Zoning Board of Appeals
Wednesday, August 8, 2018
Immediately Following Adjournment of the Joint Plan Commission – ZBA Hearing
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES of July 17, 2018

3. OLD BUSINESS

4. NEW BUSINESS

A. 2004 Central St. 18ZMJV-0065
   John Kim, property owner, applies for a special use permit to expand a Type 2 Restaurant, Backlot Coffee, from 2006 Central St. to include 2004 Central St. in the B1a Business District and oCSC Central Street Overlay District (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

B. 514 Custer Ave. (continued & re-noticed for Sept. 4, 2018 ZBA) 18ZMJV-0062
   William Lensky, project manager, applies for a special use permit for a Public Utility, ComEd, in the R3 Two Family Residential District (Zoning Code Section 6-8-4-3). The applicant also requests zoning relief for two concrete walls (fences) that are 14’ and 20’ in height where concrete material is not permitted for fences (Zoning Code Section 6-4-6-7-F-1) and a maximum fence height of 6’ is allowed (Zoning Code Section 6-4-6-7-F-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

5. DISCUSSION

6. ADJOURNMENT
   The next Zoning Board of Appeals meeting is scheduled for Tuesday, August 28, 2018 at 7:00pm in James C. Lytle City Council Chambers of the Lorraine H. Morton Civic Center.

Order & Agenda Items are subject to change. Information about the ZBA is available at: http://www.cityofevanston.org/government/agendas-minutes/agendas-minutes---zoning-board-of-appeals/index.php
Questions can be directed to Melissa Klotz at mklotz@cityofevanston.org or 847-448-4311. 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 847-448-8153 (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
ZONING BOARD OF APPEALS
Tuesday, July 17, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Lisa Dziekan, Mary McAuley, Violetta Cullen, Kiril Mirintchev, Mary Beth Berns, Scott Gingold
Members Absent: Myrna Arevalo

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 meeting minutes of June 19, 2018, which were seconded by Ms. Dziekan and approved 4-0 with one abstention.

Ms. Cullen arrived.

New Business
710 Main St. 18ZMJV-0055
Adam Paronto, lessee, applies for a special use permit for a Type 2 Restaurant, Reprise Coffee Roasters in the B2 Business District (Zoning Code Section 6-9-3-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Mr. Mangum read the case into the record.

Adam Paronto, lessee, explained the proposal:
- Will serve bakery items, wraps, bowls, and small plates in addition to coffee.
- Coffee is roasted at a facility in Winnetka
- Baked goods are not made on site
- Deliveries will occur through the back door/parking lot
- Milk delivery will occur 1 time per week during morning hours
- One on-site parking space is dedicated to this business
- Maximum of two employees per shift, and expect most employees will walk/bike/take transit rather than drive to work
- Will compost coffee grounds and recycle applicable materials
- Will comply with Sustainability Plan
- No exterior modifications to the building are proposed
- Plan to have outdoor seating starting next year
Shawn Chinsky, 714 Main St., owns the 710 Main St. building. Mr. Chinsky encourages support of this type of active storefront business, which is good for the entire business district.

Alan Price, 700-708 Main St., owns the 700-708 Main St. property, and stated this new business will help the Main Street Business District by increasing foot traffic.

Deliberation:
Mr. Gingold noted this is an excellent project that appears to have strong support from many in the business district. Ms. Cullen agreed.

Chair Berns asked what maximum hours of operation are appropriate, and the Board agreed to 6am - 10pm.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the special use, which was seconded by Ms. Cullen and unanimously recommended for approval with conditions:
1. Hours of operation shall not exceed 6am - 10pm, 7 days a week.
2. Employees shall not use metered parking spaces on Main Street.
3. Sustainability Plan shall be followed.
4. Substantial compliance with the documents and testimony on record.

3318 Grant St. 18ZMJV-0054
Phil & Marcia Vickman, property owners, apply for major zoning relief to enlarge a one-car attached garage into a two-car attached garage in the R1 Single Family Residential District. The applicants request 32.1% building lot coverage where 30% is allowed and 30.7% currently exists (Zoning Code Section 6-8-2-7), a 0.82’ west interior side yard setback where 5’ is required and 0.82’ currently exists (Zoning Code Section 6-8-2-8-A-3), and a 26.5’ rear yard setback where 30’ is required and 28.7’ currently exists (Zoning Code Section 6-8-2-8-A-4). The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record.

Bernard Citron, attorney, and Marcia Vickman, owner, explained the proposal:
• Garage was existing when the owners bought it, but the owners did obtain a variation in 1999 to construct an addition and attach the garage to the house.
• Alternative would be to tear down the garage and rebuild it elsewhere on the property, which is wasteful.
• Submitted a photograph of the property immediately to the west that has an attached garage.
• Purchased the home in 1993.
• Wanted to attach the garage in 1999 because they built an addition on the house that was 2' from the existing garage location so it made sense to attach it.
• Other properties on the street also have attached garages - they are not out of character to the neighborhood.
• Have 3 vehicles so currently one car is in the garage, one on the driveway, and one in the street.
• Detached garage would need to be on the southwest corner of the property but that is where garbage trucks cut the corner of the alley to make the turn.
• The applicant submitted photograph of the alley intersection.
• The other corner of the rear yard has mature trees in the way of a garage.
• It would be a hardship to tear down the existing garage since there is nothing wrong with it.
• It would be a hardship to use a substantial portion of the rear yard for a detached garage, walkway to the garage, and driveway.
• The applicant submitted a letter explaining the request to 16 surrounding neighbors and received back letters of support from 10 neighbors and no opposition.

Chair Berns noted there is a detached garage on the property to the south that is located in the corner of the alley intersection and the garbage trucks maneuver around that building.

• The applicant stated they were told about 10 years ago that the City would have the garbage trucks rerouted so they would not cut through the corner of their property, but they never were.
• The applicant currently shuffles cars around to get the one out of the garage, which is inconvenient.

Nancy Schlossberg, architect, explained:
• They will retain as much of the existing garage as possible.
• The garage addition makes the proposed garage 19’ deep which is the minimum needed to fit a car.
• The addition is approximately 80 square feet.
• The property is legally nonconforming due to lot size. If the lot was a standard lot size the building lot coverage would be compliant.
• Construction will include new foundations/footings under the existing garage - will underpin to 42” below grade.

Chair Berns asked if it is cost prohibitive to underpin the current garage and explained it would be cheaper to tear down the existing garage. Ms. Schlossberg agreed.

• As DAPR requested, the roof plan was modified to include a continuous gutter with underground drainage into the front yard and rear yard on the private property so that stormwater is all contained within the property.
• The side yard setback variation will match the existing garage setback at .82’.
The requested variations will not impact any neighbors because the garage abuts the alley. The existing driveway and walkway will be removed to aid in drainage. The new garage will feature access directly off the alley. Different options were proposed to the homeowners, but all options were an attached garage since that is what the homeowners wanted. All options required variations. A garage in a compliant location was never considered.

Chair Berns noted a detached garage would have a smaller footprint, which would help the building lot coverage.

The applicant explained:

- A detached garage is a hardship because you have to walk outside in the elements to get to the detached garage, and would have to walk down the alley since there is not a door off the rear of the house besides the sliding door that cannot be locked from the outside.
- Owner was told it would cost $4,000 more to demolish the current garage and build a new one.

Mr. Mirintchev asked if the option to add on to the garage along the side of the house instead of towards the rear yard was considered. The architect responded no because that would block significant windows and light from the house.

Mr. Mirintchev noted safety measures will be needed for when vehicles exit out of the garage into the alley since the garage is so close to the alley and you cannot see if anyone is coming down the alley while backing out. The architect responded mirrors can be installed on the garage to address that.

Mr. Citron summarized that the condition was not created by the current homeowners since the garage was in that location when the property was purchased. It was connected to the house in 1999, but the location was already there. Mr. Citron also noted it is unfair to tell someone to tear down their existing structure to build it elsewhere on the property. The request is the minimal garage enlargement needed to fit two vehicles. With parking for two vehicles, the property is brought into compliance for the number of parking spaces required.

Deliberation:

Ms. McAuley stated Grant St. is very narrow and heavily traveled, so there is a benefit to getting vehicles off of the street. Tearing down a structure to follow the strict letter of the zoning requirements is not ideal. There is good sense in approving these variations.

Mr. Mirintchev stated he lives in that area. He explained there is a mixture of a self-created hardship in this case, but on the other hand it would be beneficial to add a parking space to get a vehicle off of the street. Given that benefit, the variation should be approved. However, expanding the current garage will be more costly than simply tearing it down. Alternative plans should have been explored.

Ms. Dziekan stated she appreciates that the owners want to invest into the property.
Mr. Mirintchev explained the building lot coverage variation was self-created when the current owners constructed the addition on the house.

Ms. Dziekan stated there are Standards that are not met, such as the stated hardship of walking outside to get to a garage. There is no financial hardship. Some of the issues are self-created due to the addition to the house and attaching the garage in 1999. While it is understandable the homeowners would not foresee the future, not all Standards are met.

Mr. Gingold explained the hardship was self-created. The building lot coverage variation was self-created when the house addition was constructed in 1999. The side yard setback of the garage itself was not self-created. However, the property is substandard in lot size, and if it were a compliant lot size there would not be a building lot coverage issue.

Ms. Cullen stated the most important point is that a vehicle will be removed from parking on the street, so she supports the proposal. Ms. McAuley agreed, noting that is a substantial public benefit.

Ms. Dziekan noted the public benefit standard is not an issue because the proposed garage is not intended to extract additional income from the property.

Chair Berns stated the degree of nonconformity was increased when the garage was attached to the house. Functionally, it will be nearly impossible to park in the garage since the alley is 16’ wide and the setback is less than 1’. A multiple-point turn will be required to park within the garage as it is proposed. The hardship was self-created. Chair Berns suggested if the variation is approved, it should be conditioned that if the existing garage cannot be underpinned and needs an entirely new foundation where the existing garage will essentially be torn down, then the variation should not be valid.

The Standards were addressed:
1. Yes
2. Yes
3. No (Berns); Yes (Gingold) - because the property is substandard in size.
4. No (Berns); Yes (McAuley) - having to tear down a structure on the property is a hardship.
5. Yes
6. No (Berns, Gingold, McAuley)
7. No (Berns); Yes (McAuley) - it is the least deviation necessary without tearing down the existing garage.

Ms. McAuley motioned to approve the variations, which was seconded by Ms. Cullen, with the condition that if the entire existing garage cannot be underpinned and must be torn down and reconstructed, the variation is no longer granted. With a vote of 3-3, the case continues to August 28th ZBA for the final ZBA member to cast a vote. Testimony is closed so no additional information may be provided.
Domestic Animal, and a Kennel, Rex’s Place, in the MXE Mixed-Use Employment District (Zoning Code Section 6-13-4-3). The applicant proposes a special use permit to expand the current Daycare Center – Domestic Animal at 2120 Ashland Ave. to include 2118-2120 Ashland Ave., and to include 2147 Dewey Ave. as the manager’s residence with outdoor animal space and 2149 Dewey Ave. as the business owner’s residence with outdoor animal space. The applicant also proposes a special use permit to expand the existing Kennel at 1625 Payne St. (that was previously approved as an accessory use to the Daycare Center – Domestic Animal at 2120 Ashland Ave.), and to include a Kennel at 2118 Ashland Ave. with outdoor animal space at 2147-2149 Dewey Ave. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record and explained the proposal, including the current legally-nonconforming status of the business.

Kathy Lichtenstein, applicant, explained:
- Animal noise will be minimized by soundproofing the walls and ceiling, mats on the floors, and individual kennels that do not face each other.
- The closest residence will be the manager’s house.
- Dogs are typically outside for one hour at a time per day.
- Currently have 50-90 dogs in the daycare, and propose 40 at the kennel.
- Dogs are typically not walked around the neighborhood - there isn’t enough staff. Instead the dogs are walked down the alley into the outdoor space.

Ms. McAuley noted she owns the property across the alley, and she does hear the dogs bark a lot when they are outside. She also explained there are burn spots in the grass all over the neighborhood from a combination of this business and another dog business in the area.

Mr. Gingold noted a condition to recommend for the special use would be that the applicant work with neighbors to soundproof to minimize the noise to the extent possible. Ms. Lichtenstein agreed she would do that, and explained that with the expansion the business will have additional funds available for more improvements such as additional soundproofing.

The applicant continued:
- On nice days only, 20-25 dogs are walked through the alley into the outdoor play area. That has been done for the last 8 years.
- Proposed kennel is at 2118 Ashland Ave. with t-shirt shop in between the proposed kennel and existing doggy daycare, all in the one building.
- Dogs are not taken outside until after 9am and are back inside by 1pm.
- Not all kennel dogs will use the outdoor space - some are not able to be around other dogs and need to remain in a cage.
- The amount of dogs in the outdoor play area at one time will not increase.
- The dogs do make noise during the day - usually during drop off since they are excited. Dogs in the kennel do not typically make noise; they just sleep.

Ms. McAuley asked if a condition prohibiting the dogs being walked in Twiggs Park would be acceptable to ensure the park is not damaged, and Ms. Lichtenstein agreed.
Charles Edwards, lives across the street and works at Auto Doctor, has no issue with the business itself, but clients that drop off dogs park everywhere. Ms. Lichtenstein explained she has applied for a loading zone in front of the garage door of the doggy daycare at 2118-2120 Ashland location, which would not remove any street parking. Mr. Edwards added the dogs that are outside do bark and it is loud and annoying. The expansion will be right next to his waiting room so he wants to ensure the noise from dogs outside will not travel into his quiet waiting room.

Mr. Gingold noted the veterinarian on Central Street faced concerns regarding animal noise from the office uses adjacent and above, so sound deadening measures were taken, and Mr. Gingold has never heard any noises walking past there daily.

Dolly Patterson, 1812 Brummel, stated her dog attends Rex’s Place and she has seen the business grow over the years. The facility is extremely clean. Dogs are excited during drop off but then settle down. The only alternative in Evanston is caging at Petsmart, which is not a viable option for many animals.

Sally Bardon, 1111 Church St., explained she has a small, tense dog that is not happy when home alone so he attends Rex’s Place a couple of times a week. Ms. Bardon explained her dog is aging and may need to be placed in a cage in the future instead of within the free-range area, so the additional kennels are extremely useful.

Rachel Talin, 2127 Ashland Ave., explained she does not want to discourage business expansion, but wants to ensure there is proper sound abatement ahead of time, and the drop-off parking situation needs to be addressed. There should be a formal plan established to ensure the drop-off zone is properly utilized.

Deliberation:
Mr. Gingold stated he hears legitimate concerns that need to be addressed via conditions, but is supportive of the proposal.

Ms. Dziekan noted her dog has attended Rex’s Place on occasion and understands the community need. There are conditions to be thoughtful about minimizing impacts on adjacent properties.

Mr. Gingold stated sound abatement is needed for the current location and expansion locations, and that the applicant should work with staff to establish a drop-off zone. Ms. McAuley added there should be conditions for no dog walking in Twiggs Park or throughout the neighborhood.

Standards:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. NA
Mr. Gingold motioned to recommend approval with conditions:
1. Hours open to the public for drop-off and pick-up are limited to 6am - 7pm
2. All subject properties shall be fit and retrofit with sound abatement measures to minimize the amount of sound audible to neighbors, including complaints that may occur after initial sound abatement measures are enacted.
3. Loading zone for pick-up and drop-off shall be established and approved by staff.
4. No dog walking in Twiggs Park and the grassy neighborhood areas.
5. Substantial compliance with the documents and testimony on record.

The motion was seconded by Ms. Cullen and unanimously recommended for approval.

90-92 Kedzie St. 18ZMJV-0059
Matt Rodgers, zoning consultant, appeals the Zoning Administrator’s decision to deny minor zoning relief (case number 18ZMNV-0046) to construct a 6’ fence in the front yard where 6’ front yard fences are not permitted (Zoning Code Section 6-4-6-7-F). The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record.

Matt Rodgers, zoning consultant, explained the appeal request:
● Requested a 6’ metal fence in the front yard and was denied by the Zoning Administrator.
● 8 of the 27 front yard fences in the surrounding area are 6’ fences. The ones that abut or are across the street from a park are typically the 6’ fences.
● A compliant fence location does not secure the front of the property or entrances to the house or garage.
● The fence is needed due to nuisance intruders who want to ring the doorbell, leave gifts, talk to the wife and kids, etc.
● Different types of fencing such as an invisible dog fence were considered but the property owner is not willing to shock the dogs, and an invisible dog fence would not deter many nuisance intruders.

Chair Berns suggested the landscaping proposed in the front yard would deter nuisance people, and the appellant said that will help, but without a fence there are many that will not be deterred.

Mr. Gingold asked if the owner currently lives at the property and if there have been any incidences so far, and Mr. Rodgers said yes they live there and there have not been any issues so far, but there has been numerous news crew vehicles and the public hanging around the property since it recently became clear who lives there.

Mr. Rodgers explained the fence that is now on the property is a temporary fence that will be in place through construction of an addition, but will then be replaced by a permanent metal fence.
Ms. Dziekan asked if a 4’ front yard fence with a 6’ fence in the other compliant locations could achieve the same goal if also heavily landscaped in the front yard. The appellant stated if that is the wishes of the Board then yes but that is not as secure in achieving the goal of deterring nuisance trespassers.

Pierre Durand, 747 Sheridan Rd., asked how many properties right on the lakefront have 6’ fences, and also asked what happens when the property is sold and the fence stays there even though there is no longer a nuisance concern.

Alderman Melissa Wynne explained she met with a group of the neighbors including Mr. Durand and the wife of the client, and walked the property that featured a line showing where the proposed fence would be placed. Neighbors understand the reasoning for the fence, the materials proposed, the height of landscaping, and the view easement that exists in the rear yard that will not be disturbed. There was consensus among most of the neighbors that the proposal is acceptable so long as the landscaping is kept to the approximate height of the fence and the view easement in the rear yard is maintained.

Mr. Gingold asked if it is appropriate to grant a variation based on a homeowner’s celebrity status, and Alderman Wynne responded she is merely relaying the discussion that took place among the neighbors.

Mr. Durand added the park across the street is very quiet and it is policed regularly. Additionally, if the fence is needed for security from dangerous people, those same people may go to his home or cut through his yard.

Carla Price, 814 Sheridan Rd., asked why the owner would purchase the property knowing there is a park across the street if he has security concerns. He should not be granted an exception because of who he is.

Alan Price, 814 Sheridan Rd., stated he has a fence that was recently replaced and was required to replace it as close to the same as the original fence dating back decades because there are specific standards for what can be done in historic areas.

Mr. Rodgers clarified the landscaping discussed with neighbors was agreed upon in the 6’ - 8’ range, and Alderman Wynne agreed, while Mr. Durand noted he would greatly prefer 6’ to 8’.

Deliberation:

Mr. Gingold noted the appeal first needs to determine whether the Zoning Administrator’s decision was erroneous.

Ms. Klotz read the Standards for Fence Variations.

Ms. Klotz clarified where on the property fencing is permitted by right.
Mr. Gingold stated there is a perceived safety concern, not necessarily a real safety concern since the owner has not had any incidents since moving to the property. The request is against the character of the neighborhood so the variation should not be granted.

Ms. Cullen agreed, noting she was there on the 4th of July when there were large crowds of people at the park and there were no safety issues. Ms. Cullen feels the zoning regulations should be upheld.

Ms. Dziekan agreed with Mr. Gingold and Ms. Cullen.

Ms. McAuley noted the fence in the easement has been there for a long time. A 4’ fence along the front property line would not be as noticeable since it would be so much further back from the current easement fence.

Chair Berns noted the Standards for Fence Variations do not include a hardship standard. Chair Berns explained that the three Fence Standards appear to be met. Mr. Gingold asked when those Standards would not be met if requested by any other property or owner. Chair Berns responded that others may not meet those Standards, but in this case because there is so much space surrounding this property, which features a larger right-of-way, larger front yard setback, larger side yard and is abutting the lake, that it makes it a different case where it will not be injurious to neighbors.

Ms. McAuley noted there are some neighbors that do believe it will be injurious.

Mr. Gingold stated a compliant fence would achieve the same goals. The purpose sought by the variation can be met with a compliant fence. Chair Berns stated that is not a Standard.

Ms. Dziekan asked if a compromise can be achieved, and Chair Berns suggested a 4’ fence with landscaping to further deter trespassing.

Standards:
1. Yes (Berns)  No (Gingold, McAuley)
2. Yes (Berns)  No (Gingold)
3. NA

Mr. Gingold motioned to uphold the Zoning Administrator’s determination to deny the requested 6’ front yard fence, which was seconded by Ms. Dziekan. The denial was upheld 5-1.

The ZBA discussed the possibility of a wrought-iron style fence at a 4’ height with 5’ piers, or else a 3’ height with 4’ piers.

Standards:
1. Yes (Gingold - only if the fence height is consistent with the surrounding neighborhood)
2. Yes (Gingold - only if the fence height is consistent with the surrounding neighborhood)

3. NA

Ms. McAuley motioned to approve a 4’ fence with 5’ piers along the front property line, with the condition the fence materials are consistent with the documents and testimony on record, which was seconded by Ms. Dziekan.

Upon further discussion, Mr. Gingold motioned to rescind the open motion, which was seconded by Chair Berns and unanimous approved to rescind the open motion.

Mr. Gingold motioned and Ms. Cullen seconded a motion to approve a fence at the front property line at a height consistent with the surrounding neighborhood, as determined by staff measuring the existing fences on Sheridan Rd. between Kedzie and Main St. The motion was unanimously approved.

[Note that following the meeting staff measured the fencing at 42 inches in height to the top of wrought-iron portions and predominantly 52 inches in height to the top of piers; therefore, this is the fence height authorized by the Zoning Board of Appeals.]

Adjourned 10:05pm
2004 Central St.
18ZMJV-0065

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Community Development Director
Scott Mangum, Planning and Zoning Administrator
Cindy Plante, Economic Development Coordinator

Subject: 2004 Central St. – ZBA 18ZMJV-0065
ZBA Recommending Body
City Council Determining Body

Date: August 3, 2017

Notice – Published in the July 19 *Evanston Review*:
John Kim, property owner, applies for a special use permit to expand a Type 2 Restaurant, Backlot Coffee, from 2006 Central St. to include 2004 Central St. in the B1a Business District and oCSC Central Street Overlay District (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City Staff and DAPR recommend approval for a special use permit for a Type 2 Restaurant, Backlot Coffee in the B1a District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
2004 Central Street is located on the south side of Central Street, between Prairie Avenue and Hartrey Avenue in the B1a Business District. It is immediately surrounded by the following zoning districts:

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Open Space
Residential District
Business District
Business District

The 2004 Central Street storefront was most recently occupied by a cabinetry design studio.

Proposal
The applicant proposes to expand an existing Type 2 restaurant, Backlot Coffee from its
current space at 2006 Central Street to include the 2004 Central Street space. The Zoning Ordinance defines a Type 2 restaurant as:

An establishment in which the principal use is the service of prepared food and/or beverages for consumption on and/or off the premises and that is not a "restaurant, type 1" as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 9-0-10)

The proposed menu consists of coffee and other beverages as well as food items and gelato. The planned expansion will not alter operating hours; Backlot is currently open 7 days a week, from 6:30am to 8pm on weekdays, and from 6:30am-10pm on weekends.

Proposed Floor Plan:

Staffing currently consists of 2-3 employees in the shop at any given time; 3-4 additional employees will be needed after expansion. Employees will be encouraged to walk, bike
or use transit. Deliveries will continue to be made at the rear of the building.

Ordinances Identified for Requested Relief:
The following uses may be allowed in the B1a Business District, subject to the provisions set forth in Section 6-9-5-3, “Special Uses,” of this Title:

Type 2 Restaurant (among other listed uses)

Comprehensive Plan:
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage economic vitality. The Comprehensive Plan specifically includes:

Objective: Promote the growth and redevelopment of business, commercial, and industrial areas.

Objective: Retain and attract businesses in order to strengthen Evanston’s economic base.

By expanding into the adjacent storefront, Backlot Coffee will use a currently vacant commercial space to expand a locally owned and operated business that will draw additional foot traffic to Central Street.

Design and Project Review (DAPR) Discussion and Recommendation:
On July 25, 2018 the Design and Project Review Committee voted unanimously to recommend approval to the Zoning Board of Appeals provided that the applicant submit an updated floor plan for the space showing both 2004 and 2006 Central.

Special Use Standards:
For the ZBA to recommend that City Council grant a special use, the ZBA must find that the proposed special use:

a) Is one of the listed special uses for the zoning district in which the property lies;
Type 2 restaurants are permitted under the special use section for the B1a district.

b) Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance;
The use is compliant with the Zoning ordinance and the Comprehensive General Plan because the project promotes growth and redevelopment of business and a commercial area, in addition to attracting business in order to strengthen Evanston’s economic base.

c) Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use;
Staff has not received any comments opposing the project, and it is complementary to nearby commercial and residential uses.

d) Does not interfere with or diminish the value of property in the neighborhood;
The proposed business would occupy a vacant space, which would add to the value of the property and the neighborhood and draw additional foot traffic to neighboring businesses.

e) Is adequately served by public facilities and services;
The building is served by adequate sidewalks and streets, as well as metered on-street and surface parking, and close proximity to both CTA and Metra stations.

f) Does not cause undue traffic congestion;
The business location is in close proximity to a metered surface parking lot as well as Metra and several CTA bus stops, making it reasonable to expect minimal impact to traffic in the area.

g) Preserves significant historical and architectural resources;
The site itself is not a landmark or otherwise historically or architecturally significant building, and alterations to the exterior are expected to be minimal.

h) Preserves significant natural and environmental resources; and
No significant natural or environmental resources exist on site. The sustainability practices sheet submitted provided for garbage, recycling, reusable flat and dishware, availability of tap water, and the elimination of plastic straws.

i) Complies with all other applicable regulations.
The project complies with all other applicable regulations to move forward with the next steps in the special use process.

Attachments
Special Use Application – submitted July 9, 2018
Business Summary
Plat of Survey
Sustainability Practices Worksheet
Letter of Support
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Meeting Minutes Excerpt – July 25, 2018
1. PROPERTY

Address: 2004 CENTRAL ST, EVANSTON, IL 60201
Perm. Identification Number(s): 10-12-103-030-0000
PIN 1: 10-12-103-030-0000
PIN 2: 10-12-103-031-0000
(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: John Kim
Organization: BACKLOT COMMERCIAL, LLC
Address: 2615 PARK PL
City, State, Zip: EVANSTON, IL 60201
Phone: Work: 847-226-9912
Fax: Work: 
E-mail: john@backlotcoffee.com

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

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

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

Name(s) or Organization: 2004 CENTRAL, LLC
Address: 2004 CENTRAL ST
City, State, Zip: EVANSTON, IL 60201
Phone: Work: 847-738-0303
Fax: Work: 
E-mail: 

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

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

Date

4. SIGNATURE

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

Applicant Signature -- REQUIRED

Date: 3/5/18
The following are required to be submitted with this application:

- □ (This) Completed and Signed Application Form
- □ Plat of Survey Date of Survey: __________________________
- □ Project Site Plan Date of Drawings: _______________________
- □ Plan or Graphic Drawings of Proposal (If needed, see notes)
- □ Non-Compliant Zoning Analysis
- □ Proof of Ownership Document Submitted: ___________________
- □ Application Fee Amount $_________ Transcript Deposit Fee $150

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

**Plat of Survey**

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

**Site Plan**

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

**Plan or Graphic Drawings of Proposal**

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

**Proof of Ownership**

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- Tax bill will not be accepted as Proof of Ownership.

**Non-Compliant Zoning Analysis**

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

**Application Fee & Transcript Deposit**

The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card. The $150 transcript deposit is applied to the cost of a court reporter. The City hires a court reporter to transcribe the Zoning Board of Appeals hearing as specified in the Zoning Board of Appeals' Rules of Procedures. Applicants are responsible for the cost of the hearing transcript at a rate of $7.50 per page. (The $150 deposit is applied to that fee; final fees may result in a refund or additional charges). The final fee directly covers the cost of the court reporter.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

BACKLOT COFFEE IS READY TO EXPAND SEATING AND ADD A KITCHEN FOR LIGHT FOOD PREPARATION. WE WILL CREATE A SPACE THAT ALLOW OUR GUESTS TO ENJOY THE SPACE.

APPLICANT QUESTIONS

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

YES, WE WILL BE ROASTING ON SITE for light food prep

b) Will the requested special use interfere with or diminish the value of property in the neighborhood? Will it cause a negative cumulative effect on the neighborhood?

I believe our special use will add value to the already thriving Central Street Community.

c) Will the requested special use be adequately served by public facilities and services?

Yes, the use will be a cafe w/ access to the public.
d) Will the requested special use cause undue traffic congestion?
   We will not affect anymore congestion to traffic that is already present on another street.


e) Will the requested special use preserve significant historical and architectural resources?
   We will honor the historical and arch. aspects of the building.


f) Will the requested special use preserve significant natural and environmental features?
   We will not alter any of the natural or env. features present in the building.


g) Will the requested special use comply with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation?
   Yes. We will operate as a cafe open to the community.
City of Evanston
DISCLOSURE STATEMENT
(This form is required for all Major Variances and Special Use Applications)

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

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: [Blank]

2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number 1 above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number 1 above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number 1 above, or indicated below.
If Applicant or Proposed Land User is a Corporation

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

a. Names and addresses of all officers and directors.
   
   JOHN KIM  
   2615 PARK PL  
   EVANSTON, IL 60201

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

   
   
   
   

If Applicant or Proposed Land User is not a Corporation

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

   
   
   
   
   
   

Page 6 of 6
Backlot Coffee
Business Plan

Summary

The mission of Backlot Coffee is to build community by providing extraordinary experiences around coffee. We are a coffeehouse committed to serving up unexpected acts of joy. This begins by hiring, training, compensating and retaining a team that shares our passion for community and for excellence. We believe that coffee comes with a story, and we are committed to sharing this story in our community. We believe that neighborhoods crave open spaces where community can spontaneously happen. Our space is simple, clean, modern, and welcoming. Perfect for group meetings, solitude in a crowd, or a place to take a breath and relax.

Concept

Backlot Coffee is a vibrant community coffeehouse roasting and serving coffee and tea with passion and joy. We desire our space to be used by our community and we will use every opportunity to serve the various needs of our guests.

Space and Location

Backlot Coffee presently rents space at 2012 Central Street next to an established community bakery (Tag's Bakery). In June of 2016, we took over a lease and spent 2 weeks building a coffeehouse with a simple, clean, modern and welcoming aesthetic. We opened our doors in July and have been welcomed by the neighborhood. We would like to purchase 2006 Central Street space to build a roasting operation as well as gain additional square footage for seating as well as move the café from 2012 to 2006 Central Street. 2006 Central Street also comes with a parking lot in the back that will be used for outdoor patio space during the spring, summer and fall months.

Team

John Kim has lived in Evanston since 2000, and purchased the beloved Café Express on Main Street and in 2005 he and his brother Brian changed the name to Brothers K Coffeehouse. The Brothers K Coffeehouse has become an anchor on the Main Street shopping district. In 2011, John Kim decided to open a second coffeehouse (The Other Brother Coffeehouse) in downtown Evanston at 1649 Sherman Ave. This coffeehouse primarily served the surrounding office buildings as well as people shopping downtown. In 2015 John sold this café and partnered with a local chef to open a fine dining restaurant (Boltwood). In the fall of 2016 John decided to go back to coffee and left the restaurant in the capable hands of his business partner and opened Backlot Coffee.
Hours of Operation

Winter hours
M – F 630AM – 7PM
Sunday 7AM – 6PM

Summer hours
M – R 630AM – 8PM
F – S 630AM – 10PM
SUN 7AM – 6PM

We are a coffeehouse that serves coffee beverages, light café snacks, and locally made Frio Gelato.

During normal hours there are two team members working, during busy hours there will be 3-4 team members working. Employees are instructed to not park on the street but to find alternate public parking space.

Backlot has plans to build an outdoor café in the back of the shop that would be open during sidewalk café season. There will be tables, chairs, benches and umbrellas that are to be used by guests looking for outdoor café seating.

70 percent of our business is to-go/carry out with 30% staying in the café. Our vendors make all deliveries through the back door.

Menu

Coffee
Espresso
Latte
Cappuccino
Mocha
Americano
Caramel Cider
Hot Chocolate
Iced Tea

Prairie Grass Café Tomato Soup
Spinach Pie
Blind Faith Burrito
Breakfast Taco

Frio Gelato
Sustainability Practices
for
Type 2 Restaurants

The City of Evanston prides itself on its commitment to environmental excellence through outstanding and innovative sustainability practices that promote a positive example throughout the community.

Environmental sustainability may be promoted in a variety of ways. In an effort to ensure Type 2 Restaurants do not negatively impact the environment, the following sustainable practices are suggested:

**Litter Collection Plan:**
The applicant shall implement and adhere to a Litter Collection Plan requiring the policing of an area located within a two hundred fifty-foot (250') radius of the space in which the use is located. This area shall be patrolled once every three (3) hours during the hours the use is in operation, and shall be kept free of all litter of any type emanating from any source. For the purpose of this requirement, “litter” shall include, but is not limited to: putrescible animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food; other putrescible waste, including animal waste, dead animals, yard clippings and leaves; nonputrescible solid waste, including rubbish, ashes, abandoned automobiles, solid waste, paper, polystyrene, wrappings, cigarettes, cardboard, tin cans, glass, bedding, and similar materials; and all other waste material which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.

**Litter Pick-Up Plan:**
The applicant shall provide and maintain exterior litter receptacles such as dumpsters, in sufficient number and type to adequately contain all litter collected pursuant to the Litter Collection Plan. Collections shall be a minimum of three (3) times a week, including collections on Sundays to the extent necessary to comply with this condition. All litter receptacles shall be maintained in clean condition with tight-fitting lids, and shall be placed on Code-compliant surfaces at the rear of the property or in an otherwise City-approved location. Within seven (7) days of written notice from the City, the number of litter receptacles and/or the number of collections from each shall be modified or increased as necessary.

**Customer Recycling:**
The applicant shall provide recycling receptacles within the space in which the use is located and shall be available for customer use. The recycling receptacles shall be maintained and emptied as necessary to ensure adequate recycling receptacles are available for use during the hours the use is in operation. Recycling containers shall be co-located with garbage containers and labeled for recycling.
Business Recycling:
The applicant shall provide recycling receptacles within the kitchen area and shall recycle restaurant waste including, but not limited to, cardboard and paper products.

Tap Water:
The applicant shall make tap water available to all customers and provide appropriate signage indicating the availability of tap water.

Reusable Flatware and Dishware:
The applicant shall provide reusable flatware and dishware to customers who opt to eat on premises.

100% Recyclable Carry-Out Packaging:
The applicant shall utilize 100% recyclable packaging for all carry-out/delivery orders. Note: Evanston’s solid waste hauler Groot Industries recycles rigid plastic numbers 1-5 and 7. Plastic number 6 (rigid or foam) is not recyclable in Evanston’s program even though it has the recycling symbol. See attached recycling flyer for details.

Delivery Method:
When possible, the applicant shall utilize environmentally friendly modes of transportation, such as bicycle delivery, when transporting delivery orders to customers.

Other Environmentally-Friendly/Sustainable Practices

Elimination of all plastic single use straws
as of 4/22/18

I certify that I have checked the appropriate boxes that best describe the sustainability practices that will be adhered to at the Type 2 Restaurant in question.

[Signature]
Applicant Signature

[Date] 7/5/18
Support for 2004 Central St. Case #18ZMJV-0065 Special Use Permit
1 message

Danielle Cohen <daniellefscohen@gmail.com>  
To: cplante@cityofevanston.org

Mon, Jul 23, 2018 at 3:12 PM

Dear Ms. Plante,

As property owners within 500 feet of 2004-2006 Central Street, Evanston we are writing to express our enthusiastic support for the special use permit sought by John Kim to expand his Type 2 Restaurant from 2006 Central to include 2004 Central St. Backlot is an asset to the neighborhood and we are happy to see them expand.

Best wishes,
Danielle Cohen and Daniel Broaddus
2636 Prairie Ave. #D
Evanston, IL 60201
2004 Central Street Zoning

July 18, 2018

- User drawn points
- Zoning Boundaries & Labels
- Tax Parcels

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This map is not a plat of survey. This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.

Staff Present: J. Velan, P. Zalmezak, C. Plant, P. Martinez, E. Golden

Others Present:

Presiding Member: S. Mangum

A quorum being present, Mr. Mangum called the meeting to order at 2:33 pm.

Approval of Minutes

July 18th, 2018 DAPR committee meeting minutes.

G. Gerdes makes a motion to approve the minutes from July 18th, 2018, seconded by J. Nelson.

The Committee voted, 9-0, to approve the minutes of July 18th, 2018 with 1 abstention.

New Business

2. 2004 Central St

John Kim, applicant, Backlot Coffee, submits for special use permit to expand an existing type-2 restaurant into the adjacent space, in the B1a Business District and Central Street Overlay District.

APPLICATION PRESENTED BY: John Kim, applicant

DISCUSSION:
- G. Gerdes cited a need for a plumbing review. Also, layout of a combined floor plan before ZBA meeting. Applicant agreed.
- S. Mangum asked where coffee will be roasted. Applicant stated it will be towards rear of building and not visible to street.
- S. Mangum asked about where outdoor seating will be located. Applicant said it would be at previously approved location behind the existing location at 2006 Central St.
- G. Gerdes asked if they will need a sidewalk cafe permit. Applicant said they are currently not using sidewalk for cafe purposes.
- S. Mangum asked about hours of operation and additional employees. Applicant stated hours will stay same with additional 3-4 more employees.
- K. Jensen asked about what kind of byproducts come from the roasting.
- S. Mangum asked if they went away from plastic straws. Applicant stated yes.
- J. Nelson asked about the plumbing. Recommends a proper backflow preventer on water service and restaurant equipment.
• S. Mangum asked about any changes to facade. Applicant currently says no.

L. Biggs made a motion for a positive recommendation of approval of the project to ZBA with a condition that applicant comes with a revised site plan, seconded by K. Jensen.

The Committee voted, 10-0, for positive recommendation of approval of the project to ZBA with a condition that applicant comes with a revised site plan.