PLAN COMMISSION
Wednesday, October 9, 2013
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, City Council Chambers

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES: July 17, 2013

3. NEW BUSINESS
   A. ZONING TEXT AMENDMENT 13PLND-0087
      Specifically consider text amendments, pursuant to City Code §6-9-4, B3 Business District, to discuss the zoning regulations of parking lots as permitted and special uses.

4. COMMITTEE REPORTS

5. ADJOURNMENT

The next regular Plan Commission meeting is scheduled for WEDNESDAY, NOVEMBER 13, 2013 at 7:00 P.M. 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 Melissa Klotz, Zoning Planner, at 847-448-8153 or by e-mail at mklotz@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, July 17, 2013
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Stuart Opdycke (Associate), Patricia Ledesma, Richard Shure, Lenny Asaro

Members Absent: David Galloway (Associate), Kwesi Steele, Jim Ford, Seth Freeman, Barbara Putta, Melanie Johnson

Staff Present: Susan Guderley, Melissa Klotz

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:04 P.M.

2. APPROVAL OF MARCH 27, 2013 MEETING MINUTES

Chairman Peters motioned for approval of the March 27, 2013 meeting minutes. Commissioner Opdycke seconded the motion.

A voice vote was taken and the minutes were approved 5-0.

Within the Plan Commission meeting, the Zoning Committee of the Plan Commission was called to order at 7:05 P.M.

ZONING COMMITTEE OF THE PLAN COMMISSION:

3. TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0065

Specifically consider text amendments, pursuant to City Code Title 6, Zoning, regarding zoning definitions of Family and related regulations regarding occupancy of Dwelling Units.

Commissioner Peters motioned for the case to be continued to the August 21, 2013 Zoning Committee of the Plan Commission meeting. Commissioner Opdycke seconded the motion, which was unanimously approved.

Chairman Shure motioned for the meeting to continue into the Plan Commission meeting at 7:07 P.M.
Chairman Peters updated the committee on Comprehensive Plan Subcommittee presentation that was made to the City Council on June 17, 2013 and the remaining Comprehensive Plan timeframe.

4. ADJOURNMENT

Respectfully Submitted,
Melissa Klotz
Interim Zoning Administrator, Community Development Department
Parking Lots in the B3 District

13PLND-0087
Memorandum

To: Chair and Members of the Plan Commission
From: Mark Muenzer, Director, Community Development Department  
Melissa Klotz, Interim Zoning Administrator
Subject: Discussion of Draft Text Amendment 113-O-13 for Parking Lots in the B3 District, 13PLND-0087
Date: October 4 2013

Proposal Overview
The Zoning Ordinance does not allow open parking lots as a principal use in the B3 Business District. Since the only B3 District in the city is along Howard Street, the proposed text amendment to allow parking lots as special uses would increase the availability of parking in the Howard Street corridor and therefore encourage redevelopment and new business opportunities.

Recommendation
Following the September 18, 2013 Zoning Committee meeting, the Zoning Committee of the Plan Commission recommends approval of parking lots as special uses in the B3 District, as well as front yard and street side yard landscaped setbacks. Staff recommends the Plan Commission recommend approval of Draft Ordinance 113-O-13 to the City Council.

Summary
The only B3 Business District within the city is located on Howard Street, from the CTA tracks heading west to Ridge Avenue. The zoning district is surrounded to the north by the R5 Multiple Family Residential District that features apartments, condos, and single family residences, with the C1 Commercial District west of Ridge Avenue and multiple commercial districts in the City of Chicago on the south side of Howard Street.

The B3 District permits uses such as retail goods and retail service establishments, cultural facilities, offices, and type 1 restaurants. These uses are most often successful when ample parking is available. Existing parking along this portion of Howard Street is limited to on-street metered spaces and minimal private parking. Most existing businesses do not have on-site parking that is available to customers.

The overuse of street parking in the area recently led to the establishment of a designated Evanston vehicle sticker area for the residential area immediately north of Howard Street. While this permit-only parking area helps residents utilize street parking, it may negatively affect the adjacent Howard Street commercial corridor by
limiting parking for customers. In the near future, the vehicle sticker area may be expanded to include a larger portion of the residential area, which could increase the demand for parking on Howard Street. There are two City-owned permit lots in the area. One lot is on the corner of Clyde and Brummel (Lot 18) and the other is at Chicago and Howard (Lot 53). These lots are restricted to permit holders only and there are currently no vacancies.

In conjunction with the Howard-Ridge TIF District that stretches from the CTA tracks to Ridge Avenue, the City's Economic Development Division is encouraging the redevelopment of the Howard Street corridor and has helped establish new businesses such as Ward Eight wine bar, and the Peckish Pig restaurant and brewery that is opening soon. These new businesses, as well as any future businesses in the area, would benefit from an increased availability of off-street parking in the immediate area as it would make customer parking readily available.

Parking lots are currently not a permitted or special use in the B3 District. Parking lots are only allowed when they are accessory to a structure located on the same zoning lot. B3 setbacks prohibit parking spaces and drive aisles between a building's front or street side yard facade and the right-of-way. These setback requirements must be adjusted if parking lots are allowed as principal uses since there would be no building facade.

Proposed Regulations
The Zoning Committee of the Plan Commission and City staff recommend allowing parking lots as special uses in the B3 District. As a special use, proposed parking lot sites will be vetted through a public hearing with the Zoning Board of Appeals, with a final determination by City Council. This means City Council will have the opportunity to limit the number of parking lots in the area and ensure there are no negative cumulative effects or other negative consequences.

The use will be termed a “Commercial Parking Lot,” as it is in other zoning districts, and is currently defined in the Zoning Ordinance as follows:

Commercial Parking Lot: An area reserved or used for parking or storage of automobiles, which is either privately or publicly owned generally available to the public, and involving payment of a charge for such parking or storage.

This definition ensures such use is not utilized for the storage of boats or other recreational vehicles for extended periods of time and does not function as a Vehicle Storage Establishment. The term “Commercial” does not preclude municipally-owned parking lots, but rather is intended to clarify the parking spaces are available by payment through permits, meters, etc.

The current setbacks for open, unenclosed parking areas in the B3 District are:

Front yard – Prohibited between building and public right-of-way
Side yard when abutting a street – Prohibited between building and public right-of-way
Side yard when abutting residential district – 10'
Rear yard when abutting residential district – 10’
Side yard when abutting nonresidential district – 5’
Rear yard when abutting nonresidential district – 5’

The setback regulations should be modified to address the conflict of the existing front
and street side yard setback requirement since a parking lot would not feature a building
on the same lot. Front and street side yard setback should be modified as follows:

Front yard – Landscaped setback required subject to site plan review as
set forth in Chapter 3 of this Title
Side yard when abutting a street – Landscaped setback required subject
to site plan review as set forth in Chapter 3 of this Title

The proposed setback requirement is utilized in the C Districts as well. With review by
the Site Plan and Appearance Review Committee (SPAARC), City staff can ensure
proper landscaping and screening is provided on a case by case basis. Other setback
requirements should remain the same so as not to overly impact neighboring properties.

Attachments
Draft Ordinance 113-O-13
Zoning Committee of the Plan Commission Draft Meeting Minutes – September 18,
2013
Zoning Map of B3 Business District
Zoning Ordinance B3 District Requirements
113-O-13

AN ORDINANCE

Amending Portions of the Zoning Ordinance
to Allow Commercial Parking Lots In the B3 District
Pursuant to Special Use Permits.

WHEREAS, on October 9, 2013, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 13PLND-0087 to consider various amendments to the text of Title 6 of the Evanston City Code of 2012, as amended (the “Zoning Ordinance”), to allow Commercial Parking Lots in the B3 Business District pursuant to Special Use Permits; 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 October 28, 2013, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 13PLND-0087 and recommended City Council approval thereof; and

WHEREAS, at its meetings of October 28 and November 11, 2013, 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 6-9-4-3 of the Zoning Ordinance, “Special Uses” in the B3 District, is hereby amended to include “Commercial Parking Lots.”

SECTION 3: Subsection 6-9-4-7 of the Zoning Ordinance, “Yard Requirements” in the B3 District, is hereby amended to read as follows:

6-9-4-7: YARD REQUIREMENTS:

The yard requirements for the B3 District are as follows:

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<td>Side yard when abutting street</td>
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<td>Side yard when abutting residential district</td>
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<td>Rear yard when abutting residential district</td>
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<td>(E)</td>
<td>Side yard when abutting non-residential district</td>
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<td>(F)</td>
<td>Rear yard when abutting non-residential district</td>
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SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.
SECTION 5: 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 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 7: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: ________________ 2013  Approved: ____________________________

Adopted: ________________ 2013  ____________________________, 2013

__________________________________________
Elizabeth B. Tisdahl, Mayor

Attest: ____________________________

Rodney Greene, City Clerk

Approved as to form:

__________________________________________
W. Grant Farrar, Corporation Counsel
MEETING MINUTES
ZONING COMMITTEE OF THE PLAN COMMISSION
Wednesday, September 18, 2013
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Room 2403

Members Present: Richard Shure, Jim Ford, Seth Freeman, Patricia Ledesma, Scott Peters

Members Absent: Kwesi Steele, Dave Galloway, Stuart Opdycke, Barbara Putta, Lenny Asaro

Staff Present: Melissa Klotz, Michelle Masoncup

Presiding Member: Richard Shure, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

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

2. MINUTES

Approval of March 27, 2013 Zoning Committee of the Plan Commission Meeting Minutes:

Commissioner Ford motioned for approval of the March 27, 2013 meeting minutes. Commissioner Peters seconded the motion. A voice vote was taken and the minutes were approved.

3. UNFINISHED BUSINESS

4. NEW BUSINESS

A) TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0065
Specifically consider text amendments, pursuant to City Code Title 6, Zoning, regarding zoning definitions of Family and related regulations regarding Occupancy of Dwelling Units.

Commissioner Peters motioned to continue the matter to the October 16, 2013 Zoning Committee meeting without discussion. Commissioner Ford seconded the motion, which was unanimously approved.

B) TEXT AMENDMENT TO THE ZONING ORDINANCE 13PLND-0087
Specifically consider text amendments, pursuant to City Code §6-9-4, B3 Business District, to discuss the zoning regulations of parking lots as permitted and special uses.
Zoning Planner Melissa Klotz presented the proposal.

Commissioner Freeman asked if parking lots could hurt the tax base, and Chairman Shure responded that it could in the short term, but it would encourage development, which would increase the tax base over time.

Commissioner Peters asked if there should be a distance requirement between parking lots, and Ms. Klotz responded that a special use could be denied due to a negative cumulative effect so a distance requirement is not necessary.

Commissioner Peters motioned to recommend approval of parking lots as special uses in the B3 District, with front and side yard landscaped setbacks as required by SPAARC. The motion was seconded by Chairman Shure and unanimously approved.

Commissioner Peters motioned to recommend the Plan Commission encourage public parking lots rather than private parking lots in the B3 District. The motion was seconded by Commissioner Freeman and approved 4-1 with Commissioner Ledesma dissenting. Commissioner Ledesma noted she is not specifically in favor of public parking lots over private parking lots.

5. **DISCUSSION**

6. **ADJOURNMENT**

Commissioner Peters motioned for adjournment and Commissioner Ford seconded the motion. The meeting adjourned at 7:30pm.

The next meeting of the Zoning Committee of the Plan Commission will be **Wednesday, October 16, 2013** at 7:00pm., in room 2403 of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue.

Respectfully Submitted,
Melissa Klotz
Zoning Planner, Community Development Department
6-9-4. B3 BUSINESS DISTRICT.

6-9-4-1. PURPOSE STATEMENT.

The B3 business district is intended to provide for higher density business development at compact locations adjacent to mass transit facilities that can support intense business uses and accommodate greater building heights than the B1 or B2 business districts. The district reflects established uses and should provide for appropriate infill and redevelopment at such locations.

(Ord. 43-0-93)

6-9-4-2. PERMITTED USES.

The following uses are permitted in the B3 district:

- Artist studios and accessory dwelling units (when the accessory dwelling unit is located above the ground floor).
- Caterer.
- Commercial indoor recreation.
- Cultural facility.
- Dwellings (when located above the ground floor).
- Educational institution—Private.
- Educational institution—Public.
- Financial institution.
- Food store establishment (with hours of operation between 6:00 a.m. and 12:00 midnight).
- Government institution.
- Office.
- Residential care home—Category I (when located above the ground floor and subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).
- Restaurant—Type 1.
- Retail goods establishment.
- Retail services establishment.

(Ord. 43-0-93; amd. Ord. 39-0-95; Ord. No. 77-O-10, § 4, 12-13-10)

6-9-4-3. SPECIAL USES.

The following uses may be allowed in the B3 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

- Animal hospital.
- Assisted living facility.
- Automobile service station.
- Banquet hall.
- Boarding house.
- Commercial outdoor recreation.
- Convenience store.
- Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).
- Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).
Daycare center—Domestic animal.
Drive-through facility (accessory or principal).
Dwelling—Multiple-family.
Food store.
Funeral services excluding on-site cremation.
Independent living facility.
Kennel.
Long-term care facility.
Membership organization.
Micro-Distillery.
Open sales lot.
Planned development (subject to the requirements of Section 6-9-1-9, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).
Public utility.
Recording studio.
Religious institution.
Resale establishment.
Residential care home—Category II (subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).
Restaurant—Type 2 (excluding accessory drive-through facilities).
Retirement home.
Retirement hotel.
Sheltered care home.
Trade contractor (provided there is no outside storage).
Transitional shelters (subject to the requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters," of this Title).
Transitional treatment facility—Category III (subject to the requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Ord. 43-0-93; amd. Ord. 39-0-95; Ord. 58-0-02; Ord. 114-0-02; Ord. 122-0-09; Ord. No. 78-O-10, § 4, 11-8-10; Ord. No. 71-O-10, § 5, 10-25-10; Ord. No. 77-O-10, § 5, 12-13-10; Ord. No. 67-O-11, § 5, 9-12-2011; Ord. No. 129-O-12, § 5, 1-14-2013

6-9-4-4. LOT SIZE.

(A) Nonresidential: There is no minimum lot size requirement for nonresidential uses in the B3 district.
(B) Residential: The minimum residential lot size in the B3 district is four hundred (400) square feet for each dwelling unit.

Ord. 43-0-93

6-9-4-5. LOT WIDTH.

There is no minimum lot width requirement in the B3 district.

Ord. 43-0-93

6-9-4-6. FLOOR AREA RATIO.

The maximum permitted floor area ratio in the B3 district is 3.0.

Ord. 43-0-93

6-9-4-7. YARD REQUIREMENTS.

The yard requirements for the B3 district are as follows:
(A) Front yard

Build to front property line required, meaning no less than seventy percent (70%) of building at grade is within five (5) inches of front property line; open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right-of-way.

(B) Side yard when abutting street

Build to side property line required, meaning no less than seventy percent (70%) of building at grade is within five (5) inches of side property line; open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right-of-way.

(C) Side yard when abutting residential district

Building, fifteen (15) feet; parking, ten (10) feet

(D) Rear yard when abutting residential district

Building, fifteen (15) feet; parking, ten (10) feet

(E) Side yard when abutting nonresidential district

Building, none; parking, five (5) feet

(F) Rear yard when abutting nonresidential district

Building, ten (10) feet; parking, five (5) feet

(Ord. 13-0-05)

6-9-4-8. BUILDING HEIGHT.

The maximum building height in the B3 district is eighty-five (85) feet.

(Ord. 43-0-93)