



MEETING MINUTES
ZONING BOARD OF APPEALS

Tuesday, February 20, 2018

7:00 PM

Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Mary Beth Berns, Myrna Arevalo, Mary McAuley, Violetta Cullen,
Scott Gingold

Members Absent: Lisa Dziekan, Kiril Mirintchev

Staff Present: Melissa Klotz, Scott Mangum

Presiding Member: Mary Beth Berns

Declaration of Quorum

With a quorum present, Chair Berns called the meeting to order at 7:05 p.m.

Minutes

Ms. McAuley motioned to approve the January 16, 2018 meeting minutes, which were seconded by Ms. Cullen and unanimously approved.

Ms. McAuley motioned to approve the January 23, 2018 meeting minutes, which were seconded by Ms. Cullen and unanimously approved.

New Business

1239 Asbury Ave./1224 Dempster St.

ZBA 17ZMJV-0100

Michael Finnegan, board member, applies for major zoning relief to subdivide a property to split Beth Emet The Free Synagogue from a single family residence in the R1 Single Family Residential District. The applicant requests 32.7% building lot coverage where 32.3% currently exists and 30% is permitted (Zoning Code Section 6-8-2-7), and 65.1% impervious surface coverage where 63.8% currently exists and 45% is permitted (Zoning Code Section 6-8-2-10), both for the synagogue property. The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record.

The applicant explained the proposal:

- After discussing with staff, Beth Emet decided it would be best to subdivide the single family home from the synagogue rather than demolish it.
- The house is a local historic landmark.
- The applicant worked through multiple proposals with staff to determine the best option.
- No changes to either lot are proposed; all are existing conditions, just with a new property line.
- The variations are for the synagogue lot.

Ms. McAuley applauded the applicant's effort to find a proposal that does not add a curb cut and makes the house lot compliant.

Ms. Klotz confirmed the building lot coverage stated includes the recent variation approval for the modified entry to Beth Emet. That variation was minimal and increased the percentage by about 1.5%.

Chair Berns asked if any other projects from Beth Emet are proposed that may proceed to the ZBA in the near future. The applicant confirmed there are other projects in the works, and Ms. Klotz confirmed zoning staff has recently reviewed remodeling permits that are compliant with zoning.

Deliberation:

Mr. Gingold commended the applicant's effort to reduce variations to the minimum deviation needed while also preserving an historic property. Ms. Arevalo, Ms. Cullen, and Ms. McAuley agreed.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes

Mr. Gingold motioned to approve the variations and Ms. Cullen seconded the motion, which was unanimously approved with the condition the project is developed in substantial compliance with the documents and testimony on record.

1601-1801 block of Main St, including the current 1701 Main St. and proposed 1801 Main St. Robert Crown Community Center **ZBA 17ZMJV-0110**

Brian Foote, architect, applies for major zoning relief to construct a 2-story, 133,000 sq. ft. community center (with ice rinks, gymnasium, public library, preschool, multi-purpose rooms) and exterior site work including new parking lot, athletic fields and landscaping in the OS Open Space District. The applicant requests a FAR of 0.18 where a maximum FAR of 0.15 is allowed (Zoning Code Section 6-15-9-6), to provide 225 off-street parking spaces where a minimum of 334 off-street parking spaces are required (Zoning Code Section 6-16-3-5, Table 16-B), to provide 23' wide two-way drive aisles where a minimum of 24' is required (Zoning Code Section 6-16-2-7, Table 16-A), to provide zero loading docks where a minimum of 2 long loading docks are required (Zoning Code Section 6-16-5, Table 16-E). The City Council is the determining body for this case.

Mr. Mangum read the case into the record.

Andy Tenucci & Brian Foote, architects, explained the proposal:

- Request variations for FAR, loading dock, number of parking spaces, and parking drive aisle width.
- Site will include the new building with two ice rinks, additional indoor uses such as daycare, a parking lot, and numerous outdoor sports fields.

- Underwent an extensive public process to determine the needs of the community.
- Building is two stories to keep the footprint small to accommodate the outdoor playing fields.
- Based on the uses, it was determined the facility needs 225 parking spaces (not the zoning requirement) and the proposal is for 229 parking spaces.
- The play fields are located as far north as possible to maintain existing mature trees.
- There is a stormwater deep vent that prohibits the drive aisle from extending further.
- Between the trees and stormwater vent, only a 23' drive aisle fits.
- Maximum demand is for a winter event for a 1,000 seat show. There will not be enough parking for that event, so shuttles will take people to parking at Evanston Plaza just like is currently done.
- The loading area will be restricted to service vehicles only. It does not connect to the main parking lot.
- There won't be much demand for the loading area. Deliveries will be made by box trucks for the vending machines.

Lara Biggs, City Engineer, explained the types of vehicles using the loading area are typically regular City vehicles such as pickup trucks and vans. Other vehicles will be infrequent but occasionally for things like preschool food drop off. The largest will be garbage trucks.

The applicant continued:

- Large equipment to maintain the playing fields will not be stored on-site. Maintenance vehicles will be stored at other City facilities.
- Most playing field equipment like soccer goals will be permanent. A few will not, like a lacrosse goal, and will be stored within the building and walked out when needed.

Chair Berns asked why more parking cannot be added, and the applicant explained the only area that appears where more parking could be added is the green space to the east side, but there is an entire grove of heritage trees that would have to be cut down.

Chair Berns suggested the turning radii for large vehicles is concerning and vehicles will end up parking in two spaces instead, which would reduce the overall available parking. She asked if there is 2' available to make the drive aisles compliant, and suggested different trees with smaller root structures could be planted in the parking lot median that allows for the median to be reduced and the aisle width to comply.

Mr. Gingold agreed that 2' can be found to fix the aisle width and not create problems for vehicles navigating the parking lot.

Ms. Biggs noted City staff is confident emergency vehicles can make the turns so the 23' aisle width is adequate. Chair Berns encouraged the applicant to explore other landscaping options that work in a smaller median to comply with the aisle width, and noted her concern is not emergency vehicles, it is more about young inexperienced

drivers who will use the facility often. Ms. Biggs responded they will attempt to revise the site plan to find a way to comply with the 24' aisle width.

Deliberation:

Ms. McAuley noted there has been extensive community outreach, a lot of information and documentation provided, and commended the applicant for everything that has been done so far.

Mr. Gingold agreed with Ms. McAuley, and added that although there is a parking variation for the number of spaces, the parking lot has 50% more spaces than the current parking lot. However, there are ways to accommodate the 24' aisle width. The other variations are reasonable.

Ms. Cullen stated this is a good project but she is concerned about the parking. Ms. Arevalo agreed, and noted smaller aisle widths can be designed using angled parking, though that would create one-way drive aisles.

Standards:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes; (No - parking drive aisle width; Yes – Ms. McAuley)

Mr. Gingold explained the applicant should proceed with the current option and a revised 24' drive aisle option and let City Council determine which option is most desirable. Chair Berns stated she feels the 23' drive aisle should be denied with the other variations approved.

Ms. McAuley motioned to recommend approval of all variations with the condition they explore the possibility of expanding the drive aisle width to 24' by modifying the landscaping; and with substantial compliance with the documents and testimony on record. The motion was not seconded and died.

Mr. Gingold motioned to recommend approval of the FAR, number of parking spaces, and zero loading berths. The motion was seconded by Ms. Cullen and unanimously approved.

Mr. Gingold motioned to recommend approval of the aisle width parking at 23', which was seconded by Ms. McAuley and voted 1-4 for the parking aisle width variation resulting in a recommendation for denial.

3233-3249 Central St.

ZBA 18ZMJV-0003

Highlands on Central, LLC, property owner, applies for major zoning relief to construct a 14 unit multiple-family residence with a detached garage and open parking in the R1 Single Family Residential District and the oCSC Central Street Overlay District. The applicant requests 14 dwelling units where a maximum 10 dwelling units are allowed

(Zoning Code Section 6-8-5-4-C), 55% building lot coverage where a maximum 40% is allowed (Zoning Code Section 6-8-5-6), and 62.1% impervious surface coverage where a maximum 55% is allowed (Zoning Code Section 6-8-5-9). The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record, and noted additional letters of support and opposition that were emailed/distributed prior to the hearing.

Dan Schermerhorn, property owner, explained the proposal:

- Determined the property could have 9 units compliant with all zoning regulations, but the property would be more beneficial to the community as a larger development.
- Propose all units will be adaptable so they can be made ADA compliant if needed, though the second floor units will not have an elevator. Second floor units could have a chair lift put in.
- The development meets the parking requirement.
- Stormwater management will be underground as well as bio-swales in the front yard.
- Alderman recommended the public benefit of providing flashing crosswalk.
- Also providing other public benefits such as bus pad, deconstruction of current buildings instead of demolition, use of workforce development program and hiring one employee for the duration of construction.
- The proposed building keeps with the architecture of surrounding properties.

Eileen Schoeb, architect, explained the design:

- The building is designed for citizens with limited mobility - elderly, children, etc., which means as many units as possible are needed at grade.
- Drainage is more than accommodated for by the stormwater management system.
- 16 enclosed parking spaces are provided as well as open parking; the current buildings do not have enclosed parking.
- Proposed building is not required to be adaptable or ADA accessible due to the building size, but it is a great way to serve the community as a public benefit.
- Adaptable units need much larger bathrooms, wider doors and hallways. Each unit is 1,274 square feet.
- Much of the rear elevation is blocked by the detached garage, so details were added to the roofline to break up the massing where visible beyond the garage.
- Water draining to the rear will go to the stormwater pipe, and water draining to the front will go to the bio-swale for reuse on the site. Bio-swales are preferred in the front yard because adding underground drain pipes would risk damaging existing mature tree root systems.
- Discussed with staff using pavers on sidewalks to reduce the impervious surface calculation, but paver walks are difficult for those with limited mobility so concrete is proposed. Pavers are used in areas that will impact accessibility the least. Pavers are proposed for the open parking, but not given the impervious surface discount per zoning regulations since open parking counts towards building lot coverage.

- Propose 22% beyond the stormwater requirement. Pavers are not needed to meet the MWRD regulations, and are not given the zoning credit, but are proposed anyway.

Mr. Gingold asked how fair housing guidelines work with regards to getting mobility challenged individuals in the units. Mr. Schermerhorn explained the units will be marketed specifically to mobility challenged individuals, but cannot say with certainty that the ground floor units will be used by mobility challenged individuals only.

Ms. Cullen asked if any of the units will use vouchers and Mr. Schermerhorn said if a tenant qualifies then he has no issue doing so.

Ms. McAuley asked why an affordable unit will not be provided on site as recommended by staff, and Mr. Schermerhorn explained it is not economically feasible and would make the other rents far too high. An affordable unit would rent at about \$800 per month where a regular unit will rent for \$2,500. The \$75,000 fee in lieu will be paid instead, which meets the code requirement. Mr. Schermerhorn explained he met with Housing staff to determine the feasibility but the numbers make it economically infeasible.

Chair Berns asked why 14 one-bedroom units aren't proposed instead, since that achieves the density and ground-floor units needed. The applicants explained the market is underserved for 2 bedroom units like this. Chair Berns confirmed that there is a compliant solution, but it is economically infeasible.

Ms. McAuley noted there is a large demand for 1-bedroom at-grade adaptable units, and further explained there could have been a mixture of unit sizes so that the ground floor has 1-bedroom units that are adaptable and the second floor has the larger units the applicant prefers, which could result in a smaller building footprint.

Chair Berns explained that providing the adaptable units is more of a benefit to the developer since the units will be marketed/rented faster and at a higher rate due to the market need, and at a very small cost to make those units adaptable. The applicants explained the adaptable units require more space for bathrooms and hallways so it increases the building footprint and size, which is not a small cost.

Chair Berns noted ten 2-bedroom units could be constructed compliant with building lot coverage and impervious surface coverage. The applicant responded they could construct 9 4-bedroom units that comply with everything, but the 14 2-bedroom adaptable units are better for the community. The units would have to be 4-bedroom to make the rental income necessary to make the project financially feasible.

Ms. McAuley explained it could be incrementally done with a variety of unit sizes and variety of adaptable units, so that the project could be economically feasible while meeting the zoning regulations.

Mr. Gingold asked for further explanation of the inclusionary housing proposal. Mr. Schermerhorn explained the fee-in-lieu is \$75,000, whereas the rent lost from an on-site affordable unit is \$500,000 over 25 years, which makes the construction loan infeasible.

Public Comment:

Kathy Leoni, 3253 Central St., explained she resides at the first property west of the proposed development, and stated greater density should not be allowed. The buildings being demolished are 9 units, and 10 are allowed.

Doug Hood, 3232 Hartzell St., noted 3-4 heritage trees were cut down about 18 months ago before the applicant reached out to the neighborhood. The variations requested are self-created and should not be approved.

Martin Zurawale, 3242 Central St., explained this would be the largest building in the area, and 24 months of construction in a residential neighborhood is a long time.

Jim McHolland, 2550 Cowper Ave., explained he has seen that the Schermerhorn company has done no maintenance to the existing buildings so that they deteriorated a lot over the last 5 years. Parking is very difficult in the area and renters from the existing buildings have more cars than parking spaces so they use the street parking. More density means more cars and worse parking issues on the street.

Michael Stovan, 3225 Central St, agreed the proposal has too many units.

Steve Losh, 3253 Central St., agreed with previous comments of opposition.

Pete Groepper, 2601 Prospect Ave, explained the neighborhood features smaller homes built in the 1950s such as his 2-bedroom house. The variations requested are a lot and too much for the neighborhood.

Lou Dixon, 2730 Prairie, from Evanston Rebuilding Warehouse, explained she loves that the current buildings are being deconstructed, and the property owner will employ a worker trained through the Evanston Workforce program.

Dale Bradley, 3000-3004 Central St., has seen a lot of development throughout Evanston, including much larger multi-level buildings. The proposal is much smaller and nicer looking, and will improve the block.

Lynn Foster, 3231 Central St., stated the plans are an improvement from the current buildings that are there, and is supportive of the proposal.

Judith Johnson, 3246 Hartzell St., explained the zoning rules are there for a reason. Increased density and more vehicles means an impact on current residents of the area. The variations should not be granted.

John Crawson, 3246 Hartzell St., agreed that the variations requested are large. The density is requested at 40% more than what is allowed. The impact shouldn't fall on the neighborhood just because the applicant can't make the project economically feasible.

Janet Lee, 3244 Central St, noted her worry about the construction noise and impact it may have on those that need to sleep during the day to work nights.

The applicant responded:

- No heritage trees have been cut down.
- Construction will not last 2 years - that is the time frame including permits, etc. The construction will take the same amount of time as a new single family residence.
- Happy to aid in the 50/50 alley repaving if the neighborhood would like to do so.

Deliberation:

Ms. McAuley noted there are a lot of good things about this project. It is great that the current buildings are being deconstructed instead of demolished, the applicant tried to reach out to neighbors, and the applicant will train and use a Workforce employee. But there hasn't been enough quid pro quo. There can be a dialogue and greater conversation with the neighborhood to make an economically feasible project while also giving back to the neighborhood via alley repaving, etc.

Mr. Gingold agreed, and noted the building looks very nice. However, the density proposed and other overages requested are perceived by the neighborhood to be a large burden. There is no unique hardship to the property.

Ms. Cullen agreed and noted the property should be developed in accordance with the density allowed by the Zoning Ordinance.

Ms. Arevalo noted she likes the project, and that it is well thought out including stormwater detention.

Chair Berns explained the proposal is not a bad project, but the goal of all adaptable units led to variations that are not appropriate for the property.

Standards:

1. No
2. Yes
3. No
4. No
5. No
6. No
7. No

Mr. Gingold motioned to approve the variations, which was seconded by Ms. Cullen, and voted 1-4, so the variations requested were denied.

Other Business

There was no other business.

Discussion

There was no additional discussion.

The meeting adjourned at 9:45pm.