MEETING MINUTES
PLAN COMMISSION
Wednesday, June 13, 2018
7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Patrick Brown, Terri Dubin, Carol Goddard, Andrew Pigozzi

Members Absent: George Halik, Peter Isaac

Staff Present: Meagan Jones, Neighborhood and Land Use Planner
Scott Mangum, Planning and Zoning Administrator

Presiding Member: Colby Lewis, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Lewis called the meeting to order at 7:05 P.M.

2. APPROVAL OF MEETING MINUTES: April 11, 2018 and April 18, 2018

Commissioner Goddard made a motion to approve the meeting minutes from April 11, 2018, seconded by Commissioner Dubin. The Commission voted unanimously, 5-0, to approve the minutes of April 11, 2018.

Commissioner Dubin made a correction to page 4 of the minutes for April 18, 2018. Commissioner Goddard then made a motion to approve the minutes as amended, seconded by Commissioner Dubin. The Commission voted unanimously, 5-0, to approve the amended minutes of April 18, 2018.

3. OLD BUSINESS

A. TEXT AMENDMENT

Front Porches

A Zoning Ordinance Text Amendment to amend City Code Sections 6-4-1-9, Yards, 6-3-8, Variations, and 6-18-3, Definitions, to modify regulations pertaining to front porches.

Mr. Mangum presented a brief background on the proposed revisions to the text amendment. He stated that the previously reviewed amendment raised several
concerns including the amendment being too lenient and the creation of nonconforming porches, and the current and former Chairs of the ZBA drafted language that addresses them. A comparison of what was proposed was presented as well as standards for approval.

Chair Lewis opened up the hearing to questions from the public. There were none. He then opened up the hearing to questions from the Commission. There were several, including:

- Clarification on which proposal exacerbates the issue of non-compliance. Mr. Mangum clarified that it was the amendment proposed by the ZBA Chairs would do so if no modifications were proposed. Staff has recommended allowing the current 10% projection for enclosed porches to address the nonconforming issue.
- Clarification on the confusion of an enclosed versus open porch. Mr. Mangum stated that staff’s proposal would create separate definitions for each where there currently is one general definition. There has been concern that a porch could be enclosed without the City’s knowledge.
- Confirmation on what items are being considered by the Commission regarding this item. Specifically, the Commission is considering two proposals, one from staff and the other from the ZBA Chairs. The Commission can recommend approval of either option, a hybrid of both, no change to the code or to send the item to the Zoning Committee for further discussion. Mr. Matt Rodgers, former ZBA Chair, provided more information, stating that he met with the current ZBA Chair, Mary Beth Berns, to come up with information that is typically seen and address issues regarding having a usable porch and more streamlined process. Ms. Berns added that the enclosing of porches lead to the proposal of a 7 ft. maximum porch depth. The two reviewed examples and further explained their proposal.
- Chair Lewis asked how frequent requests for porch permits are. Mr. Rodgers stated that it is difficult to say for certain given staff ability to approve many permits but that during his time on the ZBA, there were approximately 5 to 7 requests per year. Ms. Berns stated that porches is a way to get added lot coverage without much of an issue but then those porches can later be enclosed.
- How frequent are porch enclosures? Mr. Mangum responded that staff is unable to know for certain. Ms. Berns added that it is a fairly common occurrence to have an enclosed porch as living space.
- Mr. Brown inquired about required ADA Clearance. It was confirmed that a 5 ft. clearance is required. This could possibly be considered a hardship.

Chair Lewis mentioned that he had concerns regarding individual property owner rights but that the ability to obtain a variance keeps those rights. He then asked if there was a possible hardship on smaller lots. Ms. Berns mentioned that smaller lots tend to have smaller houses and that the Board wishes to avoid a situation where the porch is out of proportion with the house.
The Commission entered deliberation. Chair Lewis asked for feedback on the proposed definitions. Ms. Berns stated that she believed that the proposed 50% openness should be raised. Chair Lewis stated that he has some concern regarding the enclosed porch definition and that language regarding heating and air conditioning of the porch should be added to the enclosed porch definition, ensuring it is not open to the rest of the house.

Commissioner Pigozzi stated he had some concerns of addressing something that is not yet an issue but believes there should be updated definitions for open and enclosed porches. Commissioner Goddard agreed that the definitions should be further defined.

Mr. Mangum added that the American Planning Association publication provides example definitions, most of which are in the range of 50% to 75% openness.

Commissioner Goddard made a motion to recommend approval of the ZBA Chairs’ proposed text amendment option with the addition of definitions for open and enclosed porches with inclusion of language regarding conditioning of those spaces. Commissioner Brown seconded the motion. A roll call vote was taken and the motion was approved, 3-2.

Ayes: Brown, Goddard, Lewis.
Nays: Dubin, Pigozzi.

2. NEW BUSINESS
   A. TEXT AMENDMENT
      18PLND-0045
      Revision of Preservation Commission Review Procedures
      A Zoning Ordinance Text Amendment to amend City Code Sections 6-4-6-7, Special Regulations Applicable to Fences, 6-15-11, Historic Structures, Sites, and Landmarks Districts and 6-18-3, Definitions, to revise the language and procedures regarding the review of special uses and variations by the Preservation Commission.

Ms. Jones presented a brief background on the proposed text amendment, mentioning the recently updated Historic Preservation code (Title 2, Chapter 8) as well as Commission Rules and Procedures that were reviewed the night before by the Preservation Commission. The proposed amendment to the Zoning Ordinance (Title 6) came about from concern regarding the length of the process to obtain approval of some applications for minor work and an Aldermanic referral to streamline that process.

Chair Lewis asked if there were any questions from the public.

Ms. Berns asked if the decisions and views of City staff are consistent with that of the Preservation Commission. She then stated that many applicants go to a
Preservation Commission meeting and get approval, thinking that the ZBA review will have a similar outcome which is not the case. She then suggested that consideration be made to have the Preservation Commission review be second in the review process.

Chair Lewis then asked if there were any questions for staff.

- Commissioner Pigozzi requested clarification regarding if the amendment is granting staff authority to review fences. Mr. Mangum stated that staff review of fence variations is a part of what is being asked. He stated that both the Preservation Ordinance and the Preservation Commission rules permit delegation of review of certain work and approval of a certificate of appropriateness to staff. He the mentioned that the proposed amendment was discussed at the previous evening’s Preservation Commission meeting and there was no discussion on the item.
- Commissioner Pigozzi asked if the proposed changes would apply to all projects under the purview of Preservation Commission review, landmarks and properties within historic districts. Mr. Mangum confirmed that it would apply to both. Ms. Berns then asked if the proposed amendment would apply to windows as well. Mr. Mangum stated that windows could be approved by staff but also could be referred to the Commission if the scale of the project is larger or standards are not being met.
- Chair Lewis requested for differentiation between minor and major work. The Preservation Commission Rules provide a matrix which separates routine, minor and major work.
- Commissioner Goddard asked how many minor variation cases there were vs. major variations that were reviewed by staff compared to the number of cases reviewed by the Preservation Commission. That data was not available at the time. Mr. Mangum stated that there is usually one project at each Preservation Commission meeting where variations are reviewed.

Mr. Rodgers stated that the proposed amendment allows individual houses within historic districts to be looked at individually and not be painted with the exact same brush as other homes that are landmarked or contribute architecturally to a historic district.

Mr. Mangum emphasized that the amendment would not be making changes to the Preservation rules or to the recently revised amendment. Changes would only occur to Title 6, “Zoning”. He then provided more details on the process for review.

Commissioner Pigozzi stated that there should be consideration given to providing greater review for a building that is specifically landmarked versus structures that are within an historic district but do not necessarily contribute to the historic district. Ms. Berns then provided an example that showed the need to have some latitude on
reviewing different landmarks.

Chair Lewis then reviewed what the Plan Commission was being asked to consider. Mr. Rodgers stated that the initial question raised by Ms. Berns regarding consistency between Preservation Commission and staff decision is important and suggested that the item be held until there is more discussion on that point. Additional discussion followed regarding the review process for various projects and what portions of the proposed text amendment should be recommended for approval.

Commissioner Goddard made a motion to recommend approval of the text amendment as presented by staff, seconded by Commissioner Pigozzi. A roll call vote was taken and the motion was approved, 3-2.

Ayes: Dubin, Goddard, Pigozzi.
Nays: Brown, Lewis

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURNMENT

Commissioner Pigozzi made a motion to adjourn the meeting. Commissioner Brown seconded the motion.

A voice vote was taken and the motion was approved by voice call 5-0. The meeting was adjourned at 8:42 pm.

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department