PLAN COMMISSION
Wednesday, October 30, 2019
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES: September 11, 2019 and September 25, 2019

3. NEW BUSINESS

   A. Text Amendment
      New Residential Zoning District 19PLND-0090
      A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to create a new
      general residential zoning district designation with a maximum height limit of 3 and one-half
      stories.

   B. Map Amendment
      Emerson Street Rezoning 19PLND-0089
      A Zoning Ordinance Map Amendment pursuant to City Code Title 6, Zoning, to rezone
      properties located north of Emerson Street roughly between Asbury Avenue to the east, Gilbert
      Park and former Mayfair railroad property to the west, and the block north of Foster Street to the
      north, from the existing R5 General Residential District zoning district to a new general
      residential zoning district with a height limit of 3 and one-half stories.

4. PUBLIC COMMENT

5. ADJOURNMENT

The next meeting of the Plan Commission is scheduled for WEDNESDAY, NOVEMBER 13, 2019 at 7:00 P.M. in JAMES C. LYTLE CITY COUNCIL CHAMBERS of the Lorraine H. Morton Civic Center.

Order of agenda items is subject to change. Information about the Plan Commission is available online at: http://www.cityofevanston.org/plancommission. Questions can be directed to Meagan Jones, Neighborhood and Land Use Planner, at 847-448-8170 or via e-mail at mmjones@cityofevanston.org.

The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact the Community Development Department 48 hours in advance of the scheduled meeting so that accommodations can be made at 847-448-8683 (Voice) or 847-448-8064 (TYY).

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las que no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).
MEETING MINUTES
PLAN COMMISSION
Wednesday, September 11, 2019
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Peter Isaac (Vice-Chair), Terri Dubin, Carol Goddard, John Hewko, Jane Sloss

Members Absent: Jennifer Draper, George Halik, Andrew Pigozzi

Staff Present: Scott Mangum, Planning and Zoning Manager
Meagan Jones, Neighborhood and Land Use Planner
Hugh DuBose, Assistant City Attorney

Presiding Member: Chairman Lewis

1. CALL TO ORDER / DECLARATION OF QUORUM

Chair Lewis called the meeting to order at 7:04 P.M.

2. APPROVAL OF MEETING MINUTES: August 28, 2019

Commissioner Isaac then made a motion to approve the minutes, seconded by Commissioner Dubin. The Commission voted, 6-0, to approve the minutes of August 28, 2019.

3. OLD BUSINESS (Continued from August 28, 2019 and August 7, 2019)

A. Text Amendment

Special Events in the U2 District 19PLND-0032

A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to Section 6-15-7-2 of the Zoning Ordinance, to revise permitted uses of the U2 University Athletic Facilities District.

Ms. Jones provided an overview of the proposed text amendment, highlighting revisions Northwestern University made to its application since the item was last discussed. These changes included providing parking for free to address parking concerns and adding time restrictions on when events could occur and how long set-up and take-down time could be.
Mr. Mike Polisky, Deputy Athletic Director for Northwestern, gave a brief summary of what Northwestern University is proposing, stating that there will be a limited number of concerts and athletic events over two years and that there have been two open forums with residents regarding the proposal with changes being proposed based off of comments received. He then introduced Mr. Dave Davis, Executive Director of Neighborhood and Community Relations for Northwestern University.

Chair Lewis opened the hearing to questions from the public. A total of 20 people spoke with the following questions:

- Joe Hill inquired if Northwestern had spoken to residents since the August 7th Plan Commission meeting and if the lack of specifying “up to the capacity of the venue” is a way to subvert the zoning code. Mr. Davis responded, acknowledging the concerns of not communicating often enough and stating that Northwestern began the process in January. They have spoken at ward meetings and hosted open forums in which comments were received and considered as part of revised applications. Mr. Davis added that he understands that there may be adverse effects. A maximum of 7,000 people is proposed for events and that cannot be changed due to venue size, there is no plan to expand and there will be measures taken to mitigate effects including additional security, monitoring emergency response times, working with the City on traffic and trash pickup following events. Northwestern has attempted compromise to move forward but will not withdraw its request.

- Mike Vasilko stated he is an architect and planner and asked what data or impact study has been provided to support statements made by Northwestern regarding improving the quality of life and parking. Ms. Jones responded that there were no requests made for marketing studies showing change in property values. Much of what was looked at was existing events and how those have affected traffic but no official traffic study was submitted.

- Yvi Russell asked if any tickets would be sold at the door and if the intent is to presale to Evanston residents and not need to open sales to the public. Ms. Russell then inquired about the sunset provision requesting that a written impact of the events on the neighborhood be submitted and that neighbors be able to provide feedback. She then asked if different events could occur in one day, if Northwestern will attempt to avoid conflicting with City events, if acts would be determined by the sponsor or the act itself, and clarification on if the 7 day events could be multi-day events. Mr. Polisky responded that Northwestern anticipates offering tickets to Evanston residents and opening remaining tickets to the general public. He added that once permission has been granted to hold the events, the clock will start so there has been no ability to plan events at this time but he would be happy to provide a report. The intention for events is to have single events and not breaking it up to have 2 in one day. Mr. Polisky then stated that there is not a lot of influence regarding concerts, it is a work in progress and that there will be the ability to hold 6 single day events and one multi-day event which would need to have City approval.
• Geary Kull asked if residents that signed petitions had been talked with, for clarification on the number of parking spaces on the site and if there could be other locations for concerts. He added that what is proposed is not considered educational. Ms. Jones stated that staff is always open to talking to residents and has received a number of calls, emails and documents that are a part of the record. Mr. Polisky stated that there are roughly 1,500 parking spaces with the recent repaving. Seat kills within the arena will vary depending on the concert and most attendees come with more than one person which cuts down on needed parking. Hope that opening spaces for free will help with the demand. Lakefront University facilities do not have needed capacity for concerts. He added that the ordinance change would reduce possible event days from 35 to 13. Mr. Davis then spoke briefly regarding alignment with the educational mission and stated that it is invested in the Community and strengthening the relationship between the City and the University.

• Mary Rosinski inquired how the events would compare with Dillo Day and provided information on hospital visits of attendees in recent years. She inquired if that event could then be moved, how security would be addressed and how many parking spaces exist for lakefront events. Mr. Mangum provided parking information stating that north center structure has 1100 spaces, south visitor center has 435, and the south deck has 492 spaces. Mary Rosinski then asked if economic studies had been read through. Ms. Jones stated that all documents that had been submitted to staff have been included within the Commission’s meeting packets.

• Joyce Zeiss asked for the athletic department to provide projections on possible revenue from events. Mr. Polisky replied that Northwestern knows the general math behind the revenue equation but does not have exact numbers. There would be tax revenue generated from the use. The Chamber of Commerce has some information regarding this but no full study has been done.

• Lynn Trautmann asked if the word “indoor” had been added to the proposed amendment. Ms. Jones replied that the actual phrase “indoor” had not been added. She then stated that the number of people keeps this location from becoming Wrigleyville and should be added. Chair Lewis stated that the Commission can recommend adding that language to the amendment.

• Ken Proskie asked for clarification on the number of parking spaces. 2,000 spaces mentioned previously, now 1,500. He counted 1,359 spaces.

• Stewart Gutsman asked if there would be any willingness to use the parking within the new welcome center on campus for concerts, if there had been any inquiries on the desire of the Evanston community for the proposed use and if there are comparable events instead of Canal Shores which is smaller. Mr. Polisky stated Northwestern will run shuttles, monitor parking and provide the shuttle for free. He then referenced the Chamber of Commerce study for economic effects and desire and stated that no comparable events had been looked at.

• Mark Rosati inquired about enforcing parking on the City’s end. Ms. Jones
responded that it is difficult to address that from a pure zoning perspective but the City recently approved parking changes in terms of pricing and providing parking on Poplar Ave. for game day events. This could be a part of Special Event Committee logistics considerations especially for different events with different needs.

- David Staub inquired about involvement of the Special Events Committee and parking by the hospital. Mr. Polisky stated the hospital will be provided with a schedule of events and the hospital vacates the parking lot when needed.

- Laurie Keenan asked what will be done for the children of Evanston to ensure there is not an issue with concerts and alcohol and how will this differ from Dillo Day which has gotten worse over the years.

- Christina Brandt stated that Northwestern has had nefarious actions in the past and asked why Welsh-Ryan Arena was not specifically named and why the sunset clause does not include the public. Mr. DuBose responded that the amendment as written would go through the review process and at minimum go before City Council. Commissioner Isaac added that after 2 years, Northwestern would need to seek a new amendment and stated that it would be appropriate to state a specific expiration date. Mr. Davis stated that he is fine with the language change and that the intent is to hold events at Welsh-Ryan arena. Initially the proposed language included Ryan Field and the community wanted just Welsh-Ryan arena. The concern was if it were limited to just that it could affect current events that are held there.

- Christina Brandt asked why the Commission would vote different than its predecessors and it should be prepared to answer.

- Jill Kidd asked how Northwestern will prove ability to hold these events, what data and metrics will be used, how will the City benefit and how the reporting could be codified. Mr. Polisky replied that there will be collaborative meetings with neighbors for concerns, attendance and expected revenue. Will work with Kellogg on those metrics but knows revenue and impact will depend on the event. Allstate arena has also been consulted to get a feel for how concerts and promotions would work. He is happy to employ new language within the code.

- Susan Blatz asked about what studies were provided and if they were consulted. Ms. Jones responded that the information submitted by Yvi Russell addressed economic impacts and were included in Commission information packets. She then asked why a zoning ordinance change is being considered. Chair Lewis responded that Northwestern owns property and is seeking modifications regarding land use. He added that the Commission will address the studies and what is addressed during deliberation.

- Ted Trautmann inquired about the language “enclosed” not being added and if it could be. Chair Lewis replied that an amendment could be made addressing that language and be a part of the recommendation to City Council.

- Elizabeth Horner stated that at the previous meeting it was stated that the events would have a positive impact on restaurants and businesses, and asked if any study had been done to support that statement. She then referenced that the
arena offers 36 food vendors and if the possible effects had been considered. The Chamber of Commerce will address those issues.

- Dana Caspall inquired about the impact on children and if Northwestern and the City considered the effects of these events on young children. Ms. Jones stated that impacts on children was not separated out but consideration for timing of events, set up and take down was included. The Special Events Committee could look at various aspects regarding logistics, noise, impact to City property, etc. Residents do have a say and could submit comments to staff or the alderman that could be forwarded to the Committee. Ms. Caspall then asked if the financial benefits were considered. Ms. Jones said no, that it was not a part of the report and not in the purview of Planning and Zoning or Plan Commission review. She asked if Northwestern would be amenable to adding a parking ban within a mile of the stadium for anyone other than residents and their guests. Mr. Davis replied that the Northwestern cannot authorize a parking ban on public property but can provide a recommendation to Council.

- Amanda Bratten asked what is looked at when recommending change. Chair Lewis stated that the short answer is the proposals must be weighed against the standards for approval of amendments. Ms. Barton asked what will happen in 2 years at the end of the trial period. Ms. Jones replied that staff and the Commission cannot state for certain what will occur but that if there are certain changes such as large increase in attendees additional review would need to occur. Dave Davis added that Northwestern will not expand the use of its facilities to 40,000 people.

- Sarma McBride, a Wilmette resident, stated she is impacted greatly by current events and asked if the restrictions and reimbursement of expenses could be applied in Wilmette. Mr. Davis responded that he has talked with Wilmette and has looked into offsetting its costs.

Chair Lewis opened the hearing to questions from Commissioners. These included:

- Commissioner Hewko explained the “give and get” of the proposed amendment including the number of possible event days being reduced from 35 to 13 days, City approval being required for multi-day events, maximum event attendees being reduced from 10,000 to 7,000, free parking being provided, time limitations have been added and the proposed changes would sunset after 2 years. He then asked if the 4% Amusement Tax and 12% sporting tax would apply or be increased. Mr. DuBose responded that an increase would require a change to City Code and Council approval.

- Commissioner Isaac asked how many total spaces would be allotted for free parking and how many would be within the U2 zoning district and if Northwestern would be opposed to prohibiting tailgating before and after events. Mr. Polisky responded that Northwestern could commit all existing parking spaces in the U2 and will commit additional spaces, of the 3,800 total, with shuttles for temporary events. He cannot commit all of the University’s parking spaces. He added that he would support prohibiting tailgating.
• Commissioner Sloss asked if the costs incurred by the City are transferred to the applicant and the average attendance at games. Mr. Polisky responded that they are. He added that there are 6,800 attendees at basketball games with a 7,039 seat capacity Welsh-Ryan arena.

• Chair Lewis asked if there have been similar University events hosted in this area. Mr. Polisky responded that there are volleyball games, wrestling events, basketball games with a capacity of 7,039 seats. Men’s basketball has the highest average attendance.

Chair Lewis opened the hearing to public testimony. There were several presentations and people speaking on behalf of organizations as well as 16 individuals who spoke in addition to those presenters. The presentations included the following:

• Ken Proskie, representing neighbors east of Ryan Field. Mr. Proskie’s presentation showed other Big 10 schools and the surrounding areas. The information showed that Northwestern University has twice as many residences surrounding its sports arenas than all other Big 10 schools. He explained that there is a parking deficit with other locations having 1 parking space per 2.6 seats versus Northwestern providing 1 parking spaces per 5.2 seats. As a point of reference for attendees who may use public transit, he added that between 8% and 12% of Ravinia attendees use public transit.

• Laurie McFarlane, with North Evanston Watch, provided a presentation showing zoning use differences with Northwestern having a history of bad behavior. She added that Northwestern has not met the standards for approval of a text amendment.

• John Nader of Economists for Growth provided economic data and stated that the proposal does not make economic sense. He stated that a survey was done of professors with majority stating that events such as those proposed would be a drain on the surrounding area. He added that an economic impact presentation should be provided that demonstrates a halo effect from attendees as it likely does not apply to this area.

• Yvi Russell provided a presentation of possible effects and impacts. She provided a history of the property and Northwestern’s past event activities noting violations with Northwestern hosting professional events. She also noted the code violations on the east parking lot and that stated that the City should not trust Northwestern’s proposed amendment.

• Roger Sosa of the Evanston Chamber of Commerce provided information on a survey conducted by the Chamber regarding the proposal and various aspects of the Arena. The survey was open for one month. Based on the responses received 70% would be in favor, 20% would not and 10% were unsure. He added that there is conflicting data on possible impacts of the proposed amendment and conclusions have depended on assumptions. The amendment could be a “shot in the arm” economically and expose the City to new visitors who visit businesses.
Chair Lewis asked for a motion for a brief recess. Commissioner Isaac motioned for a 5 minutes recess and Commissioner Goddard seconded the motion. The Commission recessed at 10:29

Commissioner Goddard made a motion to reconvene the meeting, seconded by Commissioner Isaac. The meeting reconvened at 10:35

Public testimony continued with individual testimony from residents. The comments included the following:

- Joe Hill expressed his belief that the text amendment is a ploy to avoid going through the map amendment process and that if the amendment is approved, the City would lose the ability to review.
- Margaret Faust stated that the amendment is inconsistent with the Commission's pledge and that there would be negative effects. Events are not all created equal and the hours are inconsistent with the surrounding neighborhood and would encourage tailgating. She encouraged the Commission to vote no.
- Mary Rosinski stated that the amendment process is not intended to relieve hardships or confer special rights onto individuals. She added that she disagrees with statements regarding increased property values. The issues are about trust and she encouraged the Commission to send the amendment back to staff for further review.
- Ted Trautmann stated that only amateur events are allowed due to the location within a residential area. Neighbors have rejected previous attempts to hold professional events. Nothing has changed this time except a renovated stadium. He encouraged the Commission to reject the amendment.
- Joyce Zeis stated that concerts are determined to be impactful. They should occur on infill property with new buildings, which would be a compromise.
- Andrew Samiak stated that he moved to Evanston from Austin, TX and went to Michigan State and worked in events planning for the Breslin Center. He stated that there are cultural events that add value and to say those type of events do not add value is a misstatement. He mentioned well known acts that have booked other university spaces such as UIC pavilion (a 9,500 seat venue) in Chicago. He referred to local businesses from the petition against the amendment and noted that only 10 are open after 6:00 PM and 5 of those are located over a mile away from the site. He provided information on event attendance at Michigan Stadium and stated that it is misleading to say that stadium and its events do not affect the outside community there.
- Stewart Gottsman expressed that there is crowding in the neighborhoods during events. He asked that Northwestern and the Commission listen to the residents and send the proposed amendment to the Zoning Committee.
- Amanda Braton shared that her home backs up to the back of the stadium. She felt protected by the existing zoning and is against the proposed change.
She added that she is a voice for mothers and the proposed change poses safety issues that are of concern. Approving the amendment would open the door to other changes in zoning.

- Mark Rosati expressed strong opposition to the amendment and mentioned the UIC pavilion mentioned by a previous resident, stating that that space is on campus and is a different type of area. He believes this is a misguided proposal.
- Bob Cruse stated that he was hit by a car as a child on Ashland Ave. and has concerns for traffic safety. He is less concerned with Northwestern making money than the loss of property values and asked if Northwestern could simply ask for a variance for events. He added that it appeared that some slides were based on the center of the U2 district and not the property lines.
- David Straub stated that the first 3 presentations were good and he agrees with them. He does not believe that Northwestern has met the burden of proof and that review would be limited to logistics versus getting a full permit from the Special Events Committee.
- C. Brandt stated opposition to the amendment and that there are no benefits to offset the impacts. The District is bordered by residents on all 4 sides. Concern over the introduction of alcohol sales at the arena. There are already a number of cultural events in Evanston, is there a need for revenue in the form of using this land?
- Jill Kidd stated opposition and supported other comments. She added that the revenue mentioned for local business is not new spending and no substitution was taken into account. She added she had less concern of noise within the stadium than traffic noise and an entertainment center is not a standard.
- Susan Blatts stated support of presentations in opposition to the amendment and that Northwestern has not met the burden of proof. Entertainment should be provided downtown.
- Maria Topper stated that she loves Evanston and the neighborhood and has safety concerns. There is a lack of parking on game days and it is reckless to bring in events without proper infrastructure.
- Kat O‘Reily stated she was impressed by the resident presentations

Chair Lewis closed public testimony and asked for further comments and questions from the Commission.

Commissioner Isaac asked if Evanston Police Department presence is reimbursed. Mr. Davis responded that the cost is reimbursed and the City passed an ordinance to require reimbursement of all overtime activity.

Commissioner Isaac then referenced Wrigleyville stating it is his understanding that the Chicago Cubs send staff into neighborhoods to clean up, and if Northwestern is open to doing something similar. Mr. Davis responded that trash receptacles are provided for events. Mr. Polisky added that there is investment made to ensure the
neighborhood is returned to the way it was prior to the event and Northwestern would be open to having additional conversations though no complaints are made.

Commissioner Isaac asked if there was any thought to having open air concerts on the lakefront versus an indoor facility similar to Evanston Space in Canal Shores or Grant Park in Chicago. Mr. Polisky has stated that at this time concentration has been on existing indoor space and outdoor concerns have not been considered.

Commissioner Isaac then asked if the proposed change is required to have a Paul McCartney level artist play at Welsh-Ryan arena. Mr. Polisky stated that it is his understanding that, per the ordinance, the change is required in order to have a for-profit event. Some other events have been student led and non-profit in nature. Attempting to pursue in the right manner.

Chair Lewis asked if the language is being changed to for-profit or professional events. Ms. Jones replied that the proposed amendment would open Northwestern's facilities to both professional and for-profit events. The current amendment strikes non-profit from the regulations. Commissioner Isaac asked if “amateur” and “non-profit” address the same thing. Ms. Jones replied that that is essentially the intention.

Laurie McFarland stated that sporting events are considered an integral part of the college experience and not in question whether profit is made or not.

Commissioner Hewko inquired about the language stating “intended primarily for residents of the City”, is Northwestern arguing that giving first access to residents addresses that intention. Mr. Polisky replied yes, that is the intention.

Commissioner Hewko then asked if there is a definition for athletic events and if there could be different interpretations going forward. Ms. Jones stated that there is not a definition for athletic events or language that specifically lists what sports would be included in that.

Chair Lewis asked for closing remarks from Northwestern. Mr. Davis thanked the Commission and residents for the ability to present the proposal to do something that Northwestern may believe is simple but may also have impacts to the neighborhood. He added that there will be measures taken to mitigate possible effects, including foot patrols, traffic management, litter services and trash pickup as well as ongoing conversations will occur with residents. He acknowledged that there has been a confrontational relationship between Northwestern and the City that has improved though there is some lingering distrust from some residents.

Chair Lewis closed the public hearing and the Commission began deliberations.

Chair Lewis asked if the attempt to limit noise is more or less stringent than the
City’s noise ordinance. Ms. Jones stated that Northwestern would have to comply with current noise regulations. Mr. Mangum added that in Title 9, the noise regulations are stated some of which 10:00p to 7:00a Sunday through Friday, Friday to Sunday 11:00p to 7:00a. Construction activity (set up and take down) is limited to 7:00a and 9:00p weekdays and 8:00a to 5:00p on Saturday.

Chair Lewis acknowledged that, per the current code, there are 35 possible days that could be used for amateur and nonprofit events; if those events were available those days would be used. The real issue is professionalism makes more events available so more days could be used.

Commissioner Isaac stated that there would be a net of 11 more days outside of the 2 current one day temporary events that are held. He then added that he has a number of suggested amendments to what is proposed including: adding language regarding having the events indoors, leaving “amateur athletic events” within the proposed language, having the University provide notice when a special event is planned, making it clear that at least 2,000 parking spaces should be provided with 1,300 of those spaces available within the U2 district, no loitering pre or post event, and having a definitive date for the end of the 2 year trial period of December 31, 2021.

Chair Lewis asked for clarification on how the Commission could vote on proposed amendments to the proposal. Mr. DuBose replied that it would make sense to review and discuss the full amendment and if needed address amendments to the full proposal.

Commissioner Sloss stated that she generally agrees with Commissioner Isaac and added that more information on possible home depreciation and certainty of an event schedule may help. She is open to eliminating City of Evanston approval to specifically say City Council approval and clarifying the expiration of the trial period to a specific date.

Commissioner Goddard expressed that she is uncomfortable with requiring 2,000 spaces as there is a lot of access to public transportation and that amount of required spaces may be excessive. She had no issues with professional events.

Commissioner Hewko stated that regulations should specify that events are indoor only and there should be no tailgating permitted for the events, however, the requirement of 2,000 parking spaces seems excessive. Would not strike “amateur” events from the proposed language. Would also require City permission for all events.

Chair Lewis suggested having City Council review would provide some control on the type of event and inquired about the Special Events Committee review. Mr.
DuBose clarified the process for the Special Events Committee and stated that Director Hemingway is amenable to including these events for Special Events Committee review.

Chair Lewis asked what the difference is between amateur versus professional. Certain audiences may be more disruptive but that is not predicated on professional versus amateur events. Commissioner Isaac stated that he ties the multi-day event single day events together. He added that a 7-day tennis event could be considerably more disruptive than a single day evening concert. He is not in favor of multi-day events but that could be done after a 2 year testing period for single-day events.

Commission Sloss asked if Commissioner Isaac is more opposed to multi-day events versus professional would he be open to professional single day events and striking multi-day events. Commissioner Isaac stated he would be open to that but would then prefer that City Council approval be required for all events not just multi-day events.

Chair Lewis spoke regarding studies mentioning that traffic would likely be similar to that of existing events but that an economic analysis could be done to demonstrate a need. Commissioner Goddard disagreed on the former point, stating the Commission does not make decisions based off of economics.

Chair Lewis stated that there is a benefit to having local events versus having to travel to a new location. Chair Lewis then asked if it is necessary to have the use at this site and if it could be at a different Northwestern location and be less impactful.

There was then some discussion regarding including specific dates for the sunset provision and when the date could be set.

The Commission then reviewed the standards for approval of amendments and agreed that standard one is met due to the language not seeming to increase the intensity of use. There was some disagreement on standard two with compatibility being possible if the proposed language is modified and other items considered. The Commission generally agreed that standard three was met with conflicting evidence of effects of nearby property values. The Commission agreed that, with modifications, the fourth standard of adequate utilities and services could be met.

Commissioner Hewko made a motion to approve the text amendment as presented by staff. Seconded by Commissioner Goddard.

Commissioner Isaac made a motion to amend the proposed amendment to retain the word “amateur” in the amendment. Seconded by Commissioner Dubin. A voice vote was taken and the motion failed by a 1-5 vote.
Commissioner Isaac made a motion to amend the proposed amendment to provide written notice to residents within 500 feet of the site within 5 days of approval of special events. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 5-1 vote.

Commissioner Isaac made a motion to amend the proposed amendment to provide free 2,000 parking spaces with 1,300 spaces being within the U2 district. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac made a motion to amend the proposed amendment to prohibit loitering before and after events. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 6-0 vote.

Commissioner Isaac made a motion to amend the proposed amendment to limit events to no more than 7 consecutive days. Due to lack of a second, that motion failed.

Commissioner Isaac made a motion to amend the proposed amendment to provide an ordinance expiration date of December 31, 2021. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac made a motion to amend the proposed amendment to remove language referring to City of Evanston extension of the ordinance. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac asked for suspension of the rules to ask a question regarding the number of outdoor events and attendance. Mr. Polisky responded that the Run for Walk event has approximately 1,000 participants, the Meet the Team event has 800 participants and the community movie in Ryan Field attracts approximately 2,500 participants.

Commissioner Isaac then made a motion to amend the proposed amendment to limit indoor event attendance to 7,000 people and outdoor event attendance to 3,000. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 6-0 vote.

Commissioner Hewko made a motion for all events to be approved by the City Council. Seconded by Commissioner Isaac. A voice vote was taken and the motion passed by a 5-1 vote.
Commissioner Isaac then made a motion to approve the proposed text amendment as amended. Seconded by Commissioner Sloss. A roll call vote was taken and the motion passed, 4-2.

Ayes: Dubin, Isaac, Sloss, Hewko
Nays: Goddard, Lewis

4. NEW BUSINESS

A. Planned Development

1012-1018 Church Street (Northlight Theatre) 19PLND-0075

Northlight Theatre, applicant, proposes to construct a 29,860 sq. ft. Cultural Facility, live theater performance venue, with a 312 seat main stage, rooftop entertainment deck, and a building height of 43 ft. The following site development allowances are requested: 1) Providing zero off-street parking spaces where 34 are required, and 2) A 2 ft. setback from the street frontage property line at the first floor where a zero setback is required (a new building is required to be built to the street frontage up to a minimum building height of 24 ft. but not more than 42 ft.). The property is located in the D3 Downtown Core Development District.

Mr. Mangum provided an overview of the proposed planned development, explaining the site development allowances, public benefits and staff recommendation for the project.

Mr. Tim Evans of Northlight Theatre, then gave a brief presentation of the proposed project describing the façade and building offerings. He then introduced Mr. Craig Smith, architect, who provided additional details on the building, including the ground floor layout and entries, 2nd level administrative offices and balcony, 3rd level rehearsal hall, and lower level stage traps and pump room. He then reviewed the overall site plan, sharing the intention to have patrons utilize public transit and nearby city garages. Buses for student visitors would utilize a loading space on Oak Avenue.

Janet Mullet then gave an overview of the economic impact, including $55 million in new spending in the first five years of the theatre being open in addition to $427,000 in new city taxes and 115 full-time equivalent jobs being created.

Mr. Evans then explained some of the existing charitable partnerships Northlight Theatre has with other organizations and briefly described some of the existing site conditions.

Chair Lewis opened up the hearing to questions from the Commission.
Commissioner Goddard inquired about the removal of two parking spaces in front of the Church Street entrance. Mr. Smith responded that Northlight intends to direct patrons to parking garages and is not looking to use that area as a drop-off space. There is a side door off of the west alley adjacent to the City lot that can be used as an accessible entryway. Commissioner Goddard stated that the plan will require a lot of education of patrons and if there is valet service proposed. Mr. Smith replied that valet service is planned for parking.

Commissioner Sloss asked if the café and patron space will be open every day. Mr. Evans responded that it would be open and the hope is to create a gathering space for meetings and programming during the day.

Commissioner Isaac inquired about the roof deck use. Mr. Smith stated that it will primarily be a rehearsal hall. There will be some programming and occasionally be an event space for 20-225 people, likely not on a regular basis but 5 to 7 times per year.

Commissioner Isaac then inquired about the parking lot used by The Barn. Mr. Smith responded that The Barn is to remain operating during construction and that its rear parking will be removed; Commissioner Isaac then inquired about the alley entry access. Mr. Evans responded that the entry will be open when the building is open.

Commissioner Isaac asked how many performances are anticipated per week and how much lead time is needed for patrons. Mr. Evans responded that there are matinee shows on Wednesday, Saturday and Sunday at 1:30 or 2:00pm and Tuesday through Sunday performances at 7:30 or 8:00pm; patrons arrive 30 minutes prior at the earliest.

Commissioner Hewko asked about the economic benefit for the temporary construction period. Mr. Smith stated there will be a 14 to 15 month construction duration. Ms. Janet Mullet provided a summary of the 25 year impact study completed in July, including $15,000,000 in materials and $13,000,000 in new labor.

Chair Lewis asked for clarification on the accessible entry off of the alley and whether or not the front entry was accessible. Mr. Smith responded that the front entry is fully accessible and the alley entry was an alternative to stopping to drop off a patron needing an accessible entrance on Church Street. Chair Lewis then asked if one set of doors would be adequate for 300 patrons. Mr. Smith responded yes, that this has worked in the current theatre location, and from experience, there is a gradual exit with people tending to linger.

Chair Lewis suggested placing a handicapped space on Church Street near the front entry.

Chair Lewis then opened the hearing to questions from the public.
Marty Class, nearby property owner spoke in favor of the project and stated his appreciation of Northlight’s work with other organizations. He then inquired about the surface parking lot at 1621 Oak St and whether that would be a part of the project as there had been discussion of taking over the lot for construction and possibly purchasing it in the future. Mr. Smith replied that had at one point been considered but is no longer being considered as part of this proposal. Mr. Evans described earlier plans that had two phases: Phase I is construction of the building at 1012 Church. Phase II would be to build a second stage for performances but that is not proposed at this time and would be years away and dependent on fundraising. Parking in that case would be retained and be partially subgrade.

Mr. Evans provided a closing statement expressing that Northlight Theatre hopes to have a marriage of art and commerce and is excited to be coming back to Evanston. Heavy fundraising is planned and groundbreaking would be in 2021 or 2022 with the building being constructed a year from that time.

Chair Lewis closed the public hearing and the Commission began deliberation.

Commissioner Goddard stated that she loved the building. Her concern is with permanently losing the 2 parking spaces in front and suggested that valet be incorporated on a part time basis there.

Commissioner Isaac stated that Fridays and Saturdays, the area is crowded but he is not overly concerned with that. Overall, a great project but expressed that removal of the 1621 Oak parking lot would be negative.

Commissioner Dubin stated that this is a great project, a great building and function. She added that there is an underutilized parking lot on the south side of the alley further east of the site.

The Commission reviewed the standards for approval of a special use, planned development, and planned development in the downtown districts.

Commissioner Goddard made a motion to approve the proposed development as presented by staff. Seconded by Commissioner Isaac.

Commissioner Isaac then asked for an amendment to be added to include a restriction from using 1625 Oak lot as part of the valet service. Commissioner Dubin seconded that motion. A voice vote was taken and the motion failed 3-3.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss
Nays:
B. Map Amendment
Howard Street Rezoning 19PLND-0080
A Zoning Ordinance Map Amendment pursuant to City Code Title 6, Zoning, to rezone properties located at 951-1125 Howard Street from the C1 Commercial District to the B2 Business District.

Commissioner Sloss made a motion to continue the item to the September 25, 2019 Commission meeting. Seconded by Commissioner Isaac.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss
Nays:

C. Text Amendment
Accessory Recreational Cannabis Use 19PLND-0078
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to create definitions for recreational and medical cannabis related uses, establish any applicable general provisions for such uses, establish any applicable parking requirements for such uses, and amend the permitted and special uses in the Business, Commercial, Downtown, Research Park, Transitional Manufacturing, Industrial, and Special Purpose and Overlay zoning districts.

Commissioner Dubin made a motion to continue the item to the September 25, 2019 Commission meeting. Seconded by Commissioner Isaac.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss
Nays:

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURNMENT

Commissioner Isaac made a motion to adjourn the meeting. Commissioner Dubin seconded the motion.

A voice vote was taken and the motion was approved by voice vote 6-0. The meeting was adjourned at 1:48 am.
Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department
MEETING MINUTES
PLAN COMMISSION
Wednesday, September 25, 2019
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Jennifer Draper, Carol Goddard, George Halik, Andrew Pigozzi, Jane Sloss

Members Absent: Teri Dubin, John Hewko, Peter Isaac

Staff Present: Scott Mangum, Planning and Zoning Manager
Meagan Jones, Neighborhood and Land Use Planner
Michelle Masoncup, Corporation Counsel

Presiding Member: Chairman Lewis

1. CALL TO ORDER / DECLARATION OF QUORUM

Chair Lewis called the meeting to order at 7:00 P.M.

2. APPROVAL OF MEETING MINUTES: September 11, 2019

Minutes from the September 11, 2019 meeting will be reviewed at the next scheduled Plan Commission meeting.

3. NEW BUSINESS

A. Map Amendment
Howard Street Rezoning 19PLND-0080

A Zoning Ordinance Map Amendment pursuant to City Code Title 6, Zoning, to rezone properties located at 951-1125 Howard Street from the C1 Commercial District to the B2 Business District.

Mr. Mangum provided an overview of the proposed map amendment, describing the affected area and explaining the difference between the existing C1 zoning district and the B2 zoning district proposed.

Chair Lewis opened the hearing to questions from the Commission
Commissioner Sloss asked what the parking requirement change would be between the C1 and B2 districts. Mr. Mangum responded that there would be no change in that requirement as it is determined by the land use. He added that a mixed-use development has been proposed which necessitates the need for the rezoning. That development would come before the Plan Commission at a later date. Chair Lewis asked if that development would be allowed under the current zoning to which Mr. Mangum responded no, since it involved dwelling units which are not allowed in the C1 District.

Commissioner Pigozzi asked if any existing businesses would be affected unless they wanted to make a change to their space. Mr. Mangum responded no, any existing business not permitted under the new zoning would be legally nonconforming.

Chair Lewis asked if the existing businesses would be allowed to expand or improve their property. Mr. Mangum responded that it would depend on the use. If a special use a change to that special use would be needed. If legally non-conforming as the existing pawn shop would be, a major variation would be needed.

Commissioner Goddard inquired if there are any other C1 districts located on Howard Street. Mr. Mangum responded that there are two other areas along Howard Street with that zoning. Chair Lewis added that there are about a half-dozen C1 districts in the City as a whole.

Chair Lewis then opened the hearing to questions from the public. Hearing none, he then opened the hearing up to public testimony.

One person, Jenny Claro of Evergreen Real Estate Group, spoke on behalf of David Block who is working with CJE on a proposed 4-story mixed-use building which is currently under staff review. She stated she was in favor of the rezoning.

Chair Lewis then closed the public hearing and the Plan Commission began deliberations.

Commissioner Goddard expressed that she thinks the map amendment is an excellent idea and that Howard Street has made strides and this is an outflow of that.

Commissioner Draper stated that the existing zoning district was created more to permit shopping centers and that the proposed change is better suited for the street.

The Commission then reviewed the standards for approval of amendments and agreed that each standard is met.

**Commissioner Goddard made a motion to recommend approval of the zoning ordinance map amendment for the rezoning from C1. Commissioner Pigozzi**
seconded the motion. A roll call vote was taken and the motion passed, 6-0.

Ayes: Draper, Goddard, Halik, Lewis, Pigozzi, Sloss
Nays:

B. Text Amendment
Accessory Recreational Cannabis Use 19PLND-0078
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to create definitions for cannabis related uses, establish any applicable general provisions for such uses, establish any applicable parking requirements for such uses, and amend the permitted and special uses in the Business, Commercial, Downtown, Research Park, Transitional Manufacturing, Industrial, and Special Purpose and Overlay zoning districts.

Ms. Jones provided an overview of the proposed text amendment, explaining state regulations, The Compassionate Use of Medical Cannabis Program Act and the Recreational Cannabis Regulation and Tax Program Act that have led to the proposed amendment. She then described the City’s existing medical cannabis dispensary and how its location was determined, other municipality actions, and City Council’s suggestions for this use.

Chair Lewis opened the public hearing to questions from the Commission.

Commissioner Goddard asked what staff’s line of thinking was prohibiting dispensaries from industrial districts. Ms. Jones responded that the dispensaries are more retail oriented so placing those in the business and commercial districts was a better fit. In the future, the other cannabis uses that are more processing oriented would be better suited in the industrial areas.

Chair Lewis inquired why the cap on the number of locations mentioned by City Council was not included and if there was any discussion on the possibility of getting a large number of special use applications with a small number of permitted locations. Ms. Jones responded that the cap in locations could be added but could be more related to prohibiting the number of licenses. Ms. Masoncup added that in discussions there was concern of processing a flood of applications if there is a cap of 3 locations. Chicago will have a lottery system set up and the thought was that by including distancing buffers the same effect may occur.

Chair Lewis clarified that the Commission is just considering dispensaries and that the urgency is because of the January 1st enactment of the law. The other uses will be allowed to operate later in the year. Ms. Jones confirmed that this was the case.

Commissioner Draper asked for clarification regarding the buffer for the existing
dispensary. Ms. Jones clarified that the ring around the existing dispensary is for the distance required between dispensaries and that there is some overlap from some of the school buffers near the site.

Chair Lewis asked if there was any consideration given to other institutions such as recreation centers such as Fleetwood-Jourdain or Chandler-Newberger with younger populations. Ms. Jones responded that the main consideration for the younger populations that are in schools. Some recreation centers have a wider variety in the age of users that would likely have more oversight for the younger population.

Chair Lewis then inquired about the need for the Certificate of Zoning Compliance, what it ensures and if it is required. The Certificate of Zoning Compliance is a general confirmation that the use is allowed within the City or a particular location; this would be a preliminary step. Mr. Mangum added that the section referencing that certificate could be expanded for other cannabis uses that may be permitted by right in which case a Certificate of Zoning Compliance would be required even if a special use was not.

Commissioner Halik expressed concern over the security and monitoring aspects of the dispensaries to prevent illegal activity. Ms. Jones stated that while that may not be under Plan Commission’s purview, at a State level the dispensaries are required to have security and monitoring plans as part of their applications. If the use will be a Special Use, conditions could be added as part of the approval of the Special Use Permit.

Chair Lewis then opened the hearing to questions from the public. Hearing none he then opened the hearing to public testimony and stated that residents are permitted to submit a request for a continuance in order to rebut testimony presented at the meeting.

A total of 3 people spoke, with comments including the following:

- Jeremy Unruh, the director of regulatory affairs for PharmaCann which operates the dispensary on Maple Avenue in the City. He provided a background on himself and PharmaCann, which was started in Illinois 5 years ago. PharmaCann also operates locations in 7 other states. He pointed out the unique situation of Evanston acting as a landlord for the medical cannabis dispensary, then clarified that the use is a land use and not cannabis use which is permitted by the new state legislation. PharmaCann is asking to be authorized to adult-use cannabis from their existing medical cannabis dispensary. He added that there is a 3% tax that can be levied and provide additional revenue. In a similar sized community PharmaCann was able to remit $300,000 in tax revenue in its first 6 months of operation. PharmaCann is now attempting to be able to serve adult-use customers by January 1st which would optimize relationship with community. Existing site has 35 cameras that monitor the perimeter and interior and 90 days of footage is kept. The medical dispensary regulations related to safety and security are the same in the previous and current acts.
● Don Williams, Regional Director of Government Relations of MedMen, stated that his company is currently in the process of acquiring PharmaCann. MedMen has been operating since 2010 within 12 states and does cultivation, manufacturing and dispensing but sees itself primarily as a retailer that is mainstreaming and normalizing cannabis. He then went over other aspects of MedMen, including investing in and communicating with the communities they locate in, investing in employees with a livable wage, trainings and providing stock options, having a workforce that is 58% people of color, providing education programs related to cannabis, equity and record expungement. He added that security is taken into consideration and sites have a discreet aesthetic.

● Tyree Crosby stated he is from Evanston and is the Sole Proprietor of Litehouse Dispensing Company LLC and is looking to submit applications for recreational cannabis dispensaries. He is researching, building relationships and keeping up with the status of zoning regulations.

Chair Lewis closed the public testimony and asked if the Commissioners had any additional comments or additional questions.

Commissioner Pigozzi inquired if Evanston plans to create a lottery system. Mr. Mangum responded that the dispensaries are proposed to be a Special Use and would be subject to a distance requirement. If an applicant meets the requirements they would be considered by the Zoning Board and City Council. No cap has been proposed but if it is needed, an additional process would be proposed if applications exceed the number permitted by the cap.

Chair Lewis asked for the reasoning behind proposing a 750 feet buffer. Ms. Masoncup responded that the only regulation the state has is between dispensaries. Council weighed in seeking a buffer for schools. The 750 ft. distance is analogous to the 1,000 ft. Mr. Mangum added that there was some concern that the previous distance requirements were too restrictive and decreasing that distance and eliminating daycares from the required buffer will open up additional possible locations.

Chair Lewis asked how signage would be handled. Mr. Mangum responded that there are some regulations in place through the Act for signage, though it is not clear if it is for billboards or dispensary locations, including a 1,000 foot radius from uses such as schools, playgrounds, parks, public transit vehicles, or other public land and cannot make health claims, promote consumption or use images appealing to children.

Commissioner Draper clarified that the 1,000 foot distance was solely for signs and not the cannabis dispensaries themselves since the proposed buffer is 750 feet for those sites.

Chair Lewis asked Mr. Unruh if he has plans to open other facilities and is he only in the dispensing end or is there intention to vertically integrate and pursue opening other
types of cannabis businesses. Mr. Unruh responded by explaining that there are 55 existing dispensaries which are dispersed by geography. Downstate Illinois has a larger geography whereas locally, the size is about 2 townships. At the start of the year, the existing 55 dispensaries will have the ability to collocate medical and recreational cannabis product sales as well as locate a secondary site, which does not have to be restricted to the local area but can be anywhere within Bureau of Labor Statistic areas in the State. In the local area, which consists of the entire 9 county area, there are about 35 dispensaries that could be vying for space. Mid-year 2020, there will be 75 Social Equity dispensary licenses that will be awarded. The Social Equity applicants would consist of sites that were negatively impacted by the War on Drugs and meet other socio-economic considerations. After that round, up to 110 dispensaries could be licensed. In addition, there are other cannabis businesses such as infusers, craft growers or processors that will also be licensed. He added that the Zoning Compliance Certificate was relevant in a competitive environment.

The Commission then reviewed the standards and felt the amendment would promote business, promote economic vitality and sales revenue with increased traffic. Due to restrictions and requirements within the amendment sites would be compatible with surrounding areas and the Special Use process would help, on a case by case basis, to mitigate possible negative effects.

Commissioner Pigozzi made a motion to recommend approval of the proposed text amendment as presented by staff. Commissioner Goddard seconded the motion. A roll call vote was taken and the motion passed, 6-0.

Ayes: Draper, Goddard, Halik, Lewis, Pigozzi, Sloss
Nays:

Commissioner Goddard made a motion to refer future discussion of regulations related to cannabis cultivation centers, processors, transporters, infusers, and craft growers to the Zoning Committee for further review and discussion. Commissioner Pigozzi seconded the motion. A roll call vote was taken and the motion passed, 6-0.

Ayes: Draper, Goddard, Halik, Lewis, Pigozzi, Sloss
Nays:

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURNMENT

Commissioner Pigozzi made a motion to adjourn the meeting. Commissioner Goddard seconded the motion.
A voice vote was taken and the motion was approved by voice vote 6-0. The meeting was adjourned at 8:09 pm.

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

Text Amendment and Map Amendment

New Residential Zoning District
Emerson Street Rezoning
19PLND-0089 & 19PLND-0090
To: Chair and Members of the Plan Commission

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

Subject: Zoning Ordinance Text and Map Amendment
         Creation of R5a Zoning District and Emerson Street Rezoning
         19PLND-0089 and 19PLND-0090

Date: October 25, 2019

Request
Staff recommends discussion of an aldermanic referral for a text amendment to the
Zoning Ordinance to create a new zoning district, R5a General Residential, and a map
amendment to rezone the properties north of Emerson Street roughly between Asbury
Avenue to the east, Gilbert Park and former Mayfair railroad property to the west, and
the block north of Foster Street to the north from the existing R5 General Residential
District to the new R5a Zoning District. The rezoning is primarily intended to maintain
the existing lower height residential while avoiding creation of nonconforming uses
within the area.

Notice
The Application has been filed in conformance with applicable procedural and public
notice requirements including publication in the Evanston Review on October 10, 2019.

Analysis
Background
The area north of Emerson Street roughly between Asbury Avenue to the east, Gilbert
Park and former Mayfair railroad property to the west, and the block north of Foster
Street (1403-1601 Emerson St., 1910-1930 Asbury Av., 2000-2024 Wesley Av., 2007-
2021 Jackson Av., 1900 Block of Jackson Av., 1900 Block of Wesley Av., 1400 Block of
Foster St.) is currently zoned R5 General Residential Commercial. The R5 District’s
Purpose Statement is:

The R5 general residential district is intended to provide for infill development of a mix of multi-family residential structures at a medium density, including townhouses, two-family dwellings, three-story walk-ups and courtyard apartment buildings that characterize the traditional multiple-family housing development found in this district.
Outside of the above described area, the R5 zoning is generally located south and east of the area with some stretches along Central Street and Howard Street. It is one of the higher density residential zoning districts in the City, typically having a variety of residential uses from single family homes to larger apartment or condominium buildings (full R5 district regulations are attached). The area described north of Emerson Street is made up of approximately 85 parcels and has a number of properties that match this description with single family homes, two-family homes and several apartment buildings.

This portion of Emerson St. is surrounded by the R1 and R2 Single Family Residential Districts south of Emerson Street, C2 Commercial, WE1 West Evanston Transitional District and R4 General Residential Districts to the West with a small area of B3 Business to the southeast, B2 Business and R4 Districts to the north, and R4 to the immediate west. A portion of this area is also within the West Evanston overlay district (see map below).

_Canal-Green Bay Road/Ridge Avenue Church Street Study Area Report_

In September of 2005 City Council adopted the Canal-Green Bay Road/Ridge Avenue-Church Street Study Area Report. This report looked at the area defined by the Metropolitan Water Reclamation District (MWRD) Canal, Green Bay Road/Ridge Avenue and Church Street, analyzing existing conditions, identifying issue groups (Economic Development; Urban Design, Community Character, & Zoning; Public Infrastructure, Services, Streets and Transportation; Housing; Public Safety and Community Cohesion; and Youth) and creating a vision.

Within Issue 2: Urban Design, Community Character & Zoning (attached), a great amount of the sub-committee’s attention was given to the physical form of the area, improving the streetscape and gateway areas and general zoning regulations. The R5
zoning was a point of discussion with some participants pointing out that the area is largely single family homes (some having been converted to two or more dwelling units) and others pointing out that downzoning the area would take away property value and limit the ability to create affordable housing in the area. The Committee ultimately came up with a compromise, proposing the creation of a new zoning district, R5a General Residential. The district was proposed to have the same regulations as the existing R5 zoning but have a lower maximum height of 42 feet.

Proposal Overview
Per the aldermanic referral, the proposed amendments would create a new zoning district, R5a General Residential, and rezone the area north of Emerson Street roughly between Asbury Avenue to the east, Gilbert Park and former Mayfair railroad property to the west, and the block north of Foster Street (1403-1601 Emerson St., 1910-1930 Asbury Av., 2000-2024 Wesley Av., 2007-2021 Jackson Av., 1900 Block of Jackson Av., 1900 Block of Wesley Av., 1400 Block of Foster St.) from R5 to R5a.

The maximum mean building height in the R5 District is 50’ (or 62’ as a site development allowance for a Planned Development) or 5 stories, whichever is less, while maximum mean building height in the R5a District would be allowed up to 42’ (or 54’ as a site development allowance for a Planned Development), or 3 and a half stories, whichever is less. Full comparison charts of zoning regulations for all residential zoning districts are attached. Initial discussion surrounding the referral suggested a rezoning to R3 Two-Family Residential. Staff subsequently clarified the referral while looking at the existing parcels in the area and comparing how many parcels would be compliant versus noncompliant regarding minimum lot area (density) with different zoning designations. With the existing R5 zoning there are 16 noncompliant properties; if the area were to be rezoned to R4 or R4a that number would increase to 27 properties; if R3, the noncompliant properties would total 36.
Overall, the change from the R5 District to a new R5a District is minimal. Permitted uses and bulk requirements would remain the same with the exception of the building height which would be reduced by 8 feet. This change would be in line with recommendation that came from the 2005 area study referenced above.

Standards of Approval
Pursuant to Section 6-3-4-5 Standards for Amendments:

The wisdom of amending the text of the Zoning Ordinance or the Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one standard. In making their determination, however, the City Council should, in determining whether to adopt or deny, or to adopt some modification of the Plan Commission's recommendation consider, among other factors, the following:

(A) Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive General Plan, as adopted and amended from time to time by the City Council.
(B) Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the subject property.
(C) Whether the proposed amendment will have an adverse effect on the value of adjacent properties.
(D) The adequacy of public facilities and services.

The proposed text amendment and rezoning are consistent with the goals, objectives, and policies of the Comprehensive General Plan including: Maintain the appealing character of Evanston’s neighborhoods while guiding their change.

The proposed establishment of a new zoning district and rezoning would be compatible with the overall character of existing development in the area by maintaining similar bulk, structure and use regulations. With the only change proposed for the new zoning district being a height reduction, there would likely be no new nonconforming structures created in the area and a variety of housing types could still be permitted to be constructed. Due to this, rezoning will likely not have an adverse effect on the value of adjacent properties. Adequate public facilities and services are already available in the area.

Recommendation
Staff recommends the Plan Commission discuss the facts presented and make a recommendation to the City Council regarding the proposed text and map amendments. A recommendation could include maintaining the existing R5 zoning, rezoning the entire area to a new R5a District or another existing zoning district, or a combination of the above options within all or portions of the proposed area.

Attachments
R5 Zoning District Regulations
Canal-Green Bay Road/Ridge Avenue Church Street Study Area Report
– Issue 2: Urban Design, Community Character & Zoning
Comparison Chart: Zoning Requirements for Parcels
Property Addresses & PINs of Properties to Rezone
Aerial View
Title 6, Chapter 6 - Nonconforming Uses and Noncomplying Structures
6-8-7. - R5 GENERAL RESIDENTIAL DISTRICT.

6-8-7-1. - PURPOSE STATEMENT.

The R5 general residential district is intended to provide for infill development of a mix of multi-family residential structures at a medium density, including townhouses, two-family dwellings, three-story walk-ups and courtyard apartment buildings that characterize the traditional multiple-family housing development found in this district.

(Ord. No. 43-O-93; amd. Ord. 71-0-05)

6-8-7-2. - PERMITTED USES.

The following uses are permitted in the R5 district:

Daycare home—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare home—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Dwelling—Multiple-family.

Dwelling—Single-family attached.

Dwelling—Single-family detached.

Dwelling—Two-family.

Educational institution—Public.

Home occupation (subject to the general requirements of Chapter 5, "Home Occupations," of this Title).

Neighborhood garden.

Park.

Playground.

Residential care home—Category I (subject to the general requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Residential care home—Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Shelter for abused persons.

(Ord. No. 43-O-93; amd. Ord. 71-0-05; Ord. No. 81-O-14, § 28, 8-11-2014)

6-8-7-3. - SPECIAL USES.

The following uses may be allowed in the R5 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Assisted living facility.
Bed and breakfast establishments (subject to the general requirements of Section 6-4-7, "Bed And Breakfast Establishments," of this Title).

Child residential care home.

Community center—Public.

Congregate housing.

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Educational institution—Private.

Independent living facility.

Long term care facility.

Membership organization.

Office (subject to the general requirements of Section 6-8-1-11, "Special Conditions For Office Uses," of this Chapter).

Planned development (subject to the requirements of Section 6-3-6, "Planned Developments," of this Title and Section 6-8-1-10, "Planned Developments," of this Chapter).

Public utility.

Recreation center—Public.

Religious institution.

Retirement community.

Retirement home.

Retirement hotel.

Rooming house.

Shelter care home.

Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards For A Special Use For Transitional Shelters," of this Title).

Transitional treatment facility—Category I (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

Transitional treatment facility—Category II (subject to the general requirements of Section 6-4-5, "Transitional Treatment Facilities," of this Title).

(Ord. 44-0-09)
6-8-7-4. - LOT SIZE.

The minimum lot sizes in the R5 district are:

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Minimum Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Single-family dwelling unit</td>
<td>Five thousand (5,000) square feet, except as expressly allowed in Subsection 6-4-1-7(B) of this Title</td>
</tr>
<tr>
<td>(B) Single-family attached dwelling unit</td>
<td>Two thousand (2,000) square feet each for the first three (3) dwelling units, plus one thousand two hundred (1,200) square feet for each additional dwelling unit</td>
</tr>
<tr>
<td>(C) Two-family attached dwelling unit</td>
<td>Two thousand five hundred (2,500) square feet per dwelling unit</td>
</tr>
<tr>
<td>(D) Multiple-family and group occupancy dwelling units</td>
<td>One thousand five hundred (1,500) square feet each for the first four (4) dwelling units, plus eight hundred (800) square feet for each additional dwelling unit</td>
</tr>
<tr>
<td>(E) Nonresidential use</td>
<td>Ten thousand (10,000) square feet</td>
</tr>
</tbody>
</table>

(Ord. 70-0-07)

6-8-7-5. - LOT WIDTH.

The minimum lot width in the R5 district is as follows:

<table>
<thead>
<tr>
<th>Minimum Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td>---</td>
</tr>
<tr>
<td>(A)</td>
</tr>
<tr>
<td>(B)</td>
</tr>
<tr>
<td>(C)</td>
</tr>
<tr>
<td>(D)</td>
</tr>
</tbody>
</table>

(Ord. 95-O-09)

6-8-7-6. - BUILDING LOT COVERAGE.

The maximum lot coverage in the R5 district is forty-five percent (45%). Building lot coverage shall include two hundred (200) square feet for each required parking space for any residential unit when the required parking space is provided other than within a building.

On a zoning lot that is: a) used for a "dwelling" or dwellings as herein defined, and b) legally nonconforming as to building lot area, when a land user seeks zoning certification for a building permit to replace an existing detached garage with a garage having the same ground floor area as the existing garage, such construction shall be an allowed continuance of the legal nonconforming building lot coverage.

(Ord. 109-O-02; amd. Ord. 71-O-05)

6-8-7-7. - YARD REQUIREMENTS.

The minimum yard requirements in the R5 district are as follows [ii]:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential structures:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Front yard</td>
<td>Twenty-seven (27) feet; parking prohibited</td>
</tr>
<tr>
<td></td>
<td>2. Side yard abutting a street</td>
<td>Fifteen (15) feet; parking prohibited</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td></td>
<td>3. Side yard</td>
<td>Three (3) feet</td>
</tr>
<tr>
<td></td>
<td>4. Rear yard</td>
<td>Twenty-five (25) feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td></td>
<td>Nonresidential structures:</td>
</tr>
<tr>
<td>1.</td>
<td>Front yard</td>
<td>Twenty-seven (27) feet for building; parking prohibited</td>
</tr>
<tr>
<td>2.</td>
<td>Side yard abutting a street</td>
<td>Fifteen (15) feet for building; parking prohibited</td>
</tr>
<tr>
<td>3.</td>
<td>Side yard</td>
<td>Ten (10) feet for building; parking prohibited</td>
</tr>
<tr>
<td>4.</td>
<td>Rear yard</td>
<td>Twenty-five (25) feet for building; five (5) feet for parking</td>
</tr>
<tr>
<td>(C)</td>
<td></td>
<td>Accessory uses and structures:</td>
</tr>
<tr>
<td>1.</td>
<td>Front yard</td>
<td>Garages only, twenty-seven (27) feet</td>
</tr>
</tbody>
</table>
2. Side yard abutting a street | Garages only, fifteen (15) feet

3. Side yard | Five (5) feet

4. Rear yard | Three (3) feet

(Ord. No. 43-O-93; amd. Ord. 71-0-05)

Footnotes:
--- (9) ---
See also Subsection 6-4-1-9(A), "General Yard Requirements," of this Title.

6-8-7-8. - MEAN BUILDING HEIGHT.

The maximum mean building height in the R5 district is fifty (50) feet or five (5) stories, whichever is less, except as modified per the requirements found in Table 4-B of Section 6-4-1-7 of this Title. Notwithstanding the foregoing, any building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof, shall, for the purpose of the district and the requirements of this zoning ordinance, be deemed complying with the mean building height requirement and shall have the status of legally permitted structure or use, not a legal noncompliance, and shall not be subject to or benefit from the allowances, restrictions and procedures of Chapter 6, "Nonconforming Uses And Noncomplying Structures," of this Title. Such conforming status shall continue in the event said building is removed or destroyed by a means within the control of the owner thereof and shall allow for the construction of a building or structure at the height of the building or structure legally existing and conforming to the building height requirement of this district as of the effective date hereof.

(Ord. 70-0-07)

6-8-7-9. - IMPERVIOUS SURFACE.

(A) The maximum impervious surface ratio for the R5 district is sixty percent (60%).

(B) The impervious surface ratio is calculated by dividing the total defined net impervious surfaces on the zoning lot by the area of the zoning lot.

(C) The total defined net impervious surfaces on the zoning lot are all areas included in building lot coverage plus any hard surfaced, nonnaturally occurring area that does not readily absorb water, including, but not limited to, any paved, asphalt or concrete areas, parking and graveled driveway areas, swimming pools, sidewalks, and paved recreation areas subject to the following exemptions:
1. Any area, including open parking, paved or unpaved, included in the calculation of building lot coverage, shall not be twice counted in the calculation of total defined net impervious surface.

2. Subject to the porch exemption of Section 6-8-7-10 of this Chapter, the following standards govern the classification of structures commonly referred to as decks:
   (a) **Uncovered Decks with Permeable Surface Areas Underneath:** Any uncovered deck, or a portion thereof, covering three percent (3%) of the lot area will be excluded from building lot coverage and impervious surface coverage calculation. Any lot area covered by an open deck above and beyond the initial three percent (3%) will count towards the impervious surface coverage calculation.
   (b) **Uncovered Decks with Impermeable Surface Areas Underneath:** One hundred percent (100%) of the lot area covered by an uncovered deck counts towards impervious surface area.

3. Twenty percent (20%) of areas covered by paving blocks made of impervious material to the extent that they cover an area that maintains a demonstrable level of porosity whether soil, sand, gravel, or similar material shall be excluded from the calculation of net impervious surfaces.

4. Twenty-five percent (25%) of areas covered by paving blocks made of permeable materials and pervious paving systems to the extent that they cover an area that maintains a demonstrable level of porosity whether soil, sand, gravel, or similar material shall be excluded from the calculation of net impervious surfaces.

(D) Driveways or walkways legally existing as of the effective date hereof may be replaced or repaired, provided that the replacing or the repairing is in the same or lesser dimensions as existed on the effective date hereof.

(Ord. 112-0-03; amd. Ord. 71-0-05; Ord. No. 165-O-15, § 7, 5-23-2016)

6-8-7-10. - PORCH EXEMPTION.

Excluded from the calculation of maximum building lot coverage and maximum impervious surface for all residential districts are the following:

(A) Fifty percent (50%) of the surface area of porches with the following characteristics:
   1. Open to the air;
   2. Not all weather;
   3. Roofed or not roofed;
   4. Screened or not screened;
   5. Facing a street;
   6. Not a rear or back porch or any portion of a porch between the rear wall of the house and the rear lot line; and
   7. Not separated from the street right of way by a fence with both an opacity exceeding sixty percent (60%) and a height exceeding forty-eight (48) inches.

(Ord. 112-0-03; amd. Ord. 71-0-05)
ISSUE 2: Urban Design, Community Character, & Zoning

Discussion:
This community priority was identified and explored through a 'visioning exercise' which probed the long-term goals and objectives of local residents with regards to the physical form of the community and its expected impact upon life within it. As a part of this exercise local residents and business owners were asked to imagine what it could be like to live, work or visually experience the neighborhood in twenty years.

The idea of a conservation district was raised, but no specifics have been provided and discussed with the community. Therefore, this document takes no position on this matter.

Amongst the responses received, there was a strong message that attention to the physical form of a place is as important to its residents as other, more tangible public objectives. In fact, there was also the sense that other priority areas, for example economic development and public infrastructure, were corollaries to establishing an interesting, attractive and unique neighborhood.

In most instances, design was mentioned as a guiding consideration for public investments and improvements. Residents and businesses both saw benefit from attractive and inviting streetscapes, an increase in the number of street trees, and the addition of neighborhood gateways. However, the private sector's participation in achieving a more attractive neighborhood was also discussed. Possible opportunities included voluntary parkway and planter programs, block-by-block coordination on fencing design, paving all alleys, and the elimination of large billboards now present in the study area.

Another component of design relates to zoning regulations, which shape what can and will be built. The most controversial zoning matter was the presence of R5 (General Residential) zoning. This residential zone permits a broad mix of residential types and a maximum building height of 50 feet or 5 stories (whichever is less).

Opponents expressed the concern that the R5 designation belied the fact that the study area consists, almost exclusively, of single family structures. While many of these have been converted to two or more dwelling units, few are of the density or size to warrant one of the most intensive residential categories within the City's zoning ordinance. Supporters argued that to down-zone these areas would take away significant value to these properties and make it impossible to provide affordable housing, both within the neighborhood and the City.

The committee explored a compromise on this matter. What resulted was a proposal for combined mapping and text amendments for the existing R5 zoning district within the study area. The proposal would create a new R5a zone, with a maximum height of 42 feet, but leaving the remainder of the former zones regulations in place. This new zone would apply to all of the study area's existing R5 zoning, with the exception of the properties at 2016 to 2026 Green Bay Road. Those would be studied separately as part of a new mixed use zoning district.
Goal 1:
Create an atmosphere in which neighborhood pride is communicated through artistic, high-quality urban design, on a project-by-project basis.

Objective 1:
Recognize and capitalize on the study area's function as 'gateway' to downtown Evanston, while differentiating its various neighborhoods.

Actions:
- Conduct neighborhood visioning workshops to establish neighborhood gateway features – incorporating public art, landscaping, and/or historical markers - at entry points along the major thoroughfares: Emerson, Simpson, Church, Green Bay Road, and Asbury.
- Convert portion of former PermaLawn site into entry to neighborhood and canal park system, including functional structure (gazebo, band shell, etc.) and restroom facilities.
- Voluntary parkway beautification program, led by neighborhood organizations and block clubs.
- Develop system of attractive signage to business districts and important sites within the neighborhood.

Objective 2:
Improve the pedestrian atmosphere throughout the neighborhood.

Actions:
- Conduct neighborhood-visioning workshops for replacement of sidewalks and for other public improvements.
- Widen and replace sidewalks through regular CIP process.
- Encourage voluntary planter program by local business groups and neighborhood organizations.
- Eliminate billboards.
- Encourage cooperation on fencing design to coordinate design on a block-by-block basis.

Objective 3:
Create greener, better landscaped public areas in the neighborhoods.

Actions:
- Addition, replacement and maintenance of street trees.
- Develop voluntary parkway beautification program for neighborhood groups and block clubs.
- Organize merchants and local business groups to establish voluntary sidewalk planter program in business districts.
Goal 2:
Recognize and celebrate the African American heritage of the community

Objective 1:
Educate local citizens and visitors about the history and contributions of African-American Evanstonians.

Actions
- Create and publish maps identifying historic sites and structures.
- Create and publicize tour through historic areas.
- Provide information listed above, as well as upcoming events, on community website.
- Recognize the first Black hospital and home of Dr. Garnett and Dr. Butler on Asbury as a key historic site.

Goal 3:
Revise both zoning map and text to reflect the neighborhood planning process and the community's vision.

Objective 1:
Direct Zoning Committee to study and make noted revisions to the zoning ordinance for the following locations:

Actions:
1. As described by the first action recommended under Economic Development Goal 3 (page 13), create a new residential zoning district, specific to the area, to allow: mixed-use development with ground floor commercial with residential above, a maximum height of 42 feet; and encourage design consistent with surrounding housing, pedestrian scale and inviting public and private space. [ATTACHMENT 11]
2. Create a new R5a residential district for the area currently zoned R5, except for those between 2016-2026 Green Bay Road, that is limited to a maximum height of 42 feet but retains the remaining R5 regulations. [ATTACHMENT 11]
<table>
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<tr>
<th>Zoning District</th>
<th>Max. Bldg. Height (ft.)</th>
<th>Max. FAR</th>
<th>Max # of Units</th>
<th>Max. Bldg. Height (ft.)</th>
<th>Max. FAR</th>
<th>Max. # of Units</th>
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<tr>
<td>R1</td>
<td>35 ft. or 2.5 stories, whichever is less</td>
<td>30% (Bldg. lot coverage)</td>
<td>1 sfdu (7,200 sf min. lot)</td>
<td>47</td>
<td>+10% (Bldg lot coverage)</td>
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<tr>
<td>R2</td>
<td>35 ft. or 2.5 stories, whichever is less</td>
<td>40% (Bldg. lot coverage)</td>
<td>1 sfdu (5,000 sf min. lot)</td>
<td>47</td>
<td>+10% (Bldg lot coverage)</td>
<td>NA</td>
</tr>
<tr>
<td>R3</td>
<td>35 ft. or 2.5 stories, whichever is less</td>
<td>45% (Bldg. lot coverage)</td>
<td>5000 sf for sfdu, 3500 sf/du for 2-family</td>
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<td>+10% (Bldg lot coverage)</td>
<td>NA</td>
</tr>
<tr>
<td>R4</td>
<td>35 ft. or 2.5 stories, whichever is less</td>
<td>40% (Bldg. lot coverage)</td>
<td>5000 sf for detached sfdu, 2500 sf/du for two family and up</td>
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<td>+15% (Bldg. lot coverage)</td>
<td>25%</td>
</tr>
<tr>
<td>R4a</td>
<td>35 ft. or 2.5 stories, whichever is less</td>
<td>40% (Bldg. lot coverage)</td>
<td>5000 sf for detached sfdu, 2500 sf/du for two family and up</td>
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<td>R5a</td>
<td>42 ft. or 3.5 stories, whichever is less</td>
<td>45% (Bldg. lot coverage)</td>
<td>1500 sf for first 4 units + 800 sf for each additional unit</td>
<td>54</td>
<td>+15% (Bldg. lot coverage)</td>
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</tr>
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<td>R5</td>
<td>50 ft. or 5 stories, whichever is less*</td>
<td>45% (Bldg. lot coverage)</td>
<td>1500 sf for first 4 units + 800 sf for each additional unit</td>
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</tr>
<tr>
<td>R6</td>
<td>85 ft. or 8 stories, whichever is less*</td>
<td>50% (Bldg. lot coverage)</td>
<td>2,000 sf for first 2 units + 1000 sf for each additional unit</td>
<td>97</td>
<td>+20% (Bldg. lot coverage)</td>
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*Mean building height
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Aerial View

October 25, 2019

Tax Parcels

City of Evanston IL, Imagery courtesy Cook County GIS

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