PLAN COMMISSION
Wednesday, January 22, 2020
7:00 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room G300
(Lake Superior Conference Room)

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES: January 8, 2020

3. OLD BUSINESS (continued from October 30, 2019 and December 11, 2019)
   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, FEBRUARY 12, 2020 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 (TTY).

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las
quienes 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, January 8, 2020
7:00 P.M.

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

Members Present: Peter Isaac (Chair), George Halik, John Hewko, Andrew Pigozzi, Jane Sloss

Members Absent: Carol Goddard, Jennifer Draper

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

Presiding Member: Chair Isaac

1. CALL TO ORDER / DECLARATION OF QUORUM

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

2. APPROVAL OF MEETING MINUTES: December 11, 2019

Commissioner Halik made a motion to approve the minutes from the December 11, 2019 meeting. Seconded by Commissioner Pigozzi. A voice vote was taken and the minutes were approved unanimously, 5-0.

3. NEW BUSINESS

A. Text Amendment

   Ground Floor Retail Uses in the Downtown 19PLND-0107

   A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to revise regulations related to ground floor retail uses in the D2 Downtown Retail Core Zoning District

Mr. Mangum provided an overview of the proposed amendment, explaining the existing regulations and the desire to revise regulations to have ground floor uses that encourage pedestrian traffic and a vibrant retail area.

Chair Isaac opened the hearing to questions from Commissioners.
Commissioner Halik inquired about the definition of financial institutions and stated that he believes that use does indeed generate foot traffic in retail areas. There could be distinction made between financial institutions and retail banking to separate those institutions that are more office oriented and do not generate traffic that a retail banking use would.

Chair Isaac asked for review of where D2 districts are currently located and where financial institutions currently exist within the district. Mr. Mangum responded that currently Wintrust is the only bank he is aware of within the district and is located at Sherman Ave. and Clark St.

Commissioner Halik asked what the difference in retail traffic generation would be between a restaurant and a bank. Chair Isaac then inquired if the difference would be a matter of sales tax generation. Mr. Mangum stated that that is a distinction that could made between the two uses.

Commissioner Sloss asked if there was any data on retail space demand or the vacancy rate. Mr. Mangum responded that there is no information specific to the D2 District but there has generally been a high demand for restaurant space and the retail environment is more challenging.

The Commission then reviewed the standards and largely found that they had been met or were not applicable to the text amendment.

Commissioner Halik suggested that it may make sense to replace financial institution with retail banking. If there is anything that draws people in is encouraging foot traffic. He then inquired what would happen to the existing financial institution. Chair Isaac explained that the site would be able to continue to operate and, if it were to close, another bank would be able to utilize the same space by obtaining a special use assuming the space does not sit vacant for 12 months or greater.

Commissioner Sloss asked why the D2 zoning district was singled out for the amendment. Mr. Mangum responded that the D2 has the most stringent retail regulations. He added that another distinction between financial institutions and other retail uses would be hours of operation, with financial institutions having more restrictive hours.

Chair Isaac suggested that a total size of the storefronts be looked at as part of use regulations in that a large bank might disrupt the retail environment in a way that a small bank might not.

Commissioner Halik asked if staff had considered the size of a site or separating out retail banking. Mr. Mangum replied that had not been a consideration for this amendment.
Commissioner Hewko stated that if the goal is to generate pedestrian traffic then creating a separate retail banking definition may be a good idea.

Mr. Mangum clarified that the amendment does not prohibit the use in the D2 but would require the Zoning Board of Appeals to review and City Council to approve a proposed financial institution on the ground floor of a building within the D2.

Commissioner Pigozzi stated that if the goal is to improve the pedestrian traffic he questions the traffic generated by an artist studio versus a financial institution as well. He added that the newer bank location on Main Street and Chicago Avenue has a street presence and fits in well with the area.

Chair Isaac asked to compare traffic generated by a bank to a restaurant or other businesses.

Commissioner Halik expressed that we should not encourage more Special Uses but should minimize them.

Commissioner Hewko stated that it appears that there is consensus to create a new definition. A brief discussion followed regarding the details of retail banking.

Commissioner Halik made a motion to return the amendment to staff to re-evaluate and consider discussion points with modifications to definitions. Commissioner Pigozzi seconded the motion.

A voice vote was then taken and the motion passed, 5-0.

Ayes: Isaac, Halik, Hewko, Pigozzi, Sloss
Nays:

B. Text Amendment
   Cannabis Use Regulations

   A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to revise the distance requirement between cannabis dispensaries and pre-existing public or private educational institutions that are elementary, middle, or high schools, as well as establish definitions and provisions for additional cannabis uses such as cannabis growers, infusers, processing organizations, transporters, etc. within the City’s zoning districts.

Ms. Jones provided an overview of the proposed amendment, providing background on legislation and City regulations recently approved and explaining the new definitions and regulations proposed.
Chair Isaac opened the hearing to questions from the Commission to staff.

Commissioner Halik asked why a reduction in the distance requirement was needed for dispensaries. Ms. Jones replied that the reduction would allow for a greater number of possible locations for dispensaries. Mr. Mangum added that the 500 ft. buffer provides parity with Chicago regulations. Along Howard Street the current 750 ft. buffer would prohibit a dispensary in Evanston on the north side of Howard Street but Chicago’s 500 ft. buffer would enable a dispensary to open on the south side of Howard Street.

Commissioner Hewko asked if the prohibition of on-site consumption would be reducing what is currently allowed at the existing dispensary. Ms. Jones responded that the regulations would not take away any existing use but codify an existing practice.

Commissioner Sloss inquired about the regulations referencing cannabis infusers within the dispensary subsection. Mr. Mangum replied that is a correction that needs to be made and will be made by staff.

Chair Isaac asked if, in the case of Cannabis Transporters, if there is no on-site cannabis storage and the business is only an office with vehicles why are there any regulations for that use. Ms. Jones responded that the intention is to have some consistency among the cannabis uses. The State regulations do not get specific regarding time limits on storing cannabis within transport vehicles so to be safe, staff placed the uses in the same areas.

Commissioner Isaac then inquired about the limitation of on-site consumption and Smoke Free Illinois regulations, stating that unlike cannabis, smoking tobacco is permitted outside but not indoors. Cannabis use would be prohibited both indoors and outdoors. He added that he thinks Evanston should consider being on the forefront with regards to permitting on-site cannabis consumption.

Commissioner Pigozzi stated he noticed the addition of the ETHS Day School on the buffer map and it taking out some possible areas for cannabis uses; he then inquired about how the distance requirements were determined. Ms. Jones confirmed that the distance requirements are based on the parcel lines and not the individual building. The schools on the map were provided from our Geographic Information Systems information. Commissioner Pigozzi then asked if the requirements apply to private institutions to which Ms. Jones replied that they do.

The Commission then entered deliberations.

Commissioner Sloss echoed Chair Isaac’s comments regarding reconsideration of on-site consumption and pointed out an article in previous information provided that
stated consumption could turn into an equity issue if lower-income residents are unable to consume cannabis within residences with restrictive smoking regulations and have no place they are able to consume the cannabis.

The Commission then reviewed the standards for text amendments and agreed that they were met or not applicable.

Commissioner Halik made a motion to recommend approval of the text amendment as presented. Seconded by Pigozzi. A roll call vote was taken and the motion was approved, 5-0.

Ayes: Isaac, Draper, Halik, Pigozzi
Nays:

5. OTHER BUSINESS

A. Discussion – Updates to Rules & Procedures Related to Election of Commission Chair

Chair Isaac provided a summary of staff’s memo, stating that there is a referral from Council to look into making the Chair of the Plan Commission an appointed position, as is currently done with the Zoning Board of Appeals (ZBA). He explained that the Mayor nominates a resident to be appointed to the Commission and Council then votes on that nomination, the process would be similar for appointing a Chair of the Commission from existing members. Mr. Mangum added that this would necessitate changes to the Rules & Procedures, which staff is currently reviewing and welcomes suggestions for revisions.

Commissioner Halik asked if this means the Mayor could remove the Chair. Chair Isaac responded that, similar to the appointment of members and the Chair, the City Council would need to approve that action.

No additional procedure revisions were proposed.

6. PUBLIC COMMENT

There was no public comment.

7. ADJOURNMENT

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

A voice vote was taken and the motion was approved by voice vote 5-0.
The meeting was adjourned at 8:12 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
Memorandum

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: January 17, 2020

Updates Since the October 30, 2019 Meeting
During the October 30, 2019 Plan Commission meeting, this case was continued at the request of a property owner within the affected area, per Section 6-3-6-11 of the Zoning Ordinance. This request was submitted in order to gather information to evaluate and present objections to the proposed text and map amendments (document attached). This case was also continued at the December 11, 2019 meeting due to lack of quorum for the agenda item.

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 and on November 21, 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**
George V. Kisiel – Expert Opinion and Amendment Evaluation
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
Letter from Chris Gotschall
Proposed Zoning Map and Text Amendment: 19PLND-0090 and 19PLND-0089

Evanston IL

Evaluation of proposed text and map amendments with respect to Section 6-3-4-5 Standards for Amendments contained in the Evanston Zoning Ordinance

By: George V. Kisiel, AIA, AICP

President
Okrent Kisiel Associates, Inc.

Date: December 1, 2019
Introduction

I am a licensed architect and a certified planner. I am a member of the American Institute of Architects, the American Planning Association, and the American Institute of Certified Planners. I am the president and owner of Okrent Kisiel Associates, Inc., where I have been employed for over 35 years. I have been accepted as an expert witness in planning and zoning in the courts of Cook, Lake, Will and DuPage Counties, Illinois and have appeared before numerous planning and administrative review boards throughout the Chicago metro area. I and my firm have extensive experience in Evanston, particularly in the context of downtown redevelopment including involvement in the development of Church St. Plaza, Optima Towers, Optima Horizons, McDoughal Littell, and Mather Lifeways.

Purpose

I have been engaged Lee St. Management, owners of properties affected, to evaluate the proposed zoning text and map amendments with regard to Evanston’s standards for map amendments contained in §6-3-4-5 of the Evanston Zoning Ordinance. Lee St. Management has assembled two parcels of land with the first consisting of four lots located at the northeast corner of Emerson St. and Jackson Ave. (25,460 s.f.) and the second consisting of three lots located adjacent to the north across the alley along Jackson Ave. (20,250 s.f.).

Opinion

Based on my review and analysis of the data referenced in this report and contained in my file, and my professional experience and qualifications, it is my professional opinion that the proposed reduction in development rights caused by the proposed height limit in the new R5a zoning classification and its application to 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 constitutes a significant down-zoning and would have a negative effect on property values and limit the ability to create affordable housing in the area. It is also my opinion that the proposed down-zoning runs contrary to the spirit of recent planning efforts in the downtown area focused on increased density and vibrance resulting from transit-oriented development. It is my opinion that the location affected is more suited to higher, rather than lower density development due to its land use context, and in particular is location adjacent to Downtown Evanston and proximity to significant transit resources, and that there is a legitimate community need for affordable housing that would be furthered by redevelopment of at least a portion of the affected properties. It is my opinion the reduction in development rights and the commensurate reduction in property value is not offset by any legitimate public benefit or further protection of the health, safety, morals or general welfare of the public.

The planning justifications for the proposed down-zoning are rooted in a more than decade-old plan that focused more on public opinion than professional planning input and ignores the significant development in Downtown Evanston that has occurred since that plan was authored and makes no mention of transit oriented development policies that have taken root.
Property Description

The area affected by the proposal is roughly triangular in shape and is bounded by Emerson St. on the south, Green Bay Road on the east and the former Mayfair railroad right-of-way on the west. Both Emerson St. and Green Bay Rd. carry significant volumes of traffic at the area’s perimeter. The north-south streets within the affected area Jackson St. (one way southbound), Wesley Ave. (one way northbound) and Asbury Ave. (two way) terminate within its boundaries and serve as local streets. Foster Ave., the only east west street within the affected area is also a local street terminating at Green Bay Rd. on the east and the North Shore Channel approximately 3,500 feet to the west.

The area consists of 82 parcels of land covering approximately 15.75 acres. 3.6 of those acres are consumed by public rights-of-way consisting of streets and alleys. A total of 142 dwelling units are located within the area. Of the 82 parcels 30 are developed with single-family housing with 43 dedicated to multi-family development with the remainder parks, open space or non-residential use. Of the multi-family developed parcels 37 are two flats, 16 are 3 to 6 unit development. Most structures are over 75 years old with some showing signs of deferred maintenance. Of the 82 properties 40 are owner occupied with 33 owned by non-residents.
The area is served by Evanston municipal sewer and water service with private gas, electric, and communications services provided by private utility companies. The area is generally flat and there are no protected wetlands or FEMA mapped floodplains located within the affected area. The general area is designated Zone X - Area of Minimal Flood Hazard on FEMA’s Flood Insurance Rate Map.

Properties within the affected area are within walking distance of downtown mass transit nodes including the Purple Line CTA and Metra Union Pacific North Line Davis St. stations (.7 miles/15 min. walk) and Foster Ave. Purple Line CTA station (.6 miles/13 min. walk).

Land Use Context

The affected area is located adjacent to Downtown Evanston within the quarter-mile walk area depicted in Evanston’s 2009 Downtown Plan. Downtown Evanston is moderate to high density mixed use area consisting of high-rise residential and office uses with commercial, retail, service and entertainment uses intermingled. It is well served by CTA and Metra rapid transit and has become one of the finer examples of transit oriented downtown re-development in the region.

In the immediate vicinity of the affected area commercial land uses dominate Green By Rd. adjacent to the east with mixed use commercial and residential uses east on Emerson St. giving
way to residential uses further west. Immediately south and east of the affected properties is the 46 unit five-story Grandbend at Green Bay development.

Immediately west of the affected area adjacent to the vacated rail right-of-way is a multi-family development built in 2006 and the 5 story Jacob Blake Manor subsidized housing development built in 2002.

Further west of the subject property is dominated by single-family residential development characterized by larger homes on larger lots. The same can be said for land uses south of Emerson some of which lie within the Evanston West Ridge Historic district.

The subject properties were fully developed by the mid 1920s. The 1923 Sanborn maps show that the majority of properties in the vicinity were built as single family residential uses. Of the 73 structures only two are multi-family.

Over the years there has been a gradual transition to more dense residential development with some conversion of single-family to two flats and some redevelopment into multi-family. Similarly, the trend in the area immediately to both the east and west has been a gradual transition from industrial uses along the former rail rights-of-way to multi-family residential uses. Examples include the aforementioned Jacob Blake Manor development to the west, the Grandbend at Green Bay at Green Bay Road and Emerson St. and The Reserve just east of the rail embankment.
SIMPSON ST.

Proposed Downzoning Area

Subject Properties

ASHLAND AVE.

DEWEY AVE.

FOSTER ST.

JACKSON AVE.

GREEN BAY RD.

Asbury AVE.

Sawyer AVE.

Simpson St.

Jacob Blake Manor

The Reserve

Greatbend at Green Bay

Current Land Use

Subject Properties

Existing Single Family
New Single Family
Converted Multi-Family
Existing Multi-Family
New Multi-Family
Commercial
Institutional

Proposed Downzoning Area

The Reserve

Greatbend at Green Bay
Zoning Context

The subject properties are located entirely within the corporate boundaries of the City of Evanston. The current City of Evanston zoning ordinance was adopted in 1993, and is updated regularly. The zoning pattern surrounding the downtown zoning districts are largely the higher density residential classifications including the R6 and R5 districts. Exceptions to this pattern include the two single-family historic districts to the southeast and southwest of the downtown area.

The subject properties are currently zoned R5 consistent with the established zoning pattern near downtown. Zoning in the immediate vicinity of the subject properties include C2 (commercial) adjacent to the east along Green Bay Rd., B1 (business) adjacent to the south along the eastern portion of Emerson St., R4 (general residential) to the west and single family zoning (R1 and R2) south of Emerson St. Small patches of B2 (business) R4 (general residential) and WE-1 (West Evanston transitional) are applied to individual developments adjacent to the north and northeast.
Planning Context.

The City of Evanston’s Comprehensive Plan was last updated in 2000 and is nearly 20 years old. The most recent plans focus on Downtown Evanston and transit oriented development at the Main St. CTA station. Plans referenced in support of the proposed amendments date from 2005 and rely heavily on community input and perspectives. No mention is made of the proximity of the subject properties, which are located at the far eastern extremity of the study area, to Downtown Evanston and the nearby transit assets. The study notes concerns regarding the negative impacts of down-zoning on the development of additional affordable housing and the potential impact on property values. The following is contained in the memorandum from city staff regarding the proposal:

“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.”

Fourteen years after the completion of the study the map and text amendments are now proposed by 5th ward Alderman Robin Rue Simmons for consideration by the Plan Commission. It should be noted that between the publishing of the study and the proposed down-zoning only two single-family homes have been constructed in the affected area.

Impact of the Proposed Text and Map Amendments

The proposed text and map amendments create a new zoning classification and apply it to the geographic area described earlier in this report. It is characterized as a compromise in that:

“The district was proposed to have the same regulations as the existing R5 zoning but have a lower maximum height of 42 feet.”

The proposed amendment limits height to 42’ or 3 1/2 stories. Even though other provisions of the regulations of the R5 remain, the height limit constitutes a significant down-zoning. The following explanation clarifies the issue.

Zoning ordinances regulate bulk (the amount of development that can be built on a site in terms of building square footage) in either of two ways.

The first being a simple mathematical formula usually expressed as Floor Area Ratio or F.A.R. Floor Area Ratio regulates bulk by prescribing a specific ratio between the site area and the amount of building area allowed. A Floor Area Ratio of 2.0 on a 20,000 square foot site allows a total building area of 40,000 square feet (2.0 F.A.R. x 20,000 square foot site area).

The second way zoning ordinances regulate bulk is to define a buildable three dimensional “envelope” through a combination of setbacks, lot coverage standards and height limits. For instance in our 20,000 square foot site example above, a lot coverage standard of 40% with a five story height limit yields a 8,000 square foot building footprint built to five stories allowing the same 40,000 square feet of building area. In this case, the setbacks would dictate how far from
the property lines this 8,000 square foot footprint would need to be.

The current R5 zoning standards do not prescribe a floor area ratio and, as in the second example above, the setback, lot coverage and height limits define a buildable three dimensional envelope. The lot coverage maximum in the R5 district is 45% with a maximum height of 50’ or five stories. Under this scenario limiting the height to 42’ or 3 1/2 stories represents a significant down-zoning and reduction in development rights. On our theoretical 20,000 square foot site one could build 45,000 square feet above grade (45% of 20,000 = 9,000 square feet x 5 stories = 45,000 square feet). Under the proposed text amendment allowable height is reduced to 42’ or 3 1/2 stories. That would limit the above grade buildable area to 3 stories x the 9,000 square foot footprint resulting in a maximum of 27,000 square feet above grade. Under this theoretical scenario the proposed text amendment results in a reduction in buildable area above grade of 40%. While other factors such as site configuration, parking requirements and other physical constraints may influence these numbers, the order of magnitude of the effect of the proposed text amendment is certainly significant and undoubtedly constitutes a down-zoning and reduction in development rights.

An analysis of the specific impact on the Lee St. Management properties located at the intersection of Emerson St. and Jackson Ave. reveals a reduction of approximately 33% in developable floor area. These properties total approximately 45,710 square feet and, under the existing R5 zoning can accommodate five story structures with parking partially occupying the ground floor. The prototypical plan illustrated consists of 82,650 square feet (excluding parking) and 52 units with 75 parking spaces.

**Scheme A: R5 Zoning**

- 5 stories
- 86,250 gsf
- 52 D.U.
- 75 parking spaces
Applying the height limits proposed, the same properties, utilizing similar lot coverages and building types can accommodate approximately 55,500 square feet (excluding parking) with 39 units. This results in a reduction of approximately 33% in terms of gross floor area of development.

In order to accurately assess the broader impact of down-zonings it is necessary to quantify the amount of potential floor area lost by a reduction in allowable building height. Given the previous example we can apply the 33% reduction to the entire affected area. The first step is assessing the total floor area actually developed on a lot-by-lot basis and evaluating whether there is a potential for additional development based on what would be allowed by zoning. This potential for additional development we refer to as “zoning headroom”. Where a change in zoning results in a reduction, or elimination of zoning headroom there is a true loss in potential floor area. The reduction in development potential also has the effect of limiting the supply of housing and driving up housing prices thus reducing the potential build affordable housing.

The Cook county assessor’s database is used to obtain information on existing development. Zoning headroom is then calculated for the before and after scenarios with the differences (losses) in floor areas recorded. Using the assessed values per square foot for nearby recent development, the loss in potential revenue due to down-zonings can be calculated.

Assuming a conservative market value of new dwelling units to be in the vicinity of $250,000 per unit, and an average of 1,250 square feet per unit we can arrive at an estimated per square foot value of $200.00. Calculating the loss in poten-
tial development for the parcels affected by the down-zoning results in a loss of approximately 265,000 square feet of buildable area. Multiplying that number by our per square foot value of $200.00 we get a total loss in value of $53,000,000.

In Cook County residential development is taxed at 10% market value and adjusted by a State multiplier of 2.9109. That translates to a loss in equalized assessed value of $53,000,000 x .10 x 2.9109 which equals $15,427,770. Evanston’s tax rate is currently around 9.4%. Given the foregoing, the proposed down-zoning results in a potential loss of over $1,450,000 annually. Granted, not all the affected properties would re-develop, however, this exercise does provide evidence that there is a significant loss in potential tax revenue and property value due to the proposed down-zoning.

Factor Analysis

Based on the facts set forth in this report, and an analysis of the factors contained in the Evanston Zoning Ordinance Standards for evaluating map and text amendments, it is my opinion that the proposed text and map amendment do not meet Evanston’s standards for zoning changes.

Evanston Zoning Ordinance Standards of Approval for amendments
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.

Response:
Evanston’s Comprehensive Plan is nearly twenty years old and is in the process of being updated. It does not take into consideration the growth and positive changes that have occurred in the downtown area, nor does it accommodate for the economic downturn that occurred, the impact of the Great Recession, and its effect on property values and tax base. Nonetheless, the document does contain some language relevant to the current situation. Regarding the Values and Goals of the Comprehensive Plan the 2000 document states:

“Looking ahead, the market for “urban housing”--townhouses, condominiums, and commercial/residential mixed-use buildings--has become strong in recent years. As discussed in the Land Use section of the Comprehensive General Plan, such development could be desirable in various parts of Evanston and should be encouraged as a viable improvement to the community and its real property tax base. This Plan’s recommendation is that such development should be oriented toward Evanston’s strong mass transit links and sensitively incorporated into existing neighborhoods.”

Down-zoning a large area of land adjacent to Downtown and near transit resources is not
consistent with this general goal of the 2000 Comprehensive Plan document.

The Land Use section of the document states:

A strong priority should be placed on retaining Evanston businesses, particularly its remaining manufacturers.
Later in the section it goes on to state:

Increased density of development is likely in many locations as a function of relatively high land values and high property taxes. Throughout the Plan, multi-family, residential/commercial mixed-use developments are discussed as beneficial to the property tax base and also to the community overall by bringing more business to local merchants.

Down-zoning properties discourages redevelopment and reduces potential density of development. Down-zoning a section of property adjacent to Downtown Evanston runs contrary to goals and priorities expressed above in the 2000 Comprehensive Plan.

A portion of the Neighborhood Section of the 2000 Comprehensive Plan is cited in support of the proposal. The general objective states:

An important objective should be to maintain the appealing character of Evanston’s neighborhoods while guiding their change.

On the surface the general objective could seem to support the proposal given the existing development in the area affected, however given the location and adjacency to Downtown and proximity to transit the area presents significant opportunity for positive new development. The more in depth discussion in the Comprehensive Plan following the statement of the general objective goes on to clarify the intent:

A balance is needed between preserving the character inherited from the past with meeting the demands of the present and the future. When opportunities for positive new development or redevelopment emerge, the City should (1) encourage creative ideas … and (2) guide change to enhance the quality of neighborhoods.

Given the background provided in previous sections of the Comprehensive Plan, particularly regarding Land Use and Housing, the proposed down-zoning runs contrary to the notion of encouraging and supporting new, positive development opportunities in neighborhoods—particularly those close to downtown and transit.

Finally, in the Housing Section of the 2000 Comprehensive Plan, New Housing Development is addressed:

Changes in population and the economy impact housing demand. A strong economy in recent years has seen new single-family and multi-family housing construction throughout Evanston. In particular, there has been an increase in demand for “urban” housing styles, i.e., town-houses and condominiums. The approaching retirement of a large segment of the population known as the “baby boom” generation is anticipated to add to this demand as “empty nesters” seek to move from larger to smaller homes requiring less maintenance and located closer to urban amenities. Young professionals working in Chicago and commuting from Evanston via CTA and Metra are also seen as a strong market for multi-family housing. Developments that fit this demand are therefore viewed generally as a healthy addition to Evanston’s housing stock.

The Comprehensive Plan encourages additional multi-family development close to transit. Down-zoning the subject property runs con-
trary to that notion.

(B) Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the subject property.

Response:
While the proposed amendment can be seen as being compatible with the overall character of existing development within the affected area, so is the existing R5 zoning. The proposed R5a district will not be more compatible than the existing zoning classification as it does nothing to bring any existing non-conforming structures into zoning conformance.

(C) Whether the proposed amendment will have an adverse effect on the value of adjacent properties.

Response:
This criteria is intended to insure that an amendment allowing a proposed development does not have a negative impact on adjacent properties. This case is different in that the proposal is not proposed to allow a specific development proposal. In this case – a down-zoning of a large area adjacent to Evanston’s downtown, the criteria should focus on the properties affected. The properties affected by the down-zoning – especially larger, consolidated parcels – will experience a significant loss in development rights. This translates to a loss in value and a loss in potential tax revenue for all taxing bodies including the City of Evanston and its school districts. As noted in the analysis above, the reduction in development rights and loss in potential floor area could result in a loss of up to $1.4 million in potential tax revenue annually over the entire affected area.

(D) The adequacy of public facilities and services.

Response:
Similar to Criteria C, this criteria is also intended to insure that an amendment allowing a proposed development does not have a negative impact on the capacity of public facilities. In this case – a down-zoning – this criteria has little relevance. Nonetheless there has been no reduction in the capacity of public facilities such that the proposed down-zoning is required.

Conclusions

Based on the foregoing analyses, the following conclusions are drawn:

1. The proposed text and map amendments constitute a down-zoning:
   - The proposed height limit reduces the development capacity of larger sites by at least 33%

2. The subject properties and area affected by the proposed down-zoning are within walking distance of Downtown Evanston and near transit resources
   - The 2009 update to Evanston’s Downtown Plan show the subject properties and affected area inside the defined Quarter-Mile Walking Zone
   - The subject properties and the affected area are within .7 miles (±15 minute walk) of the Davis St. Metra and CTA Stations and within .6 miles (±13 minute walk) of the CTA Foster Ave. Station
3. Down-zoning a large area of land adjacent to Downtown Evanston and near transit resources runs counter to the concept of Transit Oriented Development and the spirit of Evanston’s Comprehensive Plan and more recent planning efforts.

- Transit Oriented Development encourages greater density near transit resources

- The Comprehensive Plan:
  
  a) Encourages higher density residential development—townhouses, condominiums, and commercial/residential mixed-use buildings—as a viable improvement to the community and its real property tax base.

  b) Recommends that such development should be oriented toward Evanston’s strong mass transit links

  c) Recognizes that higher density developments near downtown benefit the community overall by bringing more business to local merchants.

  d) Identifies a need for housing alternatives that accommodate the City’s changing demographics and satisfy housing demand created aging “baby boomers” and young professionals working in Chicago and commuting from Evanston via CTA and Metra.

4. The proposed down-zoning will have a negative effect on the development capacity of affected properties that translates to a loss in property value and potential loss in real estate tax revenue.

- The proposed down-zoning may reduce development capacity by up to 33% and result in a potential loss in tax revenue that could approach $1.4 million annually.

5. The proposed down-zoning will have a negative effect on providing more affordable housing opportunities.

- Larger redevelopment sites have the greatest potential to provide affordable housing options under the City’s Inclusionary Housing Ordinance either through on-site units or payment-in-leui.

- The proposed height limit disproportionately affects larger sites reducing development capacity by 33% or more reducing opportunities for affordable housing options.

6. The proposed zoning text and map amendments do not satisfy the review criteria contained in Section 6-3-4-5 of Evanston’s zoning ordinance.

- The planning justifications for the proposed amendments are rooted in a more than decade-old plan that focused more on public opinion than professional planning input and ignored proximity to downtown and transit oriented development.

- The proposed amendments run contrary to many concepts put forth in the currently adopted Comprehensive Plan.

- The proposed amendments reduce development capacity that translates to a loss in property value and represent a significant potential loss in real estate tax dollars.

- The proposed amendments reducing development capacity are not justified by any inadequacy in infrastructure or public facilities.
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:

| (A) | Single-family dwelling unit | Five thousand (5,000) square feet, except as expressly allowed in Subsection 6-4-1-7(B) of this Title |
| (B) | Single-family attached dwelling unit | 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 |
| (C) | Two-family attached dwelling unit | Two thousand five hundred (2,500) square feet per dwelling unit |
| (D) | Multiple-family and group occupancy dwelling units | 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 |
| (E) | Nonresidential use | Ten thousand (10,000) square feet |

(Ord. 70-0-07)

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

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

| Minimum Lot Width |
(A) Single-family detached dwelling unit  Thirty-five (35) feet

(B) Two-family dwellings  Thirty-five (35) feet

(C) Single-family attached dwelling units; three (3) or more  Sixty (60) feet

(D) Other uses  Fifty (50) feet

(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:

(A) Residential structures:

1. Front yard  Twenty-seven (27) feet; parking prohibited
<table>
<thead>
<tr>
<th></th>
<th><strong>Side yard abutting a street</strong></th>
<th>Fifteen (15) feet; parking prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td><strong>Side yard</strong></td>
<td>Three (3) feet</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Rear yard</strong></td>
<td>Twenty-five (25) feet</td>
</tr>
</tbody>
</table>

(B) Nonresidential structures:

<table>
<thead>
<tr>
<th></th>
<th><strong>Front yard</strong></th>
<th>Twenty-seven (27) feet for building; parking prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td><strong>Side yard abutting a street</strong></td>
<td>Fifteen (15) feet for building; parking prohibited</td>
</tr>
<tr>
<td>3.</td>
<td><strong>Side yard</strong></td>
<td>Ten (10) feet for building; parking prohibited</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Rear yard</strong></td>
<td>Twenty-five (25) feet for building; five (5) feet for parking</td>
</tr>
</tbody>
</table>

(C) Accessory uses and structures:

<table>
<thead>
<tr>
<th></th>
<th><strong>Front yard</strong></th>
<th>Garages only, twenty-seven (27) feet</th>
</tr>
</thead>
</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>
<thead>
<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>
</tr>
</thead>
<tbody>
<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>
<td>NA</td>
</tr>
<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>
<td>47</td>
<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>
<td>47</td>
<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>
<td>47</td>
<td>+15% (Bldg. lot coverage)</td>
<td>25%</td>
</tr>
<tr>
<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>
<td>25%</td>
</tr>
<tr>
<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>
<td>62</td>
<td>+15% (Bldg. lot coverage)</td>
<td>25%</td>
</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>
<td>25%</td>
</tr>
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December 9, 2019

Dear Members of the Plan Commission and City Council,

We live at 1910 Wesley Avenue in the 5th Ward, and want to express our support for the proposed rezoning of 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, from the existing R5 General Residential District zoning district to AT LEAST a new R5a General Residential District zoning district with a height limit of 3.5 stories or 42 feet, whichever is less. Ideally this area would be rezoned to limit density even further with R4 or R3 rezoning, considering the current character, capacity and needs of our neighborhood.

Rezoning to R5a would be in keeping with the recommendations made by the Canal-Green Bay Road/Ridge Avenue-Church Street Study Area Report adopted by the City Council in September 2005. We are not sure why these recommendations weren't implemented at the time, but hope the City of Evanston will now adopt this long overdue zoning adjustment.

Neighbors in this area of the 5th Ward are sensitive to Evanston's affordable housing needs and support the development of more multi-family units in our community. We also want to protect ourselves from density that is inconsistent with the character of our evolving neighborhood and that could negatively impact the quality of life we've invested in and value here. We’re aware that our current R5 zoning relieves more wealthy R1 and R2 zones nearby from having to provide their share of multi-family housing, and would hope that going forward Evanston will work at finding equitable solutions that don’t overburden the 5th Ward with density that could and ought to be shouldered by the whole of our great city.

Thank you for your time. Most sincerely,

Christopher Gotschall & Timothy Samuel
1910 Wesley Ave, Evanston