
<td>The location and placement of buildings may vary from that otherwise permitted in the commercial districts, however, at no time shall any building be closer than ten feet (10') to any lot line abutting a residential district.</td>
<td></td>
</tr>
<tr>
<td>(D)</td>
<td>The maximum increase in floor area ratio over that otherwise permitted in the C1a Commercial District shall be One and a Half (1.5)</td>
<td></td>
</tr>
</tbody>
</table>
Draft Text Amendment
71-O-12

Aquaponics
To: Chair and Members of the Plan Commission

From: Dennis Marino, Manager, Planning and Zoning Division
Melissa Klotz, Zoning Planner

Subject: Discussion of Draft Text Amendment 71-O-12 for Aquaponics, 12PLND-0036

Date: July 11, 2012

Proposal Overview
During the April 30, 2012 and May 16, 2012 Zoning Committee of the Plan Commission meeting, members discussed potential zoning regulations for aquaponics establishments. Aquaponics, which is the symbiotic propagation of plants and fish in a recirculating environment, allows for the consumption and/or sale of said plants and fish. Currently, aquaponics is not a specific regulated zoning use, and would therefore fall into the same regulations as livestock or agriculture, and would not permitted as a primary use within the City of Evanston.

Recommendation
City staff and the Zoning Committee of the Plan Commission recommend approval of the proposed changes to the Zoning Ordinance regarding establishing aquaponics as a special use in all B, C, I and M districts.

Zoning Committee of the Plan Commission
The Zoning Committee of the Plan Commission agreed with the initial City staff recommendation at the April 30, 2012 public hearing, but requested additional research that shows how other municipalities regulate aquaponics. With the requested information presented at the May 16, 2012 public hearing, the Zoning Committee changed its recommendation to require a special use in all proposed districts (including I districts, where the previous recommendation was to allow aquaponics as a permitted use) due to the possible unknown impacts such establishments could have on neighboring properties. Given the potential for outdoor aquaponics establishments within close proximity to neighboring businesses or residences, City staff supports this revised recommendation.

Possible Zoning Regulations
Because of the multitude of variables aquaponics establishments may have, approval of such businesses on a case by case, site specific basis is needed. This can be done adequately through the special use process, so that aquaponics establishments may be
able to locate in the B, C, I and M districts as well-suited uses. Aquaponics is not seen as a compatible use in the downtown D, O1 or RP zoning districts.

<table>
<thead>
<tr>
<th>Current Regulations</th>
<th>Proposed Regulations</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquaponics</td>
<td>Special Use – B1, B1a, B2, B3, C1, C1a, C2, I1, I2, I3, MU, MUE, MXE.</td>
<td>Special Use required only when aquaponics is the primary use. Aquaponics would be allowed in any district when deemed accessory to an allowed primary use.</td>
</tr>
</tbody>
</table>

Regulations from other Municipalities
The City of Milwaukee has had zoning regulations in place for nearly five years that addresses aquaponics. Milwaukee considers aquaponics establishments to be agriculture uses as long as there is no processing of fish or plants on site. Agriculture uses are allowed, both indoors and outdoors, in all residential and industrial zoning districts, as well as by special use in certain commercial areas. Milwaukee does not have any outdoor aquaponics establishment, likely because the climate would prohibit a year round establishment from flourishing. Milwaukee currently has one functioning aquaponics establishment within the city limits, another underway in the permitting process, and one potential user that is in the process of securing a site. (See attached Milwaukee zoning regulations).

The City of Chicago regulates aquaponics as ‘Urban Farms’ which are permitted uses in some B districts, on rooftops of all D districts, and indoors or on rooftops in manufacturing districts. Aquaponics establishments are also allowed by special use in all C zoning districts.

Proposed Definition
An aquaponics definition is necessary in the Zoning Ordinance so that uses may be properly classified and regulated:

Aquaponics – the symbiotic propagation of plants and fish in an indoor or outdoor recirculating environment that may result in the harvest of said plants and fish.

Other Regulating Bodies
The City’s Health Department does not intend to create specific regulations for aquaponics establishments. The Illinois Department of Public Health will get involved with aquaponics operations if the establishment processes the fish on site, or if any produce is processed or packaged on site. The Food and Drug Administration and Illinois Department of Natural Resources have regulations that all aquaponics establishments must follow as well.
AN ORDINANCE

Amending Portions of the Zoning Ordinance
to Create the “Aquaponics” Use

WHEREAS, on April 30, 2012, May 16, 2012, and July 11, 2012, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 12PLND-0036 to consider various amendments to the text of Title 6 of the Evanston City Code of 1979, as amended (the “Zoning Ordinance”), relating to the creation of the Use known as “Aquaponics;” and

WHEREAS, the Plan Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of July 23, 2012, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 12PLND-0036 and recommended City Council approval thereof; and

WHEREAS, at its meetings of July 23, 2012 and August 13, 2012, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,

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 fact and incorporated herein by reference.

SECTION 2: Section 6-18-3 of the Zoning Ordinance, “Definitions,” is hereby amended to include the following:

AQUAPONICS: The symbiotic propagation of plants and fish in an indoor or outdoor re-circulating environment that may result in the harvest of said plants and fish.

SECTION 3: Subsection 6-9-2-3 of the Zoning Ordinance, “Special Uses” in the B1 Business District, is hereby amended to include “Aquaponics.”

SECTION 4: Subsection 6-9-3-3 of the Zoning Ordinance, “Special Uses” in the B2 Business District, is hereby amended to include “Aquaponics.”

SECTION 5: Subsection 6-9-4-3 of the Zoning Ordinance, “Special Uses” in the B3 Business District, is hereby amended to include “Aquaponics.”

SECTION 6: Subsection 6-9-5-3 of the Zoning Ordinance, “Special Uses” in the B1a Business District, is hereby amended to include “Aquaponics.”

SECTION 7: Subsection 6-10-2-3 of the Zoning Ordinance, “Special Uses” in the C1 Commercial District, is hereby amended to include “Aquaponics.”

SECTION 8: Subsection 6-10-3-3 of the Zoning Ordinance, “Special Uses” in the C1a Commercial District, is hereby amended to include “Aquaponics.”

SECTION 9: Subsection 6-10-4-3 of the Zoning Ordinance, “Special Uses” in the C2 Commercial District, is hereby amended to include “Aquaponics.”

SECTION 10: Subsection 6-13-2-3 of the Zoning Ordinance, “Special Uses” in the MU Transitional Manufacturing District, is hereby amended to include “Aquaponics.”
SECTION 11: Subsection 6-13-3-3 of the Zoning Ordinance, “Special Uses” in the MUE Transitional Manufacturing District, is hereby amended to include “Aquaponics.”

SECTION 12: Subsection 6-13-4-3 of the Zoning Ordinance, “Special Uses” in the MXE Mixed Use Employment District, is hereby amended to include “Aquaponics.”

SECTION 13: Subsection 6-14-2-3 of the Zoning Ordinance, “Special Uses” in the I1 Industrial District, is hereby amended to include “Aquaponics.”

SECTION 14: Subsection 6-14-3-3 of the Zoning Ordinance, “Special Uses” in the I2 Industrial District, is hereby amended to include “Aquaponics.”

SECTION 15: Subsection 6-14-4-3 of the Zoning Ordinance, “Special Uses” in the I3 Industrial District, is hereby amended to include “Aquaponics.”

SECTION 16: 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.

SECTION 17: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 18: If any provision of this ordinance or application thereof to any person or circumstance is held 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 19: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced:________________, 2012

Adopted:________________, 2012

Approved:__________________________, 2012

_______________________________

Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

_______________________________

Rodney Greene, City Clerk

W. Grant Farrar, Corporation Counsel
Indoor residential aquaponics – hobby scale, ornamental fish

Outdoor residential aquaponics – pond and small garden scale

Aquaponics as a landscaping feature

Example of the floating island system with plant roots used in many aquaponic systems
Commercial greenhouse aquaponic system with floating islands

Indoor commercial scale aquaponic system with floating islands

Indoor commercial aquaponic system

Outdoor commercial aquaponic system with separated fish and plants – water is transported back and forth between the two
MEETING MINUTES

ZONING COMMITTEE OF THE PLAN COMMISSION

Monday, April 30, 2012
7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, 2404

Members Present: Scott Peters, Richard Shure (Chair), Jim Ford, Dave Galloway, Stuart Opdycke (Assoc.)

Members Absent: none

Staff Present: Melissa Klotz, Dennis Marino, Ken Cox

Presiding Member: Rich Shure, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

With a quorum present, Chairman Shure called the meeting to order at 7:00 P.M.

2. OLD BUSINESS

A.) Approval of February 21, 2012 Zoning Committee of the Plan Commission Meeting Minutes

Commissioner Ford motioned for approval of the February 21, 2012 meeting minutes.

Commissioner Peters seconded the motion.

A voice vote was taken and the minutes were approved as written.

3. NEW BUSINESS

A.) 12PLND-0032 TEXT AMENDMENT TO THE ZONING ORDINANCE

Consideration of the proposed zoning text amendment to the Zoning Ordinance to discuss the regulation of massage establishments in the B, C, D, MUE, and O1 Districts as special uses.

Zoning Planner Melissa Klotz and Planning and Zoning Manager Dennis Marino provided a summary of the proposed regulation.

Licensed Massage Therapists Sarah McLaughlin and Louis Rosenberg explained their opposition to the proposed regulations, most notably the 1000 foot buffer between such establishments. Ms. McLaughlin also explained the negative connotation that is associated with the term “parlor” and would like that term stricken from the proposed ordinance.
The Committee determined the idea of making massage establishments special uses in the proposed zoning districts is good in general, but the zoning definition needs revision. Also, the 1000 foot buffer appears to be problematic and may not work well as a zoning regulation.

Commissioner Ford motioned to continue the consideration of the proposed zoning text amendment to the May 16, 2012 Zoning Committee of the Plan Commission so that a better definition could be worked out. Commissioner Peters seconded the motion. The motion passed unanimously.

A revised draft of the proposed Text Amendment will be reviewed and considered at the May 16, 2012 Zoning Committee of the Plan Commission meeting.

B.) 12PLND-0036 TEXT AMENDMENT TO THE ZONING ORDINANCE
   Consideration of the proposed zoning text amendment to the Zoning Ordinance to discuss the regulation of aquaponics and other similar establishments.

Melissa Klotz, Zoning Planner, provided an explanation of aquaponics and the various types, locations, and sizes aquaponics may take on, as outlined in the packet memo provided to the Committee. Ms. Klotz then asked the Committee for direction on what type of zoning regulation proposal should be brought forward.

The Committee recommended further research be done as to how other communities regulate aquaponics, as well as hydroponics and fish farming. The Illinois and Wisconsin Departments of Natural Resources may have useful information for creating aquaponics regulations.

The Committee suggested zoning regulations that prohibit aquaponics as a primary use in residential districts, allow such use in industrial districts, and require special use approval in the downtown area would be appropriate for further discussion.

Commissioner Peters motioned to continue the consideration of aquaponics zoning regulations to the May 16, 2012 Zoning Committee of the Plan Commission so that more research could be done, and specific zoning district regulations could be brought forth. Commissioner Ford seconded the motion. The motion passed unanimously.

4. ADJOURNMENT

Commissioner Peters motioned to adjourn. Commissioner Ford seconded the motion. The meeting adjourned at 8:18 PM.

The next meeting of the Zoning Committee of the Plan Commission will be Wednesday, May 16, 2012 at 7:00 P.M., in Council Chambers of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue.

Respectfully Submitted,
Melissa Klotz
Zoning Planner, Community and Economic Development Department
MEETING MINUTES
ZONING COMMITTEE OF THE PLAN COMMISSION
Wednesday, May 16, 2012
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Dave Galloway, Stuart Opdycke (Assoc.), Patricia Ledesma Liebana, Scott Peters, Richard Shure (Chair), Seth Freeman

Members Absent: Jim Ford

Staff Present: Melissa Klotz, Dennis Marino, Ken Cox

Presiding Member: Richard Shure, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

With a quorum present, Chairman Shure called the meeting to order at 7:05 P.M.

2. MINUTES

Approval of April 30, 2012 Zoning Committee of the Plan Commission Meeting Minutes

Commissioner Peters motioned for approval of the April 30, 2012 meeting minutes.

Commissioner Obdycke seconded the motion.

A voice vote was taken and the minutes were approved as written.

3. OLD BUSINESS

A.) 12PLND-0032 TEXT AMENDMENT TO THE ZONING ORDINANCE

Consideration of the proposed zoning text amendment to the Zoning Ordinance to discuss the regulation of massage establishments in the B, C, D, MUE, and O1 Districts as special uses.

Zoning Planner Melissa Klotz explained the updated proposal, which included a recommendation to require the special use process for any bodywork establishment whose owner/operator is not licensed under the Illinois Massage Licensing Act. Any massage establishment whose owner/operator is licensed under the Illinois Massage Licensing Act as a Licensed Massage Therapist would be allowed but required to obtain a Certificate of Zoning Compliance and provide proof of licensure.

Angela Palmer, AMTA Illinois Chapter - voiced her support for the new proposal.

Elvis Dur - the special use process will make it difficult for new businesses to start up.
Steve Rogne - licensing would be the best route for the regulation of bodywork establishments at the municipal level. He also suggested background checks as a part of the licensing process.

Janice Mertz – why are Licensed Massage Therapists separated from other medical uses, and where is the data supporting the possibility of negative effects from clustering?

Vid Linas – questioned the proposal.

Sarah McLaughlin – supports Mr. Rogne’s proposal.

Nancy Floy – supports Mr. Rogne’s proposal.

Kaethe Morris Hoffer – would like to table the proposal and look at stopping the men who are customers of the illegal activities that have brought on this regulation concern. This could be done with cooperation from the industry with some creativity.

Dick Peach, Evanston Chamber of Commerce – this is a law enforcement issue, not a zoning issue.

Tracy Smodilla – the words “owner/operator” creates problems. There isn’t a problem with massage or bodywork establishments. There is a problem with prostitution.

Jean Linguald – the Zoning Ordinance is not the appropriate mechanism to regulate prostitution. Zoning is for land use.

Louis Rosenberg – how would the Heartwood Center be affected by this?

Commissioner Galloway suggested the massage and bodywork industries select some representatives to work with City staff to create appropriate regulations.

Commissioner Freeman stated this regulation should not be done through zoning.

Commissioner Peters opined that this should be done through zoning, but the proposal should be modified to address things that are unclear and problematic.

Melissa Klotz answered a myriad of questions that were brought up during public testimony.

Dennis Marino, Manager of Planning and Zoning, suggested continuing the issue to the July 18, 2012 Zoning Committee meeting so staff could further explore the possibility of licensure regulations.

Commissioner Peters motioned to continue the proposal to the July 18, 2012 Zoning Committee meeting. The motion was seconded by Commissioner Ledesma Liebana. The motion passed unanimously.

B.) 12PLND-0036 TEXT AMENDMENT TO THE ZONING ORDINANCE
Consideration of the proposed zoning text amendment to the Zoning Ordinance to discuss the regulation of aquaponics and other similar establishments.
Melissa Klotz explained the proposed ordinance. Committee members agreed that the proposed zoning districts for the use are fine.

The Committee suggested a separate definition and use regulations for Community Gardens so that they can be allowed in residential districts.

Commissioner Opdycke suggested placing a special use requirement on aquaponics in all zoning districts until the City is more comfortable with the use and fully understands the implications of the use.

Commissioner Ledesma Liebana agreed, and asked whether fish meal would be used, because fish meal is odoriferous.

Commissioner Ledesma Liebana motioned to refer aquaponics regulations to the Plan Commission as special uses in all proposed districts. The motion was seconded by Commissioner Freeman.

Commissioners agreed that the Urban Farm idea is relatively abstract, and more information must be brought to the Zoning Committee in order to create proper zoning regulations.

Commissioner Peters motioned to continue the discussion on Community Gardens and Urban Farms to the July 18, 2012 Zoning Committee meeting. The motion was seconded by Commissioner Galloway. The motion passed unanimously.

4. **ADJOURNMENT**

Commissioner Peters motioned to adjourn. Commissioner Galloway seconded the motion. The meeting adjourned at 9:15 PM.

The next meeting of the Zoning Committee of the Plan Commission will be **Wednesday, July 18, 2012** at 7:00 P.M., in Council Chambers of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue.

Respectfully Submitted,
Melissa Klotz
Zoning Planner, Community and Economic Development Department
Draft Text Amendment
72-O-12

R1-R3 Building Height & Dormer Regulations
To: Chair and Members of the Plan Commission

From: Dennis Marino, Manager, Planning and Zoning Division
      Melissa Klotz, Zoning Planner

Subject: Discussion of Draft Text Amendment 72-O-12 for R1-R3 Building Height and Dormer Regulations, 12PLND-0047

Date: July 11, 2012

Proposal Overview
The current maximum height and dormer regulations for residential structures in the R1, R2 and R3 Zoning Districts are sometimes too restrictive and other times too permissive. Modifications to these regulations should be made that encourage similarity of building height (measured to the peak rather than mean building height) and bulk (dormers and half stories) so that structures cannot avoid the intent of the regulations, nor be overly limited by the regulations in the R1, R2, and R3 Zoning Districts. Regulations regarding maximum building height, substandard lot restrictions, half stories, dormer size, and accessory building height should be refined to promote the intent of the Zoning Ordinance.

Recommendation
City staff and the Zoning Committee of the Plan Commission recommend approval of the proposed changes to the Zoning Ordinance regarding residential building height and dormer regulations included in this memorandum.

Zoning Committee of the Plan Commission
The Zoning Committee of the Plan Commission agreed with the City staff recommendation, but requested a diagram that explains the concept of an attic knee-wall, which has been included in this memorandum. Also included is a proposed regulation change for accessory structure height so that all R1-R3 structure height is measured in the same consistent manner.

Current Regulations
Chapter 8 of the Zoning Ordinance regulates the maximum height of residential buildings. The current height regulation is the same for the R1, R2 and R3 Zoning Districts, and is stated in Sections 6-8-2-9, 6-8-3-8, and 6-8-4-8 as:

The maximum mean building height in the R1 district is thirty five feet (35') or two and one-half (2 ½) stories, whichever is less, except as modified per the requirements found in table 4-B of section 6-4-1-7 of this title…
Section 6-4-1-7 and table 4-B relate the maximum building height to the size of the parcel of land for properties that do not meet the current lot size regulations, with limitations listed in 6-4-1-7-B and table 4-B as:

(B) In any residential district, on a lot of record, on the effective date hereof, a single-family dwelling may be erected regardless of the size of the lot, provided all other requirements of this code are in compliance. The following limitations on building height will apply, based on the extent of noncompliance with the lot size requirements for the district in which the property is located. This provision addresses the building height standard as measured in feet only…

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Reduction in Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater than 80% but less than 100% of the minimum required lot area</td>
<td>15%</td>
</tr>
<tr>
<td>60%-80% of minimum required lot area</td>
<td>20%</td>
</tr>
<tr>
<td>50-60% of minimum required lot area</td>
<td>25%</td>
</tr>
</tbody>
</table>

Currently, building height is measured by mean height, which is defined as:

The perpendicular distance measured from the established grade to the high point of the roof for a flat roof, the deck line of a mansard roof, and to the mean height level for gable, hip or gambrel roofs. Mean height level is computed as the average of the height of the high point of the roof and the highest level where the plane of the main roof, excluding dormers, intersects the plane of an outside wall below the main roof. Chimneys and spires shall not be included in calculating the height nor shall mechanical penthouses or solar collectors, provided the penthouses and collectors cannot be seen from the street…

The current definition of half story is:

The top story of a building under a sloping roof, provided the sum of all areas of the top story where the vertical clearance is seven and one-half feet (7 1/2') or more does not exceed sixty percent (60%) of the area of the story immediately below it (as measured within the outer face of all exterior walls).

Dormers, which are structures projecting from a slanted roof to accommodate a window, are currently regulated in Section 6-8-1-8 as:

The following dormer requirements shall apply to all roof cuts on a pitched roof:
(A) A side dormer shall occupy no more than fifty percent (50%) of the length of a side wall;
(B) A side dormer shall not be located within the twenty percent (20%) of the length of the side wall closest to the front façade;

(C) A front dormer shall occupy no more than thirty percent (30%) of the length of the front building face. The dormer shall be located within the center sixty percent (60%) of the length of the front façade (i.e., a front dormer shall not be located within the twenty percent (20%) of the length of the front façade at either edge of the façade).

Accessory buildings, including garages and sheds, are currently regulated in Section 6-4-6-2-G as:

No accessory building shall exceed fourteen and one-half (14 ½) feet in height for a flat roof or mansard roof, or seventeen and one-half feet (17 ½) for all other roofs, except as otherwise provided for garages in Section 6-4-6-4 of this Chapter.

Interpretation by the Zoning Office has been to measure accessory building height to the mean height, to stay consistent with the mean height measurement used for primary structures.

Proposed Regulation Changes
Building Height for R1, R2 and R3 Zoning Districts (Sections 6-8-2-9, 6-8-3-8, and 6-8-4-8):

The maximum building height for any principal residential structure in the R1, R2, and R3 district shall not exceed 35’ or two and one-half stories, measured from grade to the highest point of said structure, whichever is less.

Definitions:

Half Story: That portion of a building under a gable or hip roof with a minimum slope ratio of 2:12 inch slope ratio, in which the wall plates on at least two opposite exterior walls are not more than three feet (3’) above the floor of the half story. Half-stories shall not be permitted for buildings with any other type of roof.

Maximum 3’ wall plate (commonly known as a knee-wall)

The livable space is limited by the ceiling height, which can be raised by a combination of knee-walls and dormers. Knee-walls add to the livable space in an attic-style half story. Knee-walls are not visible from the outside unless a residence specifically accentuates it with façade elements.
Slope Ratio: the ratio of the vertical rise of a sloped surface to its horizontal run. Thus, a surface that rises 2 inches within a run of 12 inches has a slope ratio of 2:12.

The proposed half story definition places the intent of the definition on traditional attic spaces, where much of the floor space, but not all, is usable because of the sloping roof that is the ceiling in a half story. The definition allows a 3' "knee wall" so that more of the "attic" square footage becomes useable with a high enough ceiling. The definition specifically ties in gable and hip roofs with a 2:12 inch slope ratio so that flat (or nearly flat) roofs do not qualify to build a full 3rd story that manages to fit the half story definition. Other roof types are left out (such as gambrel, flat or mansard) because they are similar enough, in square footage, to full stories such that they do not qualify as traditional attic spaces, which is the intent of the half story definition. Homes that currently have roof types that are not allowed for half stories are not prohibited from building half story additions – but any half story addition would have to fit the new definition, which calls for either a gable or hip roof to keep the half story "attic style".

See images below for clarification:

Attic-style roof types that allow for 2 ½ stories:

Gable

Hip

Roofs that are not attic-style, and are prohibited from adding a half story (because it would appear to be a full third story as shown below and would dwarf neighboring gable or hip roof style homes):

Gambrel

Mansard
Dormers are common among half stories because they greatly increase the usable square footage by increasing ceiling height. When done properly, dormers are aesthetically pleasing structural additions that increase the functionality of a room. Some homes add too many or too large of dormers, and are able to effectively turn a half story into a full story. The use of dormers should be limited so that half stories stay true to the “attic-style” intent. The proposed dormer regulations are as follows:

The following dormer requirements shall apply to all roof cuts on a pitched roof:

(A) Total side dormers shall occupy no more than thirty percent (30%) of the length of a side wall;

(B) Total side dormers shall not be located within the twenty percent (20%) of the length of the side wall closest to the front façade;

(C) Total front dormers shall occupy no more than thirty percent (30%) of the length of the front building face. Dormers shall be located within the center sixty percent (60%) of the length of the front façade (i.e., a front dormer shall not be located within the twenty percent (20%) of the length of the front façade at either edge of the façade).

All dormers on a side or the front shall occupy no more than 30%

Accessory buildings, including garages and sheds, should be measured via peak height to stay consistent with the new proposal for peak height of primary structures. The proposed height regulation for accessory buildings should read:

No accessory building shall exceed fourteen and one-half (14 ½) feet in height for a flat roof or mansard roof, twenty (20) feet measured from grade to the highest point of said structure for all other roofs, except as otherwise provided for garages in Section 6-4-6-4 of this Chapter.

The change from a maximum mean height of 17 ½ feet to a maximum peak height of 20 feet keeps with the intended overall height of the Zoning Ordinance, and should not be overly limiting for typical accessory buildings such as garages and sheds. It should be
noted that this regulation will become applicable to accessory buildings in all zoning districts, not just the R1-R3 districts.

**Comparing the Current and Proposed Regulations, in Summary**

<table>
<thead>
<tr>
<th><strong>Current Regulation</strong></th>
<th><strong>Problems</strong></th>
<th><strong>Proposed Regulation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum building height is 35’ or two and one-half stories, whichever is less, as measured by mean building height, except for lots of substandard size. (Sections 6-8-2-9, 6-8-3-8, 6-8-4-8, 6-4-1-7)</td>
<td>Mean building height allows for certain roof types to gain an advantage and construct a home that appears to be 3 full stories and dwarfs neighboring homes. The 35’ maximum is to the mean, so the peak height could reach 42’ and dwarf neighboring residences.</td>
<td>Maximum building height is 35’ or two and one-half stories, whichever is less, measured from grade to the highest point of said structure.</td>
</tr>
<tr>
<td></td>
<td>Substandard lots are penalized with their limitation on building height, while neighboring lots that are not substandard follow the typical regulation and are able to dwarf the homes on substandard lots, creating inconsistency within neighborhoods.</td>
<td>Eliminate substandard lot regulation (Section 6-4-1-7, table B-4)</td>
</tr>
<tr>
<td>Half Story Definition – the top story of a building under a sloping roof, provided the sum of all areas of the top story where the vertical clearance is 7 ½’ or more does not exceed 60% of the area of the story immediately below it.</td>
<td>Definition allows for certain roof types to gain an advantage and construct a home that is 3 stories (not 2 ½) as long as the third story is not more than 60% of the square footage of the story below it.</td>
<td>Eliminate the 60% rule: Half Story Definition – that portion of a building under a gable or hip roof with a minimum slope ratio of 2:12 inches, in which the wall plates on at least 2 opposite exterior walls are not more than 3’ above the floor of the half story.</td>
</tr>
<tr>
<td>Dormers: (A) Total side dormers shall occupy no more than 50% of the length of a side wall; (Section 6-8-1-8)</td>
<td>Too much linear footage is allowed for dormers. This allows homes to make a ½ story into almost a full story (to become a 3 story home) and dwarf neighboring properties.</td>
<td>Dormers (A) Total side dormers shall occupy no more than 30% of the length of a side wall;</td>
</tr>
<tr>
<td>Maximum accessory building height is 14 ½ feet for a flat or mansard roof, and 17 ½ feet for all other roofs, measured to the mean height.</td>
<td>Accessory building height should be measured the same way as primary structure height for consistency in regulation.</td>
<td>Maximum accessory building height is 14 ½ feet for a flat or mansard roof, and 20 feet for all other roofs, measured from grade to the highest point of said structure.</td>
</tr>
</tbody>
</table>
Any building or structure legally existing and conforming to the requirements of their district, notwithstanding the aforementioned proposed changes, will be given legally non-conforming status.

Ordinances Identified for Text Amendments
6-8-2-9 Mean Building Height (R1)
6-8-3-8 Mean Building Height (R2)
6-8-4-8 Mean Building Height (R3)
6-4-1-7 Minimum Lot Size
6-8-1-8 Dormers
6-4-6-2-G General Provisions for Accessory Uses and Structures
6-18-3 Definitions – Half Story, Slope Ratio
AN ORDINANCE

Amending Portions of the Zoning Ordinance Relating to Building Height and Dormer Regulations in the Residential Zoning Districts

WHEREAS, on June 13, 2012, and July 11, 2012, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 12PLND-0047 to consider various amendments to the text of Title 6 of the Evanston City Code of 1979, as amended (the “Zoning Ordinance”), relating to the creation of the Use known as “Aquaponics;” and

WHEREAS, the Plan Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of July 23, 2012, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 12PLND-0047 and recommended City Council approval thereof; and

WHEREAS, at its meetings of July 23, 2012 and August 13, 2012, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,

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 fact and incorporated herein by reference.

SECTION 2: Subsection 6-8-2-9 of the Zoning Ordinance is hereby amended to read as follows:

6-8-2-9: MEAN MAXIMUM BUILDING HEIGHT:

The maximum mean building height for any principal residential structure in the R1 district is shall not exceed thirty-five feet (35’) or two and one-half (2½) stories measured from grade to the highest point of said structure, whichever is less, except as modified per the requirements found in table 4-B of Section 6-4-1-7 of this Title. Notwithstanding the foregoing, any building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Zoning Ordinance, be deemed complying with the mean building height requirement shall have the status of legally permitted structure or use, not a legal noncompliance, and shall not be subject to or benefit from the allowances, restrictions and procedures of Chapter 6, "Nonconforming Uses And Noncomplying Structures", of this Title. Such conforming status shall continue in the event said building is removed or destroyed by a means within the control of the owner thereof and shall allow for the construction of a building or structure at the height of the building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof.

SECTION 3: Subsection 6-8-3-8 of the Zoning Ordinance is hereby amended to read as follows:

6-8-3-8: MEAN MAXIMUM BUILDING HEIGHT:

The maximum mean building height for any principal residential structure in the R2 district is shall not exceed thirty-five feet (35’) or two and one-half (2½) stories measured from grade to the highest point of said structure, whichever is less, except as modified per the requirements found in table 4-B of Section 6-4-1-7 of this Title. Notwithstanding the foregoing, any building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Zoning Ordinance, be deemed complying with the mean building height requirement shall have the status of legally permitted structure or use, not a legal noncompliance, and shall not be subject to or benefit from the allowances, restrictions and procedures of Chapter 6, "Nonconforming Uses And Noncomplying Structures", of this Title. Such conforming status shall continue in the event said building is removed or destroyed by a means within the control of the owner thereof and shall allow for the construction of a building or structure at the height of the building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof.
SECTION 4: Subsection 6-8-4-8 of the Zoning Ordinance is hereby amended to read as follows:

6-8-3-8: MEAN MAXIMUM BUILDING HEIGHT:

The maximum mean building height for any principal residential structure in the R3 district is shall not exceed thirty-five feet (35’) or two and one-half (2½) stories measured from grade to the highest point of said structure, whichever is less, except as modified per the requirements found in table 4-B of Section 6-4-1-7 of this Title. Notwithstanding the foregoing, any building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Zoning Ordinance, be deemed complying with the mean building height requirement shall have the status of legally permitted structure or use, not a legal noncompliance, and shall not be subject to or benefit from the allowances, restrictions and procedures of Chapter 6, "Nonconforming Uses And Noncomplying Structures", of this Title. Such conforming status shall continue in the event said building is removed or destroyed by a means within the control of the owner thereof and shall allow for the construction of a building or structure at the height of the building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof.

SECTION 5: Subsection (A) of Subsection 6-8-1-8 of the Zoning Ordinance, “Dormers” in the Residential Districts, is hereby amended to read as follows:

(A) A Total side dormers shall occupy no more than fifty percent (50%) thirty percent (30%) of the length of a side wall;

SECTION 6: Subsection 6-4-1-7-(B) of the Zoning Ordinance is hereby amended to read as follows:

(B) In any residential district, on a lot of record, on the effective date hereof, a single-family dwelling may be erected regardless of the size of the lot, provided all other requirements of this Code are in compliance.

The following limitations on building height will apply, based on the extent of noncompliance with the lot size requirements for the district in which the property is located. This provision addresses the building height standard as measured in feet only.
Table 4-B
Reduction In Maximum Building Height For Substandard Lots

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Reduction In Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater than 80 percent but less than 100 percent of the minimum required lot area</td>
<td>15 percent</td>
</tr>
<tr>
<td>60-80 percent of minimum required lot area</td>
<td>20 percent</td>
</tr>
<tr>
<td>50-60 percent of minimum required lot area</td>
<td>25 percent</td>
</tr>
</tbody>
</table>

In no case may the minimum lot area established be less than 50% of the required minimum lot area for the zoning district in which the property is located.

However, Where two (2) or more contiguous, substandard, recorded, and undeveloped lots are in common ownership, and are of such size as to constitute at least one conforming “zoning lot,” such lots or portions thereof shall be so joined, developed, and used for the purpose of forming a conforming or more nearly conforming zoning lot or lots.

SECTION 7: Subsection 6-4-6-2-(G) of the Zoning Ordinance is hereby amended to read as follows:

(G) No accessory building shall exceed fourteen and one-half feet (14½’) in height for a flat roof or mansard roof, or seventeen and one-half feet (17½’) twenty feet (20’) measured from grade to the highest point of said structure for all other roofs, except as otherwise provided for garages in Section 6-4-6-4 of this Chapter.

SECTION 8: The portion of Section 6-18-3 of the Zoning Ordinance, “Definitions,” that defines “story, half,” is hereby amended to read as follows:

STORY, HALF: The top story of a building under a sloping roof, provided the sum of all areas of the top story where the vertical clearance is seven and one-half feet (7½”) or more does not exceed sixty percent (60%) of the area of the story immediately below it (as measured within the outer face of all exterior walls) That portion of a building under a gable or hip roof, with a minimum slope ratio of 2:12 inches, in which the wall plates on at least two (2) opposite exterior walls are not more than three feet (3’) above the floor of the half story. Half-stories shall not be permitted for buildings with any other type of roof.
SECTION 9: Section 6-18-3 of the Zoning Ordinance, “Definitions,” is hereby amended to include the following:

SLOPE RATIO: the ratio of the vertical rise of a sloped surface to its horizontal run (e.g., a surface that rises 2 inches within a run of 12 inches has a slope ratio of 2:12).

SECTION 10: 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.

SECTION 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 12: If any provision of this ordinance or application thereof to any person or circumstance is held 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 13: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced:____________________, 2012
Adopted:____________________, 2012

Approved:

_______________________________, 2012

Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

_______________________________
Rodney Greene, City Clerk

_______________________________
W. Grant Farrar, Corporation Counsel
Home styles that fit the current 2 ½ story definition, but appear to be 3 stories:
MEETING MINUTES
ZONING COMMITTEE OF THE PLAN COMMISSION
Wednesday, June 13, 2012
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Room 2402

Members Present: Jim Ford, Kwesi Steele, Stuart Opdycke (Assoc.), Richard Shure (Chair), Seth Freeman

Members Absent: Dave Galloway, Scott Peters

Staff Present: Melissa Klotz, Dennis Marino

Presiding Member: Richard Shure, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM
With a quorum present, Chairman Shure called the meeting to order at 7:10 P.M.

2. MINUTES
Approval of May 16, 2012 Zoning Committee of the Plan Commission Meeting Minutes:

Commissioner Ford noted that he should be listed as absent from the May 16, 2012 meeting. Commissioner Freeman motioned for approval of the May 16, 2012 meeting minutes as amended. Commissioner Steele seconded the motion. A voice vote was taken and the minutes were approved as written.

3. OLD BUSINESS

4. NEW BUSINESS

A.) 12PLND-0047 TEXT AMENDMENT TO THE ZONING ORDINANCE

Consideration of the proposed zoning text amendment to the Zoning Ordinance to discuss the zoning regulations for residential building height and dormer size in the R1, R2 and R3 districts.

Zoning Planner Melissa Klotz explained that the current residential height regulations in the R1, R2 and R3 districts provides loopholes that allow new residences, or additions to residences, to be built that appear to be three full stories and dwarf neighboring properties and anger adjacent property owners. These loopholes need to be addressed to prevent further 3 story homes from being built since the intent of the regulation is a 2.5 story maximum.

Changes to the regulations include changing the maximum 35’ mean height to peak height, elimination of the substandard lot height limitations, elimination of the 60% rule for half stories and the creation of a new half story definition based on attic-style half
stories with 3’ knee walls, clarification of slope ratio, and further restriction of dormer size.

The Commissioners deliberated and determined the proposed regulation changes will aid in keeping with the intent of the Zoning Ordinance.

Commissioner Freeman motioned to recommend approval of the proposal to the Plan Commission with an ordinance drafted by the City’s Legal Department. Commissioner Ford seconded the motion. A voice vote was taken and the motion was approved.

5. **ADJOURNMENT**

Commissioner Opdycke motioned to adjourn. Commissioner Ford seconded the motion. The meeting adjourned at 7:45 PM.

The next meeting of the Zoning Committee of the Plan Commission will be **Wednesday, July 18, 2012** at 7:00 P.M., in the Lorraine H. Morton Civic Center, 2100 Ridge Avenue.

Respectfully Submitted,
Melissa Klotz
Zoning Planner, Community and Economic Development Department
# TABLE OF CONTENTS

1. Zoning Analysis  
2. Pre-Application Conference Materials  
3. Public Benefit Statement  
4. Development Plan  
5. Landscape Plan  
6. Plat of Survey  
7. Preliminary Plat of Subdivision / Consolidation  
8. Planned Development Application Form  
9. Certificate of Disclosure of Ownership Interest Form  
10. Open Space Maintenance Provision Statement  
11. Restrictive Covenants  
12. Schedule of Development  
13. Economic Feasibility Statement  
14. Traffic Circulation Impact Study  
15. Plan Compliance  
16. Neighborhood Compatibility  
17. Special Use Application  
18. Request for Development Allowances  
19. General Conditions for Planned Development in Commercial Districts  
20. Standards for Planned Developments in Commercial Districts
Section:

01. Zoning Analysis
Zoning Analysis

City of Evanston

Summary

Case Number: 12ZONA-0066  Case Status/Determination: Non-Compliant

Proposal:
Demolish existing building, construct 1-story (13,270 sq.ft.) building for Food store (Trader Joe's).

Site Information:

<table>
<thead>
<tr>
<th>Property Address:</th>
<th>1211 CHICAGO AVE</th>
<th>Zoning District:</th>
<th>C1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlay District:</td>
<td>None</td>
<td>Preservation District:</td>
<td>Not Within</td>
</tr>
</tbody>
</table>

Applicant: Terraco
Phone Number: 8479065023

Signature Date 3/29/2012

Zoning Section Comments

6-3-6, 6-10-1-9 D Due to the total square footage of the existing lot exceeding 30,000 square feet, the proposed construction of a Trader Joe's will require a PLANNED DEVELOPMENT.

6-10-2-8 E. The proposed open parking spaces bordering the north property line require a five foot (5') setback from the north property line.

PROPOSED SETBACK = 1.6'

6-16-3-5 TABLE 16-C Seventy-nine (79) open parking spaces are being proposed. A handicap parking requirement of four (4) spaces is required.

PROPOSED ON-SITE HANDICAP SPACES = 3

Recommendation(s): Click on the link(s) below to access online application(s)
<table>
<thead>
<tr>
<th>Case Number:</th>
<th>12ZONA-0066</th>
<th>Case Status/Determination:</th>
<th>Non-Compliant</th>
</tr>
</thead>
</table>

**Proposal:**
Demolish existing building, construct 1-story (13,270 sq. ft.) building for Food store (Trader Joe’s).

**Site Information:**

<table>
<thead>
<tr>
<th>Property Address:</th>
<th>1211 CHICAGO AVE</th>
<th>Zoning District:</th>
<th>C1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlay District:</td>
<td>None</td>
<td>Preservation District:</td>
<td>Not Within</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Terraco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone Number:</td>
<td>8479065023</td>
</tr>
</tbody>
</table>

Signature __________________________    Date ___________
City of Evanston
ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: Closed/Non-compliant  March 29, 2012
RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 12ZONA-0066
Address: 1211 CHICAGO AVE
Applicant: Terraco
Phone: 8479065023

Purpose: Zoning Analysis without Bld Permit App
District: C1
Overlay: None
Preservation District: Not Within
Reviewer: Martin Travis

THIS APPLICATION PROPOSES (select all that apply):
- New Principal Structure
- New Accessory Structure
- Addition to Structure
- Alteration to Structure
- Retention of Structure

ANALYSIS BASED ON:
- Plans Dated: 03/20/2012
- Prepared By: OKW Architects
- Survey Dated: 03/12/2012
- Existing Improvements: formerly Blockbuster

Proposal Description:
Demolish existing building, construct 1-story (13,270 sq.ft.) building for Food store (Trader Joe's)

ZONING ANALYSIS

PLANNED DEVELOPMENT THRESHOLDS

Does not apply to I1, I2, I3, OS, US, or Excluded T1 & T2 Properties. See Section 6-8-1-10(D) for R's; Section 6-8-1-9(D) for B's; Section 6-10-1-9(D) for C's; Section 6-11-1-10(D) for D's; Section 6-12-1-7(D) for RP; Section 6-13-1-10(D) for MU & MUE; Section 6-15-1-9 for O1, T's, U's, UH, eRE, & eRD.

1. Is the request for construction of substantially new structures or a substantial rehabilitation or substantial addition as defined by increasing floor area of principal structure by 35% or more? If not, skip to 2 & 4 below.
   No

2. Does the zoning lot area exceed 30,000 sqft?
   Yes

3. Does the proposal entail more than 24 new residential, commercial, business, retail or office units in any combination?
   No

4. Does the proposal entail the new construction of more than 20,000 sqft of true gross floor area at or above grade including areas otherwise excluded from defined gross floor area?
   No

RESIDENTIAL DISTRICT CALCULATIONS

The following sections apply to building lot coverage and impervious surface calculations in Residential Districts.

Front Porch Exception (Subtract 50%)
Total Eligible
Front
Front Porch
Regulatory Area

Pavers/Pervious Paver Exception (Subtract 29%)
Total Paver Area
Paver Regulatory Area

Open Parking Debit (Add 200sqft/open space)
# Open Required Spaces
Addtn. to Bldg Lot Cov.

PRINCIPAL USE AND STRUCTURE

<table>
<thead>
<tr>
<th>USE:</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>USE:</td>
<td>Retail Services Estab</td>
<td>Food Store Estab</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width (LF)</td>
<td>No Requirement</td>
<td>283.7</td>
<td>283.7</td>
<td>Compliant</td>
</tr>
<tr>
<td>USE:</td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Area (SF)</td>
<td>No Requirement</td>
<td>48392</td>
<td>48392</td>
<td>Compliant</td>
</tr>
<tr>
<td>USE:</td>
<td>Nonresidential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments: SUBJECT PROPERTY EXCEEDS 30,000 SQ.FT. RESULTS IN REQUIRED PLANNED DEVELOPMENT

| Gross Floor Area (SF) | 1.00 or 48392 sqft | TO BE DEMOLISHED | 13270 | Compliant |
| USE: | Non-Residential | NaN | 0.27 | |

Comments:
<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Height (FT)</strong></td>
<td>45</td>
<td>TO BE DEMOLISHED</td>
<td>25' (roof), 28' to parapet</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Front Yard(1) (FT)</strong></td>
<td>none</td>
<td></td>
<td>3</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Street:</strong></td>
<td>Chicago Ave.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Side Yard(1) (FT)</strong></td>
<td>5' ABUTTING NON-RES. DIST.</td>
<td>TO BE DEMOLISHED</td>
<td>&gt;5'</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td>N</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Side Yard(2) (FT)</strong></td>
<td>5' ABUTTING NON-RES. DIST.</td>
<td></td>
<td>1</td>
<td>Non-Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rear Yard (FT)</strong></td>
<td>NONE</td>
<td></td>
<td>0</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ACCESSORY USE AND STRUCTURE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Use (1)</strong></td>
<td>Standard</td>
<td>Existing</td>
<td>Proposed</td>
<td>Determination</td>
</tr>
<tr>
<td><strong>Permitted Districts:</strong></td>
<td></td>
<td>Open Off-street Parking</td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Permitted Required Yard:</strong></td>
<td></td>
<td>Building Envelope</td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Side Yard(1A) (FT)</strong></td>
<td>5</td>
<td>1.6</td>
<td></td>
<td>Non-Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td>N</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Side Yard(1B) (FT)</strong></td>
<td>5</td>
<td>&gt;5</td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rear Yard (FT)</strong></td>
<td>NONE</td>
<td>2.6</td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Direction:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PARKING REQUIREMENTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Use(1): Food Store</strong></td>
<td></td>
<td>1 per 350 sqft gross floor area.</td>
<td>79</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL REQUIRED:</strong></td>
<td>33</td>
<td>79</td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Handicap Parking Spaces:</strong></td>
<td>4 REQUIRED</td>
<td>3 on site</td>
<td></td>
<td>Non-Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Access:</strong></td>
<td>street</td>
<td>street</td>
<td>street</td>
<td>Compliant</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Standard Clearance

<table>
<thead>
<tr>
<th>Vertical Clearance (LF)</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Compliant</td>
</tr>
<tr>
<td>Comments</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Surfacing:              |          |          |              |
|                        | concrete/  |          |               |
|                        | asphalt    |          |               |
| Comments               |          |          | Compliant     |

| Location:               |          |          |              |
|                        | legal location |      |               |
| Comments               |          |          | Compliant     |

### Angle(1): 90 Degree

<table>
<thead>
<tr>
<th>Width(W) (FT)</th>
<th>Comments:</th>
<th></th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.5</td>
<td></td>
<td>8.5</td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Depth(D) (FT)</th>
<th>Comments:</th>
<th></th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.0</td>
<td></td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aisle(A) (FT)</th>
<th>Comments:</th>
<th></th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.0</td>
<td></td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Module (FT)</th>
<th>Comments:</th>
<th></th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>SL 42.0, DL 60.0</td>
<td></td>
<td>DL = 60</td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LOADING REQUIREMENTS**

<table>
<thead>
<tr>
<th>Loading Use:</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail and/or Commercial</td>
<td>1 short 5K to 10K, 2 short 10K to 25K, 2 long 25K to 70K, 3 long 70K to 100K, 1 non each</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed</th>
<th>2 long</th>
<th>Compliant</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>TOTAL (long): 2 required</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Long Berth Size (FT)</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2@ 10x35</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vertical Clearance (FT)</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>open</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location:</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>legal location</td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS AND/OR NOTES**

**Analysis Comments**

PLANNED DEVELOPMENT REQUIRED...VARIANCE REQUIRED FOR OPEN PARKING (SETBACK) ALONG NORTH LOT LINE...3 HANDICAP SPACES PROPOSED (4 REQUIRED).

**RESULTS OF ANALYSIS**

Results of Analysis: This Application is **Non-Compliant**

Site Plan & Appearance Review Committee approval is: **Required**

See attached comments and/or notes.

**SIGNATURE**

**DATE**
Section:

02. Pre-Application Conference Materials
2. **Pre-application Conference Materials**

   *i) narrative summary of proposal*
   The project is a 13,000 sf grocery store, (Trader Joes) with a 78-stall surface parking lot that is located on a parcel of 48,400 square feet located on the property at addresses commonly known as 1211 Chicago Avenue, 1223-1225 Chicago Avenue, and 1229 Chicago Avenue. The existing property contains three buildings, two masonry and concrete commercial structures and one single family home. All of the existing structures will be demolished or removed from the site.

   *ii) conceptual site plan, showing parking and bicycle facilities where appropriate*

   *iii) plat of survey showing location of utilities*
   The Developer will prepare a Plat of Consolidation for the Lots owned by the developer. The subject lots are Part of Lot 15 and Lots 16, 17, and 18. These lots comprise what is currently known as the Blockbuster portion of the assemblage. The remaining Lot 19 (LA Tan) and Lot 20 (Blue House) will be owned by the City of Evanston and Licensed by the Developer for use as a parking lot.

   *iv) elevations*

   *v) photographs of the subject and surrounding properties*

   *vi) description of adjacent land uses and neighborhood characteristics*
   The property is located in the Chicago Avenue Corridor, the major north-south commercial arterial traversing eastern Evanston. Immediately south of the property is Shell Gas Station and automobile service business. Immediately north of the property is a three story mixed use building comprised of ground floor retail/commercial and two stories of rental apartments. East of the site, across the alley, is a neighborhood of single family homes. West of the site, on the opposite side of Chicago Avenue is a Jewel Grocery store as well as a 7 story condominium building.

   *vii) description of critical historical structures, details or characteristics*
   There are no critical historical structures or details on the subject property.
NEIGHBORING PROPERTIES ON EAST SIDE OF CHICAGO

NEIGHBORING PROPERTIES ON WEST SIDE OF CHICAGO
VIEW FROM SOUTHWEST

TRADER JOE’S
EVANSTON, ILLINOIS

TERRACO

OKW Architects
DATE: MAY 5, 2012
PROJECT NUMBER: 11047
Section:

03. Public Benefit Statement
3. **Public Benefit Statement**

This project demonstrates Public Benefit through:

- Eliminating a blighted, under utilized structure – the former Blockbuster video store.

- This project will keep more Evanston dollars in Evanston. Trader Joe’s is a destination retailer that will also draw shoppers from adjacent communities which will help the entire corridor. Furthermore, the City of Evanston projects the annual estimated tax revenue to be between $487,500 - $669,500.

- The project will be designed to meet Evanston’s Sustainable Building Measures for New Construction. The Developer will submit with the building permit, a completed ESBMNC checklist that identifies the sustainable building measures the applicant shall employ.
Section:

04. Development Plan
Section:

05. Landscape Plan
Section:

06. Plat of Survey
Section:

07. Preliminary Plat of Subdivision / Consolidation
7. **Preliminary Plat of Subdivision / Consolidation:**

The Developer will prepare a Plat of Consolidation for the Lots owned by the developer. The subject lots are Part of Lot 15 and Lots 16, 17, and 18. These lots comprise what is currently known as the Blockbuster portion of the assemblage. The remaining Lot 19 (LA Tan) and Lot 20 (Blue House) will be owned by the City of Evanston and Licensed by the Developer for use as a parking lot.
Section:

08. Planned Development Application Form
Case Number: __________________________

1. PROPERTY

Address(es)/Location(s)
1211 Chicago Avenue, Evanston, Illinois

Brief Narrative Summary of Proposal:

The project is a 13,000 sf grocery store, (Trader Joe's) with a 78-stall surface parking lot that is located on a parcel of 48,400 sf located on the property at addresses commonly known as 1211 Chicago Avenue, 1223-1225 Chicago Avenue, and 1229 Chicago Avenue.

The existing property contains three buildings, two masonry and concrete commercial structures and one single-family home. All of the existing structures will be demolished.

The property is located in the Chicago Avenue Corridor, the major north-south commercial arterial traversing eastern Evanston. Immediately south of the property is a Shell Gas Station and automobile service business. Immediately north of the property is a three story mixed-use building comprised of ground floor retail / commercial and two stories of rental apartments. East of the site, across the alley, is a neighborhood of single-family homes. West of the site, on the opposite side of Chicago Avenue is a Jewel Grocery store as well as a 7-story condominium building.

There are no critical historical structures or details on the subject property.

2. APPLICANT

Name: Scott Gendell  Organization: Gendell/WNB, LLC

Address: 3201 Old Glenview Road #300  City, State, Zip: Wilmette, IL 60091

Phone: Work: 847-679-6660  Home:  Cell/Other: 

Fax:  Work: 847-679-6695  Home: 

E-mail: Shg@terracorealestate.com / KGazlet@terracorealestate.com

What is the relationship of the applicant to the property owner?

☒ same  ☐ builder/contractor  ☐ contract purchaser  ☐ potential lessee
☐ architect  ☐ attorney  ☐ lessee  ☐ real estate agent
☐ officer of board of directors  ☐ other: ________________________________

3. SIGNATURE

“I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge.”

Applicant Signature – REQUIRED

Date: 6/13/12
4. PRE-SUBMISSION REQUIREMENTS

Prior to actually submitting an application for Planned Development, you must:

A. Complete a Zoning Analysis of the Development Plan
   The Zoning Office staff must review the development plan and publish a written
determination of the plan's level of compliance with the zoning district regulations.
   Apply at the Zoning Office.

B. Present the development concept

4. REQUIRED SUBMISSION DOCUMENTS AND MATERIALS

- (This) Completed Application Form
- Application Fee, including postage for required mailing
- Two (2) Copies of Application Binder

Your application must be in the form of a binder with removable pages for copying.
You must submit two application binders for initial review.
The Application Binder must include:

- Zoning Analysis
- Pre-application Conference Materials
- Public Benefit Statement
- Development Plan
- Landscape Plan
- Plat of Survey of Entire Development Site
- Preliminary Plat of Subdivision.
- Planned Development Application Form
- Certificate of Disclosure of Ownership Interest Form
- Open Space Maintenance Provision Statement
- Restrictive Covenants
- Schedule of Development
- Economic Feasibility Statement
- Traffic Circulation Impact Study
- Plan Compliance Statement
- Neighborhood Compatibility Statement
- Special Use Application Form
- Request for Development Allowances Statement
- General Conditions Statement
- Standards Statement

Notes:

- **Plats of survey** must be drawn to scale and must accurately and completely reflect the current conditions of the property.
- **Building plans** must be drawn to scale and must include interior floor plans and exterior elevations.
- **Application Fees** may be paid by cash, check, or credit card.
4. OTHER PROFESSIONAL REPRESENTATIVE INFORMATION

**Attorney**

Name: _______________________________________ Organization: _______________________________
Address: _____________________________________ City, State, Zip: ______________________________
Phone: ____________________ Fax: ____________________ Email: _______________________________

**Architect**

Name: Michael Breclaw, AIA, LEED AP Organization: OKW Architects Inc.
Address: 600 W. Jackson Blvd., Suite 250 City, State, Zip: Chicago, IL 60661
Phone: 312-798-7700 Fax: 312-798-7777 Email: mbreclaw@okwarchitects.com

**Surveyor**

Name: Ryan J. Solum, P.E. Organization: Manhard Consulting, Ltd.
Address: 900 Woodlands Parkway City, State, Zip: Vernon Hills, IL 60061
Phone: 847-634-5550 Fax: ____________________ Email: _______________________________

**Civil Engineer**

Name: Ryan J. Solum, P.E. Organization: Manhard Consulting, Ltd.
Address: 900 Woodlands Parkway City, State, Zip: Vernon Hills, IL 60061
Phone: 847-634-5550 Fax: ____________________ Email: _______________________________

**Traffic Engineer**

Name: Luay Aboona, P.E. Organization: Kenig, Lindgren, O'Hara, Aboona, Inc.
Address: 9575 West Higgins Road, Suite 400 City, State, Zip: Rosemont, IL 60018
Phone: 847-518-9990 Fax: ____________________ Email: _______________________________

**Other Consultant**

Name: _______________________________________ Organization: _______________________________
Address: _____________________________________ City, State, Zip: ______________________________
Phone: ____________________ Fax: ____________________ Email: _______________________________
Application Procedure

(A) Pre-Application Conference: Prior to application submittal, an applicant shall meet with the Zoning Administrator, the Plan Commission chair and the Alderman of the ward in which the proposed planned development is located, and the Site Plan and Appearance Review Committee (SPAARC). Where applicable, a representative of the Preservation Commission shall be present. The purpose of the conference is to present the concept of the proposed plan and discuss procedures and standards for approval. No representation made by the Zoning Administrator, SPAARC member or the representative of the Preservation Commission or Plan Commission during such conference or at any other time shall be binding upon the City with respect to the application subsequently submitted. The pre-application conference with SPAARC shall be scheduled within 15 calendar days after receiving the applicant's request.

(B) Information Needed for Pre-Application Conference: The applicant shall include the following information at the time of request for the meeting:

1. Narrative summary of proposal.
2. Conceptual site plan.
3. Plat of survey (including the location of utilities).
4. Proposed elevations.
5. Photographs of the subject and surrounding properties
6. Description of adjacent land uses and neighborhood characteristics.
7. Description of critical historical structures, details or characteristics (if applicable).

(C) Zoning Analysis Application: Prior to review of the project, the applicant must submit the project for “zoning analysis.” The Zoning Division’s response to this application is a Zoning Analysis Review Sheet addressing specific regulatory areas, and indicating compliance or deficiency.

(D) Results of Pre-Application Conference and Zoning Analysis: Following the pre-application conference, the Zoning Administrator and SPAARC shall be available to suggest modifications to the site plan as discussed during the pre-application conference. Within 7 calendar days, minutes of the pre-application conference shall be sent to the applicant and Plan Commission and shall be available upon request to interested parties by the Zoning Administrator.

Review Procedure - Decision

(A) Review Procedure: Upon the review of an application for a planned development the Zoning Administrator shall notify the developer of any deficiencies or modifications necessary to perfect the planned development application.

(B) Public Hearing: After determining that the application is complete, the Zoning Administrator shall schedule a public hearing to be held by the Plan Commission at which time a formal presentation of the planned development application will be presented. The public hearing shall be held not less than 15 calendar days and no more than 30 calendar days from the date of receipt of the complete application. In addition, a sign shall be posted on the property for a minimum of 10 working days prior to the public hearing indicating the place, time and date of the hearing.

(C) Mailed Notices Required: Notice shall also be given by first class mail to all owners of property within a 1,000-foot radius of the subject property as provided by the applicant. The failure of delivery of such notice, however, shall not invalidate any such hearing. The City, through its Geographic Information System, can supply the names and addresses of the owners of property within the 1,000-foot radius. The applicant is responsible for the accuracy of the list provided to the City. The City mails notice of the hearing to the neighboring property owners and publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, no less than 15 days nor more than 30 days prior to hearing.

(D) Recommendation: The Plan Commission holds a public hearing and makes a recommendation, based on findings of fact, to the City Council within 60 days of the close of the public hearing. The Planning and Development Committee of the City Council considers the Plan Commission's recommendation and forwards it to the full Council with or without a recommendation. The City Council considers the Plan Commission's recommendation and may introduce an ordinance granting the planned development. The City Council may adopt an ordinance granting the planned development at the following or any subsequent City Council meeting. The developer shall record the ordinance granting the planned development and the development plan with the Cook County Recorder.

Standing

The applicant must own, lease, or have legal or equitable interest in the subject property. The Zoning Division requires the applicant to demonstrate his or her connection to the ownership interest in the property. Documentation can be in the form of a title insurance policy or a deed, and a lease or contract to lease or purchase.
Section:

09. Certificate of Disclosure of Ownership Interest Form
WARRANTY DEED

THE GRANTOR

1211 CHICAGO AVE., LLC
an Illinois limited liability company duly organized and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State where the following described real estate is located,

for and in consideration of the sum of Ten and no/100 Dollars ($10.00) and other good and valuable consideration in hand paid, hereby GRANTS, BARGAINS, SELLS and CONVEYS to

GENDELL/WNB, LLC, an Illinois limited liability company

the following described Real Estate situated in the County of COOK in the State of Illinois, to wit: (See reverse side for legal description.) SUBJECT TO: General taxes for 2010 and subsequent thereto, including taxes which may accrue by reason of new or additional improvements during the year(s); and covenants, conditions and restrictions of record; private, public and utility easements and roads and highways, if any; special taxes or assessments for improvements heretofore completed; grantee’s mortgage or trust deed, if any; and those matters stated on Exhibit A and attached hereto.

Permanent Index Number (PIN): 11-19-002-000-0000 and 11-19-002-006-0000
Address of Real Estate: 1209-1211 Chicago Ave., Evanston, Illinois 60651

THIS IS NOT HOMESTEAD PROPERTY

IN WITNESS WHEREOF, Grantor has caused its name to be signed to these presents this 23rd day of August 2011.

1211 CHICAGO AVE., LLC, an Illinois limited liability company

GREATERT METROPOLITAN TITLE, LLC
175 E. HAWTHORN PARKWAY, SUITE 135
VERNON HILLS, IL 60061
FILE # 11-03724

STATE OF ILLINOIS
) SS.
COUNTY OF COOK
)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Terry Upton, as Manager of 1211 Chicago Ave., LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

Given under my hand and official seal, this 23rd day of August 2011.

Commission expires 23 June 2014

OFFICIAL SEAL

DANIEL SELTZER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 06/23/14
This instrument was prepared by Daniel Seltzer, O'Donnell Law Firm, 14044 Petronella Drive, Suite 1, Libertyville, Illinois 60048

**LEGAL DESCRIPTION**

of premises commonly known as

1209-1211 Chicago Ave., Evanston, Illinois 60202

THE NORTH ½ OF LOT 15 AND ALL OF LOT 16, 17 AND 18 IN BLOCK 76 IN THE CITY OF EVANSTON IN THE NORTH ¼ OF THE NORTH ½ OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 11-19-200-025-0000
11-19-200-026-0000

**CITY OF EVANSTON** 025040

Real Estate Transfer Tax
City Clerk's Office

PAID AUG 23 2011 AMOUNT $1,500.00

Agent ______________

Mail to:
Loren R. Stone
3201 Old Glenview Rd STE 300
Wilmette, IL 60091

Send subsequent tax bills to:
Geoell/WWB, LLC
3201 Old Glenview Rd STE 300
Wilmette, IL 60091

**STATE OF ILLINOIS**

REAL ESTATE TRANSFER TAX

0230000

FP 103051

**COOK COUNTY**

REAL ESTATE TRANSACTION TAX

0145000

FP 103048

REVENUE STAMP
EXHIBIT A
PERMITTED EXCEPTIONS

1. Terms and provisions contained in License Agreement between Michael Offenbecher and Elizabeth V. Offenbecher, his wife, and Zweifels Inc., recorded April 21, 1959 as document 17514751 regarding the construction of the North wall of the building on the land.

2. Rights of the public in and to the use of the concrete walk along the westerly side of the land, as shown on and located by plat of survey made by B.H. Suhr & Company, dated August 17, 2011.
Section:

10. Open Space Maintenance Provision Statement
10. **Open Space Maintenance Provision Statement**

The Property Owner / Developer (Terraco) will be responsible for the maintenance of all parking, loading, walkways and landscape within the property boundaries.

- All hardsurface areas will be maintained and repaired to assure a safe condition for vehicular and pedestrian movement.

- Landscape areas will be maintained and repaired to assure thriving plant material.
Section:

11. Restrictive Covenants
11. **Restrictive Covenants**

None.
Section:

12. Schedule of Development
12. **Schedule of Development**

The preliminary construction logistics plan for the site anticipates minimal disruption to areas off the property. The planning parking lot area will provide area for staging of equipment, materials, and contractor parking during construction.

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 2012</td>
<td>Demolition of Existing Structures</td>
</tr>
<tr>
<td>October 2012 through April 2013</td>
<td>Site and Building Construction</td>
</tr>
<tr>
<td>March 2013 through April 2013</td>
<td>Anticipated streetscape and public right of way improvements</td>
</tr>
</tbody>
</table>
Section:

13. Economic Feasibility Statement
13. **Economic Feasibility Statement:**

The proposed user, Trader Joe’s, will generate a significant amount of sales. Based on average store sales, comparable demographics of other store locations in the Chicago market and concentration of other successful grocery stores in the area; this location will support a Trader Joe’s.

As of today; the entity, Gendell/WNB, LLC, has funded over $2,500,000 and has already received significant interest from many construction lenders.

Trader Joe’s has entered a lease agreement with the owner to open a new store at this address. Furthermore, this location will support a Trader Joe’s because of the comparable demographics of other store locations in the Chicago market and concentration of other successful grocery stores in the area.
Section:

14. Traffic Circulation Impact Study
MEMORANDUM TO:    Kevin Gazley
                 Terrac0, Inc.

FROM:             Luay R. Aboona, PE
                 Principal

DATE:             March 28, 2012

SUBJECT:         Traffic Impact Study
                 Proposed Trader Joe’s Grocery Store
                 Evanston, Illinois

This memorandum summarizes the results of a traffic impact study conducted by Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.) in connection with a proposed Trader Joe’s grocery store to be located in Evanston, Illinois. The site, which is currently occupied by a vacant Blockbuster Store and a retail building, is located on the east side of Chicago Avenue just north of Hamilton Street. As proposed, the development is to consist of a 13,000 square-foot grocery store with 78 parking spaces and access provided via two access drives on Chicago Avenue.

The purpose of this study was to examine background traffic conditions, assess the impact that the proposed development will have on traffic conditions in the area, and determine if any street or access improvements are necessary to accommodate the traffic generated by the development.

The sections of this report present the following:

- Existing conditions
- A description of the proposed development
- Directional distribution of the development generated traffic
- Vehicle trip generation for the proposed development
- Future traffic conditions including access to the site
- Traffic analyses for the weekday morning, weekday evening and Saturday midday peak hours
- Recommendations with respect to adequacy of the site access system and adjacent street network

Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on a field visit conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area street system including lane usage and traffic control devices, an inventory of the alternative modes of transportation serving the area and existing peak hour vehicle, pedestrian and bicycle volumes.
Site Location

The site, which is currently occupied by a vacant Blockbuster Store and a retail building, is located on the east side of Chicago Avenue just north of Hamilton Street. Land-uses in the area consist of commercial and residential uses located north and south of the site along Chicago Avenue and residential neighborhoods located east of the site. A Shell gas station is located directly south of the site and a Jewel Osco grocery store is located just southwest of the site on the west side of Chicago Avenue. Lastly, a Whole Foods Market is located south of the site in the northeast corner of the Chicago Avenue/Greenleaf Street intersection. Figure 1 shows an aerial photo of the site.

Area Streets

The principal streets in the study area are described in the following paragraphs and shown in Figures 2 and 3.

*Chicago Avenue* is generally a north-south, arterial street. In the study area, Chicago Avenue has a two-lane cross section with parking generally provided on both sides of the street. Separate left-turn lanes are provided on Chicago Avenue at its signalized intersection with Dempster Street and Greenleaf Street. A separate right-turn lane is provided on the southbound approach of Chicago Avenue at its signalized intersection with Dempster Street. Chicago Avenue is under the jurisdiction of the City of Evanston and has a posted speed limit of 30 mph.

*Dempster Street* is an east-west, arterial street. In the study area, Dempster Street has a two-lane cross section with parking generally permitted on both sides of the street. Dempster Street is under the jurisdiction of the City of Evanston and has a posted speed limit of 25 mph.

*Hamilton Street* is an east-west, local street that ends at Chicago Avenue. In the study area, Hamilton Street has a two-lane cross section with parking generally permitted on both sides of the street. At its intersection with Chicago Avenue, Hamilton Street is under stop sign control. Hamilton Street is under the jurisdiction of the City of Evanston and has a posted speed limit of 25 mph.

*Greenleaf Street* is an east-west, local street. In the study area, Greenleaf Street has a two-lane cross section with parking generally permitted on both sides of the street. Parking is prohibited on both sides of the street approximately one block east and west of Chicago Avenue. Greenleaf Street is under the jurisdiction of the City of Evanston and has a posted speed limit of 25 mph.
Area Street System

Figure 2
Public Transportation

The area is served by several modes of public transportation including Metra commuter rail, CTA rapid transit service and two bus lines. The following summarizes the rail lines providing service to the area.

- The *Metra Union Pacific/North Line (UP-N)* has a local stop at Chicago Avenue and Main Street which is located approximately ½ mile south of the site. This line provides daily service between Ogilvie Transportation Center in Chicago and Kenosha, Wisconsin.

- The *CTA Purple Transit Line* has a local stop at Sherman Place just north of Dempster Street which is located approximately ¼ of a mile north of the site and Chicago Avenue and Main Street which is located approximately ½ mile south of the site. This line provides daily service between the Linden Station in Wilmette and the Howard Station on the border of Chicago and Evanston. In addition, weekday peak period peak express service is provided between the Howard Station and the downtown Chicago Loop.

In addition, the following bus routes serve the immediate area and all have stops adjacent to the site.

- *Route Number 205 Chicago/Golf* generally runs along Chicago Avenue and Gold Road between the Howard Street rapid transit station and the Cook County Courthouse in Skokie. Service is provided Monday through Friday.

- *Route N201 Central/Sherman (Night Bus)* generally runs along Chicago Avenue and Sherman Avenue between the Howard Street rapid transit station and Central Street. Service is provided during overnight hours only.

Non-Motorized Modes of Transportation

The site is served by the following non-motorized modes of transportation.

*Bicycle Routes.* According to the City of Evanston, Both Chicago Avenue and Greenleaf Street are designated bike routes within the vicinity of the site.

*Pedestrian Facilities.* All of the streets within the immediate area generally have sidewalks on both sides of the street. Crosswalks and pedestrian traffic signals are provided at the Chicago Avenue/Dempster Street and Chicago Avenue/Greenleaf Street intersection. Crosswalks are provided on the east and south legs of the Hamilton Street intersection with Chicago Avenue. In addition, crosswalk warning signs are provided on Chicago Avenue in advance of and at the crosswalk across Chicago Avenue at Hamilton Street.
Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted peak period vehicle, pedestrian and bicycle counts at the following intersections.

- Chicago Avenue with Dempster Street
- Chicago Avenue with Hamilton Street
- Chicago Avenue with Greenleaf Street

The traffic counts were conducted on Tuesday and Wednesday, March 6 and 7, 2012 during the morning (7:00 A.M. to 9:00 A.M.) and evening (4:00 P.M. to 6:00 P.M.) peak periods and on Saturday, March 10, 2012 during the midday (12:00 to 2:00 P.M.) peak period. Based on the results of the traffic counts, the weekday morning peak hour of traffic occurs from 8:00 A.M. to 9:00 A.M., the weekday evening peak hour of traffic occurs from 4:45 P.M. to 5:45 P.M. and Saturday peak hour occurs from 12:00 to 1:00 P.M. Figure 4 illustrates the existing peak hour traffic volumes and Figure 5 illustrates the existing pedestrian and bicycle volumes.

Traffic Characteristics of the Proposed Development

In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed development including the directional distribution and volumes of traffic that it will generate.

Proposed Development Plan

As proposed, the development is to consist of a 13,000-square foot Trader Joe’s grocery store with 78 parking spaces. Access to the site is to be provided via two access drives located on Chicago Avenue. One loading dock will be provided along the east side of the proposed building. All trucks will enter and exit the site via the Chicago Avenue access drives. However, the alley located east of the site will be used to maneuver trucks into the loading dock. Customer access to/from the alley along the east site of the site will be prohibited via both signage and a gate.

Site Traffic Generation

The peak hour traffic volumes that will be generated by proposed development were estimated based on trip generation rates provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition. However, the trip rates are based on suburban rates where the primary mode of transportation is the automobile. The dense, urban nature of the neighborhood together with the various alternative modes of transportation described previously results in heavy pedestrian activity in the area. It is expected that the proposed development will capture a large portion of its customers from this pedestrian activity, including the area residents. As such, the number of vehicle trips that will be generated by the development was conservatively reduced by only 25 percent to account for the pedestrian activity and the alternative modes of transportation. Table 1 shows the estimated peak hour traffic to be generated by the proposed development.
00 - AM PEAK HOUR (8:00-9:00 AM)
(00) - PM PEAK HOUR (4:45-5:45 PM)
[00] - SAT PEAK HOUR (12:00-1:00 PM)
Table 1
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Weekday Morning Peak Hour</th>
<th>Weekday Evening Peak Hour</th>
<th>Saturday Midday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In</td>
<td>Out</td>
<td>In</td>
</tr>
<tr>
<td>Trader Joe’s (13,000 s.f.)</td>
<td>22</td>
<td>14</td>
<td>53</td>
</tr>
</tbody>
</table>

Directional Distribution of Site Traffic

The directions from which the development-generated traffic will approach and depart the site were estimated based on the existing travel patterns as determined from the traffic counts. Figure 6 illustrates the directional distribution for the development.

Projected Traffic Volumes

The estimated peak hour traffic volumes that will be generated by the proposed development were assigned to the street system in accordance with the previously described directional distribution. Figure 7 illustrates the development generated traffic volumes. To account for other growth in the area, the existing traffic volumes were increased by five percent. Figure 8 shows the total peak hour volumes which include the existing traffic volumes, the development-generated traffic volumes and other growth projected in the area.

Traffic Analysis

Traffic analyses were performed for the intersections within the study area to determine the operation of the existing street system, evaluate the impact of the proposed development, and determine the ability of the existing street system to accommodate projected traffic demands. Analyses were performed for the existing and the projected traffic volumes.

The traffic analyses were performed using Synchro 7 computer software, which is based on the methodologies outlined in the Transportation Research Board’s Highway Capacity Manual (HCM), 2000. The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter grade from A to F based on the average control delay experienced by vehicles passing through the intersection. Control delay is that portion of the total delay attributed to the traffic signal or stop sign control operation and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Level of Service A is the highest grade (best traffic flow and least delay), Level of Service E represents saturated or at-capacity conditions, and Level of Service F is the lowest grade (oversaturated conditions, extensive delays). For two-way stop controlled (TWSC) intersections, levels of service are only calculated for the approaches controlled by a stop sign (not for the intersection as a whole).

The Highway Capacity Manual definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are shown in the Appendix. The results of the capacity analysis are summarized in Table 2 and Table 3.
LEGEND

- AM PEAK HOUR (8:00-9:00 AM)
- PM PEAK HOUR (4:45-5:45 PM)
- SAT PEAK HOUR (12:00-1:00 PM)

SITE
<table>
<thead>
<tr>
<th>STREET</th>
<th>PROJECT VOLUMES</th>
<th>LEGEND</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEMPSTER ST</td>
<td></td>
<td>00 - AM PEAK HOUR (8:00-9:00 AM)</td>
</tr>
<tr>
<td></td>
<td>84 (65) [76]</td>
<td>(00) - PM PEAK HOUR (4:45-5:45 PM)</td>
</tr>
<tr>
<td></td>
<td>135 (105) [97]</td>
<td>[00] - SAT PEAK HOUR (12:00-1:00 PM)</td>
</tr>
<tr>
<td></td>
<td>92 (159) [178]</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET</th>
<th>PROJECT VOLUMES</th>
<th>LEGEND</th>
</tr>
</thead>
<tbody>
<tr>
<td>GREENLEAF ST</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>30 (62) [67]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>60 (55) [53]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>50 (84) [178]</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET</th>
<th>PROJECT VOLUMES</th>
<th>LEGEND</th>
</tr>
</thead>
<tbody>
<tr>
<td>HAMILTON ST</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>842 (623) [1726]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>36 (29) [42]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>83 (83) [46]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>13 (35) [26]</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL Projected Volumes:

TRADER JOE’S
Evanston, Illinois
Table 2
CAPACITY ANALYSIS RESULTS—EXISTING TRAFFIC CONDITIONS

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Weekday A.M. Peak Hour</th>
<th>Weekday P.M. Peak Hour</th>
<th>Saturday Midday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
</tr>
<tr>
<td>Chicago/Dempster¹</td>
<td>C</td>
<td>20.2</td>
<td>C</td>
</tr>
<tr>
<td>Chicago/Greenleaf²</td>
<td>B</td>
<td>15.8</td>
<td>B</td>
</tr>
<tr>
<td>Chicago/Hamilton²</td>
<td>D</td>
<td>28.2</td>
<td>D</td>
</tr>
</tbody>
</table>

LOS = Level of Service
Delay = Seconds
1. Signalized Intersection
2. Unsignalized Intersection

Table 3
CAPACITY ANALYSIS RESULTS—FUTURE TRAFFIC CONDITIONS

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Weekday A.M. Peak Hour</th>
<th>Weekday P.M. Peak Hour</th>
<th>Saturday Midday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
</tr>
<tr>
<td>Chicago/Dempster¹</td>
<td>C</td>
<td>22.0</td>
<td>C</td>
</tr>
<tr>
<td>Chicago/Greenleaf²</td>
<td>B</td>
<td>16.6</td>
<td>B</td>
</tr>
<tr>
<td>Chicago/Hamilton²</td>
<td>D</td>
<td>34.6</td>
<td>E</td>
</tr>
<tr>
<td>Chicago/North Drive²</td>
<td>D</td>
<td>25.9</td>
<td>D</td>
</tr>
<tr>
<td>Chicago/South Drive²</td>
<td>D</td>
<td>26.8</td>
<td>E</td>
</tr>
</tbody>
</table>

LOS = Level of Service
Delay = Seconds
1. Signalized Intersection
2. Unsignalized Intersection

Evaluation of the Street Operations

The results of the capacity analyses show that both of the signalized intersections are currently operating at an acceptable level of service. The Hamilton Street approach at Chicago Avenue currently operates at a Level of Service E during the weekday evening peak hour. As a result, the Hamilton Street traffic experiences some additional delay when exiting onto Chicago Avenue. However, this is a common situation for stop sign controlled intersections along higher volume streets such as Chicago Avenue. It is important to note that it is possible for vehicles along Hamilton Street to access Chicago Avenue via signalized intersections (Dempster Street or Greenleaf Street) located one block north or south of Hamilton Street.
With the addition of the development traffic and the other growth projected in the area all of the intersections are projected to continue to operate at an acceptable level of service except the intersections of Chicago Avenue/Hamilton Street and Chicago Avenue/south access drive. During the weekday morning and evening peak hours, the stop signed controlled approaches at these two intersections are projected to operate at a Level of Service E. This traffic will experience some additional delay when exiting onto Chicago Avenue. However, this is a common situation for stop sign controlled intersections along higher volume streets such as Chicago Avenue.

The capacity analyses indicated that some queuing and delays are currently experienced on some approaches as well as certain individual movements. However, field observation and the capacity analyses indicate that the queuing and delays are typically not excessive. As such, no additional capacity and/or street modifications are required to accommodate the additional traffic to be generated by the development.

**Site Access**

Access to the development is proposed to be provided via two access drives located on the east side of Chicago Avenue. The two access drives will be approximately 200 feet apart and will both allow full movements in and out of the site. Both access drives should provide one inbound lane and one outbound lane with the outbound lane under stop sign control.

One loading dock will be provided along the east side of the proposed building. All trucks will enter and exit the site via the Chicago Avenue access drives. However, the alley located east of the site will be used to maneuver trucks into the loading dock. Customer access to/from the alley along the east side of the site will be prohibited via both signage and a gate.

**Conclusion**

Based on the preceding analyses and recommendations, the following conclusions have been made.

- Accessibility to and from the area is enhanced by the various alternative modes of transportation serving the area. The area is served by the CTA Purple rapid transit line, the Metra Union Pacific/North Line (UP-N) and two bus lines. Lastly, Chicago Avenue and Greenleaf Street are designated bike routes within the vicinity of the site.

- The amount of new traffic generated by the proposed development will be reduced due to the proximity of development within the downtown area and the alternative modes of transportation serving the area.

- The development-generated traffic can be accommodated efficiently without significant impact to the external street system. All of the intersections within the study limits are projected to generally operate at acceptable levels of service with the addition of the development generated traffic.
• The proposed site access system will be adequate to serve the traffic that will be generated by the proposed development. All access to and from the development, including truck traffic, will be provided via Chicago Avenue. The public alley east of the site will only be used to maneuver the truck into the loading dock.
## LEVEL OF SERVICE CRITERIA—SIGNALIZED INTERSECTIONS

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Interpretation</th>
<th>Delay per Vehicle (seconds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Very short delay, with extremely favorable progression. Most vehicles arrive during the green phase and do not stop at all.</td>
<td>≤10.0</td>
</tr>
<tr>
<td>B</td>
<td>Good progression, with more vehicles stopping than for Level of Service A, causing higher levels of average delay.</td>
<td>&gt;10 and ≤20.0</td>
</tr>
<tr>
<td>C</td>
<td>Light congestion, with individual cycle failures beginning to appear. Number of vehicles stopping is significant at this level though many still pass through the intersection without stopping.</td>
<td>&gt;20 and ≤35</td>
</tr>
<tr>
<td>D</td>
<td>Congestion is more noticeable, with longer delays resulting from combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and the proportion of vehicles not stopping declines.</td>
<td>&gt;35 and ≤55</td>
</tr>
<tr>
<td>E</td>
<td>High delays result from poor progression, high cycle lengths and high V/C ratios.</td>
<td>&gt;55 and ≤80</td>
</tr>
<tr>
<td>F</td>
<td>Unacceptable delay occurring, with oversaturation.</td>
<td>&gt;80.0</td>
</tr>
</tbody>
</table>

## LEVEL OF SERVICE CRITERIA—UNSIGNALIZED INTERSECTIONS

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Average Total Delay (SEC/VEH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>≤10</td>
</tr>
<tr>
<td>B</td>
<td>&gt;10 and ≤15</td>
</tr>
<tr>
<td>C</td>
<td>&gt;15 and ≤25</td>
</tr>
<tr>
<td>D</td>
<td>&gt;25 and ≤35</td>
</tr>
<tr>
<td>E</td>
<td>&gt;35 and ≤50</td>
</tr>
<tr>
<td>F</td>
<td>&gt;50</td>
</tr>
</tbody>
</table>

Section:

15. Plan Compliance Statement
15. **Plan Compliance**

The proposed project meets several of the priorities outlined in Chicago Avenue Corridor Recommendations Report adopted by the City in 2000, as well as the City’s Comprehensive General Plan, including:

- Encourage attractive new development that harmonizes Chicago Avenue with the surrounding neighborhoods and complements the adjacent historic districts.

- Increase the supply of parking to meet future and existing needs as part of new development as well as through public/private partnerships.

- Promote development that enhances Chicago Avenue and the tax base of Evanston.

- Maintain and improve the overall streetscape to foster a greener, more pedestrian-friendly environment.

- The project will reconstruct the existing sidewalk and curb to meet the standards developed in the Chicago Avenue Corridor Recommendations Report for street trees and street furniture.
Section:

16. Neighborhood Compatibility
16. **Neighborhood Compatibility**

The proposed project is compatible and a good neighbor to both residents and commercial businesses in its vicinity.

- Loading facilities are located along the alley and screened from residents to the east.

- All service vehicles will circulate off the street and through the parking lot and not use the alley for movement through the neighborhood.

- The parking lot is screened from fencing on the north and east, and a landscape buffer along the Chicago Avenue sidewalk.
Section:

17. Special Use Application Form
1. PROPERTY

Address: 1211 Chicago Avenue, Evanston, Illinois

Permanent Identification Number(s):
PIN 1: 11-19-200-025-0000
PIN 2: 11-19-200-026-0000

(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.

2. APPLICANT

Name: Scott Gendell
Organization: Gendell/WNB, LLC
Address: 3201 Old Glenview Road, Suite 300
City, State, Zip: Wilmette, IL 60091
Phone: Work: 847-679-6660 Home: ___________ Cell/Other: ___________
Fax: Work: 847-679-6695 Home: ___________
E-mail: Shg@terracorealestate.com / KGazley@terracorealestate.com

What is the relationship of the applicant to the property owner?

☒ same
☐ builder/contractor
☐ contract purchaser
☐ potential lessee
☐ architect
☐ attorney
☐ lessee
☐ real estate agent
☐ officer of board of directors
☐ other: __________________________________________

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: __________________________________________
Address: __________________________________________
City, State, Zip: __________________________________________
Phone: Work: ___________ Home: ___________ Cell/Other: ___________
Fax: Work: ___________ Home: ___________
E-mail: __________________________________________

“By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing.”

Property Owner(s) Signature(s) -- REQUIRED Date __________________________

4. SIGNATURE

“I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge.”

Applicant Signature – REQUIRED Date 6/18/12
The following are required to be submitted with this application:

- (This) Completed and Signed Application Form
- Plat of Survey Date of Survey: _______________________________
- Project Site Plan Date of Drawings: _____________________________
- Plan or Graphic Drawings of Proposal (If needed, see notes)
- Non-Compliant Zoning Analysis
- Proof of Ownership Document Submitted: __________________________
- Application Fee Amount $__________

Notes: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

**Plat of Survey**
(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

**Site Plan**
(1) One copy of site plan or floor plans, drawn to scale, showing all dimensions.

**Plan or Graphic Drawings of Proposal**
A Special Use application requires graphic representations for any elevated proposal—garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

**Proof of Ownership**
Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).
- Tax bill will not be accepted as Proof of Ownership.

**Non-Compliant Zoning Analysis**
This document informed you that the proposed change of use is non-compliant with the Zoning Code and requires a variance.

**Application Fee**
The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:
   The project is on a land area of 48,000 sf which exceeds the threshold of 30,000 sf for a Planned Development, which is a Special Use for the site.

APPLICANT QUESTIONS

a) Is the requested special use one of the special uses specifically listed in the Zoning Ordinance? What section of the Zoning Ordinance lists your proposed use as an allowed special use in the zoning district in which the subject property lies? (See Zoning Analysis Review Sheet)
   Yes. Section 6-10-2-3

b) Will the requested special use interfere with or diminish the value of property in the neighborhood? Will it cause a negative cumulative effect on the neighborhood?
   This Special Use will have a beneficial impact on the neighborhood. This Trader Joe's will bring customers to the district that would otherwise have traveled to neighboring communities to shop.

c) Will the requested special use be adequately served by public facilities and services?
   Mass transit resources, either by bus on Chicago Avenue or the CTA Purple line are readily available within short walking distance of the store.
d) Will the requested special use cause undue traffic congestion?

The developer’s traffic study states that there will be no adverse impacts from parking or traffic on the street network in the immediate area.

---

e) Will the requested special use preserve significant historical and architectural resources?

The developer will explore the possibility of preserving and relocating the existing single-family home structure to another site.

---

f) Will the requested special use preserve significant natural and environmental features?

There are no significant natural or environmental features to preserve. However, the project will be addressing hazardous materials on existing structures and site. The project will also be adding several street trees along Chicago Avenue where non currently exist.

---

g) Will the requested special use comply 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?

Yes.
City of Evanston
DISCLOSURE STATEMENT

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number ______ above, or indicated below.

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number ______ above, or indicated below.

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

Page 5 of 6
If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

Page 6 of 6
A. GENERAL INFORMATION

1. What projects are eligible for a Special Use Permit?
   Projects are eligible per zoning District. Please check the Zoning District to see if your proposed project is listed as a permitted Special Use per zoning District. The Allowed Uses by Zoning District handout is also another way to access information to see if your project is eligible to apply.

2. Who can submit an application?
   The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Zoning Office in writing. Standing (§6-3-8-4):

3. How do I submit an application?
   Applications must be submitted in person to the Zoning Office, City of Evanston, Civic Center Room 3700, 2100 Ridge Avenue. Our office hours are Monday through Friday (excluding Holidays) from 8:30 am until 5:00 pm. Evanston.
   Applications must be complete, including all required documentation and fee. Applications are not accepted by mail or e-mail. Application materials cannot be returned.

4. What forms of payment are accepted?
   Cash, Credit Card, Check.

5. Can I withdraw my application?
   Yes, an application may be withdrawn any time prior to a vote.

6. Who has access to my application materials?
   The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT SPECIAL USES

What is a Special Use Permit?
   For each zoning district, the Zoning Ordinance identifies permitted uses (also called “by right” uses) and special uses which may be allowed depending upon the circumstances. In order to legally operate a special use, a property owner must apply for a Special Use Permit from the Zoning Office. The application is reviewed at a public hearing by the Zoning Board of Appeals (ZBA), which makes a recommendation to the City Council. The ZBA can also recommend conditions on a granted special use. The City Council is the deciding body for all Special Uses in the City of Evanston.
The Special Use Application Process

- The City reviews the project through a Zoning Analysis (applied for separately) and determines it is eligible to apply for a special use.
- The Applicant files a Special Use Application.
- The City publishes a notice of the hearing in the Evanston Review, between 15 and 30 days prior to hearing.
- The City posts a sign describing the public hearing on the property no less than 10 working days before the hearing.
- The City must mail notification of the public hearing to all properties that are within 500 feet of any point on the subject property. (The applicant is responsible for the accuracy of the list used by the City for mailing this notice. The applicant can either rely on a list the City produces through its Geographic Information System or produce his or her own list of the names and addresses of property owners within 500 feet of the subject property. The Zoning Office will send to the applicant its generated mailing list. The applicant should inform the Zoning Office if any names and addresses are missing.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing.
- The Zoning Division will schedule the applicant to meet with the Site Plan & Appearance Review Committee; (SPAARC) which provides a recommendation to the Zoning Board of Appeals.
- The ZBA recommends denial, approval, or approval with conditions of the application to City Council;
- The Planning and Development Committee of the City Council considers the ZBA recommendation and forwards it to the full City Council with or without a recommendation;
- City Council considers the ZBA recommendation and may introduce an ordinance granting the requested zoning relief;
- City Council may adopt an ordinance granting the requested zoning relief at the following or any subsequent City Council meeting.

The approximate time from when the Zoning Office receives a complete application to a decision is three to four months.

To recommend approval for a special use, the ZBA must find that the proposed special use meets all of the following criteria:

a) is one of the listed special uses for the zoning district in which the property lies;
b) complies with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance;
c) does not cause a negative cumulative effect in combination with existing special uses or as a category of land use;
d) does not interfere with or diminish the value of property in the neighborhood;
e) is adequately served by public facilities and services;
f) does not cause undue traffic congestion;
g) preserves significant historical and architectural resources;
h) preserves significant natural and environmental resources; and
i) complies with all other applicable regulations.

Expiration

Within one year of obtaining a special use permit, the recipient must either obtain a building permit and commence construction, or obtain a certificate of occupancy and commence the use. City Council may extend this one-year limitation upon request.

CONTACT INFORMATION

Community and Economic Development Department – Planning and Zoning Division
2100 Ridge Avenue, Room 3202  Evanston, Illinois  60201
P.847-448-4311     F.  847-448-8126       E.  zoning@cityofevanston.org
www.cityofevanston.org/zoning
Section:

18. Request for Development Allowances
18. Request for Development Allowances

3'9" landscaped setback on north side of property, in lieu of 5'-0"

Three handicap accessible parking spaces on property, with one handicap accessible parking space on street adjacent to entry.
Section:

19. General Conditions for Planned Developments in Commercial Districts
19. **General Conditions for Planned Developments in Commercial Districts**

The project is a 13,000 sf grocery store, (Trader Joes) with a 78-stall surface parking lot that is located on a parcel of 48,400 square feet located on the property at addresses commonly known as 1211 Chicago Avenue, 1223-1225 Chicago Avenue, and 1229 Chicago Avenue.

The building is a one-story structure, with one customer entrance at the northwest corner of the building along Chicago Avenue. As a small commercial use, it is very compatible with the commercial uses on Chicago Avenue such as the Jewel grocery store and is in conformance with the purposes and intents of the Zoning Ordinance as set forth in Section 6-1-2, "Purpose and Intent."

The proposed project meets several of the priorities outlined in Chicago Avenue Corridor Recommendations Report adopted by the City in 2000, as well as the City’s Comprehensive General Plan:

- It is an attractive new development that harmonizes with Chicago Avenue with the surrounding neighborhoods
- It will implement the streetscape standards established for Chicago Avenue.
- Promote development that preserves and enhances Chicago Avenue and the tax base of Evanston and has minimal impact on schools, public services, or facilities. The proposed development is 13,000 sf of building area, while the existing structures comprise over 20,000 sf of built area. No new residences are included in the development, so there will be no additional impact on schools.

The density of development on the site and the use of the site is in keeping with the Chicago Avenue Corridor, and is a type of use very supportive of residential uses in the immediate district. The developer will pursue the possible preservation and re-location of the existing single-family structure on the site in lieu of demolition. Environmental issues on the site and hazardous materials within the existing structures to be demolished will be addressed.

The developer’s traffic study states that there will be no adverse impacts from parking or traffic on the street network in the immediate area. The proposed project is compatible and a good neighbor to both residents and commercial businesses in its vicinity. Loading facilities are located along the alley and screened from residents to the east. All service vehicles will circulate off the street and through the parking lot and not use the alley for movement through the neighborhood. In addition, the parking lot is screened from fencing on the north and east, and a landscape buffer along the Chicago Avenue sidewalk.
Section:

20. Standards for Planned Developments in Commercial Districts
20. **Standards for Planned Developments in Commercial Districts**

a) A 10 foot transitional landscaped strip is required where planned developments abut residential property.
   - The planned development does not abut a residential property

b) Walkways shall be logical, safe, and convenient; the site plan shall segregate pedestrian and motor vehicle traffic.
   - Streetside sidewalks have clear lines of site at vehicular curb cuts. Sidewalk design, curbs, ADA slopes will follow best practices and code requirements.

c) Parking, loading and service areas shall avoid adverse effects upon residential uses within and without the development. Where possible the planned development is encouraged to provide more parking than required to serve the business district’s needs.
   - Automobile access and circulation is only off of Chicago Avenue. Automobiles will be prevented from circulating into the alley by removable bollards at the loading dock area.
   - Truck and Service Vehicle circulation is only off of Chicago Avenue. Trader Joes delivery semis will use part of the alley area for maneuvering the truck into the covered loading area. Removable bollards will prevent other vehicles from circulating into the alley loading zone.
   - Trash containers will be enclosed by 6-foot high masonry trash enclosures and opaque access doors.

d) Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic.
   - Automobile and truck access and circulation is only off of Chicago Avenue. Automobiles will be prevented from circulating into the alley by removable bollards at the loading dock area. Driveways from the site have clear lines of site onto Chicago Avenue.

e) The development shall provide for underground installation of utilities, if possible.
   - Gas and plumbing lines will remain underground. Electrical connections will be from the elevated electric lines in the alley.

f) The development shall incorporate acceptably designed facilities for storm water and treatment of turf and maintenance of facilities.
   - Storm water facilities will meet best management practices. Civil engineering is finalized design and permitting requirements with MWRD

g) The applicant shall provide a market feasibility study for a planned development indicating:
   - i) consumer market areas for uses in development;
   - ii) the population potential of the areas served by the development; and
   - iii) other information regarding the need for the proposed uses.

h) For structures over 20,000 square feet, the applicant shall provide a traffic circulation impact study including ameliorating road and traffic control improvements.

i) The Zoning Administrator may, at his discretion, require of the applicant additional studies or impact analyses when he determines that a reasonable need for such investigation is indicated.