PLAN COMMISSION

Wednesday, December 10, 2014
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: November 5, 2014 and November 12, 2014

3. NEW BUSINESS

   A. TEXT AMENDMENT TO THE ZONING ORDINANCE
      14PLND-0151
      Parking Requirements for Increase in Residential Density
      Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to Chapter 16 – Off-street Parking and Loading, regarding the increase in parking requirements for the increase in residential use density.

   B. Modifications to Administrative Rules and Procedures of the Plan Commission

4. DISCUSSION

   A. 2015 PLAN COMMISSION SCHEDULE, ELECTION OF LIAISONS, ZONING COMMITTEE MEMBERS, ETC.

5. ADJOURNMENT

The next special meeting of the Plan Commission is scheduled for WEDNESDAY, December 17, 2014 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 Damir Latinovic, Neighborhood and Land Use Planner, at 847-448-8675 or via e-mail at dlatinovic@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 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).

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las que no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).
MEETING MINUTES
PLAN COMMISSION
Wednesday, November 5, 2014
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Jim Ford, Carol Goddard, Richard Shure, Colby Lewis, Terri Dubin

Members Absent: Kwesi Steele, Lenny Asaro, Andrew Pigozzi

Associate Members Present: Stuart Opdycke

Associate Members Absent: David Galloway, Seth Freeman,

Staff Present: Damir Latinovic, Neighborhood and Land Use Planner
Lorrie Pearson, Planning and Zoning Administrator
Michelle Masoncup, Deputy City Attorney
Mario Treto, Assistant City Attorney

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:00 P.M and explained the general meeting procedure, schedule, agenda items, time limits on public testimony and opportunities for cross examination of witnesses. Chairman Peters concluded the opening statement by saying that the Plan Commission forwards a recommendation to the City Council which makes the final determination on any matters discussed by the Plan Commission.

2. APPROVAL OF MEETING MINUTES: 10/08/2014

Commissioner Lewis made a motion to approve the minutes as prepared. Commissioner Goddard seconded the motion.

A voice vote was taken and the minutes were approved by voice call 6-0.

3. OLD BUSINESS

A. PLANNED DEVELOPMENT
1571 Maple Avenue

Michael McLean of 1571 Maple Avenue, LLC. developer of the proposed project, has applied for a Special Use for a Planned Development in the D3-Downtown Core Development District (Title 6-Zoning of the Municipal Code, Section 6-11) to construct a 12-story (133.3-foot high) multiple-family building with 101 residential units, 3,696-square feet of commercial space and 13 open parking spaces. The applicant seeks site development allowances for the number of dwelling units, building height, floor area ratio
(FAR), number of on-site parking spaces provided, and building setbacks from the east, north and northwest property lines. In addition, the applicant may seek and the Plan Commission may consider additional Site Development Allowances as may be necessary or desirable for the proposed development. The Plan Commission makes a recommendation to the City Council, the final determining body for this proposal.

Mr. Latinovic presented the Staff Report. The proposal has been modified to address many concerns of area stakeholders and city staff to better uphold guidelines that are outlined in the Zoning Ordinance and Comprehensive Plan. He concluded by reviewing the standards of approval for Special Use stating that staff recommends approval to City Council with the conditions outlined in the Staff Report.

Bernard Citron, attorney, provided a brief introduction to the project stating that this site consisted of a vacant lot in the middle of a downtown area. This development is essential for the business and housing needs of those who work in the city, at the hospital, Northwestern, or any surrounding restaurants. This development will promote affordability for young business professionals and utilize the walkability of downtown Evanston.

Michael McLean, 642 Sheridan Square, developer, cited his personal experience of losing a home and not finding a suitable substitution as a driving factor for working on this project to bring affordable living to Evanston. Smaller units allow for people to live more simply and the location reduces reliance on vehicles. Mr. McLean stated that the market is ripe in Evanston for this sort of development due to downtown businesses consistently losing skilled employees to downtown Chicago’s assortment of efficient and walkable living options.

Mr. Citron asked Mr. McLean to expand upon the need for development allowances regarding height and number of building units. Mr. McLean replied that the geometry of the site is quite irregular and presents physicality issues for design. The “flag shaped” lot makes any sort of development difficult. In order to accommodate the neighbors and accentuate the east-west view, the developers have requested reduced setbacks with a reduced building footprint.

Mr. Citron asked, financially speaking, if they could develop the site with fewer units, to which Mr. McLean responded, no, citing the physical nature of the site and noted there will likely be a reduced number of residents despite an allowance for more units. The residents of this building will increase economic activity. Residents choose to live simply because their entertainment, food, and work is right outside their front door.

Mr. Citron then asked Howard Hirsch, designer and architect, to comment about design guidelines for the building, to which Mr. Hirsch responded that if they followed the ordinance, they would be permitted to build a four story parking structure with 85 feet built on top of it. The irregular shape of the site would make for a very imposing structure. Designing a skinnier building without parking made for a better design and lessened the impact on neighboring buildings. Setback allowances would allow for a greater distance from neighboring businesses and better accommodates access to sunlight.
Mr. Hirsch went on to say that this development incorporates different massing into a coherent structure that creates a variation in scale from the street. These variations in scale further lessen the imposing nature of the building that developers like to avoid.

Mr. Workman, traffic engineer, stated that he did not think the development would have a significant impact on traffic and congestion. This development is going to promote the idea of warehousing vehicles. The need for a vehicle is greatly reduced due to the simplistic nature of the development and any kind of necessary parking can be acquired through leasing spaces at the Maple Ave Garage. In addition, 2 spaces for car-sharing vehicles, bike racks and proximity to the train will reduce traffic congestion.

Steve Leonard, land use/zoning consultant, stated that this development is consistent with buildings expected in a D3 Downtown Core Development District while upholding the standards and guidelines laid out in the Comprehensive and Downtown Plans. Mr. Leonard went on to say that this site needs more design consideration due to the shape and believes developers have taken proper steps to lessen impact, create cohesive design, and ensure appropriate usage for the site.

Michael Morose, real estate appraiser, stated that he did not believe there would be an adverse impact on surrounding property values if the project was approved. He conducted a matched-pair report in which he studied Optima Towers, a similar development where the neighboring buildings are only 20 ft away from each other in some areas and featured an irregularly shaped structure. In his findings, valuation was only affected by height, core location, and market conditions. Distance from the neighboring building did not affect the values of the neighboring building and therefore, this development should not negatively affect the surrounding area either.

There being no further witnesses, Chairman Peters suggested taking a ten minute break at 8:30 pm.

The Commission reconvened at 8:40 pm.

Chairman Peters stated that during the break, he received a letter from the attorney representing the property owners adjacent to the south (One Evanston building) requesting a continuance of the Case. Given the number of residents that showed up he stated he will accept public comment.

Commissioner Ford stated that leasing spaces from the Maple Avenue Garage was always intended by the City, but was wondering if there was a limit to the number of spaces that could be leased? Mr. Latinovic answered that City monitors capacity in all City-owned garages and leases only where there is still ample availability. Proposed leases from the Maple Avenue Garage will not affect the availability of public parking.

Commissioner Opdycke asked if there were any parking restrictions south of Lake Street that would make parking difficult if residents of this proposed development were to park on the street. Mr. Latinovic described surrounding street parking restrictions. He also pointed out that available street parking and the proposed City-owned garage are the same distance from the development with the garage offering evasion from street cleaning and snow, making it the more likely option.
Commissioner Opdycke asked if any affordable housing units had been required, to which Mr. Latinovic answered, no. Commissioner Opdycke urged the City move more quickly on updating the Affordable Housing Ordinance.

Chairman Peters then invited the public to provide comments.

Lucy Miller, resident of One Evanston, 1567 Elmwood Avenue, asked that future renderings portray the north facing side of her building to show the windows that line the façade. She feels that development will obstruct the views and wishes for that to be obvious in presentations.

Debbie Magnuson asked where residents at the new rental facility featuring 300 units on Emerson and Maple would be expected to park. Her concern is that those residents will also utilize a nearby City lot. Mr. Latinovic stated that the building had 350 parking spaces and they are not leasing any spaces from the Maple Avenue Garage.

Karen Whenner, 1567 Elmwood Avenue, asked how much the rent would be. Mr. McLean replied that the market will dictate price and numbers may vary, but rents could range from $1,400 to $2,800. These rates are lower than other Class A apartments. Less reliance on vehicles or not owning a car at all could also save up to $10,000/year for residents.

Commissioner Shure inquired whether the developers have made accommodations pursuant to the American Disabilities Act, to which Mr. Latinovic confirmed that the entire building will have to be ADA accessible.

Sally Henderson, 1570 Elmwood, stated her concerns regarding height, noise, and lack of privacy. She moved to Evanston due to health issues and lives on a fixed income. She fears that her property value will diminished along with her view and money that was meant for her family someday will be lost because of this development.

Dr. Katherine Boho, 1570 Elmwood, stated that she opposed One Evanston building for the same reasons as this development. She said that she lives at One Evanston now for the view and was told nothing over 5 stories could be built on this lot. She believes this development is stealing their views, obstructing daytime brightness, and setting a negative precedence. Commissioner Opdycke noted that the residents of the building directly west of 1570 Elmwood had her same concerns and objections about her building.

Commissioner Lewis asked for clarification regarding building height. His understanding was that that 8 stories was allowable along with a 40 foot parking structure which would total 125 feet and the planned development in question totals 133 feet in height without parking. Chair Peters confirmed and said that a developmental allowance for height can be made if the developer does not exceed the maximum and standards are met.

Commissioner Ford asked if diagrams could be provided that would illustrate what east and west views would look like if he was standing at the middle of the 6th Floor staring at the development.
Commissioner Opdycke asked if the Downtown Plan was only an advisory document to which Chair Peters clarified that general conformity with the plan is one for the standards, but the document is only a guideline.

Thomas Ramsdell, attorney for HOA of One Evanston building, 1571 Elmwood Ave, asked that the meeting be continued to December 17, 2014 in order to allow for proper time to submit materials.

Doreen Haggerty, 1020 Grove, expressed her concerns over the failure to provide parking spaces especially with existing traffic in the area. She feels that this proposal is not senior-citizen friendly and recommends against approval. She provided the Chairman with a petition signed by most residents of her building all opposing the proposal.

Discussion followed on when the next meeting should be held and where.

Following the discussion, the Chairman announced the case is being continued to Wednesday December 17, 2014 at 7 pm. The special Plan Commission meeting will be held at the Civic Center. The room is yet to be determined. He suggested anyone interested can check with staff prior to the meeting regarding the exact location. Mr. Ramsdell and Mr. Citron confirmed the meeting date and time is acceptable to them.

There being no further discussion, Commissioner Ford made a motion to continue the hearing for Special Use approval for Planned Development at 1571 Maple Avenue to December 17, 2014 at 7 pm at the Civic Center. Commissioner Lewis seconded the motion.

A voice vote was taken and the minutes were approved by voice call 6-0.

**B. ADJOURNMENT**

There being no further discussion, Commissioner Lewis made a motion to adjourn the meeting. Commissioner Pigozzi seconded the motion.

A voice vote was taken and the motion was approved by voice call 6-0.

The meeting was adjourned at 9:34 pm.

Respectfully Submitted,

Damir Latinovic

Neighborhood and Land Use Planner

Community Development Department
MEETING MINUTES
PLAN COMMISSION
Wednesday, November 12, 2014
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Peters (Chair), Jim Ford, Carol Goddard, Richard Shure, Colby Lewis, Andrew Pigozzi

Members Absent: Kwesi Steele, Lenny Asaro, Terri Dubin

Associate Members Present: Stuart Opdycke

Associate Members Absent: David Galloway, Seth Freeman,

Staff Present: Damir Latinovic, Neighborhood and Land Use Planner
              Lorrie Pearson, Planning and Zoning Administrator
              Mario Treto, Assistant City Attorney

Aldermen Present: Ald. Grover, Ald. Tendam

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:00 P.M and explained the general meeting procedure, schedule, agenda items, time limits on public testimony and opportunities for cross examination of witnesses. Chairman Peters concluded the opening statement by saying that the Plan Commission forwards a recommendation to the City Council which makes the final determination on any matters discussed by the Plan Commission.

2. OLD BUSINESS

A. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0045
   Office and Financial Institution Uses in B1 and B2 Districts
   Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to amend the list of permitted and special uses in the B1, Business and B2, Business Districts.

   Mr. Latinovic presented the staff report. He explained the proposal was presented to the Zoning Committee in May, to Plan Commission in June and then again to the Zoning Committee in October. Based on staff's research and input from the Zoning Committee, staff is proposing that office and financial institution uses on ground floors of properties within Dempster St and Main St. Business districts be allowed as Special Use. Office and Financial Institution uses on floors above the ground level
would be continued to be allowed as Permitted Use. The Zoning Committee forwarded a positive recommendation in October.

Upon a question from Commissioner Ford, Mr. Latinovic explained creation of an overlay district is a good tool when there is a need to modify several zoning regulations and several use regulations across multiple underlying zoning districts. In this case the intent is only to modify how office and financial institution uses are allowed on the ground floor. The proposal is the easiest and simplest way to reach the goal and that is to just allow those uses as Special Use rather than Permitted Use on ground floors within certain B districts.

Commissioner Shure asked how the proposal differs from spot zoning. Mr. Latinovic stated that it is different because the intent of the proposal is consistent with the Comprehensive Plan’s goal to enhance neighborhood shopping centers. In addition the proposal affects multiple properties in multiple areas of the city and across multiple zoning districts.

There were no questions or comments from the public.

Commissioner Ford suggested creating an overlay district may be a better approach.

Commissioner Opdycke stated he is in favor of the intent of the proposal and is a fan of Special Use. The proposal is simple.

Discussion followed on the appropriateness of creating an overlay district.

Commissioner Ford suggested the proposal be sent back to the Zoning Committee for more refinement.

Mr. Latinovic stated the current proposal was approved unanimously by the Zoning Committee. Staff feels that it is important to move the proposal with recommendation to the City Council even if it is modified because the proposal has been under review since May and it needs to address the concern brought up by the area business associations.

Commissioner Goddard made a motion to approve the proposal as presented by staff. The motion failed due to lack of second.

Commissioner Pigozzi made a motion to send the case back to Zoning Committee for further refinement as an Overlay District. The motion failed due to lack of second.

Commissioner Ford made a motion to approve the proposed text amendment regarding the use regulations for office and financial institution uses along Dempster St. and Main St. business districts, but that it be done through creation of an Overlay District in designated areas.

Commissioner Shure seconded the motion.

Ayes: Commissioners Ford, Shure, Pigozzi, and Chairman Peters
Nays: Commissioners Goddard and Lewis

Abstain: None

The motion was approved 4:2

B. TEXT AMENDMENT TO THE ZONING ORDINANCE 14PLND-0102

Modifications to Central Street Overlay District

Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to various parts of Chapter 15 Special Purpose and Overlay Districts regarding the Central Street Corridor Overlay District.

Mr. Latinovic presented the Staff Report. He provided the summary of the events that led to adoption of the Central Street Master Plan in 2007 and adoption of the Central Street Overlay District (oCSC) in 2008. He stated staff met with area stakeholders on August 26, 2014 and November 3, 2014. The proposal has been modified to address many concerns of area stakeholders. He concluded by reviewing the standards of approval for text amendments stating staff recommends approval of the proposed modifications to the Central Street Overlay District.

Upon a question from Commissioner Opdycke, Mr. Latinovic confirmed one of the changes staff is proposing is to allow site development allowances for Planned Developments to be considered by the Plan Commission and the City Council except for the increase in height, FAR or density (number of dwelling units).

Chairman Peters invited the public to ask questions or provide comments.

Jim Hughes, 2518 Hartzell St, provided a power point presentation with images of various developments along Central Street. Mr. Hughes showed images of a multiple-family residential building built during the early 1990s before the overlay district was adopted and highlighted its negative effects on surrounding residential properties. Mr. Hughes recommended that existing step back, yard setbacks and transitional plane height restrictions be also included in the prohibited site development allowances because many commercial areas are directly adjacent to single family residences.

Commissioner Opdycke asked if those requirements, as suggested, are also prohibited from being considered as site development allowances, what would be left from the zoning requirements that could be varied for Planned Developments. Mr. Latinovic stated that in that case parking requirements and other more minor zoning requirements would be still eligible as site development allowances.

George Retzill, 1937 Central St., stated that the proposal would allow developers to do what they want and there would be no control or ways the City can stop them. Per Chairman Peters suggestion, Ms. Lorrie Pearson, Planning and Zoning Administrator, provided an overview of the approval process for Planned Developments.

Chairman Peters also stated there are standards for approval for all Planned Developments that the Plan Commission reviews.
John Myefski, Myefski Architects Inc., 630 Davis St. stated that images of their project at 1620 Central Street shown during Mr. Hughes presentation show an early version of the proposal. The design of the project has been changed since the project was presented to the area stakeholders to reduce the potential impact the development could have on surrounding properties. He stated the proposed amendment regarding site development allowances would afford him the chance to present his project to the Plan Commission and the City Council. Without the changes, his project could look a lot differently and may not provide the benefits as it would with some site development allowances.

Jane Grover, 7th Ward Alderman, stated the Overlay District covers a large portion of her Ward. She complemented the staff for their comprehensive efforts to improve the regulations and for meeting with area stakeholders. She stated she was involved in the process for adoption of the Central Street Master Plan before she was elected to serve as the Alderman for 7th Ward. She believes both the Master Plan and the subsequent Overlay District were very well done. But they both need to be reviewed from time to time and updated to reflect the changes in economic and social environment. Ald. Grover stated all proposed modifications will improve the regulations of the district so that new developments meet the pedestrian-friendly mixed-use character of the corridor. She supports the proposed amendment as presented by Staff.

Mark Tendam, 6th Ward Alderman, expressed his concern that if the proposed amendment is not approved, the approval of larger projects through Planned Development process would be discouraged. The City may lose good projects. The developers may opt to build what the Code allows and that sometimes can lead to developments that are not as good as they could be if reviewed through the Planned Development process by the Plan Commission and City Council. He is also in support of the proposed text amendment.

There being no further public comment, Chairman Peters suggested taking a ten minute break at 8:50 pm.

The Commission reconvened at 9 pm.

Chairman Peters opened the floor to deliberation by the Board members.

Commissioner Ford explained he is in favor of allowing the front step back to be considered as an allowable site development allowance.

Chairman Peters confirmed allowing certain requirements to be considered as site development allowances enables projects to come in front of the Plan Commission and be considered by the City Council. The City Council ultimately approves or denies the projects and can make sure the important elements of the Overlay District or the Master Plan are achieved.

Commissioner Lewis, stated he lives in the area and supports the revisions that enable new projects and new development to come into the area. The Planned Development review process allows for review of projects in compliance with the Master Plan.

There being no further discussion, Commission Lewis made a motion to approve the proposed text amendment as presented by Staff.
Commissioner Pigozzi seconded the motion.

Ayes: Commissioners Lewis, Pigozzi, Goddard, Ford, Shure and Chairman Peters.

Nays: None

Abstain: None

The motion was approved unanimously.

Mr. Latinovic reminded everyone the next regularly scheduled meeting is December 10, 2014.

C. ADJOURNMENT

There being no further discussion, Commissioner Lewis made a motion to adjourn the meeting. Commissioner Pigozzi seconded the motion.

A voice vote was taken and the motion was approved by voice call 6-0. The meeting was adjourned at 9:15 pm.

Respectfully Submitted,
Damir Latinovic
Neighborhood and Land Use Planner
Community Development Department
PLAN COMMISSION

CASE # 14PLND-0151

Zoning Ordinance Text Amendment

Parking Requirements for Increase in Residential Density
To: Chair and Members of the Plan Commission

From: Mark Muenzer, Director of Community Development
Lorrie Pearson, Planning and Zoning Administrator
Damir Latinovic, Neighborhood and Land Use Planner

Subject: Zoning Ordinance Text Amendment
Amendment to Chapter 16 Off-street Parking and Loading regarding parking requirements for increased residential density.

Date: December 5, 2014

Request
Staff recommends approval of the Zoning Ordinance Text Amendment to modify Chapter 16 Off-street Parking and Loading to establish parking requirements for increase in residential density (number of dwelling units) on a property.

Notice
The Application has been filed in conformance with applicable procedural and public notice requirements.

Analysis

Background
The Zoning Board of Appeals raised concern that per Zoning Ordinance, the increase in residential density without the increase in gross floor area of the building is not required to provide any new on-site parking spaces. The inquiry subsequently received an Aldermanic reference for staff to investigate the need for parking requirements when new dwelling units are established within an existing building.

Proposal Overview
Chapter 16 Off-street Parking and Loading of the Zoning Ordinance requires certain number of parking spaces be provided for each principal use on a property. Table 16-B – Schedule of Minimum Off-Street Parking Requirements lists parking requirements for a variety of industrial, commercial and residential uses. The existing main residential use parking requirements are summarized in the table below:
Use | Parking Space Requirement
---|---
Single Family Detached | 2
Two-Family Dwellings | 1.5 per dwelling unit
Single-Family attached dwellings | 1.5 per dwelling unit
Multiple-Family dwellings | 
  One or fewer bedroom units | 1.25 per dwelling unit
  Two bedroom units | 1.5 per dwelling unit
  Three or more bedroom units | 2 per dwelling unit

Per Section 6-16-1-2 – Exemption from Off-street Parking and Loading Requirement for Existing Buildings and Uses, conversion of a building or unit that increases the number of dwelling units in that building without the increase in overall gross floor area is exempt from the requirement to provide new parking spaces for the new dwelling units. As such, a single family home for example, which is required to have two parking spaces could be converted into a two-flat or 3-unit building without the need for additional parking spaces. A typical two-family dwelling structure would need three parking spaces and a 3-unit building would need up to six parking spaces depending on the number of bedrooms in each unit. Therefore, a conversion of a single-family home into a 3-unit building could create a deficit of up to four parking spaces which could negatively affect the surrounding area due to increased demand for on-street parking.

Staff is proposing to modify this provision (except in the downtown D and RP districts) so that any conversion of an existing residential use that results in an increase in the number of dwelling units or bedrooms does have to meet applicable parking requirements for all units per the table above (Draft Ordinance attached). Even though increase in the residential density within existing buildings is less likely to occur in the downtown districts due to the available housing stock, staff recommends keeping the current exclusion applicable to the downtown districts so as not to discourage higher densities in the downtown area due to availability of public transit.

Accessory Uses – Coach House
Per Section 6-16-3-2 – Parking Spaces for Accessory Uses parking spaces for accessory uses are not required. The accessory uses are subordinate, related to and serve the principal use. Consequently, the demand for parking generated by the accessory use is expected to be associated with the demand generated by the principal use on the property.

A coach house, a secondary or accessory dwelling located on the same zoning lot as the principal dwelling unit, is considered an accessory use and therefore does not have to provide any on-site parking spaces. A coach house is typically a detached garage with a dwelling unit on the 2nd floor and was originally permitted to house servants of the principal home on the property. The coach house later evolved into housing often occupied by children or relatives of the property owner.

Lately, however, coach house dwelling units have been established and are rented out to persons unrelated to the owner of the principal home. As such, the use of the coach house is no longer accessory to the principal home and the tenants often generate need for their own parking space.
Staff is proposing to require all coach house dwelling units to provide one parking space for such unit. (Ordinance attached) If the use of a coach house is considered accessory, such as when it is occupied by a family relative that may share access to vehicles with the principal home, the property owner may apply for zoning variation from the parking requirement.

Staff’s proposal is summarized in the table below:

<table>
<thead>
<tr>
<th>Increase in Residential Density within existing building (no Gross Floor Area addition)</th>
<th>Current Parking Requirement</th>
<th>Proposed Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exempt</td>
<td>Same as new developments:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SFR = 2</td>
<td></td>
</tr>
<tr>
<td>Two-Family Dwelling = 1.5/unit</td>
<td>Attached Single-Fam. Dwelling = 1.5/unit</td>
<td></td>
</tr>
<tr>
<td>Multiple-Family Dwellings:</td>
<td>One or fewer Bedrooms = 1.25/unit</td>
<td></td>
</tr>
<tr>
<td>Two Bedroom Units = 1.5/unit</td>
<td>Three or more Bedrooms = 2/unit</td>
<td></td>
</tr>
</tbody>
</table>

| Coach House | 0 | 1 per dwelling unit in Coach House |

Regulations in Other Municipalities
Staff has researched parking requirements for residential uses in similar surrounding communities and comparable communities around the country. All other communities require that any new dwelling units established within an existing building must provide a certain number of parking spaces (usually based on the total number of dwelling units). The sole exception is the City of Chicago where the addition of only one additional dwelling unit within a building 50 years old or more is not required to provide additional parking spaces. The comparison between the communities is summarized in the table below.

<table>
<thead>
<tr>
<th>Community</th>
<th># of parking spaces required for additional dwelling units within existing building:</th>
<th>Coach House/Accessory Dwelling Unit parking requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evanston</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Oak Park, IL</td>
<td>Based on # of bedrooms in each unit:</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Studio = 1; 1BR = 1.5; 2BR = 1.5; 3+BR = 2</td>
<td></td>
</tr>
</tbody>
</table>
Chicago, IL

Based on # of dwelling units:
- SFR = 2; Two-Unit = 1.5/unit;
- Three + Units = 1/unit;
- Downtown Multifamily = 0.55/unit

*Parking reduction allowed for PDs or within TOD Overlay Districts.
*Buildings over 50 years old may add one additional unit without the requirement for additional parking.

N/A

Arlington Heights, IL

Based on # of dwelling units:
- SFR = 2/unit; Two-Unit = 2/unit;
- Multifamily = 1.5/unit;
*Downtown Multifamily based on # bedrooms in each unit:
  - Studio and 1BR = 1/unit
  - 2BR = 1.25/unit
  - 3BR = 1.5/unit

N/A

Columbus, OH

Based on # of dwelling units:
- SFR, Two-Unit and Three-Unit bldgs. = 2/unit;
- 4+Unit bldgs. = 1.5/unit

*Parking requirements within the University Districts are reduced based on various square footage formulas.

2/unit

Berkeley, CA

Based on Zoning District:
- Low Density Residential District: 1 per each dwelling unit.
- Higher Density Residential Districts and Commercial Districts: 1 per each dwelling unit up to 10 units.
- Over 10 units = 1/1,000 sq. ft.
- Downtown Districts: 1 per 3 units

1/unit

Standards of Approval

The proposed Zoning Ordinance Text Amendment meets the standards for approval of amendments per Section 6-3-4-5 of the City Code. The proposal is consistent with the Comprehensive General Plan’s objective to maintain the appealing character of Evanston’s neighborhoods while guiding their change. The proposal is also consistent with the objective to recognize the impact of increased housing density on the quality of the neighborhood.

Requiring parking spaces for new dwelling units within residential areas where conversions of single family and two-family homes into multiple-family homes is likely to happen will lessen the impact of increased demand for on-street parking. Proposals for increase in residential density would only be approved if they can meet the parking requirement and thereby complement the existing neighborhood.
Maintaining the existing exemption for the downtown area will also encourage density in the areas where public transit is readily available and there is less need for private parking spaces. This is consistent with the Comprehensive Plan’s call for action to encourage creative adaptive reuse of existing deteriorating buildings with minimum adverse effects.

The proposed text amendment will not have any adverse effects on the values of the properties in the area. If approved, the proposed text amendment would allow only those projects that can provide adequate on-site parking spaces and are thereby compatible with the overall character of surrounding developments and can be well integrated within the existing neighborhood.

**Recommendation**

Staff believes the proposed text amendment to establish parking requirements for increase in residential density meets the standards of approval as outlined above. Staff recommends the Plan Commission make a positive recommendation to the City Council regarding for the proposed text amendment.

**Attachments**

- Draft Ordinance 154-O-14
AN ORDINANCE

Amending the Text of the Zoning Ordinance Regarding Increased Parking Requirements As Related to Residential Density

WHEREAS, on December 10, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0151 to consider an amendment to the text of Title 6 of the Evanston City Code of 1979, as amended (the “Zoning Ordinance”), relating to increasing the parking requirements for increases in residential density; 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 January 12, 2015, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 14PLND-0151 and recommended City Council approval thereof; and

WHEREAS, at its meetings of January 12, 2015 and January 26, 2015, 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 6-16-1-2 of the Zoning Ordinance is hereby amended to read as follows:

6-16-1-2 - EXEMPTION FROM OFF-STREET PARKING AND LOADING REQUIREMENTS FOR EXISTING BUILDINGS AND USES.

Changes in the use or intensity of use of a building and/or land area, which do not include construction of a new building, or building addition (i.e., increase in gross floor area), shall be exempt from the parking and loading requirements of this Chapter, except in the following cases:

(A) Changes in a use or intensity of a use regarding medical or dental offices in the business, commercial, office or transitional manufacturing districts.

(B) Changes in use to religious institution in the business, commercial, or downtown districts.

(C) Increases in density of a residential use outside of the downtown or research park districts.

SECTION 3: Section 6-15-14-7, Table 16-B, of the Zoning Ordinance is hereby further amended by adding the following under “Residential”:

| Coach House | 1 parking space for each dwelling unit within the coach house |

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:___________________, 2015
Adopted:___________________, 2015
Approved:___________________, 2015

_______________________________
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

_______________________________
Rodney Greene, City Clerk
W. Grant Farrar, Corporation Counsel
PLAN COMMISSION

12/10/2014

Modifications to Administrative Rules and Procedures of the Plan Commission
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>DESCRIPTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARTICLE I</td>
<td>Name of the Commission</td>
<td>3</td>
</tr>
<tr>
<td>ARTICLE II</td>
<td>Authorization</td>
<td>3</td>
</tr>
<tr>
<td>ARTICLE III</td>
<td>Powers and Duties</td>
<td>3</td>
</tr>
<tr>
<td>ARTICLE IV</td>
<td>Membership</td>
<td>4</td>
</tr>
<tr>
<td>ARTICLE V</td>
<td>General Provisions</td>
<td>5</td>
</tr>
<tr>
<td>ARTICLE VI</td>
<td>Officers</td>
<td>5</td>
</tr>
<tr>
<td>ARTICLE VII</td>
<td>Meetings</td>
<td>7</td>
</tr>
<tr>
<td>ARTICLE VIII</td>
<td>Committees and Subcommittees</td>
<td>8</td>
</tr>
<tr>
<td>ARTICLE IX</td>
<td>Order of Business (non-hearings)</td>
<td>8</td>
</tr>
<tr>
<td>ARTICLE X</td>
<td>Filing Procedures for Amendments,</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Unique Uses and Planned Developments</td>
<td></td>
</tr>
<tr>
<td>ARTICLE XI</td>
<td>Notice Requirements for Public Hearings</td>
<td>10</td>
</tr>
<tr>
<td>ARTICLE XII</td>
<td>Public Hearing Procedures</td>
<td>10</td>
</tr>
<tr>
<td>ARTICLE XIII</td>
<td>Dismissals of Zoning Petitions</td>
<td>15</td>
</tr>
<tr>
<td>ARTICLE XIV</td>
<td>Recommendations on Amendments,</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Unique Uses and Planned Developments</td>
<td></td>
</tr>
<tr>
<td>ARTICLE XV</td>
<td>Comprehensive General Plan</td>
<td>15</td>
</tr>
<tr>
<td>ARTICLE XVI</td>
<td>Amendment of Rules</td>
<td>16</td>
</tr>
</tbody>
</table>
ARTICLE I  NAME OF THE COMMISSION

The name of this organization shall be "The Evanston Plan Commission of the City of Evanston, Illinois", hereafter referred to as the "Commission".

ARTICLE II  AUTHORIZATION

The establishment of this Commission is provided for in Title 2, Chapter 8 of the City Code, and Section 3.1-5 of the Zoning Ordinance, Title 6 of the City Code.

These rules are to be read in conjunction with 65 ILCS, Sections 5/11-13-1, et seq. "Zoning" and 5 ILCS, Sections 120/1, et seq. "Open Meetings" and Ordinance 15-0-78, "Requiring Disclosure of Ownership Interests of Entities Seeking City Council Approval on Real Estate Matters".

Nothing contained herein shall be construed to give or grant the Plan Commission the power or authority to amend or change the Zoning Ordinance, which authority is reserved to the City Council.

ARTICLE III  POWERS AND DUTIES

The Plan Commission shall have the following powers and duties:

(A) To formulate basic policy for a Comprehensive General Plan, to work with the Planning Division in its preparation, and to recommend such Comprehensive General Plan, or changes therein, to the City Council for adoption.

(B) To initiate studies, reports and recommendations to the City Council, City Manager, or Officials of other local governmental bodies on matters concerning the present or future development of the City. All studies, reports and recommendations to the City Council, City Manager, or officials of other local governmental bodies on matters concerning the present or future public development or development of the City, which will be acted upon by the City Council, shall first be presented to the Plan Commission to provide them a reasonable opportunity for review and comment.

(C) To study, review and prepare recommendations on the annual revision of the capital improvement program and on plans and proposals of other departments of the City government which relate to the implementation of the Comprehensive General Plan.

(D) To review, hold hearings and offer recommendations to the City Council on any zoning matters that involve planning considerations, including, but not limited to, an amendment, planned development and unique use.

(E) To review the Zoning Ordinance from time to time and make recommendations to the City Council for such changes to the Ordinance as the Commission may
determine are appropriate.

(F) None of the above, without prior approval by the City Council, shall include the power to obligate the City for compensation to any person or organization.

(G) To carry out the above duties, the Plan Commission shall have the following powers:

1. To invite the advice and assistance of persons having special knowledge, experience or interest in the needs or problems which are receiving consideration by the Plan Commission. Such advisors may include, among others, officials of an adjoining municipality or of other local governments or other persons not living in the City.

2. To conduct such public hearings as provided for in the Municipal Code, as amended, and as it deems necessary to gather information and ideas needed for thorough review of the Comprehensive General Plan or other matters before the Plan Commission for consideration.

3. To promote the realization of the Comprehensive General Plan and the community objectives it incorporates through public education and other means.

4. To request from the Planning Division such staff time as may be required to assist the Plan Commission in carrying out its duties.

5. To request from the City Council such funds as may be necessary for the employment of consulting services or temporary employees deemed necessary for carrying out the duties required by this Chapter.

(H) The Chair or his/her designee(s) shall act as the spokesperson or representative of the Commission before all City Council, City Council Committees, and other public meetings.

ARTICLE IV  MEMBERSHIP

(A) The Mayor shall appoint nine (9) Evanston citizens to serve as regular members of the Commission, subject to confirmation by the City Council. The Mayor and the manager of the Planning and Zoning Division shall be ex-officio members of the Commission but shall have no vote. The manager of the Planning and Zoning Division shall serve as secretary of the Commission. The Community Development Director shall serve as Secretary of the Commission. The Secretary of the Commission may perform his/her duties through a designee noticed in writing to the Chair of the Commission.

(B) Each regular member of the Commission shall be entitled to one (1) vote.

(C) All appointed members of the Commission shall serve as such without compensation.

(D) Appointments of regular members shall be for three (3) years, and they may be reappointed for one additional term. When a vacancy is created by the resignation of a member prior to expiration of that member’s term, the member appointed to fill this vacancy shall be appointed to a full term unless otherwise
provided by City Ordinance or State Statute.

(E) The Chair shall notify the Mayor when a member of the Commission has failed to attend meetings during a consecutive four (4) months, or six (6) times during a consecutive twelve (12) months, unless the Chair shall determine that the failure to attend was for a good cause.

ARTICLE V GENERAL PROVISIONS

(A) Commission members shall abide by the City’s Code of Ethics set forth in Section1-10-4 of the Municipal Code, as amended.

(B) Information concerning any pending matter may be obtained from the Secretary of the Commission consistent with the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.), as amended

ARTICLE VI OFFICERS

(A) The officers of the Commission shall consist of the Chair, and one Vice-Chair.

(B) At its December meeting, the Commission shall select a Chair and one Vice-Chair from among its members to serve for the following calendar year with eligibility for re-election.

(C) The Chair shall nominate and the Commission shall elect such associate members of the Plan Commission as are deemed necessary to carry out the Commission’s duties and responsibilities.

Such associate members shall:

1. Serve one year terms set from January 1 to December 31 with eligibility for re-nomination and re-election for up to a total of five full terms. Those associate members who have completed three or more terms at the time that this amendment to the Administrative Rules and Procedures is adopted shall be eligible for a single additional term. Associate members who have been appointed in the middle of a calendar year shall serve out the rest of the year. A partial year term shall not be counted toward an associate members’ five-term eligibility.

2. Be required to complete and submit an Ethics Disclosure Form.

3. Perform the same duties and assume the same role as regular members, but shall have no vote.

(D) The Chair shall supervise the affairs of the Commission, shall preside at all Commission meetings and hearings, shall appoint subcommittees as may be necessary to carry out the purpose of the Commission, shall provide for the oath to be administered when required to all witnesses in matters before the Commission, and shall conduct the hearings and meetings of the Commission in an appropriate and expeditious manner. The Chair shall be an ex-officio member of all subcommittees so appointed.

(E) The Vice-Chair, in the absence or disability of the Chair, shall perform all duties and exercise all powers of the Chair. In the event that the Chair be unable to complete his/her term, the Vice-Chair shall be named Chair for the remainder of the unexpired term. At the beginning of such an interim period, the Commission

5
shall also elect a new Vice-Chair

The Manager of the Planning and Zoning Division shall serve as Secretary of the Commission. The Secretary of the Commission may perform his/her duties through a designee noticed in writing to the Chair of the Commission.

The Secretary shall:

1. Be custodian of the active files of the Commission, and keep all records.
2. Conduct the correspondence of the Commission.
3. In the case of zoning matters, inform petitioners when their petition is to be heard, and notify each petitioner to be present at the hearing.
4. Have public notice of public hearings published in a local newspaper as required by law for zoning matters and amendments to the Comprehensive General Plan, and provide such notice as otherwise required hereby.
5. Promptly deliver copies of said public notice to residents in the vicinity of the property in question as required by ordinance. Failure to do so shall not prejudice the hearing.
6. Furnish a copy of said notice and a copy of each petition and other material information or documents submitted to the Secretary which is to be heard to each Commission member.
7. Promptly prepare an agenda, in consultation with the Chair. The agenda shall be reviewed regularly and monitored to ensure consistency with the policies and priorities of the City Council.
8. Record the names and addresses of all persons appearing before the Commission who have willingly provided their names and/or addresses to the Commission.
9. Keep records of the Commission’s official actions and a verbatim transcript of the minutes of all public hearings relating to zoning or the comprehensive plan. Keep records and minutes of all meetings of Commission committees or subcommittees.
10. Record the vote of each member upon every question, or if absent or failing to vote, indicate that fact.
11. Promptly prepare a prehearing report setting forth the description of any proposed changes, background, alternatives, expected ramifications and staff recommendations on zoning proposals or proposed changes to the Comprehensive Plan.
12. Be responsible for interpretations of these Rules of Procedures which may be overruled by the Commission by a majority vote.
13. Cause a web site to be maintained making available to the public commission agendas, packets for members and such other information as the Chairman, Secretary or Commission determine should be
available on the web site. Because web access is not universal, the Secretary or his designee shall also provide access to the above described material for viewing by members of the public in either paper or electronic form at the office of the Commission.

1314. Perform such additional duties as may be requested by the Commission.

(G) Should the Chair and Vice-Chair both be absent from a meeting of the Commission, or be otherwise ineligible to act upon a matter before the Commission, the remaining regular members of the Commission constituting a quorum shall elect from among their number an interim Chair to preside over the Commission for the duration of such absence or ineligibility.

ARTICLE VII MEETINGS

(A) The office of the Commission shall be located in the office of Manager of the Planning and Zoning Division, Community Development Department, Community and Economic Development Department, Lorraine H. Morton Civic Center, 2100, Ridge Avenue, Evanston, Illinois; and the documents pertaining to any matters may be examined at this location by any interested party.

(B) Except as provided below, regularly scheduled meetings shall be held on the second Wednesday of each month at 7:00 P.M., in the Civic Center, 2100 Ridge Avenue, unless such day shall be a legal holiday observed by the City, in which case the regular meeting shall be held on the following Wednesday, and or at such other times as the Commission shall decide. Prior to the first meeting of each calendar year, the Commission shall adopt a meeting schedule for regularly scheduled meetings during the forthcoming year.

(C) In addition to the regularly scheduled meetings, the Commission shall schedule additional meetings when necessary to comply with the time limitations contained in Article XI (B) of these Rules to complete hearings and make recommendations. To comply with the time limits, hearings shall be continued to the subsequent special or regular meetings and the time of each subsequent meeting shall be announced at the end of the prior meeting so that hearings are continued to a time certain.

(D) Regular meetings may be canceled by the Chair when there are no matters pending.

(E) Special meetings may be called at the discretion of the Chair, or upon request of two (2) or more members, provided that notice of said meeting is published as required by law. The Commission shall attempt to schedule meetings and hearings whenever urgent matters cannot be heard at the next regular meeting.

(F) A recording shall be prepared for all Commission meetings, public hearings, that include actionable agenda items. Minutes shall be prepared for all Commission, committee, and subcommittee meetings. Each such record shall become a part of the permanent record for each meeting.

(G) All meetings and hearings of the Commission and any committees or subcommittees of the commission shall be open to the public and subject to the applicable public notice requirements of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), as amended.
(H) A quorum of the Commission is required for the transaction of any business. A quorum shall consist of a majority of the regular members of the Commission five (5) regular members. The quorum for committee or sub-committees shall consist of one more than a majority of the members of the committee or sub-committee. In the absence of a quorum, the members present may discuss rescheduling matters and available dates. They may also act to continue matters previously scheduled for the meeting time at which no quorum is present. In the event the applicant is not present at a meeting for which notice has been published, his/her matter(s) scheduled for that meeting shall be continued to the next regularly scheduled meeting.

(I) Associate Members of the Plan Commission may be elected to serve on committees and subcommittees of the Plan Commission.

(J) No member of the Commission who has a financial interest in the property or the affairs of a petitioner or affected owner, or who believes he/she has some other direct conflict of interest, shall participate in discussion, questioning or voting as a Commission member in the matter involving such property or person.

(K) All meetings and hearings open to the public shall provide time for material public comment providing that the comments are relevant to matters on the meeting or hearing agenda. To allow for all public comments to be voiced, the following time allotments will be followed:

a. The comments of individual citizens shall not exceed five (5) minutes;

b. The comments of a group of citizens, such as a neighborhood group, organization, association or similar assemblage of individuals shall not exceed ten (10) minutes.

c. All time limits may be modified at the discretion of the Chairperson. Reasonable adjustments may be made on a case by case basis to accommodate the requirements of extraordinary situations.

ARTICLE VIII COMMITTEES AND SUBCOMMITTEES

(A) The Commission may establish committees and subcommittees as it deems appropriate.

(B) Each member and associate member shall, at a minimum, serve on one committee per year.

(B) (C) Committees and subcommittees shall operate in a manner consistent with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), as amended, and the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.), as amended. Each committee or sub-committee shall maintain minutes and records of their activities. The Secretary to the Commission shall keep records of the actions taken by each committee or sub-committee and shall arrange for the publication of any notice of meetings or hearings as are required by law or by Commission rule.

ARTICLE IX ORDER OF BUSINESS – COMMISSION MEETINGS

All meetings of the Commission shall ordinarily proceed as follows, except that when the
provisions of this Article conflict with the provisions of Article XI – Public Hearing Procedures – in which the provisions of Article XI shall count control.

(A) Declaration of a quorum, introductory statements, consideration of minutes, communications, announcements and review of new business.

(B) Call by the Chair for announcement by members present if they must abstain from consideration of any particular matter on the agenda due to a possible conflict of interest. If such abstention(s) results in the loss of a quorum on any matter, the matter shall be postponed to the next regular meeting date.

(C) Requests for withdrawal or continuances or Change in Order of Matters being considered:

1. Any matter may be withdrawn at any time prior to the Commission reaching a recommendation.

2. A request for a continuance will be considered from any petitioner, his/her representative, the City Council or any interested party, and may be granted by the Commission upon showing that he/she will be unable to proceed with his/her evidence at the hearing for good cause. In determining whether to grant a continuance after the first hearing, the Board shall consider the time limitations contained in Article XI (B) of these Rules, together with all other relevant information.

3. Request to change the order of matters on the agenda shall be considered, but shall only be granted for good cause.

(D) Hearing of further testimony and/or discussion on continued matters.

(E) Hearing of new matters.

(F) Other unfinished business.

(G) Committee Reports

(H) Other new business.

(I) Public Comment on matters listed on the meeting agenda, or discussed during a public hearing or discussed by the Commission or scheduled for consideration. Public comment must be pertinent to materials before the Commission. A time of 2 minutes per person shall apply to this public comment.

(J) Discussion of next agenda.

(K) Adjournment.

ARTICLE X   FILING PROCEDURES FOR AMENDMENTS, PLANNED DEVELOPMENTS AND UNIQUE USES

(A) The Commission shall consider text or map amendments, unique uses or planned developments when a petition has been properly proposed. Proposed petitions will be initiated by,

1. Written petitions requesting that the Commission and the City Council consider such application on behalf of (a) any governmental agency; or
(b) any person, firm, corporation or organization; or


(B) In cases where an Application must be presented to both the Plan Commission and the Zoning Board of Appeals, an Applicant may request a joint meeting pursuant to Municipal Code Section 6-3-4-8, as amended.

(C) A petition shall be in the form set forth in Appendix D of the Zoning Ordinance. If the reclassification of property is proposed, the petition shall be accompanied by a "Disclosure of Ownership Interests" statement as required by Ordinance 15-0-78.

(D) If a specific development proposal is contemplated, a zoning analysis shall be obtained to determine any and all zoning relief necessary. Said zoning analysis shall be completed by City Staff in no more than thirty (30) days from the submission of a perfected application.

Prospective petitioners are encouraged to have a pre-petition conference with Planning and Zoning Division staff prior to submitting the petition for final review and scheduling, in order to improve the likelihood that the petition, if acted upon favorably, would achieve the desired objective, and to become familiar with the procedures that will be followed.

The petitioner shall provide any other information that may be required by the Commission to aid it in making its recommendation.

(E) Secretary shall prepare, within fifteen (15) days, a pre-hearing report and place the matter on the docket for the next available hearing, unless otherwise directed by the Commission. Petitions normally will be assigned for hearing in the order in which they are perfected, unless the Chair of the Commission directs otherwise in order to comply with priorities established by the City Council. Petitions will normally be scheduled for the next available hearing following completion of the pre-hearing report. The agenda shall be established by the Chair, or in consultation with the members, from those matters which have been properly submitted or are pending.

(F) The Secretary shall assign a docket number when the matter is scheduled for hearing. The docket shall be numbered serially from each January 1, the beginning of the calendar fiscal year of the City, and shall indicate the number and year.

ARTICLE XI  EX PARTE COMMUNICATIONS

Commission members shall not have ex parte communications with Petitioner or Objectors after filing of a petition for relief that is or will be likely to be the subject of a Plan Commission recommendation. This rule shall not be construed to prohibit Commission members from viewing the property that is the subject of any petition or attending community meetings. A community meeting is a meeting to which the public has been invited.

Commission recommendations should be based on material presented at the public hearing. However Commissioners should refrain from describing or opining on any pending matter and therefore a commissioner at such meetings is a prohibited ex parte communication. Decisions made by Commissioners shall be based on material that is part of the hearing record and any observations they
ARTICLE XII  NOTICE REQUIREMENTS FOR PUBLIC HEARINGS

The Secretary of the Commission shall give due notice of the time, place and subject of every meeting to consider proposed map and text amendments, planned developments, unique uses or changes to the Comprehensive General Plan, not more than thirty (30) days nor less than fifteen (15) days before the meeting by publishing a notice thereof at least once in one or more newspapers published in the City; or if no newspaper is published therein, then in one or more newspapers having a general circulation within the City. Mailed Notices shall be consistent with the requirements in 6-3-6-8 of the Municipal Code, as amended.

The notice shall advise that a copy of the Plan Commission's Rules may be obtained from the Planning and Zoning Division Commission Secretary or his designee. A majority of members of the Commission may determine that a matter to be considered for public hearing is of such City-wide importance as to require extraordinary notice.

In addition to other pertinent information, any notice of a public hearing shall state, "The public hearing may be adjourned (continued) from time to time to dates certain without additional notice."

Extraordinary notice may consist of one or more of the following items to be determined by the Commission with direction given to staff:

1. A press release to the community affairs editors of all local newspapers.
2. Notice to each alderman with a request to notify community groups in their wards.
3. Notice to local access cable television.

ARTICLE XIII  PUBLIC HEARING PROCEDURES

General: Any materials to be presented by the Applicant, or other persons planning to address the Commission, parties in opposition, their witnesses, Attorneys, expert witnesses, shall be provided to the Secretary four (4) business days prior to a Plan Commission meeting where such material are discussed or considered. This allows all materials to be distributed to Commission members prior to the meeting during which they might be discussed. This includes all PowerPoint presentations, plans, sketches, pictures, charts and data or compilations and other similar exhibits, letters, and any other materials supplementing oral testimony. All submissions should be in an Adobe PDF digital format, however if a PDF cannot be provided, the party submitting materials shall provide no fewer than fifteen (15) copies to City staff. The secretary shall promptly deliver copies of such material to Commission members and cause copies to be posted to the Commission web site.

Any factual material to be presented by the petitioner or objectors prior to the meeting shall be certified or sworn under oath. The makers of any such material shall be made available for questions from the Commission at the appropriate time in the hearing process. Submission of sworn factual or expert testimony prior to the hearing when such material might be discussed allows interested parties to submit more extensive testimony than would otherwise be possible in...
Order of Presentation During Hearings

(A) Introduction by the Chair: The Chair shall begin each public hearing by identifying the matter and explaining the procedures for the conduct of the public hearing. An oath should be administered to all persons intending to testify during the course of the public hearing. In a hearing that was continued from a previous meeting, the Chair shall remind those that were previously sworn that they remain under oath. The Chair shall have the list of documents placed on file read into the record.

Proof of lawful notice shall be introduced and made a part of the record. The notice and the petition or reference shall be part of the record. The Chair may waive reading of the published notice.

(B) City Staff’s Summary of the Petition and Relief Sought: Staff shall summarize the proposal, describe all material received from the petitioner, public and other interested entities, explain any recommendations, and speak to the standards.

Persons having an interest (supporting or opposing) in the petition or reference before the Plan Commission will be asked to enter their names and addresses on a sign-in sheet and indicate whether they wish to ask questions of witnesses or cross-examine witnesses. Persons who wish to cross-examine are “interested persons” for purposes of these Rules. Persons who do not want to identify themselves or provide their address may provide testimony without identifying themselves, or their address, but by refusing to identify themselves and provide their address, they waive any right they might have that arises from the location of their residence or property in relation to the subject property.

(C) Petitioner’s Presentation: The petitioner will present testimony of witnesses and other evidence. In general, the Commission shall allow the petitioner to make this presentation without interruption, except for questions allowed by the Chair that may be immediately necessary to aid the Commission or public in understanding the presentation. If the matter is a reference from the City Council or City Staff, the appropriate Staff Member shall explain the proposal. Material submitted to the Secretary prior to the hearing by the Petitioner shall be part of the record and does not need to be the subject of additional testimony provided the makers of such material are available to answer questions from the Commissioners during or at the close of Petitioner’s case. The time limit for Petitioner’s case, exclusive of questions to witnesses from Commission members is 20 minutes.

At the close of Petitioner’s case, the Chair shall inform those present of the following:

1. Persons or groups with an ownership or leasehold interest in property within five hundred feet (500’) in the case of amendments and within one thousand feet (1,000’) in the case of unique uses and planned developments, in each direction of the subject property, inclusive of public roads, streets, alleys and other public ways, who wish to object shall, upon request, be granted one continuance for the purpose of presenting evidence to rebut testimony given by the Applicant. Such continuance shall be by public announcement to a date certain. Such request shall be made in writing immediately following presentation of the Applicant’sPetitioner’s case.
If a request for continuance in proper form is received pursuant to the above provisions by a person who has disclosed his or her name and address to the Commission, then the meeting shall be continued to a date certain and the continued hearing will begin with the taking of testimony by those requesting the continuance, followed by public comment.

(D) Public Testimony and Comment:

1. General Provisions: Prior to the start of public testimony or comment, the Chair shall advise the public of time limits and rules governing public comment, including the requirement that repetition should be avoided and that all comments or testimony must be relevant to the issues before the Commission. At the conclusion of the Chair’s description of the rules governing public comment, the Secretary shall describe all material submitted prior to the hearing by organizations or persons other than the petitioner.

2. Members of the Commission: Individuals or members of groups wishing to comment or present testimony to the commission may do so after the close of the Petitioner’s case. Comments or testimony from organizations shall be taken by the Commission prior to comments from individuals. The Chair will determine how any questions from the public shall be addressed. Following the conclusion of all public participation, the Chair will direct the questions from the public to the petitioner in an orderly and consolidated manner for response. The time limit for statements from organizations regarding the proposal under consideration shall be no more than 10 minutes; comments or testimony from others shall be no more than 2 minutes in length.

(E) Cross Examination: After the close of public comment and testimony, Cross examination of all witnesses shall be conducted. Such cross examination is limited to questions relevant to the standards and shall be confined to points raised during the testimony of the person being cross-examined. The Chair should determine the relevancy of any question and has the responsibility to limit questions to matters presented to the Commission during the hearing that are relevant to the applicable standards. In making this determination, the Chair may ask those conducting cross-examination to explain the relevance of their question to the standards and to the testimony of the person being cross examined.

(F) Response by the Petitioner: The Chair will allow the petitioner a reasonable time to respond to the public testimony and comments presented.

(G) Optional Closing Statement by Staff.

(H) Questions by the Commission: The Commission members may ask questions of any individual that may clarify material presented or relief requested. Such questions should not be argumentative. At the conclusion of the questions from Commissioners, the public hearing will be closed.

(I) Commission Discussion and Deliberation: During the Commission’s discussion, Commission members may direct additional questions to the petitioner or any witnesses or members of the public who testified. The Petitioner, witnesses or members of the public may not address the commission during this portion of the meeting without the Chair’s consent.

(J) Commission Action. Based on the discussions, the Commission may: (a) require
the petitioner, the City staff and/or City Attorney to provide new or additional information and continue the hearing to a date certain; or (b) take action (vote) on the petition and make its recommendation to the City Council, which recommendation may include conditions. The Plan Commission shall issue a recommendation within 120 days of the first presentation by the Applicant to the Plan Commission. The Commission shall hold additional meetings during the 120 day period to meet the 120 day requirement. The Commission, with a 2/3 majority vote may extend the recommendation period up to thirty (30) additional calendar days to accommodate extraordinary issues that may arise during the hearing process.

(C) A recording of the Public Hearings shall be prepared. Minutes shall be prepared for all Public Hearings. Each such record shall become a part of the permanent record for each meeting.

(D) If the matter is a petition, the petitioner may appear on his/her own behalf or be represented by his/her own counsel or agent.

(E) If the petitioner fails to appear, the Chair may entertain a motion to dismiss the matter or to continue it to a date certain.

(F) If the matter is a reference from the City Council or City Staff, the appropriate Staff Member shall explain the proposal.

(G) Any materials to be presented by the Applicant, parties in opposition, their witnesses, Attorneys, expert witnesses, must provide all materials to City staff four (4) business days prior to a Plan Commission meeting so that all materials may be distributed to Commission members. This includes all PowerPoint presentations, plans, sketches, charts and other similar exhibits, letters, and any other materials supplementing oral testimony. All submissions should be in an Adobe PDF digital format, however if not possible, the party submitting materials shall provide no fewer than fifteen (15) copies to City staff.

(H)(K) All persons appearing at the hearing shall be given an opportunity to be heard. All persons appearing at the hearing shall be given an opportunity to be heard. make statements to the Commission on matters then pending, or matters listed on the agenda for the meeting. However redundant statements or matters not pertinent to matters pending shall not be permitted.

Prior to being heard, persons addressing the Commission shall be sworn by the Chairperson and shall testify under oath. Witnesses shall testify from the podium. Persons who wish to be heard but who do not wish to provide their name and address shall be permitted to testify under oath. However by refusing to provide their name and address, they waive any rights arising from the location of their property or residence in relation to the subject property. Witnesses shall testify from the podium.

(I)(L) Statements made by an Attorney for any party shall not be considered as evidence unless the facts set forth by the Attorney are verified under oath by another witness or unless the Attorney is testifying as a witness.

(J) Cross-examination of persons giving testimony and citizen comment must be relevant to the matters heard and be confined to the points raised during that person’s testimony. Cross-examination is testimony designed to elicit weaknesses, omissions, and misstatements made in direct examination.
A person may not testify on behalf of another person. However, written statements may be submitted to City staff four (4) business days prior a Plan Commission meeting, and will be part of the permanent record. Written statements or letters must have the writer’s signature, address and contact phone number. Such statements shall be construed as the writer’s opinion about the proposal but not as factual testimony.

A petitioner or objector or his or her agent or Attorney may submit a petition favoring or opposing the proposal. Such petition shall contain only a brief statement of the position of the persons favoring or opposing the proposal, their printed names, addresses and signatures. No petition will be admitted into evidence unless the submitter certifies that he or she collected all signatures on the petition and that each person signing the petition did so in the presence of the person submitting the petition.

The chair may impose reasonable limitations on the taking of evidence, testimony, or any examination of witnesses, taking into consideration:

1. The nature of the case.
2. The complexity of the issues.
3. Whether the person who wishes to cross-examine has some special interest beyond that of the general public.
4. Whether the witness possesses special expertise.
5. Whether the testimony reflects a matter of taste or personal opinion or concerns a disputed issue of fact.
6. The degree to which the witness’ testimony relates to the factors to be considered in approving or denying the proposal.
7. Such other factors appropriate for the hearing.

The person chairing a public hearing and may disallow any testimony in accordance with the Rules. However any ruling disallowing testimony may be overruled by a majority of the Commission present and voting.

The Commission shall allow items to be placed on a consent agenda, upon receipt by the planning office of a written request by the applicant pursuant to the following conditions:

- Staff recommendation of approval;
- Applicant agreement with staff report conditions; and
- There is no one present at the time of the hearing who wants to speak or introduce evidence in opposition to a proposal.
- If any Commissioner wishes to remove an item from consent agenda to speak in more detail about said item.

The Chair shall have the right to cause removal from the hearing of any person who is disorderly or contemptuous.
The City shall be an interested party in every public hearing, but need not appear. The City staff and city attorney shall not be subject to cross-examination unless they have testified in favor of a proposal originating with the City staff or City Council.

Testimony shall ordinarily be presented in the following order, except that the Commission members may question witnesses at any time. All time limits may be modified at the discretion of the Chairperson. Reasonable adjustments may be made on a case-by-case basis to accommodate the requirements of extraordinary situations.

1. Staff report summarizing the proposal.

2. The Plan Commission will first hear testimony or evidence from the Applicants or their Attorneys and/or witnesses. Presentation time is limited to 20 minutes.

3. The Plan Commission will then hear testimony, or evidence from persons in support of the Applicants. Time is limited to five minutes (5 minutes) per person in support of the Applicants.

4. After the Applicants, their witnesses, and persons supporting the Applicants have completed their presentation, the Chair will allow cross-examination by Persons or groups with an ownership or leasehold interest of the Applicants, their witnesses, and persons supporting the Applicants. This includes questions from persons opposing the request of the Applicants. No statements are to be made at this time.

Only the Applicant and persons or groups who have an ownership or leasehold interest in property within the five hundred-foot (500') or one thousand-foot (1,000') distance of the subject property, as applicable, shall have the right to cross-examine at the hearing.

5. The Plan Commission will then hear testimony, or evidence from all persons opposing the request of the Applicants. Time is limited to five (5) minutes per person, except as otherwise provided in these Rules.

A group of citizens, such as a neighborhood group, organization, association or similar assemblage of individuals that have an ownership or leasehold interest in property within five hundred feet (500') in the case of amendments and within one thousand feet (1,000') in the case of unique uses and planned developments, in each direction of the subject property, exclusive of public roads, streets, alleys and other public ways, who wish to object. Time is limited to ten (10) minutes per group.

6. All those who provide evidence or comments shall set forth how said evidence applies to the applicable standard(s).

7. Persons or groups with an ownership or leasehold interest in property within five hundred feet (500') in the case of amendments and within one thousand feet (1,000') in the case of unique uses and planned developments, in each direction of the subject property, exclusive of public roads, streets, alleys and other public ways, who wish to object shall, upon request, be granted one continuance for the purpose of presenting evidence to rebut testimony given by the Applicant. Such
continuance shall be by public announcement to a date certain. Such request shall be made following presentation of the Applicant’s evidence.

8. After opposing testimony has concluded, Applicants may cross-examine all persons who have testified in opposition to the Applicants.

9. The Applicants may rebut evidence of persons opposing the request of the Applicants.

10. Re-examination by Persons or groups with an ownership or leasehold interest of the Applicants’ rebuttal witnesses and questions from persons opposing the request of the Applicants may be allowed.

11. Testimony or evidence may be allowed for rebuttal testimony consistent with the Rules.

12. Any testimony, evidence, or comment which is cumulative, repetitious, harassing, argumentative or irrelevant to the case being heard shall not be permitted.

13. Staff report, if any.

14. Cross-examination by Applicant and Interested Persons and persons opposing the request of the Applicant may ask questions of staff presenter(s).

15. Summary closing by Petitioner, limited to ten (10) minutes.

16. Summary closing by Interested Persons, limited to five (5) minutes per person.

17. Rebuttal / closing by Petitioner, limited to three (3) minutes.

18. Closing arguments which are repetitious, harassing or irrelevant to the case being heard will be disallowed.

19. Only speakers recognized by the Chairperson may speak. All persons in attendance shall refrain from making remarks, unless recognized by the Chairperson. All groups or individuals in the audience shall refrain from creating an atmosphere detrimental, or disturbing, to the conduct of the meeting at the risk of being asked to leave by the Chairperson.

20. Questions shall be addressed to the Chairperson; answers and follow-up questions by the Commission shall be reserved until the end of the presentation to avoid interrupting the speaker and duplicating ground the speaker may cover.

21. A person may not testify both as a member of a group and as an individual.

22. The Plan Commission’s decision shall be in writing and contain its recommendation based upon the record. The decision shall be accompanied with a findings of fact relating to relevant standards.

23. At the conclusion of evidentiary portion of the hearing, no further testimony or
evidence will be taken, unless the Chair continues the hearing to a date certain for the purpose of taking further testimony or evidence. The Plan Commission may, after all evidence and testimony, have concluded, among other actions, deliberate upon the evidence presented or continue the hearing to a date certain.

Any member absent from all or a portion of a public hearing who certifies that he or she has read the transcript and/or watched recordings of the hearing for any given matter may vote upon any question before the Plan Commission with respect to such matter. If there is not a majority of a quorum present in agreement, then the case passes from the Plan Commission to the Planning and Development Committee without a recommendation. A case shall not be continued to allow absent members to vote.

Plan Commission Members may ask questions of witnesses during their deliberations to clarify their testimony.

Whenever a hearing is continued to a date certain, no additional notice or publication of notice shall be required providing that the notice of the initial hearing met all legal requirements.

Full Members shall be entitled to one (1) vote. Associate Members shall have no (0) vote.

ARTICLE XIII DISMISSALS OF ZONING PETITIONS

If a petition is dismissed, the applicant will be furnished written notice by the Secretary of such dismissal.

The petitioner shall have seven (7) working days from the date of notice of dismissal to apply for reinstatement of the matter. In such cases, the petitioner must file a written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chair for good cause shown and upon payment of the fee designated by Ordinance.

In all matters reinstated in the above described manner, the matter will be docketed and republished.

ARTICLE XIV RECOMMENDATIONS ON AMENDMENTS, UNIQUE USES, AND PLANNED DEVELOPMENTS

All deliberations of the Commission shall be conducted, and all motions, votes, actions, decisions or recommendations shall be made, at a meeting open to the public.

All decisions or recommendations shall be by a motion, made and seconded, and recorded with a roll call vote. If conditions are imposed such conditions shall be included in the motion. A recommendation to grant or deny any petition shall be supported by findings of fact specifying the reasons therefor.

A concurring majority vote of a majority of the members present shall be necessary to make a recommendation in any matter before the Commission. As provided in Rule VI (G), at least five (5) members must be present for a quorum.

Only members who have a conflict of interest or those who were not present for part or all of the testimony may abstain from voting.
(E) Minority reports may be prepared by Plan Commission regular members not in agreement with a majority vote on matters decided by the Plan Commission with the following guidelines:

1. The regular member(s) voting in the minority shall notify the Chair and the Vice-Chair of their intent to submit a minority report within five (5) calendar days following the close of the hearing.

2. The minority report shall be completed and submitted to the Chair and the Vice-Chair within fifteen (15) calendar days after the close of the hearing. The minority report shall be submitted to the City Council along with the full report of the Plan Commission’s action regarding the case in question.

(F) The Commission's report of the recommendation shall be provided to petitioner, members of the Plan Commission, and the City Council promptly.

ARTICLE XV  COMPREHENSIVE GENERAL PLAN

Provisions regarding the Comprehensive General Plan are contained in Title 2, Chapter 8, Section 2-8-8 of the Municipal Code, as amended.

Petitions for amending the Comprehensive Plan may be initiated by the Commission, by reference from the City Council, by staff or by members of the public.

ARTICLE XVI  AMENDMENTS OF RULES

(A) These rules may be amended by an affirmative vote of five (5) members of the Commission. These rules may be temporarily waived, suspended, or adjusted to meet the particular needs of the public hearing process consistent with Constitutional and statutory requirements for due process.
Memorandum

To: Members of the Plan Commission
From: Damir Latinovic, Neighborhood and Land Use Planner
Subject: Proposed 2015 meeting dates for the Plan Commission
Date: December 10, 2014

Evanston Plan Commission Meeting Schedule 2015

Below are the proposed meeting times of the Evanston Plan Commission. The meetings are scheduled on the second Wednesday of each month. All meetings start at 7PM and are located in City Council Chambers unless otherwise noted.

Wednesday, January 14, 2015
Wednesday, February 11, 2015
Wednesday, March 11, 2015
Wednesday, April 8, 2015
Wednesday, May 13, 2015
Wednesday, June 10, 2015
Wednesday, July 8, 2015
Wednesday, August 12, 2015
Wednesday, September 9, 2015
Wednesday, October 14, 2015
Wednesday, November 11, 2015
Wednesday, December 09, 2015

Note: Additional meetings may be scheduled as needed.

The Zoning Committee of the Plan Commission meetings will be scheduled on a per need basis on the third Wednesday of the month.