Zoning Board of Appeals  
Tuesday, January 15, 2019  
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 December 18, 2018.

3. NEW BUSINESS

A. 1905 Church St. 18ZMJV-0105  
Jacqueline B. Hoffman, lessee, applies for a special use permit for a Type 2 Restaurant, Spice, in the B2 Business District (Zoning Code Section 6-9-3-3) and the oWE West Evanston Overlay District (Zoning Code Section 6-15-15). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

B. 1030 Davis St. 18ZMJV-0104  
Marty Cless, property owner, applies for a special use permit for a Type 2 Restaurant, Philz Coffee, in the D2 Downtown Retail Core District (Zoning Code Section 6-11-3-4). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

C. 2510 Green Bay Rd. (continued to February 19, 2019 ZBA) 18ZMJV-0107  
Michael Meiners, lessee, applies for a special use permit for a Banquet Hall in the B1a Business District (Zoning Code Section 6-9-5-3) and oCSC Central Street Overlay District. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

D. 524 Main St. 18ZMJV-0106  
Jeremy Hall, potential lessee, applies for a special use permit for a ground-floor Medical Office, North Shore University Health System, in the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District (Zoning Code Section 6-10-3-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.
Section 6-15-17-5), and for major zoning relief for parking. The applicant requests an increase of zero parking spaces where an increase of 7 parking spaces is required for a Medical Office, and where a parking reduction for a total of 152 spaces (including 25 off-site) was granted by Planned Development Ord. 32-O-14 (Zoning Code Section 6-16-3-5 Table 16B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

4. OTHER BUSINESS

5. DISCUSSION

6. ADJOURNMENT

The next Zoning Board of Appeals meeting is scheduled for **Tuesday, February 19, 2019** at 7:00pm in James C. Lytle City Council Chambers of the Lorraine H. Morton Civic Center.
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, December 18, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Lisa Dziekan, Violetta Cullen, Mary McAuley, Kiril Mirintchev

Members Absent: Mary Beth Berns, Scott Gingold, Myrna Arevalo

Staff Present: Scott Mangum, Melissa Klotz

Presiding Member: Violetta Cullen

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

Minutes
Ms. McAuley motioned to approve the meeting minutes of October 16, 2018, which were seconded by Ms. Dziekan and approved 3-0 with one abstention.

New Business
705 Main St. ZBA 18ZMJV-0097
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.

Ms. Klotz read the case into the record.

Dr. Sean Curry, applicant, explained the proposal:
- Medical chiropractic office.
- Front windows will stay clear and the front will feature the reception desk and a retail component.
- 15-20% of the space is for retail.
- There will be one massage room (current site plan shows 2 massage rooms but one is eliminated).
- Dr. Curry already has a local client base in the neighborhood.
- Office will feature one employee for the first 6 months and then one additional employee who will be dropped off.
- Clients will be encouraged to use public transit and patronize nearby businesses.

Nicholas Ehrlich, 1117 Main St., was a patient of Dr. Curry’s in the past but his current location is inconvenient to get to so he currently is not a patient. Mr. Ehrlich will utilize the Evanston location since it will be located in his neighborhood.
Sean Chinsky, owner of the building at 710-716 Main St., would like the special use permit declined. Mr. Chinsky is opposed to repurposing a retail space to office. The Overlay requirement was enacted for this reason - offices do not encourage a vibrant retail corridor. The retail base on Main St. has been shrinking over the years. Stores that are adjacent to offices lose visibility with fewer people walking by. There has been progress in recent years since the Overlay was enacted; this use would deter that.

Ms. McAuley noted Evanston Lumber previously operated in the space and closed approximately 7 months ago.

Ms. McAuley asked Mr. Chinsky if he would support a hybrid retail/office where there is a retail component so the space operates as a wellness center as opposed to straight offices, which is a more active use. Mr. Chinsky responded the current plan does not have enough of a retail component for him to support. The eyeglass store nearby is largely retail with little medical office space in the very back.

Shawn Decker, owner of Sketchbook Brewing Co., and lives at 1324 Ashland Ave., stated Dr. Curry’s current practice is thriving and has a strong following within Evanston. There is a mixture of professional practices and retail in the area. The clients who frequent Dr. Curry’s practice will walk through the business area and frequent other businesses including Sketchbook Brewery.

Joe Kochke, owner of Virag building at 701-709 Main St., supports Dr. Curry. The space has been vacant for 7 months with little interest in that time. 30-40 people will be brought into the neighborhood every day, which will benefit the business district. This business will enhance the business district even though it is not substantially retail.

Josanna Ali, with Dave’s Rock Shop, notes the building at 705 Main St. does not have a dry basement so it does not have ample storage for a retail business. That was a major concern when Dave’s Rock Shop moved and required storage area. However, allowing a medical office at this location could set a precedent that would allow other offices in the area that would hurt the business district.

Cesar Marron, 1630 Madison St., owner of Sketchbook Brewing Co., supports Dr. Curry and the use of the space since it would bring 30-40 people to the neighborhood that will then frequent other businesses such as Sketchbook. This business will bring new people to the neighborhood.

Mike Noonan, 1440 W. Flarkey St., Chicago, is a patient of Dr. Curry’s and also a zoning attorney. With Dr. Curry’s Chicago location, a typical Saturday would be to go to Dr. Curry’s, get a coffee next door, and do some light shopping in the area. The same would be done at this new location.

Dr. Rediet, 923 Ridge Ct., is a rheumatologist and neighbor of Dr. Curry, and believes he is a good doctor and supports the medical office proposal.
Ason Efticary, 701 Main St. above the space in question, notes he originally wanted to locate his law office at 705 Main St. but ultimately chose to locate on the second floor due to the zoning restriction. After hearing the issues stated and contemplated, Mr. Efticary believes the medical office will bring a lot of people to the area and provide a needed use.

James Ali, owner of Dave’s Rock Shop at 711 Main St., was unsure of which side to support, but is leaning towards not supporting the medical office because there are already some medical offices in the area and a retail business would be more beneficial in supporting the other existing retail businesses.

Allan Price, owner of 704 Main St. building that houses La Principal and Wine Goddess, is conflicted because it is difficult to find good tenants for retail spaces. Evanston Lumber did not enhance the retail corridor when they were located in that space. Mr. Price explained his commercial tenants are not supportive of the medical office in the area.

Terry Clumky, landlord, has tried very hard to find a retail tenant for the space but has not been able to find one. The space does have a dry basement, but even so a good retail tenant has not been found. A chiropractor will bring in a lot of foot traffic; a lot more than Evanston Lumber. Those clients will frequent other businesses like Virag Jeweler.

Ms. Dziekan asked Ms. Clumky what efforts have been taken to find a retail tenant and Ms. Clumky responded she has worked with the City’s Economic Development staff, the Main-Dempster Mile business group, and has even contacted other local businesses such as FoodStuffs to see if they knew anyone who wanted to expand or relocate, but nothing worked out. The space has poles on the interior that deter certain types of uses such as a dance school.

Ted Perez, 1231 Asbury Ave., co-founder of Sketchbook Brewery and client of Dr. Curry's, supports the business and frequents nearly all of the businesses on Main St. At Dr. Curry’s Chicago location, before or after an appointment Mr. Perez waits at a coffee shop or store until the train comes.

Amy Wilkinson, 1630 Madison St., notes a lot of people who have appointments at the dentist next door to Sketchbook go to Sketchbook before or after. The medical office will enhance the business district.

Dr. Curry explained that his business is family oriented, and that includes the business family along Main St. and Chicago Ave. Dr. Curry plans to stay at this new location for the next 20 years. Patients who cannot be seen right away will be encouraged to visit surrounding businesses.

Ms. McAuley asked about hours of operation and noted very limited hours are proposed on Saturdays, which are big shopping days. Expanded hours on Saturdays are strongly encouraged. Also, the retail portion should be expanded - maybe with stand up desks, special pillows, etc. The ZBA recommendation should include an expanded retail
component as a condition and hours of operation that align more with the retail businesses.

Dr. Curry clarified he anticipates 80-120 patient visits per week, with visits of 20-25 minutes each. The retail component will include immune support, probiotics, vitamins, pillows, pain management items, items for children/adults/geriatric. The retail will be available for point of sale, not just for patients.

Deliberations:
Ms. Dziekan noted there is a difference in foot traffic between a professional office vs. medical office. Given the changing face of retail, it is difficult to consider how to keep retail alive and if other uses would be beneficial in helping retail. This use will be beneficial to the area since it will bring in potential customers.

Ms. Klotz and Zoning Administrator Mangum clarified Athletico did not require a special use because it was classified as a retail service since the business does not typically require medical doctors or prescriptions. Ms. Klotz also clarified how another office business in the future would need a Substitution of Special Use or new Special Use approval. The current Special Use in question would only carry over if the chiropractic office was a change in ownership only.

Mr. Mirintchev supports the project but would like to see more retail at the space. Also, the site plan and retail component should be more clearly done.

Ms. McAuley agreed with Mr. Mirintchev and specified the retail component should include more than just vitamins - it should include retail goods that will draw people in. Hours of operation should be more aligned with retail hours to create a more activated business.

Chair Cullen noted the retail component should draw other people in besides the current customer base.

The Standards were addressed:
1. Yes
2. Yes
3. Yes (Ms. McAuley - if there is an expanded retail component)
4. Yes
5. Yes
6. Yes
7. Yes
8. NA
9. Yes

Ms. McAuley motioned to recommend approval of the special use with the condition a well-designed plan of the space is submitted with an expansion of the retail component, and that within a reasonable time frame hours of operation be expanded to align with the business district, and substantial compliance with the documents and testimony on record and as revised.
The motion was seconded by Ms. Dziekan and approved 4-0.

Ms. McAuley motioned to approve the 2019 ZBA schedule, which was seconded by Ms. Dziekan and approved 4-0.

The meeting adjourned at 8:18pm.
1905 Church St.
18ZMJV-0105

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Community Development Director
Scott Mangum, Planning & Zoning Manager
Melissa Klotz, Zoning Administrator

Subject: 1905 Church St. – ZBA 18ZMJV-0105
ZBA Recommending Body
City Council Determining Body

Date: January 9, 2019

Notice – Published in the December 20, 2018 Evanston Review:
Jacqueline B. Hoffman, lessee, applies for a special use permit for a Type 2 Restaurant, Spice, in the B2 Business District (Zoning Code Section 6-9-3-3) and the oWE West Evanston Overlay District (Zoning Code Section 6-15-15). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City Staff and DAPR recommend approval of a special use permit for a Type 2 Restaurant, Spice, in the B2 Business District and the oWE West Evanston Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
1905 Church St. is located on the north side of Church St., between Dodge Ave. and Brown Ave. in the B2 Business District and the oWE West Evanston Overlay District. It is immediately surrounded by the following zoning districts:

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>R3</td>
<td>R2</td>
<td>B2 &amp; oWE</td>
<td>B2 &amp; oWE</td>
</tr>
<tr>
<td>Two Family Residential District</td>
<td>Single Family Residential District (ETHS)</td>
<td>Business District &amp; West Evanston Overlay District</td>
<td>Business District &amp; West Evanston Overlay District</td>
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1905 Church St. is an existing commercial space approximately 400 sq. ft. in size and features 15 feet of street frontage along Church St. The space was previously occupied by a jewelry and clothing store.

Proposal
The applicant proposes to operate Spice, a Type 2 restaurant, at 1905 Church St. 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 applicant proposes a family owned and operated Jamaican restaurant for carry-out service only. The business will feature 1-2 employees who will offer a limited menu of lunches and dinners. The front vestibule will hold a limited number of customers as they order food or wait in line, but no dine-in seating is proposed. The business will operate from 9am – 9pm daily. Deliveries will occur daily by the operator using a passenger vehicle that will either park on the street or at the rear of the property. No truck deliveries are anticipated. The space features one bathroom at the rear for employee use only. Trash pickup occurs via the rear. The applicant agrees to follow sustainable practices including recycling.
Since customer seating is not proposed, a customer bathroom is not required. No changes to the façade are proposed. City staff is not aware of opposition to the proposed special use.

**Ordinances Identified for Requested Relief:**
The following uses may be allowed in the B2 Business District, subject to the provisions set forth in Section 6-9-3-3, “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.

Spice will use a currently vacant commercial space to open a family owned and operated business that will provide a unique food type for the neighborhood.

**Design and Project Review (DAPR) Discussion and Recommendation:**
On December 19, 2018 the Design and Project Review Committee voted unanimously to recommend approval to the Zoning Board of Appeals, and noted a condition should be noted for delivery hours and location if deliveries are made by a truck, styrofoam shall not be used for order packaging, and composting is encouraged.

**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 B2 district.

b) Complies with the 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, streets, and on-street parking.

f) Does not cause undue traffic congestion; The business features carry-out service only, so customers will not remain at the restaurant for long. On-street parking will turnover regularly, and pedestrian customers from the surrounding neighborhood are anticipated.

g) Preserves significant historical and architectural resources; NA

h) Preserves significant natural and environmental resources; and No significant natural or environmental resources exist on site. The sustainability practices sheet submitted agrees to garbage and recycling pickup. The applicant is encouraged to compost, and is discouraged from using styrofoam containers.

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 December 12, 2018
Business Summary
Sustainability Practices Worksheet
Plat of Survey
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Meeting Minutes Excerpt – December 19, 2018
1. PROPERTY

Address: 1905 Church Street

Permanent Identification Number(s):

PIN 1: [10-17-1119-078-0000] PIN 2: [xxx-xxxx-xxxx-xxxx]
(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: Jacqueline B Hoffman

Organization: Restaurant

Address: 1905 Church St

City, State, Zip: Evanston IL 60201


Fax: Work: [xxx-xxxx] Home: [xxx-xxxx]

E-mail: jacquelinehoffman65@gmail.com

Please circle the primary means of contact.

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

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

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

Name(s) or Organization: Samuel Johnson

Address: 1905 Church St

City, State, Zip: Evanston IL 60201


Fax: Work: [xxx-xxxx] Home: [xxx-xxxx]

E-mail: jones@lawevanston.com

Please circle the primary means of contact.

"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

Signature: [Signature] Date: 12/10/2018

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

Signature: [Signature] Date: 11-11-18
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- [x] Completed and Signed Application Form
- [x] Plat of Survey     Date of Survey: __________________________
- [x] Project Site Plan  Date of Drawings: _________________________
- [x] Plan or Graphic Drawings of Proposal (if needed, see notes)
- [ ] Non-Compliant Zoning Analysis
- [x] Proof of Ownership  Document Submitted: ______________________
- [ ] Application Fee     Amount $____________

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**

The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:
   Type 2 Restaurant with limited menu. Hours of operation:
   9:00 AM to 9:00 PM

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

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?
   No, it will bring new life to the street and give neighbors more options to get delicious food

c) Will the requested special use be adequately served by public facilities and services?
   Yes, bus stop is close (at the corner), bicycle lanes, street parking
City of Evanston
DISCLOSURE STATEMENT

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 16, 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:  
   Does not apply.

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 ______ 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 ______ 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 ______ 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.

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 5
1905 Church – Restaurant type 2 – “SPICE”
Narrative

1. **Location and access** – the building is located near ETHS and Y.O.U building. Mainly pedestrian access with closely located bus stop and bicycle rack. Neighborhood restaurant type 2.

2. **Employees** – 2 (family business). Street parking will be used for employees – 1 car.

3. **Hours of Operation** – 9.00 am to 9.00 pm.

4. **Deliveries** – during business hours by passenger car. Street parking space will be used for a short period of time.

5. **Waste** – garbage cans, collected at the alley.

6. **Menu items**

   - Rice & Beans,
   - Curry Chicken,
   - Grill Chicken,
   - Escovitch Fish,
   - Oxtail or Curry Goat,
   - Cow Cock Soup or Goat Head Soup.
   - Sides are plantings / Steam Cabbage.
INTERIOR FIT-UP REMODELING FOR:

"SPICE"

TYPE 2 RESTAURANT

1905 CHURCH STREET, EVANSTON, IL 60201
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

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.

(Applicant Signature)

12-18-18
(Date)
PLAT OF SURVEY
GREMLEY & BIEDERMANN INC.

Lots 53 to 57 in Block 1 in J. E. Howland's Evanston Subdivision of the Southeast Quarter of the Northwest Quarter of Section 13, Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCES BEFORE DAMAGE IS DONE. FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON SURVEY PLAT REFER TO YOUR ABSTRACT, DEED, CONTRACT, TITLE POLICY AND LOCAL BUILDING LINE REGULATIONS. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENT UPON THIS PLAT.

State of Illinois
County of Cook

We, GREMLEY & BIEDERMANN, INC., hereby certify that we have surveyed the above described property and that herein drawn is a correct representation of said property as determined by survey.

Dick Jones

87170
Aerial Map - 1905 Church 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.

Copyright 2018 City of Evanston
Zoning Map - 1905 Church Street

December 14, 2018

User drawn points
Zoning Boundaries & Labels

Zoning Overlay Districts
- oCSC - Central Street Corridor
- oDM - Dempster-Main Overlay
- oH - Hospital Overlay
- oRD - Redevelopment Overlay
- oWE - West Evanston Overlay

Copyright 2018 City of Evanston

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 19, 2018


Staff Present: J. Velan

Others Present:

Presiding Member: J. Leonard

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

3. 1905 Church Street Recommendation to ZBA
Jacqueline B. Hoffman, applicant, submits for special use permit to establish a Type-2 Restaurant, Spice, in the B2 Business District and oWE West Evanston Overlay District.

APPLICATION PRESENTED BY: Jacqueline B. Hoffman, applicant

DISCUSSION:
• J. Hoffman stated this will be a Jamaican restaurant, all take-out orders.
• G. Gerdes asked about the prior use of this space, ADA and bathroom requirements make kick in.
• J. Hoffman stated the space was a clothing and jewelry shop.
• S. Mangum asked how many people could wait in line, and about hours.
• J. Hoffman stated 8-10 people can wait in vestibule, they would open at 9:00am
• K. Jensen would like to see business recycling, he stated a recycling receptacle can can be provided at no cost. He asked about carry out materials. He recommended composting.
• J. Hoffman stated likely styrofoam.
• S. Mangum stated adhering to the litter plan is important at this location.
• G. Gerdes stated signage is a separate permit.
• J. Velan asked about deliveries.
• J. Hoffman stated she plans to bring in items herself.
• J. Leonard stated delivery hours could be included in the ZBA recommendation for approval.

S. Mangum made a motion to recommend approval to ZBA subject to providing delivery hours and composting, seconded by G. Gerdes.

The Committee voted, 9-0, to recommend approval to ZBA subject to the conditions noted above.
1030 Davis St.
18ZMJV-0104

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Community Development Director
Scott Mangum, Planning and Zoning Administrator
Meagan Jones, Neighborhood & Land Use Planner

Subject: 1030 Davis St. – ZBA 18ZMJV-0104
ZBA Recommending Body
City Council Determining Body

Date: January 10, 2019

Notice – Published in the December 20, 2018 Evanston Review:
Marty Cless, property owner, applies for a special use permit for a Type 2 Restaurant, Philz Coffee, in the D2 Downtown Retail Core District (Zoning Code Section 6-11-3-4). 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, Philz Coffee in the D2 Downtown Retail Core District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
1030 Davis Street is located on the south side of Davis Street on the southeast corner of the Davis Street and Oak Avenue intersection in the D2 Downtown Retail Core District. It is immediately surrounded by the following zoning districts:

North: D2 Downtown Retail Core District
South: R6 General Residential District
East: D2 Downtown Retail Core District
West: R6 General Residential District
D4 Downtown Transition District

Proposal
The applicant proposes to operate Philz Coffee, a Type 2 restaurant, at 1030 Davis Street. 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 a variety of coffee, tea and specialty drinks in addition to pastries, bagels, toasts and pre-made items from 3rd party vendors. The applicant is proposing to operate seven days a week, with standard hours being 6am to 8pm on weekdays and 7am to 8pm on Saturday and Sunday.

Proposed Floor Plan:

The proposed floor plan includes indoor seating and a preparation area near the rear of the store that will be visible through the exterior windows. Employees will be encouraged to use the public transit options available near the site. Deliveries for pastries are expected to take place daily during the early morning hours in vans; additional deliveries for coffee, paper goods, etc. are anticipated to be twice weekly during the same morning hours. All deliveries are expected to be completed in the private alley directly behind the building. Trash will be stored in a shared space at the rear of the property and composting will occur whenever possible.

Ordinances Identified for Requested Relief:
The following uses may be allowed in the D2 Business District, subject to the provisions set forth in Section 6-11-3-4, “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.

Philz Coffee will use a currently vacant commercial space to open a locally owned and operated business that will draw additional foot traffic to the Downtown.

Design and Project Review (DAPR) Discussion and Recommendation:
On December 19, 2018 the Design and Project Review Committee voted unanimously to recommend approval to the Zoning Board of Appeals with a suggestion to add a bike rack at the corner sidewalk bump out near or where the planter box is located.

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 allowed under the special use section for the D2 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 along Davis Street.

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

f) Does not cause undue traffic congestion;
   The business location is near CTA and Metra facilities as well as on-street parking 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 regular garbage and litter collection in addition to recycling and intention to do composting with Collective Resource.

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 December 7, 2018
Business Summary
Sustainability Practices Worksheet
Plat of Survey
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Meeting Minutes Excerpt – December 19, 2018
1. PROPERTY

Address: 1030 DAVIS ST

Permanent Identification Number(s):

PIN 1: 11183090320

(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: MARTY CLESS

Organization: 1030 DAVIS ST LLC

Address: 2525 LINCOLN ST

City, State, Zip: EVANSTON, IL 60201

Phone: Work: __________________ Home: __________ Cell/Other: 847-436-1144

Fax: Work: __________ Home: __________

E-mail: martyless@yahoo.com

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

☑ same
☐ architect
☐ builder/contractor
☐ potential purchaser
☐ officer of board of directors
☐ attorney
☐ lessee
☐ potential lessee
☐ other:

☑ Please circle the primary means of contact.

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

Name(s) or Organization: __________________________

Address: ________________________________________

City, State, Zip: __________________________________

Phone: Work: __________ Home: __________ Cell/Other: __________

Fax: Work: __________ Home: __________

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 12/6/18
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- ✔ (This) Completed and Signed Application Form
- ✔ Plat of Survey Date of Survey: 3/16/18
- ✔ Project Site Plan Date of Drawings: 12/4/18
- □ Plan or Graphic Drawings of Proposal (If needed, see notes)
- □ Non-Compliant Zoning Analysis
- ✔ Proof of Ownership Document Submitted: DEED
- ✔ Application Fee Amount $600

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
The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:


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 - RESTAURANT/FOOD USE. D-2 DISTRICT SPECIAL USE FOR A TYPE II RESTAURANT.

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?

NO. NO. PHILZ COFFEE WILL MAKE A LARGE INVESTMENT IN THE BUILD-OUT OF THE SHOP, ADDING TREMENDOUS VALUE TO THE PROPERTY, NEIGHBORHOOD AND COMMUNITY WHILE POSITIVELY ACTIVATING DAVIS STREEET.

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

YES - WE ARE WORKING WITH LICENSED ARCHITECTS AND ENGINEERS TO ENSURE THE COFFEE SHOP IS BUILT ACCORDING TO CURRENT BUILDING CODES AND CITY ORDINANCES. LOCATION IS SERVED BY A MAJOR BUS ROUTE AND DAVIS ST. "L" STATION.
a) Will the requested special use cause undue traffic congestion?

NO. THE SHOP IS LOCATED ON A CORNER PROPERTY IN A RETAIL DISTRICT.

---

e) Will the requested special use preserve significant historical and architectural resources?

YES - WE PLAN ON MAINTAINING THE CURRENT BUILDING FACADE. OWNER WILL MAKE NECESSARY REPAIRS. STOREFRONT WINDOWS WILL BE REPLACED WITH AN UPDATED PRESENTATION TO THE STREET, GREATLY ENHANCING THE BUILDING'S INTRINSIC CHARACTER.

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f) Will the requested special use preserve significant natural and environmental features?

N/A - EXISTING RETAIL SPACE IN A RETAIL DISTRICT.

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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. PHILZ COFFEE WILL FOLLOW ALL REGULATIONS AND ORDINANCES.
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: Does not apply.

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 _____ 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 _____ above, or indicated below.

   1030 DAVES ST. LLC
   ATTN: MARTY CLESS
   2575 LINCOLN ST
   EVANSTON, IL 60201

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 ____ 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.

See Attached

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.

See Attached

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.

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List of Philz Coffee Officers

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<th>Name</th>
<th>Position</th>
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<tr>
<td>Jacob Jaber</td>
<td>Chief Executive Officer</td>
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<tr>
<td>Phil Jaber</td>
<td>Chief Coffee Officer</td>
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<tr>
<td>Carolyn Frey</td>
<td>Chief People Officer</td>
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<tr>
<td>Benedikt Reifler</td>
<td>Chief Finance Officer</td>
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<tr>
<td>Jim McPhall</td>
<td>Chief Growth Officer</td>
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<tr>
<td>Rob Ermann</td>
<td>Chief Operating Officer</td>
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Philz Coffee – 1258 Minnesota Street, San Francisco, CA 94107

List of Philz Coffee Directors

- Ron Johnson
- Greg Goldfarb
- Sanjay Banker
- Jim Coulter
PHILZ COFFEE, INC.
Attachment to Illinois Application
to Transact Business

Additional Officers:

- Benedikt Reifler, Chief Financial Officer

Directors:

- Sanjay Banker
- James Coulter
- Greg Goldfarb
- Faisal Jaber
- Jacob Jaber
- Ronald Johnson

The address for officers and directors is 1258 Minnesota Street, San Francisco, CA 94107.
December 6, 2018

Philz Coffee Proposed Evanston Operations Standards

Business Description

- Philz Coffee sells a variety of coffee, tea and specialty (e.g. hot chocolate) drinks. In addition the beverage offerings there is also a limited food menu consisting of pastries, bagels, toast with spreads and pre-made items from 3rd party providers. Philz prides itself on making each drink to order and utilizing local bakeries for pastry and other food offerings.
- Coffee and food is primarily served in compostable single use packaging. Food is also offered on plates that are washed on site.
- There is no delivery offered, though customers may order their beverage ahead through a mobile application so it is waiting for them when they arrive.

Hours

- We anticipate the coffee shop to be open 7 days a week. Hours are not yet determined, but our standards are 6:00AM – 8:00PM on weekdays and 7:00 AM – 8:00PM on Saturday and Sunday.

Deliveries & Refuse

- Deliveries occur daily for pastries. These deliveries are made in vans in the early morning.
- Additional deliveries for coffee, paper goods, etc. are anticipated to be twice weekly also in the early hours.
- We encourage all of our delivery providers to utilize smaller vehicles and to follow all parking regulations.
- Trash will be stored in a shared space at the rear of the property. The schedule of service is not yet determined but we anticipate trash pickup 2-3 times per week. Philz composts whenever possible and plans to participate in the Evanston municipal composting program through Collective Resources.

Employee Parking & Transit

- Philz anticipates roughly 30 employees total. At any given time there will be 4-10 employees working.
- No parking will be provided to employees. We will encourage all employees to utilize the ample public transportation options within walking distance of the shop.
- Philz has a strong history of employing local residents and would endeavor to do so in Evanston as well.
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. Note: We are still in process of selecting local Chicago vendors for food products (excluding coffee). We have criteria in our sourcing requirements for recyclable and/or compostable packaging.

Delivery Method:
When possible, the applicant shall utilize environmentally friendly modes of transportation, such as bicycle delivery, when transporting delivery orders to customers. Note: we don’t anticipate delivery beyond our cafe at this time.

Other Environmentally-Friendly/Sustainable Practices
- All of our green coffees are sourced under robust sustainability environmental and socially responsible criteria
- We will install PourAway lid covers on our customer trash receptacles to ensure liquids are not included in the waste stream--regular, recycled, or compost
- We use compostable cups and lids and offer reusable mugs.
- We have an active cross-departmental sustainability team led by our Dir. of Coffee and Sustainability that is actively exploring and implementing ongoing initiatives to improve our environmental (and social) impact in measurable and reportable ways at the retail level and upstream throughout our supply chain.

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.

Applicant Signature 12/19/2018
524 Main St.
18ZMJV-0106

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

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

Subject: 524 Main St. – ZBA 18ZMJV-0106
ZBA Recommending Body
City Council Determining Body

Date: January 11, 2019

Notice – Published in the *Evanston Review* on December 20, 2019
Jeremy Hall, potential lessee, applies for a special use permit for a ground-floor Medical Office, North Shore University Health System, in the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District (Zoning Code Section 6-15-17-5), and for major zoning relief for parking. The applicant requests an increase of zero parking spaces where an increase of 7 parking spaces is required for a Medical Office, and where a parking reduction for a total of 152 spaces (including 25 off-site) was granted by Planned Development Ord. 32-O-14 (Zoning Code Section 6-16-3-5 Table 16B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City Staff recommend approval for a special use permit for a ground-floor Medical Office, North Shore University Health System, and major zoning relief to add zero parking spaces where an increase of 7 parking spaces is required for a Medical Office, in the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use and major variation for this district.

Site Background
524 Main St. is located in the corner unit of The Main mixed-use building on the southeast corner of Main St. and Chicago Ave. The property is located within the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District, and is surrounded by the following zoning districts:

<table>
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<tr>
<th>Direction</th>
<th>Zone</th>
<th>Description</th>
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<tr>
<td>North</td>
<td>C1a &amp; oDM</td>
<td>Commercial Mixed-Use &amp; Dempster Main Overlay District</td>
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<tr>
<td>South</td>
<td>C1a</td>
<td>Commercial Mixed-Use District</td>
</tr>
<tr>
<td>East</td>
<td>C1a &amp; oDM</td>
<td>Commercial Mixed-Use &amp; Dempster Main Overlay District</td>
</tr>
<tr>
<td>West</td>
<td>B1 &amp; oDM</td>
<td>Business District &amp; Dempster Main Overlay District /</td>
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The property is surrounded by similar mixed-use buildings with ground-floor commercial spaces and multiple family residential above.

Proposal
The applicant proposes to operate a ground-floor Medical Office immediate care facility, North Shore University Health Clinic, at 524 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 (also in The Main), and has one special use request for a ground-floor Medical Office (chiropractor, 705 Main St.) in process, currently with City Council.

North Shore University Health Clinic proposes to operate an immediate care clinic for walk-in care without appointment for non-emergencies. The 3,000 sq. ft. space will feature a lobby/waiting room, exam rooms, and associated support space. The lobby/waiting room is located at the front of the space and includes transparent windows along the entire Main St. frontage as well as one window along the Chicago Ave. frontage. The three exam rooms and a storage space are located along the Chicago Ave. frontage and will be covered with film or blinds for patient privacy.

The facility will operate from 8am-9pm Monday – Thursday, and 8am – 8pm Friday – Sunday. The facility will utilize three employees per shift: a receptionist, doctor, and medical support staff person/nurse. The applicant anticipates 22 patient visits per day, who may then patronize other nearby businesses such as a pharmacy or convenience store. The hours of operation of the facility align well with the existing business district.
The Zoning Ordinance requires seven additional parking spaces for a Medical Office of this size. The Main was approved as a planned development with a site development allowance (zoning relief) to reduce the amount of required parking for the entire mixed-use development (Ord. 32-O-14 attached). The planned development includes a requirement for an off-site parking lot at 935 Chicago Ave. specifically to be used by office/commercial business employees of The Main. The existing building comprises the entire lot so there is no available location to add additional parking. There are 30 parking spaces on the ground floor of the parking garage that customers/patients may use. The applicant believes the immediate care facility will utilize 3-5 parking spaces per hour for patients. The spaces are shared use for customers of First Bank & Trust, Athletico (physical therapy retail service use), the last vacant commercial space in The Main (adjacent to the alley on Main St.), and the second floor office uses. All immediate care employees will park in the off-site parking lot at 935 Chicago Ave. or utilize public transportation.

Patients who park in the parking garage will exit the man door out to the Chicago Ave. sidewalk and then walk through the front entrance to the immediate care center at the sidewalk intersection of Chicago Ave. and Main St. To return to vehicles in the parking garage, patients should either return down Chicago Ave. to the man door entry to the parking garage (current practice at The Main is this door is locked from the outside), or should be directed into the parking garage via the door at the back of the immediate care space that leads directly to the parking garage. As noted by the DAPR Committee, at no time should patients be directed to walk down the alley to return to the parking garage.
No exterior modifications to the property are proposed other than signage. City staff has not received any objections to the proposed special use and zoning relief, but is aware of concern from the surrounding business district related to ground-floor office uses and their impact on nearby retail.

**Ordinances Identified for Requested Relief:**

6-15-17 oDM Dempster-Main Overlay District

6-15-17-5 Additional Special Uses: In addition to all special uses permitted in the underlying district, the following uses are allowed as a special use:
- Office (located on the ground floor)
  (among other listed uses)

6-16 Off-Street Parking and Loading

6-16-3-5 Table 16B Schedule of Minimum Off Street Parking Requirements
- Medical Office: 5 spaces per 1,000 sq. ft. of gross floor area

**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:**

The DAPR Committee found the proposed ground-floor Medical Office is an appropriate use that will provide a needed service for the neighborhood and increase pedestrian activity within the business district, and appropriate since ample visitor parking is available on-site for patients.

The DAPR Committee noted patients who park in the parking garage should be able to get in and out of the man door on Chicago Ave. to then utilize the main entrance, or else should be able to use the corridor from the rear of the commercial space to the parking garage, but should not be directed to walk down the alley to get back into the parking garage. Additionally, the DAPR Committee noted delivery vehicles should not park on the street to make deliveries to the facility, and a patient drop off/loading zone on the street will not be provided. The Committee also requested information about similar immediate care facilities operated by the applicant.

**Recommendation:** 10-1

**Special Use Standards:**

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

1. Is one of the listed special uses for the zoning district in which the property lies; Per Zoning Code Section 6-15-17-5 a ground floor Medical Office requires special use approval in the oDM Dempster Main Overlay District.
2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance; The Comprehensive General Plan encourages a variety of uses throughout commercial corridors that are beneficial to the surrounding neighborhood. A Medical Office that provides immediate care services is a needed use in the area.
3. Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use; Although there are other Medical Offices in the area, the other Medical Offices provide different services such as eye care and chiropractic care. This immediate care facility will provide walk-in service to the neighborhood and will bring an increase in pedestrian traffic to the business district.
4. Does not interfere with or diminish the value of property in the neighborhood; An immediate care facility is a positive convenient use for nearby residents that will utilize an otherwise vacant commercial space.
5. Does not cause undue traffic congestion; The existing building is currently experiencing an abundance of parking available on-site that can serve patients of the Medical Office, and employees will either park in the off-site surface lot or utilize public transportation.
6. Preserves significant natural and environmental resources; There are no significant natural or environmental resources at this site.
7. Complies with all other applicable regulations. The use will comply with other applicable regulations.

For a variation to be recommended for approval, the ZBA must find that the proposed variation:

1. Will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties: The building has been operational for over 2 years, and has displayed an overabundance of available parking both on the property and in the surface lot intended for employee use.
2. Is in keeping with the intent of the zoning ordinance: Although the property does not meet the parking requirement of the Zoning Ordinance, the area is transit oriented with nearby CTA and Metra stations and is highly walkable. The parking demand in this area is below the parking that is available on site and in the surface lot.
3. Has a hardship or practical difficulty that is peculiar to the property: The property features an existing building that comprises the entire lot, so additional parking cannot be added.
4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: Without the requested zoning relief, the Medical Office cannot meet the parking requirement and therefore cannot locate at the property in the commercial space that has gone unleased for over 2 years.
5. Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived: The Medical Office will provide a needed service to the immediate neighborhood in a walkable environment. Since visits to immediate care services are typically time sensitive, this convenient location is a public benefit to the neighborhood.

6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The parking requirement for a Medical Office specifically applies to existing buildings, whereas most other parking requirements are not applicable to existing buildings. The use of a ground-floor Medical Office was not anticipated and built into the original Planned Development approval by the original developer.

7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: Yes, additional parking cannot be added on-site or in the surface parking lot. Employees will be encouraged to utilize public transportation.

Attachments
Special Use Application, submitted December 3, 2018
Major Variation Application, submitted December 21, 2018
Operations Summary, submitted to DAPR January 9, 2019
Plat of Survey
Site Plans & Elevations
Planned Development Ordinance 32-O-14 (includes parking site development allowance)
Zoning Map of Property
Aerial View of Property
Image of Property
DAPR Draft Meeting Minutes Excerpt – January 9, 2019
1. PROPERTY

Address: 524 Main
Permanent identification Number(s):
PIN 1: 11194010240000 PIN 2: ___________ ___________ ___________ ___________
(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: Jeremy Hall (Project Manager on behalf of NorthShore University HealthSystem)
Organization: NorthShore University HealthSystem
Address: 1301 Central St.
City, State, Zip: Evanston, IL 60201
Phone: Work: 847.673.0010 Home: ___________ Cell/Other: ___________
Fax: Work: ___________ Home: ___________ E-mail: JHall@ifspm.com

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

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

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

Name(s) or Organization: Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
Address: 150 N. Riverside, Suite 1800
City, State, Zip: Chicago, IL 60606
Phone: Work: 312-788-1818 Home: ___________ Cell/Other: ___________
Fax: Work: ___________ Home: ___________ E-mail: jfeste@riversideid.com

"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."

[Signature]
Date: 11/21/18

Property Owner(s) Signature(s) – REQUIRED

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."

[Signature]
Date: 11/27/18

Applicant Signature – REQUIRED
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- (This) Completed and Signed Application Form
- Plat of Survey
- Project Site Plan
- Plan or Graphic Drawings of Proposal (If needed, see notes)
- Non-Compliant Zoning Analysis
- Proof of Ownership
- Application Fee

Date of Survey: 03/19/2015
Date of Drawings: 03/19/2015
Document Submitted: Title / Recorded Quit Claim Deed w/ Transfer Declarations

Amount $660.00

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**

The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

Site will house an "Immediate Care" center which focuses on providing timely and convenient "walk-in" care without an appointment for Non-Emergency medical needs. Space will consist of Exam, x-ray and Associated Support 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)

The Property is zoned C1a Commercial and is also located in the Dempster-Main Overlay district. While an office/medical clinic is a permitted use in the C1a zoning district, an office/medical clinic located at ground level in the Dempster-Main Overlay district requires approval of a special use by the City Council. Zoning Code Sections 6-10-3-2, 6-15-14-4, 6-15-17-5.

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?

To the contrary, this service brings medical care to the neighborhood at a time when they need it most (when they are sick) which is a service to the Community and a destination location which can drive additional traffic to local businesses.

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

Yes, the public facilities and services previously planned for this space are sufficient for the intended use.
d) Will the requested special use cause undue traffic congestion?

We do not anticipate that this use will create traffic inconsistent with the intended use of the space.

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e) Will the requested special use preserve significant historical and architectural resources?

This is a tenant build out in an existing building, no impact to historical or architectural resources are anticipated.

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f) Will the requested special use preserve significant natural and environmental features?

This is a tenant build out in an existing building, no impact to natural and environmental features are anticipated.

---

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?

The requested special use will comply with all other applicable regulation of the C1a district as well as the Dempster-Main Overlay District.
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: Does not apply.
   Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
   150 N. Riverside, Suite 1800
   Chicago, IL 60606

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.)
   Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
   150 N. Riverside, Suite 1800
   Chicago, IL 60606

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.
   Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
   150 N. Riverside, Suite 1800
   Chicago, IL 60606

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.
   Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
   150 N. Riverside, Suite 1800
   Chicago, IL 60606
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.
   Please see attachment A

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.
   Please see attachment A

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.
1. PROPERTY

Address: 847 Chicago Ave.
Permanent Identification Number(s):
PIN 1: 1111940102400000
PIN 2: 
(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.

2. APPLICANT

Name: Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
Organization: 
Address: 150 N. Riverside, Suite 1800
City, State, Zip: Chicago, IL 60606
Phone: Work: 312-788-1818 Home: Cell/Other: 
Fax: Work: Home: 
E-mail: jfeste@riversideid.com

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

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

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

Name(s) or Organization: Chicago & Main Evanston JV, LLC, an Illinois Limited Liability Company
Address: 150 N. Riverside, Suite 1800
City, State, Zip: Chicago, IL 60606
Phone: Work: 312-788-1818 Home: Cell/Other: 
Fax: Work: Home: 
E-mail: jfeste@riversideid.com

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
5. REQUIRED DOCUMENTS AND MATERIALS

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 (see zoning fees)  
  Amount $__________ plus Deposit Fee $150

Note: 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, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal
A Major Variance 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 project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee
* IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed project:

Site will house an "Immediate Care" center which focuses on providing timely and convenient "walk-in" care without an appointment for Non-Emergency medical needs. Space will consist of Exam, x-ray and associated support space.

B. Have you applied for a Building Permit for this project?  

☐ NO  ☒ YES

(Date Applied: 10/8/18 Building Permit Application #: 18INTC-0401)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant. (See the Zoning Analysis Summary Sheet for your project's information)

<table>
<thead>
<tr>
<th>(A) Section</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ex. 8-3-4)</td>
<td>(ex. requires a minimum front yard setback of 27 feet)</td>
<td>(ex. a front yard setback of 25.25 feet)</td>
</tr>
<tr>
<td>1</td>
<td>Required amount of parking spaces for medical office at this location is 7 additional spaces</td>
<td>reduce the required amount of parking spaces to zero.</td>
</tr>
</tbody>
</table>

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.
B. A variation’s purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property’s particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the zoning Ordinance requirements?

The property is unable to accommodate the required amount of parking spaces for a medical office because it is a previously constructed building with a set number of parking spaces. The property is unable to expand its parking due to this constraint and needs to seek a variation to the zoning ordinance.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

No, there is adequate means of public transportation (ie: Metra, The El, Buses, Etc) as well as a large number for pedestrian traffic in this area that will not require the additional 7 parking spaces required. Employees that do drive will be instructed to park in the off-site parking lot that is intended for office parking the building so as not to utilize the residential parking or customer retail parking.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

Yes, the property owner would not be able to meet a lease agreement with the proposed Tenant that has proposed a Immediate Care medical office at this location that the property owner believes will be a good addition to the area.

☐ Either

(a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or

(b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning Board of Appeals or the City Council, depending upon final jurisdiction under 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of 6-3-8-1.

B. The Lease agreement with NorthShore is a market rate lease.

☐ The alleged difficulty or hardship has not been self-created, if so, please explain.

Yes, it was the property owners understanding that medical office was a permitted use under the properties PD, and because of this executed a lease agreement with NorthShore to open an Immediate Care Clinic at this location.
Have other alternatives been considered, and if so, why would they not work?

No. There are no other alternatives to this major variation.

City of Evanston
DISCLOSURE STATEMENT FOR ZONING HEARINGS

(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:
   Does not apply.

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  above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

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

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

Chicago & Main Evanston JV, LLC an Illinois Limited Liability Company

150 N. Riverside, Suite 1800

Chicago, IL 60606
MAJOR VARIATION
INFORMATION

A. GENERAL INFORMATION

1. What projects are eligible for a Major Variation?
   Property Owners may apply for a Major Variation from the following zoning regulations:
   1. Yards and setbacks
   2. Height
   3. Lot size, width and depth (including flag lots).
   4. Lot coverage including impervious surface and/or floor area ratio
   5. Off street parking and loading
   6. Home occupations. (Ord. 11-0-04)

2. Who can submit an application?
   The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Zoning Office in writing. Standing (§6-3-8-4):

3. How do I submit an application?
   Applications must be submitted in person to the Zoning Office, City of Evanston, Civic Center Room 3700, 2100 Ridge Avenue. Our office hours are Monday through Friday (excluding Holidays) from 8:00am until 5:00pm. Evanston.
   Applications must be complete, including all required documentation and fee.
   Applications are not accepted by mail or e-mail.
   Application materials cannot be returned.

4. What forms of payment are accepted? Cash, Credit Card, Check.

5. Can I withdraw my application? Will my fee be returned?
   Yes, an application may be withdrawn any time prior to the final publication of the ZBA Agenda (the Friday before the hearing). If the newspaper notice has not been published or mailed notices sent out, a full refund is general granted. If this has occurred, only the $150 transcript deposit is returned.

6. Who has access to my application materials?
   The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT MAJOR VARIATIONS

1. What is the timeframe?
   The approximate time from when the Zoning Division receives a completed Major Variation application to when the applicant can reasonably expect a decision on that application is 30-40 days.
2. What is the Process?

- Upon receipt of a complete application, the Zoning Department contacts the applicant via phone and with a letter detailing the next steps in the process.
- The City publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, between 15 and 30 working days prior to a hearing.
- The City posts a sign announcing the date of the Zoning Board of Appeals hearing on the subject property no less than 10 working days before the hearing date.
- The City must mail notification of the public hearing and an overview of the proposed application to all properties that are within 500' of any point on the subject property.
- The project is heard before the Site Plan Appearance and Review Committee (SPAARC). This committee provides a recommendation to the Zoning Board of Appeals. This committee is made up of representatives from City departments such as Building, Police, Fire and Preservation. A representative of your project must attend. The committee meets every Wednesday at 2:00 at the Civic Center, room 2404.
- The Zoning Board of Appeals is a City Board made up of 7 members. You will present your case to the Board, who in turn will ask you questions to assist in their deliberation. Further, anyone in opposition may present their case and ask questions of you (as you may to them). It takes 4 yes votes to approve a submitted application.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing.

3. What standards are used to decide? (§6-3-8-12(A)):

To grant a major variance, the Zoning Board of Appeals must find that the request meets the following 7 standards:

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
2. The requested variation is in keeping with the intent of the Zoning ordinance.
3. The alleged hardship or practical difficulty is peculiar to the property.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
5. (a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or
   (b) While the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning board of appeals or the city council, depending on final jurisdiction under section §6-3-8-2 of this chapter, has found that public benefits to the surrounding neighborhood and the city as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of section §6-3-6-3 of this chapter.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Zoning Board of Appeals issues its decision or recommendation to the City Council regarding said variation.

4. Can I Appeal?

An applicant may appeal the decision of the Zoning Board of Appeals to the Illinois Circuit Court. (§6-3-8-6(E)):
Design and Project Review (DAPR)  
January 9, 2019

I. Location of Site (Riverside)

II. NorthShore Immediate Care Overview (NorthShore)
   o Benefits to the community
     ▪ Providing timely and convenient “walk-in” care without appointment for non-emergencies
     ▪ Space will consist of exam, x-ray and associate support space.
     ▪ NorthShore University Immediate Care will be a destination. This will add customers for current retailers in the immediate area and a service for neighborhood residents.
     ▪ Cheaper than emergency room, for area residents that don’t need medical care on a regular basis
   o Facility Overview
     ▪ Expected Patients
       • Yearly – 8,000, Monthly – 667, Weekly – 154, Daily – 22
     ▪ 3 employees at the office daily
     ▪ Hours of Operation
       • 8am-9pm Monday -Thurs
       • 8am-8pm Friday – Sunday

III. Seeking Special Use Permit for Medical Office & Parking Variance (Riverside)
    o Special Use permit
      ▪ Property is part of a PUD, but to have a medical office user in the Main Dempster Overlay district approval is required by City Council. Seeking permit for NorthShore
    o Zoning Variance
      ▪ Medical office at this location would be an additional 7 parking spaces. Proposing to reduce the require amount of parking spaces to zero.
      ▪ Zoning requires 15 spaces
      ▪ NorthShore has 8 designated patient spaces and 3 designated in 935 Chicago Ave lot
      ▪ Unable to accommodate required amount because the building has already been constructed.
      ▪ Employees will be instructed to park in the off-site lot at 935 Chicago Avenue

IV. Mitigation of Chicago avenue windows (Riverside / NorthShore)

V. Retail Leasing (Riverside)
   o The Goddess & The Baker terminated lease in August of 2016, has been unleased since.
   o Vacant since October 2016, + 2 years
   o Over 450 calls and inquiries
   o Reviewed numerous other shopping districts for cold calls on successful operators
   o Over 50 tenant showings
   o Significant rent reduction from

VI. Community Support (Riverside)
   o Shaun Good (Good’s), Eric Young (Lucky Platter), Katherine Gotsick (Main Dempster Mile Assn), Armen Minasian (Minasian Rug Company), Brian Kim (Brothers K Coffee)
IMMEDIATE CARE CLINIC
INTERIOR RENOVATION
524 MAIN ST., EVANSTON IL

DIRECTORY

OWNERS REPRESENTATIVE
INTEGRATED FACILITIES SOLUTIONS, INC.
5230 LINCOLN AVENUE
SKOKIE, IL 60077

ARCHITECT
OKW ARCHITECTS
600 W JACKSON BLVD. SUITE 250
CHICAGO, IL 60661
ILLINOIS DESIGN FIRM #: 164-005153 (1-299737)

ELECTRICAL ENGINEER
DICKERSON ENGINEERING INC.
3343 S RIDGE AVE.
ARLINGTON HEIGHTS, IL 60004
PROFESSIONAL SERVICES CORPORATION #: 564-000940

MECH., PLUMB., AND FIRE ENGINEER
PRIMERA ENGINEERS, LTD.
100 S. WACKER DR. # 700
CHICAGO, IL 60606
FIRM #: 64002574-0007

CONTRACTOR
BULLEY & ANDREWS
1733 W. ARMITAGE
CHICAGO, IL 60622

CODE SUMMARY

APPLICABLE CODES
2012 INTERNATIONAL BUILDING CODE
(WITH LOCAL AMENDMENTS)
ILLINOIS PLUMBING CODE
(WITH LOCAL AMENDMENTS)
2012 INTERNATIONAL MECHANICAL CODE
(WITH LOCAL AMENDMENTS)
2011 NATIONAL ELECTRICAL CODE
(WITH LOCAL AMENDMENTS)
2012 NFPA 101 LIFE SAFETY
(WITH LOCAL AMENDMENTS)
1997 ILLINOIS ACCESSIBILITY CODE
2015 INTERNATIONAL ENERGY CONSERVATION CODE

ACCESSIBILITY NOTES
THIS PROJECT WILL COMPLY WITH ALL APPLICABLE LOCAL ACCESSIBILITY CODES AND REQUIREMENTS.
1. ALL NEW WALKS, LOBBIES, AND ENTRANCE HALLS ARE TO BE 36" IN WIDE AND 30" IN DEPT. AND MUST BE COMPLIANT WITH THE AMERICAN WITH DISABILITIES ACT OF 1990.
2. ALL NEW WALKWAYS, LOBBIES, AND ENTRANCE HALLS ARE TO BE 36" IN WIDE AND 30" IN DEPT. AND MUST BE COMPLIANT WITH THE AMERICAN WITH DISABILITIES ACT OF 1990.
3. ACCESSIBLE WALKS TO BE PROVIDED PER IBC 2012 AS ERGONOMICALLY ACCESSIBLE.
4. PROVIDE HANDICAP ACCESSIBLE RESTROOMS.
5. PROVIDE AACI-95-0305 TO FACILITY PER IBC 2012.

SCOPE OF WORK

INTERIOR VARYING CONTENTS OF ACCESSIBLE SPACE TO STUDY 1,300 SF. TREATMENT ROOMS TO STUDY 1,000 SF. ELECTRICAL, PLUMBING, AND MECHANICAL WORK ASSOCIATED WITH THE ABOVE.

EVANSTON GREEN BUILDING ORDINANCE:

ENERGY INFORMATION

SITE PLAN

ARCHITECTS STATEMENT OF COMPLIANCE

ENERGY INFORMATION

SITE PLAN

COVER SHEET
32-0-14
AN ORDINANCE

Granting a Special Use Permit for a Planned Development
Located at 835 Chicago Avenue in the C1a Commercial District
("Chicago + Main")

WHEREAS, the City of Evanston is a home-rule municipality pursuant to
Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority
to adopt ordinances and to promulgate rules and regulations that protect the public
health, safety, and welfare of its residents; and

WHEREAS, Article VII, Section (6)a of the Illinois Constitution of 1970,
which states that the "powers and functions of home rule units shall be construed
liberally," was written "with the intention that home rule units be given the broadest
powers possible" (Scadron v. City of Des Plaines, 153 Ill.2d 164); and

WHEREAS, it is a well-established proposition under all applicable case
law that the power to regulate land use through zoning regulations is a legitimate means
of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1,
et seq.) grants each municipality the power to establish zoning regulations; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal
Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston
City Code of 1979, as amended, ("the Zoning Ordinance"); and
WHEREAS, O'Donnell Investment Co. (the "Applicant"), owner of the property located at 835 Chicago Avenue, Evanston, Illinois (the "Subject Property"), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of the Zoning Ordinance, specifically Section 6-3-5, "Special Uses", Section 6-3-6, "Planned Developments", and Subsection 6-10-1-9, "Planned Developments" in Commercial Zoning Districts, to permit the construction and operation of a Planned Development with accessory parking located at the Subject Property in the C1a Commercial Zoning District ("C1a District"); and

WHEREAS, the Applicant sought approval to construct a new nine-story ninety-seven foot (97 ft.) tall mixed use commercial, office, and residential building consisting of one hundred twelve (112) dwelling units, approximately 15,670 gross square feet of office space, approximately 12,064 gross square feet of commercial retail space, with one hundred twenty-seven (127) enclosed, garage parking spaces; and

WHEREAS, construction of the Planned Development, as proposed in the application, requires exception from the strict application of the Zoning Ordinance with regards to number of dwelling units per lot size, floor area ration (FAR), building height, enclosed parking setback, number of parking spaces, and the number and length of loading berths; and

WHEREAS, pursuant to Subsection 6-3-6-5 of the Zoning Ordinance, the City Council may grant Site Development Allowances to the normal district regulations established in the Zoning Ordinance; and
WHEREAS, on February 12 and February 26, 2014, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.) and the Zoning Ordinance, the Plan Commission held a public hearing on the application for a Special Use Permit for a Planned Development, case no. 13PLND-0117, heard extensive testimony and public comment, received other evidence, and made written minutes, findings, and recommendations; and

WHEREAS, the Plan Commission’s written findings state that the application for the proposed Planned Development meets applicable standards set forth for Special Uses in Subsection 6-3-5-10 of the Zoning Ordinance and Planned Developments in the C1a District per Subsection 6-10-1-9 of the Zoning Ordinance; and

WHEREAS, the Plan Commission recommended the City Council approve the application with conditions; and

WHEREAS, on March 24, 2014, April 28, 2014, and July 28, 2014, the Planning and Development ("P&D") Committee of the City Council held meetings, in compliance with the provisions of the Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered and adopted the findings and recommendations of the Plan Commission; and

WHEREAS, after the March 24, 2014 meeting of the P&D Committee, the Applicant submitted an amended application to add off-site parking spaces to the proposed development; the amended application is for a proposed Planned Development, seeking approval for a new nine-story ninety-seven foot (97 ft.) tall mixed use commercial, office, and residential building consisting of one hundred twelve (112) dwelling units, approximately 15,670 gross square feet of office space, approximately

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12,064 gross square feet of commercial retail space, with one hundred twenty-seven (127) enclosed, garage parking spaces and twenty-five (25) off-site parking spaces located at 935 Chicago Avenue; and

WHEREAS, at its meeting of July 28, 2014, the P&D Committee of the City Council held a meeting in compliance with the provisions of the Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered the amended application, amended and adopted the applicable findings and recommendations of the Plan Commission, and recommended approval thereof by the City Council; and

WHEREAS, at its meetings of March 24, 2014, and July 28, 2014, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council considered the recommendation of the P&D Committee, received additional public comment, made certain findings, and adopted said recommendation; and

WHEREAS, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see Glenview State Bank v. Village of Deerfield, 213 Ill.App.3d 747 (1991)) and is not subject to courtroom fact-finding (see National Paint & Coating Ass'n v. City of Chicago, 45 F.3d 1124 (7th Cir. 1995)),

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

SECTION 1: The foregoing recitals are hereby found as facts and incorporated herein by reference.

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit applied for in case no. 13PLND-
0117, to allow construction and operation of the Planned Development described herein.

SECTION 3: The City Council hereby grants the following Site Development Allowances:

(A) **Number of Dwelling Units Per Lot Size**: A Site Development Allowance is hereby granted for one hundred twelve (112) dwelling units, whereas subsection 6-10-3-4-(B) of the Zoning Ordinance requires a maximum of 87 dwelling units for a lot sized at 30,500 sq. ft. in the C1a District.

(B) **Floor Area Ratio (FAR)**: A Site Development Allowance is hereby granted for a 4.86 floor to area ratio, whereas subsection 6-10-3-7 of the Zoning Ordinance requires a maximum floor area ratio of 4.0 in the C1a District.

(C) **Building Height**: A Site Development Allowance is hereby granted for a ninety-seven (97) feet maximum height, whereas subsection 6-10-3-9 of the Zoning Ordinance requires a maximum allowed building height of sixty-seven (67) feet in the C1a District.

(D) **Enclosed Parking Setback**: A Site Development Allowance is hereby granted for a ten (10) foot setback for enclosed parking off of Chicago Avenue, whereas subsection 6-10-3-10 of the Zoning Ordinance requires enclosed parking to be set back twenty (20) feet from any front or street side lot line in the C1a District.

(E) **Number of Parking Spaces**: A Site Development Allowance is hereby granted permitting a total of one hundred and fifty-two (152) parking spaces, whereas subsection 6-16-3-5 of the Zoning Ordinance requires a minimum of two hundred sixteen (216) parking spaces for this particular mixed use building in the C1a District. Of the aforementioned one hundred and fifty-two (152) parking spaces, one hundred and thirty-one (131) parking spaces are compliant with the requirements of Zoning Ordinance Section 6-16, six (6) parking spaces are tandem parking spaces that are not recognized under the Zoning Ordinance due to a lack of a travel lane, and up to fifteen (15) parking spaces to be located above traditional spaces via hydraulic parking lifts that are not recognized by the Zoning Ordinance due to inadequate height clearance. Of the one hundred and thirty-one (131) code compliant parking spaces, twenty-five (25) parking spaces will be located off-site at 935 Chicago Avenue. All parking spaces, inclusive of the hydraulic lift and off-site spaces as required under this Ordinance, must be in place and usable prior to the issuance of a Temporary Certificate of Occupancy.

(F) **Number and Length of Loading Berths**: A Site Development Allowance is hereby granted for two (2) short loading berths at twenty-five (25) feet in length, whereas subsection 6-16-5 of the Zoning Ordinance requires a minimum of five
(5) short loading berths at thirty-five (35) feet in length for this particular mixed use building in the C1a District.

SECTION 4: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted hereby, which may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

(A) Compliance with Applicable Requirements: The Applicant shall develop and operate the Planned Development authorized by the terms of this ordinance in substantial compliance with: the terms of this ordinance; the Site and Landscape Plans in Exhibits B and C, attached hereto and incorporated herein by reference; all applicable legislation; the Applicant’s testimony and representations to the Site Plan and Appearance Review Committee, the Plan Commission, the P&D Committee, and the City Council; and the approved documents on file in this case.

(B) Enclosed Parking Ingress/Egress: The Applicant shall provide access from the enclosed parking structure to Chicago Avenue via a one-lane right turn only egress as depicted on the Site Plan in Exhibit B. Primary access to and from the enclosed parking structure shall occur via the ingress/egress located at the alley as depicted in the Site Plan in Exhibit B.

(C) Landscape Design: The Applicant shall install and maintain landscaping as depicted in Exhibit C. All landscape and hardscape, including but not limited to sidewalks, curbing, decorative brickwork, and planting materials, shall conform to the Chicago Avenue Streetscape Plan along Chicago Avenue and Main Street.

(D) Retail Exclusive Parking: The Applicant shall provide thirteen (13) enclosed parking spaces on the ground floor of the building parking, which shall be exclusively used for retail customers during the business hours of the on-site retail businesses and shall not be utilized for office or residential purposes during those business hours. Additionally, the Applicant agrees to display proper signage within the parking structure that specifically details such restriction. The aforementioned thirteen (13) on-site parking spaces for retail use shall be privately managed.

(E) Parking Lifts: The Applicant shall install three (3) parking spaces located above traditional spaces via hydraulic parking lifts. Up to twelve (12) additional hydraulic parking lifts shall be installed on an as-needed basis as determined by the City of Evanston. The Applicant shall provide the City a certified rent roll of the parking spaces on an annual basis, including hydraulic lift spaces. In the event all hydraulic parking lifts are occupied, the Applicant shall purchase and install an
additional three (3) hydraulic parking lifts until a maximum fifteen (15) lifts are installed or there is no additional demand.

In the event there is not a demand for additional hydraulic parking lifts upon the third anniversary of the issuance of the final Certificate of Occupancy, such hydraulic parking lift obligation shall sunset and the Applicant shall be released of said requirement within the Planned Development.

(F) **Car Sharing and Car Club Service:** The Applicant agrees to provide and place a minimum of two (2) car share vehicles in the enclosed parking structure prior to obtaining the Temporary Certificate of Occupancy. In the event this Planned Development, 835 Chicago Avenue ("Chicago + Main"), is converted to condominiums, Applicant may cease to provide the Car Sharing and Car Club Service.

(G) **Employees:** That the Applicant will have, as a primary goal, the employment of ten (10) Evanston residents, with a required minimum amount of five (5) Evanston resident employees during construction. Said residents, without regard to sex, race or ethnicity, can be sub-contractors or vendors to the development. The Applicant will hire as many competent minority and/or women Evanston subcontractors, workers, and residents as possible for the construction project.

(H) **Temporary Parking Meter Loss Compensation:** The Applicant shall pay two thousand two hundred fifty dollars ($2,250.00) per City of Evanston parking meter that must be temporarily capped or removed during the construction period, not to include any permanently removed meters. Such payment shall be for the City Parking Fund and shall be made prior to the issuance of the building permit.

(I) **Permanent Parking Meter Loss Compensation:** The Applicant shall pay seventy-two thousand two hundred eighty-one dollars ($72,281.00) for the total permanent removal of four (4) City of Evanston parking meters. Such payment shall be made prior to the temporary Certificate of Occupancy and is for the City Parking Fund.

(J) **Alley Excavation and Pavement:** The Applicant agrees to have the City of Evanston excavate and pave the north-south alley adjacent to Subject Property by way of the City of Evanston's Special Assessment Process. The Applicant shall obtain a Special Assessment Process petition from the City Engineer and comply with the subsequent required procedure necessary for the Special Assessment. If the Special Assessment Process is not approved, the Applicant shall, at its sole cost and expense, reconstruct the alley along the length of the subject property to the City alley standard, which includes but is not limited to an 8" concrete base with stormwater conveyance.
(K) Waste Management Services: The Applicant agrees to work with the waste management company servicing the alley to the best of their ability to ensure the alley remains passable during waste collection and/or pick-up.

(L) Property Utility Lines: The Applicant shall bury adjacent property utility lines, including but not limited to the lines on the four (4) adjacent utility poles, in conjunction with the required underground placement of utility lines required for the development project.

(M) City of Evanston Affordable Housing Fund: In the event this Planned Development, 835 Chicago Avenue ("Chicago + Main"), is converted to condominiums, the Applicant shall contribute to the Affordable Housing Fund four hundred forty thousand dollars ($440,000.00), amount consisting of ten percent (10%) of the units paid at forty thousand dollars ($40,000.00) per unit.

(N) Public Art: Applicant will include public art in its development and visible to pedestrians. Public art may be in the form of decorative stamped concrete walks, special brick work, glass blocks, or landscaping art. The Applicant will be responsible for all costs associated with the public art, including installation and maintenance.

(O) Recordation: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 5: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant’s tenants, agents, assigns, and successors in interest."

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 7: Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.
SECTION 8: All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 10: The findings and recitals herein are hereby declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: March 24, 2014
Adopted: July 28, 2014
Approved: July 30, 2014

Elizabeth B. Tisdahl, Mayor

Attest:
Rodney Greene, City Clerk

Approved as to form:
W. Grant Farrar, Corporation Counsel
EXHIBIT A

Legal Description

LOT "A" IN THE MAIN CONSOLIDATION, BEING A CONSOLIDATION OF LOTS 1, 2 AND 3 IN BLOCK 11 IN WHITE'S ADDITION TO EVANSTON IN SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 5, 1977 AS DOCUMENT NUMBER 23769201, IN COOK COUNTY, ILLINOIS.

PINS: 11-19-401-024-0000

COMMONLY KNOWN AS: Unimproved vacant land, 835 Chicago Avenue, Evanston, IL
(approx. 30,500 sq. ft.)
524 Main St.
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES EXCERPT
January 9, 2019


Staff Present: J. Velan

Others Present:

Presiding Member: J. Leonard

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

New Business

1. 524 Main Street

Jeremy Hall, potential lessee, submits for a Special Use for a ground floor Medical Office, North Shore University Health System, in the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District and major zoning relief to add zero parking spaces where an increase of 7 parking spaces is required.

APPLICATION PRESENTED BY: Jeremy Hall, lessee
Kent Swanson, representative of the property owner

DISCUSSION:

- J. Hall noted the space is 3,000 square feet.
- J. Hall noted there are 30 parking spaces on the 1st floor for commercial customers; existing office tenant employees do not park in the parking garage; 3-5 parking spaces per hour are needed for patients. He noted there is one remaining retail space.
- K. Swanson stated Planned Development has a trial period for parking lifts in residential portion of the parking garage, trial period ends in 2019, looks like these are not needed. He stated the building has enough parking.
- J. Hall noted there would be 3 employees, receptionist, doctor, and nurse.
- J. Hall noted loading dock will be used for medical pickups (labs) and deliveries.
- Committee discussed prohibiting street deliveries and no street patient drop off/loading zone.
- J. Hall noted customers will exit the parking garage on to Chicago Avenue then walk to the urgent care facility entrance, do not want patients using parking garage man door into rear of urgent care facility. Patients may be able to exit urgent care facility through the parking garage man door, prefer patients walk through alley instead. Could fix by changing the Chicago Avenue man door so patients can get back into the parking garage through that door.
Committee discussed condition that customer access to parking garage is by interior rear door or Chicago Avenue, not via alley.

- Exam room windows and storage room along Chicago Avenue will have blinds or window covers with ads or graphics, 3 windows by the entrance will not be covered.
- J. Leonard suggested a mural.
- Waiting room will look modern and inviting, windbreak walls at vestibule are clear glass.
- Committee requested parking demand and patient data at their other immediate care facilities in Skokie and Niles, who are the patients, demographic data, where patients come from.
- J. Hall stated there could be linked trips for retail to pharmacy.

G. Gerdes made a motion to recommend approval, seconded by L. Biggs.

The Committee voted, 10-1, to recommend approval subject to the conditions noted above.

Adjournment

L. Biggs made a motion to adjourn, seconded by G. Gerdes. The Committee voted, 11-0, to adjourn. Meeting adjourned at 3:55 pm.

The next DAPR meeting is scheduled for Wednesday, January 16, 2019, at 2:30 pm in Room 2404 of the Lorraine H. Morton Civic Center.

Respectfully submitted,
Michael Griffith