Zoning Board of Appeals  
Tuesday, December 18, 2018  
7:00 P.M.  
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 from October 16, 2018.

3. NEW BUSINESS
   A. 705 Main St.  
      Sean Curry, lessee, applies for a special use permit for a ground floor Medical Office, Evanston Family Chiropractic and Wellness Center, in the B2 Business District and the oDM Dempster-Main Overlay District (Zoning Code Section 6-15-17-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

4. OTHER BUSINESS
   A. 2019 ZBA Schedule

5. DISCUSSION

6. ADJOURNMENT
The next Zoning Board of Appeals meeting is scheduled for Tuesday, January 15, 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:
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 847-448-4311 or 847-448-8064 (TYY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines 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).
Members Present: Lisa Dziekan, Mary Beth Berns, Myrna Arevalo, Scott Gingold, Mary McAuley, Kiril Mirintchev

Members Absent: Violetta Cullen

Staff Present: Scott Mangum, Melissa Klotz

Presiding Member: Mary Beth Berns

Declaration of Quorum
With a quorum present, Chair Berns called the meeting to order at 7:00 p.m.

Minutes
Ms. McAuley motioned to approve the meeting minutes of September 25, 2018, which were seconded by Ms. Arevalo and unanimously approved.

Mr. Mirintchev arrived.

Old Business
1919 Dempster St. 18ZMJV-0080
James E. Olguin, attorney, applies for a special use permit for a Type 2 Restaurant, McDonalds, and a special use permit for a Drive Through Facility, at 1919 Dempster Street in the C2 Commercial District (Zoning Code Section 6-10-4-3). The applicant proposes a 91 square foot building addition for a new Drive-Through window, and a second ordering lane for a dual Drive-Through Facility. 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 noted two additional truck turning diagrams were submitted.

James Olguin, attorney, explained the proposal:
- Parking spaces that are closest to ingress/egress on Dempster and Dodge will be removed so that there will be fewer vehicular conflicts and to increase landscaping
- Providing better pedestrian access with striped walkways
- Adding bike rack
- New dumpster facility
- Upgrade outdoor eating area in front of building
- Facade upgrade to modern, clean design
- Second drive through window will add functionality that helps customers go through the drive through more quickly
- Company owned store (not franchise)
- Small addition to the building in the northwest corner
- Increased drive through queue length which will help orders go more quickly
- One drive through lane can be accessed from the Dodge Ave. ingress
- Landscaping in front of the building will not exceed 3’ in height so there will be adequate visibility for vehicles exiting onto Dempster St.

Mr. Gingold suggested signage should be added at the Dempster St. ingress and egress to clarify which is the one-way-in entrance and one-way-out exit.

Mr. Olguin continued:
- There is ample room for vehicles to navigate around the back of the building behind the drive through
- Drive through stacking will mostly queue off of Dempster St. in one stacking lane, but can also be accessed from Dodge Ave.
- Reduction from 62 parking spaces to 47 parking spaces, which is adequate and comparable to other McDonalds sites
- Roughly 70% of business is via the drive through, and that typically increases a little bit with a dual drive through
- Many employees take public transportation or carpool with other employees
- There is no specific bus parking on-site and buses are not anticipated at this location, but buses could park in the large parking area in the northeast area of the property if necessary.

Ms. Dziekan asked if the site has too much parking and the northeast area of the property could be better utilized for something else. The applicant responded that parking is needed, and McDonald’s standards are for more than 40 parking spaces per site.

Chair Berns noted the signage at the Dodge Ave. entrance is inadequate so people are not aware that is an entrance to McDonald’s. The increased landscaping at the Dodge Ave. entrance should make that more obvious, but there should also be better signage.

Mr. Mirintchev asked if signage will be provided to note ADA parking is only accessed from Dempster St. and the applicant responded there was no plan to.

Chair Berns noted there are very few restaurants in Evanston that are open 24 hours and most have limited hours of operation imposed by special use conditions. The applicant responded McDonald’s would not be amenable to that change and would likely scale the entire restaurant back, not remodel, and would be economically detrimental to the business so it may then close or locate elsewhere.

Ms. McAuley asked if staff is aware of any nuisance or police issues that occur during overnight hours, and Ms. Klotz responded she is not aware of any specific incidents. Chair Berns added staff should reach out to the Police Department for confirmation prior to City Council.
Ms. Dziekan asked if there is anything that can be done to improve the drive through functionality of Starbucks next door, and the applicant responded there is nothing McDonald’s can do to address that issue.

The applicant summarized that the proposed improvements should increase the functionality of the drive through and site navigation.

Deliberation:
Ms. McAuley asked staff to confirm incident reports between midnight and 5am with the police department, and if there are not significant incident reports then 24 hour operation is appropriate.

Mr. Gingold noted clear signage in addition to painted ground signage is needed at all entrances and exits, and the egress onto Dempster St. should be a no left turn.

Mr. Mirintchev stated signage should be added at the Dodge Ave. entrance that ADA parking is only accessed from the Dempster St. entrance so that vehicles needing ADA parking do not loop through the property and have to turn left out onto Dempster to circle back in. Also, the parking spaces closest to the exit should be short term parking for vehicles awaiting longer/larger orders.

Ms. Dziekan noted the additional bicycle parking, pedestrian striping, landscaping, and new drive through stacking make this a good project.

Chair Berns commended staff for pushing for facade improvements to the building, which are greatly needed, and noted it would be great if an ADA parking space could be added in the north parking area so that vehicles entering via Dodge Ave. have an ADA parking option.

Chair Berns and Ms. McAuley discussed whether the percentage of business conducted between midnight and 5am should matter or if hours of operation should only be related to police incident reports.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. NA
9. Yes

Mr. Gingold motioned to recommend approval of the special uses with conditions, which was seconded by Ms. Dziekan and unanimously recommended for approval.

Conditions:
1. Additional signage is required at all ingress/egress to alert customers to the Dodge Ave. entrance/exit, and to alert customers to the one way in and one way out on Dempster St.

2. City Council shall use information provided by staff and the applicant regarding police incidents and percentage of sales conducted between midnight and 5am to determine if a reduction in hours of operation is necessary.

3. Substantial compliance with the documents and testimony on record.

4. ADA parking shall be accessible from all vehicular entrances and therefore shall be added in the parking area west of the building.

5. Short term parking for customers awaiting orders shall be located in the parking area west of the building.

6. City Council shall determine if a no left turn is appropriate at the Dempster St. exit.

The meeting adjourned at 8:15 pm.
705 Main St.
18ZMJV-0097

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development
Scott Mangum, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner

Subject: 705 Main St. - ZBA 18ZMJV-0097
ZBA Recommending Body
City Council Determining Body

Date: December 11, 2018

Notice: Published in the November 29, 2018 Evanston Review:
Sean Curry, lessee, applies for a special use permit for a ground floor Medical Office, Evanston Family Chiropractic and Wellness Center, in the B2 Business District and the oDM Dempster-Main Overlay District (Zoning Code Section 6-15-17-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City staff and DAPR recommend the Zoning Board of Appeals provide a favorable recommendation to City Council for approval of the special use for a ground floor Medical Office, Evanston Family Chiropractic and Wellness Center. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
705 Main St. is located on the north side of Main Street, just west of the CTA and Metra tracks and Custer Ave. in the B2 Business District and the oDM Dempster-Main Overlay District, and is surrounded by the following:

North: MUE Transitional Manufacturing Employment District
East: C1a & oDM Commercial Mixed Use District & Dempster-Main Overlay District
South: B2 & oDM Business District & Dempster-Main Overlay District
West: B2 & oDM Business District & Dempster-Main Overlay District

The subject property is located within the Main Street commercial corridor just west of the Post Office South Station and Virag Jewelers, in a ground floor commercial space previously occupied by the Evanston Lumber Design Center.
Proposal
The applicant proposes to operate Evanston Family Chiropractic and Wellness Center, a Medical Office, at 705 Main St. The Zoning Ordinance does not distinguish between a Medical vs. Non-Medical Office (except in the case of parking), but defines an Office as:

A use or structure where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical clinics and laboratories, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services, but not including drive-through service windows, the cutting or styling of hair, or recreational facilities or amusements. "Office" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

The oDM Dempster-Main Overlay District was established in early 2015 to ensure non-retail activities located on the ground-floor within the Dempster and Main Street commercial corridors do not cause a negative cumulative effect on the business districts. The oDM requires special use approval for all new ground-floor Offices and Financial Institutions. Since the regulation was enacted, one special use was applied for and granted for a Financial Institution, First Bank & Trust, at 520 Main St.

Evanston Family Chiropractic and Wellness Center will operate as a health and well-being center focusing on pediatrics, pre/peri/postnatal care. The operator, Dr. Sean Curry, has practiced chiropractic medicine since 2001. The facility will operate on Mondays, Wednesdays, and Fridays from 9am – noon and 3pm – 6pm, Tuesdays from 3pm – 6pm, and Saturdays from 10am – noon. The facility will feature one employee for the first six months and then may expand to include additional employees. The employee (Dr. Curry) lives nearby and will not typically use a vehicle to commute to work. Once another employee is hired for massage therapy, that employee may utilize the one on-site parking space that is dedicated in the lease. Any additional future staff will be told the use of public transit is recommended. The Main St. CTA and Metra stations are located less than 300 feet from the medical office.

Dr. Curry estimates 80-150 people per week will visit the medical office, ranging from 4-12 people per hour depending on the time of day. Customers will be encouraged to frequent other retail businesses in the area. Since the special use requirement of the Dempster-Main Overlay District was enacted at the urging of local business merchants, Dr. Curry spoke with surrounding business owners about the special use request prior to applying.

The facility will feature an open floor plan towards the front of the space, with the reception/retail and therapy areas visible from the street. Massage and rehab spaces are located in private rooms towards the rear of the space.
The Zoning Ordinance requires additional parking for Medical Offices. 705 Main St. is located on the property that comprises 701-709 Main St. and currently features 10-12 unmarked parking spaces on-site at the rear of the property. Pursuant to parking variation Ordinance 25-O-81 granted in 1981 and recorded by covenant (attached), 701-709 Main St. is required to have 6 on-site parking spaces (as well as 5 off-site parking spaces leased from Metra for 5 years from 1981 and then no longer required). The Zoning Ordinance requires 4 additional parking spaces for the Medical Office parking, which brings the total required parking at the property to 10 spaces. Since 10-12 parking spaces exist on the property, the parking is compliant and a variation is not requested.

The Dempster-Main Overlay District regulations are not intended to prohibit ground floor Medical Offices, but to limit a negative cumulative effect on the business district. This portion of Main St. is largely comprised of retail uses and restaurants. With the encouragement by Dr. Curry for customers to frequent the other Main St. businesses, the proposed Medical Office should not negatively affect the business district. No exterior modifications to the building are proposed other than signage and at DAPR the applicant stated that no window coverings would be utilized on the Main Street frontage. Staff has not received any objections to the proposed use from neighboring property owners or businesses.

Ordinances Identified for Requested Relief
6-15-17. oDM Dempster-Main Overlay District.
6-15-17-5: ADDITIONAL SPECIAL USES: The following uses may be allowed in the oDM Dempster-Main Overlay District, subject to the provisions set forth in Section 6-3-5 of this Title:
Office - located on the ground floor (among others listed)

Comprehensive Plan
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that promote business districts 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.

The proposed Medical Office will utilize a currently vacant space, encourage pedestrian activity, and provide a convenient service to the surrounding area.

Design and Project Review (DAPR) Discussion and Recommendation:
DAPR members found the proposed Medical Office to be a compatible use with an active reception/retail and therapy area storefront, and will increase patronage of the Main Street commercial corridor.
Recommendation: Unanimous Approval

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; Yes, Section 6-15-17-5.
b) Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance; Yes, because the storefront will appear active and the use will increase patronage of the business district.
c) Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use; Yes, because there is not an overabundance of similar ground-floor office uses in the business district.
d) Does not interfere with or diminish the value of property in the neighborhood; Yes, the use will occupy an otherwise vacant storefront and will encourage patronage of existing businesses in the neighborhood.
e) Is adequately served by public facilities and services; Yes, the building is existing.
f) Does not cause undue traffic congestion; Yes, employees will walk to work, take public transit, or utilize the one dedicated on-site parking space, and customers will be encouraged to take public transit since the Main St. CTA and Metra stations are nearby.
g) Preserves significant historical and architectural resources; Yes, there are no modifications to the exterior of the building proposed other than signage.
h) Preserves significant natural and environmental features; NA
i) Complies with all other applicable regulations. Yes.

Attachments
Special Use Application- submitted November 20, 2018
Business Description
Plat of Survey
Interior Site Plans
1981 Parking Variation Ordinance 25-O-81
1981 Parking Covenant
Image of Property
Aerial View of Property
Zoning Map of property
DAPR Draft Meeting Minutes Excerpt - December 5, 2018
Formstack Submission For: Zoning Special Use
Submitted at 11/20/18 10:18 AM

Address: 705 Main St
          Evanston, IL 60202

Permanent Identification Number (PIN) 1: 11-19-117-050-0000

Permanent Identification Number (PIN) 2:

Name: Sean Curry

Organization: Evanston Family Chiropractic and Wellness Center

Address: 931 Ridge Ct
          Evanston, IL 60202

Home or Office Phone Number: (847) 732-8876

Cell Phone Number:

Email: seanchiro@yahoo.com

Please choose primary means of contact: Email

Is applicant also the property owner?: Yes

Name: Robert & Klauke Virag
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<th><strong>Organization:</strong></th>
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<tbody>
<tr>
<td>Virag Jewlers</td>
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<th><strong>Address:</strong></th>
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| 700-702 Main S  
Suite 204  
 Evanston, IL 60202 |

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<tr>
<th><strong>Home or Office Phone Number:</strong></th>
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<th><strong>What is the relationship of the applicant to the property owner?:</strong></th>
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<th><strong>Briefly describe the proposed Special Use:</strong></th>
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<td>Looking to open a professional office in an overlay district</td>
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<th><strong>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?:</strong></th>
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<th><strong>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?:</strong></th>
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<th><strong>Will the requested special use be adequately served by public facilities and services?:</strong></th>
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<th><strong>Will the requested special use cause undue traffic congestion?:</strong></th>
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<th><strong>Will the requested special use preserve significant historical and architectural resources?:</strong></th>
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<th><strong>Will the requested special use preserve significant natural and environmental features?:</strong></th>
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<td>yes</td>
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<th><strong>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?:</strong></th>
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<th><strong>Is applicant acting as an agent or designee for the proposed user of the land for which this application for zoning relief is made?:</strong></th>
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<th><strong>List the name, address, phone, fax, and any other contact information of the proposed user of the land.:</strong></th>
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Does the proposed land user own or control the land for which this application for zoning relief is made?: Yes

List the name, address, phone, fax, and any other contact information of the person or entity that has constructive control of the proposed land user.: 

Does the proposed land user hold the title to the subject property?: Yes

Is the person or entity that holds the title the same as the one listed in the previous question?: 

List the name, address, phone, fax, and other contact information of the person or entity holding the title to the subject property.: 

Is the Applicant or Proposed Land User a Corporation?: Yes

A. Names and addresses of all officers and directors.: 

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.: 

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 zoning relief.: 

Plat of Survey - One copy of plat of survey, drawn to scale, that accurately reflects current conditions.: 

Direct Link to Image

Date of Survey: 

Site Plan/Graphic Drawings - One copy of site plan or floor plans, drawn to scale, showing all dimensions or graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc.: 

View File

Date of Drawings: Nov 10, 2018
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<th>Proof of Ownership - Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents, etc.:</th>
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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.:

[Signature]

Direct Link to Image

Copyright © 2018 Formstack, LLC. All rights reserved. This is a customer service email. Formstack, 8604 Allisonville Road, Suite 300, Indianapolis, IN 46250
Good evening Melissa,

Evanston Family Chiropractic and Wellness Center will be a full community health center, focusing on the health and well being of our clients. Our practice focus will be on helping families reach and maintain their health goals, with a drive towards pediatrics and pre-, peri, and post-natal care. We will be open to the entire community of South East Evanston and its surrounding communities, drawing from northern Chicago as well as Skokie and the North Shore. I have been practicing chiropractic medicine since 2001, with a passion to make families function in their optimal and healthiest way.

We will be open for business during the week, with the office closed on Friday and Sunday. Hours of operation in the beginning will be as follows: M, W, F from 9-12 and 3-6, Tuesdays 3-6, Saturdays 10-12. In the initial 6 months, there will be no employee except myself.

I live 4 blocks from the proposed office location, so parking for myself is not an issue. In the first 6 months, I look to hire a massage therapist, who can use the one reserved parking spot used for the location, but should not need a spot, as she is dropped off by her husband. As additional staff are hired on, they will be told that public transportation is a recommendation for traveling back and forth to the office.

As for draw to the neighborhood, I plan to have approximately 80-150 people a week coming into the office. I anticipate about 4-5 people per hour, with 8-12 per hour at the busiest times, typically the first and last hour of the shifts. They will be encouraged to visit the other retail businesses in the area, as much of my draw to the Main-Dempster Mile is due to the community feel that each business promotes.

My family has lived in the area for 11+ years, and feel very connected to the Main-Dempster Mile. We cherish the great times we've had raising our kids in this community. We've developed a strong relationship with quite a few of the owners, through shopping and meeting them on the many community events that have taken place in the neighborhood, and I am excited about the possibility of joining in the business community. Through conversations with other merchants about my dream to open this office, there were no reservation expressed about opening a chiropractic office on the block. There have been a few merchants that have told me about real estate development concerns, but as a business that requires people, I am looking forward to helping as many community members as I can.

In addition to being a neighborhood health center, I would also like to open my doors to the local community for outreach and meetings for area issues and discussions. I would also be hosting wellness dinners and lunches, which will use the local businesses as a resource for supplying food and drink as required.

I look forward to add to the strong community environment that the Main-Dempster Mile already hosts, and am really excited for giving back to the local community.

Dr. Sean Curry

"My Hands Can Improve Your Life" - Dr. Curry
Sean,
Thank you for the special use submittal. You are confirmed for ZBA on December 18th. Moving forward: Please submit a paragraph or page summary explaining the business operations - hours, number of employees, how many clients are anticipated at one time, types of services provided, where employees will park or use public transit (do not have employees use metered street parking), if there is any retail component, any outreach you did to the business community regarding your special use request, anything else pertinent. You will receive an invoice from BluePrint Shoppe for the mailing fee for the public notices that are sent to all property owners within 500' of 705 Main. You will get that in the mail in 2-3 weeks. The special use process is as follows: Attend the Design & Project Review (DAPR) Committee - DAPR is comprised of City staff from multiple departments who will collectively vote on a recommendation for your special use. At DAPR, you will give a 3-5 minute explanation of your operations, parking, etc., and then the committee will follow up with a few questions. Your whole case will take maybe 10 minutes at DAPR, followed by a recommendation that may include conditions such as no employee parking in metered spaces. DAPR meets on Wednesdays at 2:30pm in room 2404. I recommend you attend DAPR on December 5th, but the 12th also works. Please confirm which meeting you can attend. Attend the Zoning Board of Appeals (ZBA) on December 18th at 7pm in Council Chambers - At ZBA, you will give an in-depth explanation of your operations. Also specifically discuss how your practice will benefit the retail business district by bringing additional people to the area who may visit other stores, and explain the parking situation (will most clients take CTA or Metra or do you anticipate most clients will live in the neighborhood and walk or will you only have 3 clients at a time with minimal impact on parking, or parking during the daytime is not a problem like it is during evenings/weekends). Any nearby property owners that received notification of your request can attend this meeting and ask questions or raise concerns. Your whole case will take approximately 25 minutes, followed by a recommendation that will include conditions for parking and possibly others (nothing detrimental to your operations). This recommendation and the conditions will be written into an ordinance for City Council to vote on. Attend the Planning & Development (P&D) Committee - P&D is comprised of 7 of the 9 aldermen on City Council. Attend this meeting in case there are any questions from the aldermen, but you do not need to formally present anything. Your case will likely take 1 minute at P&D. You are tentatively scheduled for P&D on January 14th at 7:15pm in Council Chambers. Assuming all goes well, your case will move forward to the full City Council for an Introduction Vote immediately after P&D. Stay for that meeting in case there are any questions. Attend City Council for an Action Vote - tentatively scheduled for January 28th (after P&D which is at 7:15) in Council Chambers. (There is potential for both the Intro and Action votes at City Council to be done in one meeting - if time is of the
essence for you and want approval earlier, wait until after ZBA and if you receive a recommendation for approval (highly likely) then contact Alderman Wilson to request that and let me know if he gives the okay). Assuming you are approved, you can then obtain any building permits necessary and begin operations. So, please send me your operations summary, confirm the DAPR date, and let me know if you have any other questions or concerns as you move forward.

Thanks,
Melissa Klotz
Zoning Planner
& Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
mklotz@cityofevanston.org

Call 311 to make an appointment, or walk-in to the Building Permit Desk on Tuesdays

On Mon, Nov 26, 2018 at 8:10 AM Sean Curry <seanchiro@yahoo.com> wrote:

Good morning Melissa,
Hope you had a great holiday. Everything is submitted. Will they let me know if I'm missing anything?
Sean Curry

Sent via smoke signals.

On Oct 22, 2018, at 4:30 PM, Melissa Klotz <mklotz@cityofevanston.org> wrote:

Sean,
To avoid the special use process, the principal use of the space needs to be retail - so there must be more floor area, business, and sales for the retail portion than for the office portion. If you think you can make that work, show me a site plan to verify. Otherwise you still need the special use, but a small retail component does help your case. If you have any other questions or would like to go over your application in person, you can stop by the building permit desk on the third floor of the Civic Center any time Tuesday (except 11:30-12:30) and I will be there and available to go over things with you. Also - if you can submit your application by this Thursday, you'll make the next Zoning Board meeting that is scheduled for November 20th (otherwise you will wait another month until the December 18th Zoning Board meeting), followed by about one more month for the City Council meetings.

Thanks,
Melissa Klotz
Zoning Planner
& Zoning Division
Community Development Department
Morton Civic Center
On Sun, Oct 21, 2018 at 9:18 AM Sean Curry <seanchiro@yahoo.com> wrote:
Melissa,
I've been through the process of filling out the application for special use, but I had a quick question. If my office will have retail, such as supplements and equipment that patients and public could purchase, would a special use still be needed?
Thanks for any info you can provide.
Sean Curry

Sent via smoke signals.

On Sep 28, 2018, at 11:24 AM, Melissa Klotz <mklotz@cityofevanston.org> wrote:

Dr. Curry,
A medical office is generally a permitted use in any commercial area. However, 705 Main St. is also located within the Main-Dempster Overlay District (the Main St. business district and Dempster St. business district), which requires special use approval for ground-floor medical offices. So, if the space you are interested in above the ground floor you are fine, but if it is on the ground floor then you would first need to have a special use permit approved. Generally, this is not the type of business that is encouraged on the ground floor (those business districts have specifically requested more retail and less office businesses), so it may be difficult to obtain a special use - which involves a 90 day process, a public hearing with the Zoning Board of Appeals, and a final determination by City Council. If you would still like to proceed with the special use process, let me know and I will get you started on it. If you find a different location instead, feel free to check with zoning to confirm it is a compliant location. Additionally, medical offices have a specific parking requirement than most other uses do not. If your space is more than 2,000 sq ft, then you must have 1 parking space for every 200 sq ft of space after the initial 2,000 sq ft (so if the space is 2,400 sq ft then you need 2 parking spaces either on-site or rented within 1,000 sq ft. This parking regulation is required everywhere except the Research Park (north portion of downtown). Since you are licensed by the State, you do not need a general business license from the City. Let me know if you have any other questions as you proceed,
Melissa Klotz
Zoning Planner
& Zoning Division
On Fri, Sep 28, 2018 at 8:25 AM 'Sean Curry' via Zoning <Zoning@cityofevanston.org> wrote:

Good morning,

My name is Sean Curry, and am an Evanston resident that is looking to establish a chiropractic office in south east Evanston. I was interested in a property at 705 Main Street, and wanted to know if a health and wellness center would be able to be hosted in that specific address?

Additionally, I needed to know which forms would need to be filled out for establishing a business in the city limits.

Thank you for your attention to this matter.

Dr. Curry

--
Melissa Klotz
Zoning Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
mklotz@cityofevanston.org | cityofevanston.org

Call 311 to make an appointment, or walk-in to the Building Permit Desk on Tuesdays
Certificate of Survey
for
LANDAU & PELLMAN

RECEIVED
JUN 26 1976
FRED H. PRATHER
RECEIVED
JAN 1 1981
COUNTY OFFICE
80-143Q

Lots 7, 8 and East 5-1/2 feet of Lot 9 in Fether's Addition to South Evanston, a Subdivision of South 176.5 feet of that part of North West 1/4 of Section 39, Township 45 North, Range 34, East of the Third Principal Meridian, lying East of Sherman Avenue, East of Railroad and North of Lincoln Avenue, except West 50 feet of depth 100 feet thereof), in Cook County, Illinois.

From as: VOL-07 Main Street, Evanston, Illinois

August 25, 1945

VIEW OF IMPROVEMENTS

WE HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE LEGALLY DESCRLBED PROPERTY IN ACCORDANCE WITH OFFICIAL RECORDS, THAT THE IMPROVEMENTS SHOWN ARE WHOLLY WITHIN THE BOUNDARIES OF SAID PROPERTY, THAT THERE ARE NO ENCROACHMENTS BY THE SUBJECT OR ANY ADJACENT IMPROVEMENT, AND THAT THE ATTACHED SHEET IS A CORRECT REPRESENTATION OF THE ABOVE.

NATIONAL SURVEY SERVICE, INC.
ENGINEERS AND LAND SURVEYORS
124 N. LA CALLE
CHICAGO, ILL.

BY

RECEIVED
JUN 26 1976
FRED H. PRATHER
RECEIVED
JAN 1 1981
COUNTY OFFICE
80-143Q
Releasing Conditions (1) & (3) of ZBA Case 78-38-V(F) and Amending Covenant Entered into Per Condition (4) of Said Decision, Granting a Variation from Off-Street Parking Regulations and a Special Use for Expansion of Existing Eating Establishment at 701-707 Main St.

WHEREAS, the Evanston Zoning Board of Appeals conducted a public hearing on February 17, 1981 and again on March 17, 1981 upon the application of Adam Virag and Frank Schneider d/b/a Peter Virag and Sons, and John Look d/b/a Ratzer's Catering Service for (a) release from conditions one and three of the Zoning Board of Appeals decision in Case ZBA 78-38-V(F), and amendment to the covenant entered into per condition four of said decision to permit four offices presently under construction on the second floor of the premises to be occupied upon completion; (b) a special use to permit expansion of an existing eating establishment into a vacant store on the first floor of the premises; and (c) a variation from the off-street parking regulations of the zoning ordinance as to number of spaces, screening and wheel stops to permit the premises to be served by six off-street parking spaces without screening and wheel stops instead of the fourteen off-street parking spaces required; all on the property located at 701-707 Main Street, Evanston, Illinois, property located in a B-3 Business district; said hearings having been conducted pursuant to notice and publication thereof in the manner prescribed by law; and

WHEREAS, the Zoning Board of Appeals has recommended that the application for said release, amendment to covenant, special use and variation be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the application of Adam Virag and Frank Schneider d/b/a Peter Virag & Sons, and John Look d/b/a Ratzer’s Catering Service for:

(a) Release from conditions one and three of ZBA case 78-38-V(F)
which conditions require that:
(1) Eight off-street parking
from and after its passage and approval in the manner provided by law.

Introduced: May 4, 1981.
Adopted: May 18, 1981.

Approved: May 23, 1981

ATTEST:

[Signature]
City Clerk

Approved as to form:

[Signature]
Corporation Counsel
WHEREAS, the Evanston Zoning Board of Appeals conducted a public hearing on February 17, 1981 and again on March 17, 1981 upon the application of Adam Virag and Frank Schneider d/b/a Peter Virag and Sons, and John Look d/b/a Ratzer's Catering Service for (a) release from conditions one and three of the Zoning Board of Appeals decision in Case ZBA 78-38-V(F), and amendment to the covenant entered into per condition four of said decision to permit four offices presently under construction on the second floor of the premises to be occupied upon completion; (b) a special use to permit expansion of an existing eating establishment into a vacant store on the first floor of the premises; and (c) a variation from the off-street parking regulations of the zoning ordinance as to number of spaces, screening and wheel stops to permit the premises to be served by six off-street parking spaces without screening and wheel stops instead of the fourteen off-street parking spaces required; all on the property located at 701-707 Main Street, Evanston, Illinois, property located in a B-3 Business District and legally described as:

Lots 7, 8 and East 9-1/2 feet of Lot 9 in Foster's addition to South Evanston, a Subdivision of South 276.5 feet of that part of North West 1/4 of Section 19, Township 41 North, Range 14, East of the Third Principal Meridian, lying East of Sherman Avenue, West of Railroad and North of Lincoln Avenue, (except West 50 feet of South 100 feet thereof), in Cook County, Illinois.

WHEREAS, the Zoning Board of Appeals granted said application subject to compliance with all provisions of the Zoning Ordinance, other applicable laws and the following conditions:

That a covenant be executed releasing the conditions one and three in covenant executed pursuant to ZBA case 78-38-V(F) and recorded as document 24908581 and substituting therefore the following conditions:

(1) Six off-street parking spaces and two off-street loading berths meeting all the requirements of the Zoning Ordinance except for screening and wheel stops, shall be installed on the premises.

(2) A lease for five additional off-street parking spaces from the Chicago & Northwestern Railway shall be maintained for a period of five years commencing from the date of adoption of ordinance 25-0-01, at the conclusion of which period, the owner shall either demonstrate to the Planning & Development Committee a good faith effort to obtain replacement parking spaces or shall meet the parking requirements of the property pursuant to the Zoning Ordinance then in effect.
NOW, THEREFORE, the undersigned, Adam Virag and Frank Schneider, d/b/a Peter Virag & Sons and John Loom d/b/a Ratzer's Catering Service at the property commonly known as 701-707 Main Street, Evanston, Illinois, do hereby covenant and agree with the City of Evanston as follows:

The owners and purchasers of the PROPERTY agree on behalf of themselves, their heirs, successors, designees, and assigns, subject to compliance with all other provisions of the Zoning Ordinance and other applicable laws, to the following conditions:

(1) Six off-street parking spaces and two off-street loading berths meeting all the requirements of the Zoning Ordinance except for screening and wheelchair stops, shall be installed on the premises.

(2) Twenty percent (20%) of the proposed second floor office space shall be reserved solely for the use of the first floor tenants of the premises.

(3) A lease for five additional off-street parking spaces from the Chicago & Northwestern Railway shall be maintained for a period of five years commencing from the date of adoption of this ordinance, at the conclusion of which period, the owner shall either demonstrate to the Planning & Development Committee a good faith effort to obtain replacement parking spaces or shall meet the parking requirements of the property pursuant to the Zoning Ordinance then in effect.

(4) The Petitioners shall execute a covenant of agreement in recordable form reflecting the terms and conditions of this decision.

This covenant shall run with the land and shall be binding, not only upon the owner and lessee, but upon their heirs, successors, and assigns, and may be released only by agreement with the City of Evanston.

Adam Virag
Frank Schneider
John Loom

MAY 28, 1942
9:42
705 Main Street
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.
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES EXCERPT
December 5, 2018


Staff Present: J. Velan, L. Hemingway, R. Doerner

Others Present:

Presiding Member: J. Leonard

A quorum being present, Ms. Leonard called the meeting to order at 2:31pm.

New Business

1. **705 Main Street**

   Recommendation to ZBA

   Sean Curry, lessee, applies for a special use permit for a ground floor Medical Office, Evanston Family Chiropractic and Wellness Center, in the B2 Business District and the oDM Dempster-Main Overlay District, Zoning Code Section 6-15-17-5. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

   APPLICATION PRESENTED BY: Sean Curry, lessee

   DISCUSSION:

   • S. Curry stated chiropractic treatment and massage therapy will be provided.
   • J. Leonard asked how the use and space addresses the intent for an active ground floor in the overlay district.
   • S. Curry stated it will be an open floor plan, the reception and therapy areas will be visible from the street. He stated massage and rehab spaces will be behind walls for privacy.
   • G. Gerdes asked if the restrooms are ADA compliant.
   • S. Curry stated yes.
   • G. Gerdes stated signage requires a separate permit.
   • S. Mangum asked where employees will park.
   • S. Curry stated he lives within walking distance and will walk. He stated his employees will be encouraged to use public transit. He stated he choose the location due to nearby public transit for both employees and patients.

   G. Gerdes made a motion to recommend approval to the ZBA, seconded by S. Mangum.

   The Committee voted, 9-0, to recommend approval to the ZBA.
To: Zoning Board of Appeals

From: Melissa Klotz, Zoning Planner

Subject: 2019 Zoning Board of Appeals Proposed Schedule

Date: November 13, 2018

The Zoning Board of Appeals has regularly scheduled meetings once a month, typically on the third Tuesday of the month. Additional meetings may be scheduled as necessary.

<table>
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<tr>
<th>Month</th>
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<td>January</td>
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Day after President’s Day (not a City holiday)

4th Tuesday due to school schedule

Room G300