PLAN COMMISSION
Wednesday, February 12, 2020
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: January 22, 2020

3. OLD BUSINESS (continued from January 8, 2020)
   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

4. NEW BUSINESS
   A. Map Amendment
      2044 Wesley Avenue 20PLND-0002
      John Cleary, owner, submits for a Zoning Ordinance Map Amendment pursuant to City
      Code Title 6, Zoning, to remove property, known as 2044 Wesley Ave., from the West
      Evanston Overlay (oWE) District. This map amendment is in anticipation of a future
      planned development that would include this and additional properties, and consist of 3-
      story townhouses and one 4-story apartment building with indoor and outdoor parking.

5. PUBLIC COMMENT

6. ADJOURNMENT

The next meeting of the Plan Commission is scheduled for WEDNESDAY, FEBRUARY 26, 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
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 22, 2020
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Room G300

Members Present: Jennifer Draper, Carol Goddard, George Halik, Brian Johnson, Jane Sloss

Members Absent: Peter Isaac (Chair), John Hewko, Andrew Pigozzi,

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

Presiding Member: Chair Goddard

1. CALL TO ORDER / DECLARATION OF QUORUM

Mr. Mangum called the meeting to order at 7:00 P.M. Ms. Jones called the roll and a quorum was established. Mr. Mangum explained that due to the Chair recusing himself and no Vice-Chair being in place, the Commission members present would need to elect an Interim Chair for the meeting.

Commissioner Sloss made a motion to elect Carol Goddard as the Interim Chair. Seconded by Commissioner Draper. A voice vote was taken and the motion was approved unanimously, 5-0.

2. APPROVAL OF MEETING MINUTES: January 8, 2020

Commissioner Halik made a motion to approve the minutes from the January 8, 2020 meeting. Seconded by Commissioner Sloss. A voice vote was taken and the minutes were approved, 4-0, with one abstention.

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.

Ms. Jones provided a brief review of the referral and proposed text and map amendment, describing the proposed boundaries and the difference between the existing and proposed zoning district (a reduction in height from 50 ft. or 5 stories to 42 ft. or 3.5 stories).

Thomas Ramsdell, lawyer for Victoria Kathrein who requested the continuance, introduced both Ms. Kathrein and Mr. George Kisiel of Okrent Kisiel Associates, Inc. Mr. Ramsdell then explained that the proposed text amendment is not as much of an issue but the map amendment is what would affect the seven properties Ms. Kathrein and her husband spent 20 years assembling and investing $2 million in. He continued, stating that the proposed development that was brought forward on her properties was the result of a misunderstanding and that there are future plans for development that would fit the existing zoning requirements. Mr. Ramsdell then pointed out that staff is not making a recommendation for or against the proposed amendments and asked that if the proposal moves forward, that Ms. Kathrein’s 7 properties be excluded from the rezoning.

Mr. Ramsdell then brought up Ms. Kathrein to speak and asked questions with responses that follow. Ms. Kathrein then spoke, explaining that she owns and manages property in both Chicago and Evanston, lived in Evanston between 2002 and 2013 then explaining how she and her late husband assembled property on Jackson beginning in 1997. Those properties were managed and rented. He passed away in 2015. She then explained that it was not her intention to apply for any variances from the existing R5 zoning whenever the property is redeveloped. Some preliminary planning with an architect began in 2009 and almost $2 million have been invested in the properties.

Ms. Kathrein continued stating that she is familiar with current trends of development moving out of the downtown area. She spoke with staff to verify zoning and inclusionary housing requirements and intended to have affordable units on-site in whatever development occurred. After her husband’s passing, she intended to purchase two additional properties then sell all of the properties to a developer with more expertise, contracting with Domanus development in 2018. She explained that Domanus had prolonged the closing on the properties and had undertaken actions behind her back, proposing a development that did not meet zoning requirements and emptying the
existing buildings which now sit vacant. Ms. Kathrein briefly described the community meeting in which Domanus presented their plans which were not well received soon after the contract between her and Domanus was broken. She then explained that the R5a zoning was never mentioned prior to Domanus development proposing their project but she had no intentions of putting forth a project that did not meet the current R5 zoning regulations.

Ms. Kathrein finished by stating that if the R5a zoning was not approved, the property would go back on the market with conditions of adhering to the R5 zoning requirements but she is unsure of what will happen if the area is rezoned to R5a. A reduction in permitted height would be a financial burden.

Mr. George Kiesiel then gave a brief overview of the work he has done which includes Church Street Plaza then provided a presentation. He explained the code requirements and suggested that rezoning from the existing R5 zoning to the proposed R5a would lead to a 28% loss in development rights on an average sized lot. He then used Ms. Kathrein’s properties in an example development based on current and proposed requirements, claiming that an overall 33% loss in development ability. He then provided a brief overview of the change in use within the area over time and planning context of the 2005 Ridge/Green Bay/Emerson, mentioning that the plan did not consider transit oriented development and that the Comprehensive Plan, though older, mentions demand for more urban development and the need of Baby Boomers to downsize. He then explained that downzoning could lead to a potential loss developable area of 265,000 sq. ft. and lead to a reduction in potential tax revenue.

Chair Goddard opened the hearing to questions from Commissioners.

Commissioner Halik inquired about the zoning in the surrounding areas and the appropriateness of a 5-story building within the R4 District on Emerson Street. Mr. Kiesel responded that that was likely built as a planned development and an affordable housing development.

Chair Goddard then opened the hearing to questions from the public.

Ms. Tina Paden asked for clarification on how many units Ms. Kathrein planned to build. Mr. Kiesel stated that no development is proposed but the example shown would allow for 52 units. Ms. Paden then inquired about the number of required affordable units, stating that 10%, 5 units in the example case, is a small amount. She then inquired about the units that Ms. Kathrein owns and what the rent amount for those units. Ms. Kathrein responded, listing her properties and clarifying that the rent was market rate. Mr. Ramsdell interjected that the rent amounts are not related to the proposed amendments.

Ms. Roberta Hudson explained there were a lot of problems in the area at one time and
The Foster Park Neighbors neighborhood group was created to address them. She then asked what type of housing is proposed and stated that a plan has been provided that was not implemented but should be kept. Mr. Goddard clarified that there is no specific development proposed for the area and a text and map amendment are what is being considered.

Mr. Christopher Gotschall inquired when Ms. Kathrein’s properties were acquired and suggested that some knowledge of the 2005 Plan for the area would have been known. Ms. Kathrein and Mr. Ramsdell responded that the properties were acquired between 1998 and 2018 and purchased according to current zoning.

Ms. Carolyn Dellutri asked if the developer asked residents to vacate without a signed contract. Mr. Ramsdell responded that this question does not relate to the proposal in front of the Commission. Ms. Dellutri replied that residents are attempting to get additional understanding on the history of the process and Ms. Kathrein’s actions and how it relates to the 2005 Plan.

Ms. Goddard then opened the hearing to public comment.

Mr. Mike Abdelsayed stated he is opposed to the downzoning on Asbury Avenue between Green Bay Road and Emerson Street. He explained that this area has a different character and many different uses, the street is an A1 designated traffic street and is exposed to a lot of traffic. He has no opinion of rezoning property west of Asbury but feels the rezoning would reduce the value of his property.

Mr. Timothy Samuel explained that he moved out of the City to get away from density and that this area is mostly single family homes with a few apartment buildings. He stated that he welcomes development and affordable housing but is opposed to a dense 5-story development. He added that Domanus wanted to bring Lincoln Park to Evanston but expanding outside of downtown is not appropriate here. There is already ample development near transit areas in the downtown area which is more appropriate. He supports the proposed rezoning.

Mr. Marcus Legleider stated he is in support of the rezoning and has a petition of signatures in support of the change. He explained that proposed rezoning reflects what the community wants as does the Study done in the area. He added that there are three buildings on his block that are not single family homes and not represented in Mr. Kiesel’s representation of properties during his presentation. He added that he has a request from the owner of 1323 Emerson Street to include it in the rezoning.

Ms. Linea Lattimer stated she is a 5th Ward Ambassador and lifelong Evanston resident and that her family founded United Faith Church. She inquired how many live and work in Evanston’s 5th Ward then explained that while the Comprehensive Plan states the market for urban housing may become strong, that is not necessarily the case now.
Offices, restaurants, etc. are desired more in the area, not affordable housing that is not affordable for residents. She then recommended an article within the roundtable that provides a history of redlining in the area and asked that the Commission consider the impact of decisions to rezone the properties.

Ms. Roberta Hudson stated that residents are fighting for the area and a 400 member survey had been done in the past regarding what residents would like in the area. They would like to have something for children, jobs and need to preserve the area for what people want. The residents’ dollar turns over once then leaves the community. She added that affordable housing is an issue and what the previous developer proposed did not fit what is needed in the area. She added that some recent developments had damaged homes during the construction phase that residents had to fix.

Ms. Tina Paden stated that 1421 Emerson should not have been acquired or be a part of redevelopment as it was a part of the NSP2 affordable home program and will no longer be affordable. She mentioned that recent development is high-rise that changed the character of the area. She then added that the R5a zoning is important and that developers should not dictate zoning and build additional high-rises.

Chris Gotschall stated that it is strange that Ms. Kathrein was not involved in the 2005 Study that would affect her property and that she knew this would be a possibility for 15 years. He added that he believes R4 or R3 should be the new zoning district and would love development of single-family, low density homes in the area. The area should not be looked at as Lincoln Park and developers should respect the wishes of the neighborhood and current character.

Ms. Carolyn Dellutri stated that as the former Executive Director of Downtown Evanston, she is very familiar with the downtown area and development. She and her husband purchased their home in 2008. She explained that the City should consider and analyze the 600 new dwelling units coming online within the City before going west into this area. She mentioned that the 2005 study has been questioned and the City should consider looking at updating it.

Ms. Brenda Greer stated she is a born and raised Evanstonian and she hopes that the commission considers the residents. New developments and rental fees are pushing people out of Evanston and she hopes that the rezoning goes forward.

Mr. John Cleary stated he is a 7 year resident and introduced Mr. Dan Lauer, his attorney. Both spoke in opposition of the proposed rezoning and Mr. Lauer added that he has a petition with signatures of residents on the 1900 Block of Asbury requesting to be removed from the proposed rezoning. Mr. Cleary then stated he would like to build 2 four story buildings, one apartment building, another a condo building with 2 affordable units. The development would be in compliance with zoning and he has met with staff on a proposal. Mr. Lauer added that typically, a 4 story building is 44 ft. tall and that a
3.5 story building with a frame roof would actually be taller than the height limit proposed.

Chair Goddard then closed the comment portion of the hearing and asked for closing comments.

Mr. Ramsdell explained that he is struck by the amount of confusion and who the true petitioner is and that Ms. Kathrein is not asking to change any zoning but for it to be left alone. She is not relying on a plan but on the law and that it would go against equity to change the rules in the middle of the game when she is seeking to use her property rights. He asked that if the rezoning is to go forward, that her 7 properties be excluded.

Chair Goddard then closed the hearing and the Commission began deliberation.

Commissioner Halik stated that he can see both sides of the issue. He does not understand why the area is currently zoned R5, which is surprising given the existing development in the area. However, downzoning sets a dangerous precedent and that specific properties should not be concentrated on instead of the larger area. He continued, stating that Asbury is not a single family home area and could be taken out of the proposed map amendment area as well as possibly property along Emerson Street north to the alley. He added that the difference in height is 8 ft. which would not constitute a high-rise.

Commissioner Sloss agreed with Commission Halik, stating that it is strange for the zoning in the area to be R5 given the existing character acknowledging that it is not uniform.

Commissioner Goddard inquired if there have been other properties downzoned in the past. Ms. Jones responded that she is not aware of any recent downzoning that has occurred, especially not of this magnitude. Much of the rezoning that has occurred has been to similar or higher density. Mr. Mangum added that the R4a was a recent rezoning of a larger area in 2005. Additionally this particular area was once zoned R6 when there were 7 different zoning districts (instead of the current 6) in the 1960’s and it has been zoned for higher density for some time.

Commissioner Draper expressed that she is conflicted. A mix of housing is common and has a concern of spot zoning if certain properties are added and removed. She added that there is an aspect of single family housing that is unaffordable and apartments can be more affordable.

Commissioner Johnson stated that plans, in a national context, are usually done or updated every 15 years and changes are fairly rare. To approve changes to zoning, the Commission must be very sure that it is the right way. He then asked for clarification on how the vote for the amendment could be structured.
Commissioner Halik added that a study should be done in context with the whole City and that any zoning change should be comprehensive.

The Commission then reviewed the standards and found that of the three that were applied to the proposed amendment, the proposed amendments do not match with the information within the Comprehensive Plan which calls for the current zoning, the proposed amendments are compatible with adjacent properties, however, the proposed changes could negatively impact the value of some properties in the area.

Commissioner Halik inquired if the Commission should consider removing certain properties from the map amendment. Chair Goddard responded that in order to move forward with the map amendment, the text amendment needs to be approved, which has not yet occurred. Commissioner Johnson then added that possibly altering the proposed rezoning by block is wading into spot zoning.

**Commissioner Johnson made a motion to recommend approval of the proposed text amendment to create the R5a Zoning District. Seconded by Commissioner Draper.**

A roll call vote was then taken and the motion failed, 1-4.

**Ayes: Sloss**  
**Nays: Draper, Goddard, Halik, Johnson**

Commissioner Halik asked if there was an ability to make additional recommendations to City Council regarding this item as this should be part of a greater comprehensive plan evaluation.

**Commissioner Sloss made a motion to recommend approval of the proposed map amendment to rezone the Emerson Street area from R5 to R5a with a maximum building height of 3.5 stories. Seconded by Commissioner Draper.**

A roll call vote was then taken and the motion failed, 1-4.

**Ayes: Sloss**  
**Nays: Draper, Goddard, Halik, Johnson**

4. **PUBLIC COMMENT**

A member of the public inquired about a decision to omit the properties on Asbury Avenue from the rezoning consideration. Ms. Goddard responded that the Commission has voted to recommend denial of the text and map amendments as presented by staff. The minutes will reflect the discussion and the recommendation will move forward to the City Council.
5. ADJOURNMENT

Commissioner Johnson made a motion to adjourn the meeting. Commissioner Sloss seconded the motion.

A voice vote was taken and the motion was approved by voice vote 5-0. The meeting was adjourned at 8:58 pm.

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department
Text Amendment
Ground Floor Retail Uses in the Downtown
19PLND-0107

Plan Commission
Recommending Body
Memorandum

To: Chair and Members of the Plan Commission

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

Subject: Zoning Ordinance Text Amendment
Ground Floor Retail Uses in the Downtown
19PLND-0107

Date: February 7, 2020

Update from the January 8, 2020 Meeting
At the January 8, 2020 Plan Commission meeting, discussion began on the proposed amendment with the Commission voting to send the amendment back to staff to revise and reconsider how financial institutions are defined. A revised proposal is outlined below

Request
Staff recommends discussion and consideration of a text amendment to the Zoning Ordinance to modify currently permitted ground-floor uses including Offices and Financial Institutions to special uses in order to encourage active ground-floor uses that promote pedestrian activity and an economically vibrant downtown corridor in the D2 Downtown Retail Core District.

Notice
The Application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on December 19, 2019.

Analysis
Background
The D2 Downtown Retail Core District’s purpose is:

To define and support the traditional downtown retail shopping function of Evanston. The district is characterized by street level retail storefronts and structures that accent a pedestrian scale. Mixed use developments shall be encouraged within the district as shall the reuse of structures that assist in perpetuating the established pedestrian retail character in terms
of scale, architecture and street front continuity as identified in the adopted "plan for downtown Evanston."…

Permitted and special uses in the D2 District include a variety of business types, some of which are active uses that are visited by many customers daily, and others that are more passive businesses with few on-site customers.

The D2 District currently features a regulation that a minimum of 75% of every building’s sidewalk grade level exterior be devoted to retail trade activity. The Zoning Ordinance does not define retail trade activity, but does state Type 1 Restaurants (full-service) shall be considered retail trade activity. However, the list of permitted uses in the D2 District includes a variety of other uses (some active; some passive) that are allowed.

In order to promote a vibrant and healthy downtown corridor, the Zoning Ordinance should be amended so that the list of permitted uses in the D2 District allows only active uses at the ground-floor. Uses that may be passive should require special use approval to determine the appropriateness at a given location and in conjunction with other similar uses in the area.

Proposal Overview
Staff proposes modifying the list of permitted uses in the D2 by allowing Offices and Financial Institutions as permitted uses only when located above the ground-floor. At the ground-floor level, Offices and Financial Institutions will require special use approval whereby City Council can determine whether such use is appropriate at a D2 location. Specifically, the following amendments are proposed:

Section 6-11-3-3. PERMITTED USES: The following uses are permitted in the D2 District:

Artist studio
Brew pub
Commercial indoor recreation (when located above the ground floor)
Cultural facility
Dwellings (when located above the ground floor)
Financial institution (excluding drive-through facilities) (when located above the ground floor or at the ground floor when retail banking services, such as checking/savings accounts, debit/credit card uses, and ATMs, are provided)
Food store establishment
Funeral services excluding on site cremation
Government institution
Hotel
Membership organization
Office (when located above the ground floor)
Residential care home – Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title)
Restaurant – Type 1
Retail goods establishment
Retail services establishment
The elimination of “excluding drive through facilities” is appropriate since Drive Through Facilities are a listed and defined zoning use that are eligible as a special use in certain districts, but are not listed, and are therefore prohibited in the D2 District. This amendment is the simplification of a redundant regulation that will result in no physical change in the D2 District.

Section 6-11-3-4. SPECIAL USES: The following uses may be allowed in the D2 District, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility (when located above the ground floor)
Banquet hall
Business or vocational school
Commercial indoor recreation (at the ground level)
Convenience store
Craft alcohol production facility
Daycare center – Child (subject to the general requirements of Section 6-4-2 of this Title)
Educational institution – Private
Educational institution – Public
Financial institution (at the ground floor when retail banking services, such as checking/savings accounts, debit/credit card uses, and ATMs, are not provided)
Independent living facility (when located above the ground floor)
Neighborhood garden
Office (when located at the ground floor)
Open sales lot
Performance entertainment venue
Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title)
Religious institution
Resale establishment
Residential care home – Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title)
Restaurant – Type 2 (excluding drive through facilities)
Urban farm, rooftop

As previously mentioned, the elimination of “excluding drive through facilities” is appropriate since Drive Through Facilities are a listed and defined zoning use that are eligible as a special use in certain districts (but not the D2 District). This amendment is the simplification of a redundant regulation that will result in no physical change in the D2 District.

The amendment to change ground-floor Office and Financial Institutions to special uses achieves the same regulatory practice as the oDM Dempster-Main Overlay District, which features the sole regulation of requiring special use approval to Office and Financial Institutions at the ground-floor level within the Main-Dempster Mile business districts. The oDM Overlay was enacted in 2015 and has deterred some passive ground floor businesses from locating in that area, and has led to special use approval of three
uses in the area that were either deemed active (i.e. chiropractor office with a substantial retail storefront) or a needed use in the neighborhood (i.e. financial institution; urgent care clinic medical office). The revised proposal recognizes the difference in financial institutions which cater to smaller consumers (through checking/savings accounts, debit/credit card uses, and ATMs which create more pedestrian traffic and retail activity) and those that cater to larger businesses or are more office in nature (such as corporate or investment banking sites that would not generate as much daily traffic).

As amended, the remaining permitted uses in the D2 District are not all retail uses, nor do they all fit within the undefined retail trade activity as regulated in Section 6-11-3-2, which currently states:

In recognition of the traditional retail character of the district and in order to preserve and enhance retail trade activity, all buildings and structures within the district shall devote a minimum of seventy-five (75%) of the sidewalk grade level exterior to retail trade activity. For the purposes of this requirement, type 1 restaurants shall be considered retail trade activity.

The intent of this regulation is appropriate. However, the regulation is poorly worded since retail trade activity is not defined by the Zoning Ordinance and therefore has not been implemented consistently over time. When looking at the businesses currently located on the ground-floor of the D2 District, very few would be considered retail trade activity. Additionally, it is difficult to regulate a use based on the other uses within a building since those uses could change over time which might then make a non-retail trade activity noncompliant with the 75% requirement. Staff proposes the following:

6-11-3-2. RETAIL USE OF GRADE LEVEL ACTIVE USE OF GRADE LEVEL
In recognition of the traditional retail character of the district and in order to preserve and enhance retail trade activity, all buildings and structures within the district shall devote a minimum of seventy-five (75%) of the sidewalk grade level exterior to retail trade activity. an economically vibrant downtown corridor that encourages retail as well as other complementary uses, all permitted ground-floor uses, as listed in Section 6-11-3-3 PERMITTED USES, should promote pedestrian activity and/or encourage destination travel that bring more activity to the area. For the purposes of this requirement, type 1 restaurants shall be considered retail trade activity.

The modification of 6-11-3-2 results in the same intent as the current regulation, while shifting the regulation of each specific use to the eligible uses listed in the PERMITTED USES and SPECIAL USES sections of the Zoning Ordinance. With the intent of the regulation maintained, the proposed modification will allow active uses that are not specifically retail uses to appropriately locate in the D2 District and thereby encourage a vibrant downtown corridor.

Standards of Approval
The proposed text amendment to the Zoning Ordinance is intended to modify currently permitted ground-floor uses including Offices and Financial Institutions to special uses
in order to encourage active ground-floor uses that promote pedestrian activity and an economically vibrant downtown corridor in the D2 Downtown Retail Core District.

The proposed text amendment aligns with the Comprehensive Plan and ever-changing brick-and-mortar retail landscape to encourage an economically vibrant downtown area. The Comprehensive Plan specifically states Downtown Evanston’s “mix should continue to include restaurants and varied retail goods and service establishments and should be augmented through the addition of more hotel space and entertainment activities…” and “Evanston should encourage a compatible mix of land uses in the Downtown”. While retail uses should always be encouraged in the downtown area, the brick-and-mortar retail market is declining, so other types of active businesses should locate on the ground-floor to encourage activity in the area and ensure the downtown maintains its vitality.

**Recommendation**
Staff recommends the Plan Commission discuss the proposed text amendment and make a recommendation to the City Council.

**Attachments**
D1-D4 & RP Zoning Ordinance Regulations
DISTRICT REQUIREMENTS

6-11-2. - D1 DOWNTOWN FRINGE DISTRICT.

6-11-2-1. - PURPOSE STATEMENT.

The downtown fringe district is intended to provide for business and office development at compact locations. The massing and scale of structures within the district should be reflective of established uses and should provide suitable transition between the adjacent residential districts and the more intense downtown districts. Mixed use development is encouraged within the district through the use of planned developments.

(Ord. No. 43-O-93)

6-11-2-2. - PERMITTED USES.

The following uses are permitted in the D1 district:

- Artist studio.
- Brew pub.
- Commercial indoor recreation.
- Cultural facility.
- Dwelling—Multiple-family.
- Financial institution.
- Food store establishment (provided the store shall not be opened for business later than 12:00 midnight CST).
- Government institution.
- Hotel.
- Membership organization.
- Office.
- Public utility.
- Religious institution.
- Residential care home—Category I (subject to the general requirements of Section 6-4-4 of this Title).
- Residential care home—Category II (subject to the general requirements of Section 6-4-4 of this Title).
- Restaurant—Type 1.
- Retail goods establishment.
- Retail services establishment.
6-11-2-3. SPECIAL USES.

The following uses may be allowed in the D1 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility.
Banquet hall.
Boarding house.
Business or vocational school.
Convenience store.
Craft alcohol production facility.
Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).
Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).
Drive-through facility (accessory or principal).
Educational institution—Private.
Educational institution—Public.
Funeral services excluding on site cremation.
Independent living facility.
Long term care facility.
Neighborhood garden.
Open sales lot.
Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).
Resale establishment.
Retirement home.
Retirement hotel.
Sheltered care home.
Transitional shelter (subject to the special requirements of Section 6-3-5-11 of this Title).
Urban farm, rooftop.
Wholesale goods establishment.
The minimum lot size requirements for the D1 district are as follows:

(A) **Nonresidential**: There is no minimum lot size requirement for nonresidential lots in the D1 district.

(B) **Residential**: The minimum lot size for a building or structure in the D1 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D1 district shall be at no time less than four hundred (400) square feet.

(Ord. No. 43-O-93)

There is no minimum lot width in the D1 district.

(Ord. No. 43-O-93)

The yard requirements for the D1 district are as follows:

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<tbody>
<tr>
<td>(A)</td>
<td>Front</td>
<td>Fifteen (15) feet; surface parking prohibited</td>
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<tr>
<td>(B)</td>
<td>Side yard abutting a street</td>
<td>Fifteen (15) feet; surface parking prohibited</td>
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<td>(C)</td>
<td>Side yard when abutting a nonresidential district</td>
<td>None; surface parking, five (5) feet</td>
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<td>(D)</td>
<td>Side yard when abutting a residential district</td>
<td>Buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet</td>
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<td>(E)</td>
<td>Rear</td>
<td>Buildings and parking garages, ten (10) feet; surface</td>
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Notwithstanding the foregoing, buildings existing in the D1 district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Ordinance, be deemed complying with the D1 district yard requirements.

(Ord. No. 43-O-93)

6-11-2-7. - BUILDING HEIGHT.

The maximum building height in the D1 district is forty-two (42) feet. Notwithstanding the foregoing, buildings existing in the D1 district as of the effective date hereof, shall, for the purpose of the district and the requirements, be deemed complying with the D1 district building height requirements.

(Ord. No. 43-O-93)

6-11-3. - D2 DOWNTOWN RETAIL CORE DISTRICT.

6-11-3-1. - PURPOSE STATEMENT.

The D2 downtown retail core district is intended to define and support the traditional downtown retail shopping function of Evanston. The district is characterized by street level retail storefronts and structures that accent a pedestrian scale. Mixed use developments shall be encouraged within the district as shall the reuse of structures that assist in perpetuating the established pedestrian retail character in terms of scale, architecture and street front continuity as identified in the adopted "plan for downtown Evanston." Planned developments are encouraged as a special use in the D2 district. Where D2 zoned lots or areas are overlaid with the oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted "plan for downtown Evanston."

(Ord. No. 43-O-93)

6-11-3-2. - RETAIL USE OF GRADE LEVEL.

In recognition of the traditional retail character of the district and in order to preserve and enhance retail trade activity, all buildings and structures within the district shall devote a minimum of seventy-five percent (75%) of the sidewalk grade level exterior to retail trade activity. For the purposes of this requirement, type 1 restaurants shall be considered retail trade activity.

(Ord. No. 43-O-93)

6-11-3-3. - PERMITTED USES.

The following uses are permitted in the D2 district:

Artist studio.

Brew pub.
Commercial indoor recreation (when located above the ground floor).
Cultural facility.
Dwellings (when located above the ground floor).
Financial institution (excluding drive-through facilities).
Food store establishment.
Funeral services excluding on site cremation.
Government institution.
Hotel.
Membership organization.
Office.
Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).
Restaurant—Type 1.
Retail goods establishment.
Retail services establishment.

(Ord. No. 43-O-93; amd. Ord. 58-O-02; Ord. No. 15-O-16, § 1, 3-14-2016; Ord. No. 105-O-18, § 19, 10-8-2018)

6-11-3-4. - SPECIAL USES.

The following uses may be allowed in the D2 district, subject to the provisions set forth in Section 6-3-5 of this Title:
Assisted living facility (when located above the ground floor).
Banquet hall.
Business or vocational school.
Commercial indoor recreation (at the ground level).
Convenience store.
Craft alcohol production facility.
Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).
Educational institution—Private.
Educational institution—Public.
Independent living facility (when located above the ground floor).
Neighborhood garden.
Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 2 (excluding drive-through facilities).

Urban farm, rooftop.

(Ord. No. 43-O-93; amd. Ord. 39-O-95; Ord. 33-O-99; Ord. 2-O-00; Ord. 114-O-02; Ord. 122-O-09; Ord. No. 129-O-12, § 11, 1-14-2013; Ord. No. 3-O-14, § 11, 2-10-2014; Ord. No. 57-O-14, § 11, 6-9-2014; Ord. No. 81-O-14, §§ 12, 38, 8-11-2014; Ord. No. 8-O-17, § 9, 4-24-2017; Ord. No. 105-O-18, § 20, 10-8-2018)

6-11-3-5. - LOT SIZE.

The minimum lot size requirements for the D2 district are as follows:

(A) Nonresidential: There is no minimum lot size requirement for non-residential lots in the D2 district.

(B) Residential: The minimum lot size for a building or structure in the D2 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D2 district shall at no time be less than four hundred (400) square feet.

(Ord. No. 43-O-93)

6-11-3-6. - LOT WIDTH.

There is no minimum lot width in the D2 district.

(Ord. No. 43-O-93)

6-11-3-7. - FLOOR AREA RATIO.

The maximum floor area ratio in the D2 district is 2.75.

(Ord. No. 43-O-93)

6-11-3-8. - YARDS.

The yard requirements for the D2 district are as follows:
<table>
<thead>
<tr>
<th>(A)</th>
<th>Front yard</th>
<th>Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way</td>
</tr>
<tr>
<td>(B)</td>
<td>Side yard when abutting street</td>
<td>Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way</td>
</tr>
<tr>
<td></td>
<td>Side yard when abutting nonresidential district</td>
<td>None; surface parking, five (5) feet</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>(D)</td>
<td>Side yard when abutting side property line in residential district</td>
<td>Buildings and parking garages, five (5) feet; surface parking, ten (10) feet</td>
</tr>
<tr>
<td></td>
<td>Rear yard</td>
<td>Buildings and parking garages: none; surface parking: five (5) feet, except when abutting or adjacent to a residential district side or rear yard: buildings and parking garages, fifteen (15) feet, surface parking, ten (10) feet</td>
</tr>
</tbody>
</table>

(Ord. 13-0-05)

6-11-3-9. - BUILDING HEIGHT.

The maximum building height in the D2 district is forty-two (42) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height. Notwithstanding the foregoing, buildings existing in the D2 district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Ordinance, be deemed complying with the D2 district building height requirements.

(Ord. No. 43-O-93)

6-11-4. - D3 DOWNTOWN CORE DEVELOPMENT DISTRICT.

6-11-4-1. - PURPOSE STATEMENT.

The D3 downtown core development district is intended to provide for the highest density of business infill development and large scale redevelopment within downtown Evanston. The district is also intended to encourage and sustain mix of office, retail, and residential uses. Planned developments are encouraged as a special use in the D3 district. Where D3 zoned lots or areas are overlaid with the oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted “plan for downtown Evanston.”

(Ord. No. 43-O-93)
6-11-4-2. - PERMITTED USES.

The following uses are permitted in the D3 district:
Artist studio.
Brew pub.
Commercial indoor recreation.
Commercial parking garage.
Cultural facility.
Dwellings (when located above the ground floor).
Financial institution.
Food store establishment.
Funeral services excluding on site cremation.
Government institution.
Hotel.
Medical broadcasting station.
Membership organization.
Office.
Public utility.
Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).
Restaurant—Type 1.
Retail goods establishment.
Retail services establishment.

(Ord. No. 43-O-93; amd. Ord. 58-O-02; Ord. No. 15-O-16, § 2, 3-14-2016; Ord. No. 105-O-18, § 21, 10-8-2018)

6-11-4-3. - SPECIAL USES.

The following uses may be allowed in the D3 district, subject to the provisions set forth in Section 6-3-5 of this Title:
Apartment hotel.
Assisted living facility (when located above the ground floor).
Banquet hall.
Business or vocational school.
Convenience store.
Craft alcohol production facility.
Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).
Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).
Drive-through facility (accessory or principal).
Educational institution—Private.
Educational institution—Public.
Independent living facility (when located above the ground floor).
Neighborhood garden.
Open sales lot.
Performance entertainment venue.
Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).
Religious institution.
Resale establishment.
Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).
Restaurant—Type 2.
Urban farm, rooftop.

(Ord. No. 43-O-93; amd. Ord. 39-O-95; Ord. 33-O-99; Ord. 2-O-00; Ord. 114-O-02; Ord. 122-O-09; Ord. No. 129-O-12, § 12, 1-14-2013; Ord. No. 3-O-14, § 12, 2-10-2014; Ord. No. 57-O-14, § 12, 6-9-2014; Ord. No. 81-O-14, §§ 13, 39, 8-11-2014; Ord. No. 8-O-17, § 10, 4-24-2017; Ord. No. 105-O-18, § 22, 10-8-2018)

6-11-4-4. - LOT SIZE.

The minimum lot size requirements for the D3 district are as follows:

(A) **Nonresidential:** There is no minimum lot size requirement for non-residential lots in the D3 district.

(B) **Residential:** The minimum lot size for a building or structure in the D3 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D3 district shall at no time be less than three hundred (300) square feet.

(Ord. No. 43-O-93)

6-11-4-5. - LOT WIDTH.
There is no minimum lot width in the D3 district.

(Ord. No. 43-O-93)

6-11-4-6. - FLOOR AREA RATIO.

The maximum floor area ratio in the D3 district is 4.5.

(Ord. No. 43-O-93)

6-11-4-7. - YARDS.

The yard requirements for the D3 district are as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)</td>
<td>Front yard</td>
<td>Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</td>
</tr>
</tbody>
</table>
Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way

| (C) Side yard when not abutting street | Buildings and parking garages: none; surface parking: five (5) feet, except when abutting to a side property line in a residential district: building, fifteen (15) feet; surface parking, ten (10) feet |
| (D) Rear yard                        | Buildings and parking garages and surface parking: none except when abutting a residential district side yard or rear yard; buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet |

(Ord. 13-0-05)

6-11-4-8. - BUILDING HEIGHT.

The maximum building height in the D3 district is eighty-five (85) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height.

(Ord. No. 43-O-93)

6-11-5. - D4 DOWNTOWN TRANSITION DISTRICT.

6-11-5-1. - PURPOSE STATEMENT.

The D4 downtown transition district is intended to provide for business infill development and redevelopment within downtown Evanston. The massing and scale of structures within the D4 district should be reflective of established uses and should provide suitable transition between downtown districts and those districts adjacent to the downtown. The district is also intended to encourage and sustain a mix of office, retail, and residential uses. Planned developments are encouraged as a special use in the D4 district. Where a lot zoned D4 is overlaid with an oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted plan for downtown Evanston.

(Ord. No. 43-O-93)
6-11-5-2. - PERMITTED USES.

The following uses are permitted in the D4 district:

Artist studio.

Brew pub.

Commercial indoor recreation.

Cultural facility.

Dwelling (when located above the ground floor).

Financial institution.

Food store establishment.

Government institution.

Hotel.

Membership organization.

Office.

Public utility.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

(Ord. No. 43-O-93; Ord. No. 15-O-16, § 3, 3-14-2016; Ord. No. 105-O-18, § 23, 10-8-2018)

6-11-5-3. - SPECIAL USES.

The following uses may be allowed in the D4 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility (when located above the ground floor).

Banquet hall.

Business or vocational school.

Commercial parking garage.

Convenience store.

Craft alcohol production facility.

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

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).
Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Funeral services excluding on site cremation.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 2.

Urban farm, rooftop.

6-11-5-4. - LOT SIZE.

The minimum lot size requirements for the D4 district are as follows:

(A) **Nonresidential:** There is no minimum lot size requirement for nonresidential lots in the D4 district.

(B) **Residential:** The minimum lot size for a building or structure in the D4 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D4 district shall be at no time less than four hundred (400) square feet.

6-11-5-5. - LOT WIDTH.

There is no minimum lot width in the D4 district.

(Ord. No. 43-O-93)
6-11-5-6. - FLOOR AREA RATIO.

The maximum floor area ratio in the D4 district for structures not containing residential dwelling units is 4.5. The maximum floor area ratio in the D4 district for structures containing residential dwelling units is 5.4.

(Ord. No. 43-O-93)

6-11-5-7. - YARDS.

The yard requirements for the D4 district are as follows:

<table>
<thead>
<tr>
<th>(A)</th>
<th>Front yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(B)</th>
<th>Side yard when abutting street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(B)</th>
<th>Side yard when abutting street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters</td>
<td></td>
</tr>
</tbody>
</table>
Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way

<table>
<thead>
<tr>
<th>Side yard when not abutting street</th>
<th>Buildings and parking garages: none; surface parking, five (5) feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>(C)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rear yard</th>
<th>Buildings and parking garages: none; surface parking, five (5) feet, except when abutting a residential district side yard or rear yard: buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>(D)</td>
<td></td>
</tr>
</tbody>
</table>

(Ord. 13-0-05)

6-11-5-8. - BUILDING HEIGHT.

The maximum building height in the D4 district for structures not containing residential dwelling units is eighty-five (85) feet. The maximum building height in the D4 district for structures containing residential dwelling units is one hundred five (105) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height.

(Ord. No. 43-O-93)

DISTRICT REQUIREMENTS

6-12-2. - RP RESEARCH PARK DISTRICT.

6-12-2-1. - PURPOSE STATEMENT.

The RP research park district is intended to provide a regulatory framework that will assist the development of applied research oriented and advanced technology activities in a high quality mixed use business park setting. The district also provides for a limited amount of light assembly, processing, and distribution uses along with their related support activities.

(Ord. No. 43-O-93)

6-12-2-2. - PERMITTED USES.

The following uses are permitted in the RP district:
Brew pub.
Commercial indoor recreation.
Commercial parking garage.
Conference facility (college/university).
Conference facility (noncollege/university).
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).
Dwellings—Multiple-family.
Financial institution.
Government institution.
Hotel.
Industrial service establishments.
Light manufacturing.
Neighborhood garden.
Office.
Pharmaceutical manufacturing.
Public transportation center.
Public utility.
Research and development industries.
Restaurant—Type 1.
Retail goods establishment.
Retail services establishment.
Single-family attached dwelling unit.
Warehouse establishment.
Wholesale goods establishment.

(Ord. No. 43-O-93; amd. Ord. 100-O-95; Ord. No. 81-O-14, § 41, 8-11-2014; Ord. No. 105-O-18, § 31, 10-8-2018)

6-12-2-3. - SPECIAL USES.
The following special uses may be permitted in the RP district, subject to the provisions set forth in Section 6-3-5 of this Title:

- Banquet hall.
- Business or vocational school.
- Craft alcohol production facility.
- Open sales lot.
- Outdoor storage.
- Performance entertainment venue.
- Planned developments (subject to the requirements of Section 6-3-6 of this Title and Section 6-12-1-7 of this Chapter).
- Resale establishment.
- Restaurants—Type 2.
- Urban farm, rooftop.

(Ord. No. 43-O-93; amd. Ord. 2-O-00; Ord. 114-O-02; Ord. 122-O-09; Ord. No. 129-O-12, § 14, 1-14-2013; Ord. No. 3-O-14, § 14, 2-10-2014; Ord. No. 57-O-14, § 14, 6-9-2014; Ord. No. 81-O-14, § 15, 8-11-2014; Ord. No. 8-O-17, § 12, 4-24-2017; Ord. No. 105-O-18, § 32, 10-8-2018)

6-12-2-4. - LOT SIZE.

The minimum lot size requirements for the RP district is nineteen thousand five hundred (19,500) square feet.

(Ord. No. 43-O-93)

6-12-2-5. - LOT WIDTH.

There is no minimum lot width requirement for the RP district.

(Ord. No. 43-O-93)

6-12-2-6. - FLOOR AREA RATIO.

The maximum floor area ratio requirement for the RP district is 5.18 for buildings and structures, and 8.21 for parking structures.

(Ord. No. 43-O-93)

6-12-2-7. - YARD REQUIREMENTS.

The yard requirements for the RP district are as follows:
<table>
<thead>
<tr>
<th>Location</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Emerson Street</td>
<td>Three (3) feet</td>
<td>Fifteen (15) feet</td>
</tr>
<tr>
<td>(B) Church Street</td>
<td>Three (3) feet</td>
<td>Fifteen (15) feet</td>
</tr>
<tr>
<td>(C) Maple Avenue (parcels 4, 6, 8, 11, 12, 13, 16 of the master plan)</td>
<td>Three (3) feet</td>
<td>Fifteen (15) feet</td>
</tr>
<tr>
<td>(D) Maple Avenue (parcels 9, 10, 14, 15 of the master plan)</td>
<td>Thirteen (13) feet</td>
<td>Fifteen (15) feet</td>
</tr>
<tr>
<td>(E) Other streets</td>
<td>No setback required</td>
<td>-</td>
</tr>
</tbody>
</table>

Where outdoor storage is permitted, such storage shall only be located in the allowable buildable area of a site.

(Ord. No. 43-O-93)

6-12-2.8. - BUILDING HEIGHT.

The maximum building height requirements for the RP district are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Height In Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
</tr>
<tr>
<td>---</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(A)</td>
<td>Maple Avenue (additional stories to achieve the desired building density as referenced in the research park master plan are allowed at a minimum of 50 feet behind the setback lines)</td>
</tr>
<tr>
<td>(B)</td>
<td>Central Plaza</td>
</tr>
<tr>
<td>(C)</td>
<td>Emerson Street</td>
</tr>
<tr>
<td>(D)</td>
<td>Church Street (additional stories to achieve the desired building density as referenced in the research park master plan are allowed at a minimum of 50 feet behind the setback lines)</td>
</tr>
</tbody>
</table>

(Ord. No. 43-O-93)
2044 Wesley Ave.
20PLND-0002

Plan Commission
Recommending Body
To: Chair and Members of the Plan Commission

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

Subject: Zoning Ordinance Map Amendment
Removal of oWE West Evanston Overlay at 2044 Wesley Ave.
20PLND-0002

Date: February 6, 2020

Request
Staff recommends the Plan Commission consider the intent of the West Evanston Master Plan and logistical development issues at 2044 Wesley Ave. and surrounding parcels to determine if it is appropriate to remove the oWE Overlay regulations for future development at the site. Special attention should be given to the Plan and Overlay details that require the extension of Jackson Ave. and Wesley Ave. that should one day become complete through-streets. If deemed appropriate for the removal of the oWE Overlay, the site would follow the zoning regulations of the underlying R4 General Residential District. Following the intent of the West Evanston Master Plan, the applicant intends to submit a planned development proposal for townhomes on the site in the near future.

Notice
The application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on January 23, 2020.

Analysis
Background
The applicant is the property owner and/or contract purchaser of five contiguous parcels that are between Foster St. and Simpson St., and Green Bay Rd. and just west of Jackson Ave. All parcels are currently vacant. Three of the parcels are located within the R4 General Residential District as well as the oWE West Evanston Overlay District. The other two parcels (just east of Jackson Ave.) are within the R5 General Residential District and are not within the Overlay District, and are therefore not part of the proposed map amendment but will be part of the future planned development proposal.
<table>
<thead>
<tr>
<th>Common Address</th>
<th>Parcel PIN</th>
<th>Existing Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>2044 Wesley Ave.</td>
<td>10-13-204-021-0000</td>
<td>R4 &amp; oWE</td>
<td>R4</td>
</tr>
<tr>
<td>Old Mayfair ROW/ extended Jackson Ave.</td>
<td>10-13-203-024-0000</td>
<td>R4 &amp; oWE</td>
<td>R4</td>
</tr>
<tr>
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<td>10-13-203-021-0000</td>
<td>R4 &amp; oWE</td>
<td>R4</td>
</tr>
<tr>
<td>2017-21 Jackson Ave.</td>
<td>10-13-204-023-0000</td>
<td>R5</td>
<td>No change</td>
</tr>
<tr>
<td>2017-21 Jackson Ave.</td>
<td>10-13-204-022-0000</td>
<td>R5</td>
<td>No change</td>
</tr>
</tbody>
</table>

The parcels proposed for rezoning are outlined in bold red.

**West Evanston Master Plan**

The West Evanston Master Plan was adopted following an extensive planning process that heavily involved the community and called for the type of infill development appropriate to certain vacant properties, underutilized properties, and the vacated Mayfair railroad right-of-way. The Plan acknowledges incomplete streets such as Jackson Ave. and Wesley Ave. north of Foster St. that should be extended in conjunction with redevelopment. Much of the suggested development in the Plan could only be accomplished if multiple properties are aggregated together or consolidated. The Plan was based largely on the housing and development market at the time, which was in a boom that encouraged property owners to sell and also yielded high profit margins for developers. The Plan was adopted by City Council on May 14, 2007.

The Plan is based on five Guiding Principles:

1. Reconnect the Community: Complete terminating streets and sidewalks and
remove old railroad retaining walls.

2. Maintain the Green Character of the Community: Protect landscaping and mature trees, maintain front yard setbacks of 8 feet to 25 feet, and incorporate wide parkways with street trees.

3. Increase the Walkability of the Neighborhood: Provide a walkable block pattern with continuous and wide sidewalks and provide safe passage for bicyclists.

4. Provide a Lifecycle of Housing Choices: Expand the housing stock with additional types of housing, provide opportunities for affordable housing, and respond to the current real estate market.

5. Provide Feasible Neighborhood-Scaled Commercial Space: Protect small neighborhood business districts by encouraging small-scale commercial and retail uses.

More specifically, the subject properties are located within Subarea 1 of the Plan, which is designated for the following redevelopment:

This area of the Plan can only be accomplished if many separate properties are redeveloped at the same time, including the property at the southwest corner of Simpson St. and Green Bay Rd. where a self-storage business with a large commercial building currently sits. The self-storage property is not currently for sale. Without that property (as well as portions of others), Jackson Ave. cannot be extended all the way to
Simpson St., and the new connection of Wesley Ave. and Jackson Ave. cannot be accomplished. In general, the Plan calls for townhomes in this area.

In 2007, the housing market crashed and caused a reevaluation of the value of residential properties and developments. Housing prices dropped and profit margins for developers also dropped (due to resale value), in conjunction with tight lending restrictions, which significantly changed the redevelopment market and feasibility of large-scale developments. Tight lending restrictions also made it extremely difficult for developers to access funds to cover extensive site engineering and infrastructure that could previously be accomplished. The combination of these things and the drastic market change meant areas noted in the Plan that require the aggregation of multiple properties and the extension of public streets and infrastructure are exceptionally difficult or impossible to redevelop exactly as the Plan directs. The West Evanston Master Plan is a guiding document that specifies the ideal redevelopment of the area in question, but is not specifically a requirement that must be followed exactly. The Plan is not the City Code, and may be deviated from if the intent of the Plan is followed.

City staff is aware of multiple properties noted in the Plan that can be easily redeveloped in accordance with the Plan without consolidation of ownership, as well as multiple properties that are extremely difficult or impossible to redevelop based on the Plan and current separate ownership that therefore continue to be underutilized or vacant.

**oWE West Evanston Overlay District**
Since the West Evanston Master Plan is a guiding document, the Plan called for establishing an overlay district with exact zoning regulations codified in the Zoning Ordinance. The intent of the oWE District is to require implementation of the West Evanston Master Plan, and was adopted on January 26, 2009. The regulations detail the exact location and layout of extended public streets, sidewalks, right-of-ways, and landscaping, as well as specifically required housing types with exact building locations, setbacks, height, and building styles. The oWE is a form-based code that allows the community and potential developers to understand up front the requirements and expectations for redevelopment of specific sites. Properties within the oWE District may only redevelop with new structures if the oWE regulations are followed. Variations may be requested for façade requirements in addition to eligible major and minor variations listed in the Zoning Ordinance, but other requirements such as the layout of public streets and other infrastructure cannot be deviated from by more than 10 feet from the location of the centerline depicted in the overlay or without approval through the site plan review process if deemed necessary by the City for public safety or fire protection purposes. As an overlay district, subject properties must follow the requirements of the underlying zoning district as well as the requirements of the overlay district’s form based code, with the overlay requirements superseding any conflicting code requirements.

The oWE District requires Townhouse Type II and extensions to Wesley Ave. and Jackson Ave., including sidewalks and landscaped right-of-ways, on the applicant’s subject properties. However, the townhouse and street layout required by the oWE District are partially located on other properties that are not available for redevelopment at this time.
Specific regulations of the oWE District and the applicant's properties include:

Two-way neighborhood streets (ie. extensions of Jackson Ave. and Wesley Ave. as shown above) require a 54 foot typical right-of-way width with a minimum of 28 feet of pavement including parking on both sides and a yield lane with a minimum width of 14 feet, in addition to typical curbs, sidewalks at least 5’4” in clear width, lighting, street trees, and stormwater infrastructure. Locations of street extensions are specified and the centerline of street extensions cannot deviate by more than 10 feet from the location shown within the oWE Overlay.

Townhouse Type II (housing type required at the subject properties) require a 15-30 foot front yard build-to zone (minimum and maximum front yard setbacks), a 15-30 foot street side yard build-to zone, 5 foot interior side yard setback, 10 foot minimum between structures, 5 foot rear yard setback, 50% building lot coverage, 55% impervious surface coverage plus 15% semi-impervious surface coverage, parking in the rear only and not visible from any street, minimum building height of 2 stories and maximum building height of 3.5 stories or 42 feet (measured to the midpoint of a sloped roof), maximum building height at the street façade of 2.5 stories or 35 feet, additional 8 foot rear yard setback for additional height, 8-14 foot minimum lower and upper floor’s height (each), minimum 12% upper story front and street side yard window transparency, maximum façade area without transparency, principal entrance on front or street side yard façade, and a minimum of two continuous attached townhomes and maximum of five per overall building footprint. The oWE District includes additional specific regulations for building style, design, materials, window openings, balconies, and landscaping (see attached).

The oWE District includes diagrams and pictures to further clarify the myriad of regulations of the form based code, including but not limited to:
Specific form based code, such as the oWE West Evanston Overlay District, serves a purpose by informing the surrounding community and potential developers of the exact development that must occur on a specific property. When such development is feasible, form based code provides clarity and certainty for all parties involved. There are many properties throughout the oWE District that could and will benefit from the form based code when they are redeveloped. However, such detailed and specific requirements, along with the need for substantial specific infrastructure improvements such as public street extensions, may be problematic for certain properties.

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. The Plan was adopted prior to the West Evanston Master Plan and the oWE West Evanston Overlay District, but provides important information about what the area lacked and what the surrounding community wanted.

The Plan reports the community specifically noted additional housing types other than single family detached homes are needed in the area, and especially housing that encourages more homeownership. The Plan also notes infrastructure improvements are needed to both existing streets and sidewalks as well as terminated streets that lack vehicular, pedestrian, and bicycle connection points to other transportation points across the city.

The Plan notes portions of Jackson Ave. were renovated and adaptively reused, and other portions of Jackson Ave., specifically including the area southeast of Jackson Ave. and Simpson St., should be immediately (circa 2005) redeveloped with the goal of enhancing the urban design clarity of the community. That area includes the applicant’s properties, and has seen no redevelopment. The Plan also calls for the removal of the old Mayfair viaducts and development of infill residential in the existing residentially zoned areas with retail and mixed-use along commercial corridors such as Simpson St. and Green Bay Rd.

The Plan details controversy among the community relating to the existing R5 General Residential zoning surrounding the area (note – the applicant’s properties feature underlying R4 General Residential zoning, with the R5 immediately abutting). Members of the community noted much of the existing R5 area features single family homes (including multiple family structures that were converted from previously single family homes and still appear in bulk and style as single family homes) so the R5 maximum building height of 50 feet is not appropriate. On the other hand, it was seen that downzoning the area would take away significant value to the properties and make it impossible to provide affordable housing and redevelopment opportunities. The Plan called for establishing an R5a area (surrounding the applicant’s properties) with a lowered maximum building height of 42 feet. While this zoning change was not enacted in 2005, and was recently revisited by the Plan Commission and recommended for denial to City Council, it is apparent much of the surrounding community favors a lower building height more similar to the existing single family homes.

**Proposal Overview**

The applicant requests removal of the oWE District so that the numerous and extremely detailed regulations of the form based code, including the specific location of buildings and street extensions, does not have to be followed. The applicant has a preliminary site plan to redevelop the properties in phases that follow the intent of the West Evanston Master Plan by extending Jackson Ave. to the extent possible, connecting Wesley Ave. to Jackson Ave. by an alley, and to construct townhomes. The extended Jackson Ave. and townhomes are roughly in the locations specified by the West Evanston Master Plan and oWE District, but do not follow the exact regulations of the oWE District – many of which are not eligible variation requests. It is not feasible to
construct the Wesley Ave. extension west to Jackson Ave. and fit any dwelling units on the site unless the storage facility that fronts Simpson St. is included in the development (it is not currently for sale).

The applicant submitted the following preliminary site plan to staff to show the intended redevelopment of the applicant’s properties:

The preliminary site plan has been vetted by the City’s Fire Department and Public Works Agency for preliminary acceptability to ensure the extended Jackson Ave. and connecting alley meet City standards. If the oWE District designation is removed from the applicant’s properties, the applicant states that he would then work towards a more complete proposal that follows the West Evanston Master Plan and the underlying R4 General Residential District, and will submit for a Planned Development that requires a public hearing with the Plan Commission and City Council approval. However, there would be no legal obligation to follow the Master Plan. The exact development proposal has not been applied for and is not under consideration as part of this map amendment request.

The applicant also submitted an alternate preliminary site plan that does not extend or connect any terminating streets and instead incorporates the Mayfair right-of-way area into the proposal for all subject properties to feature townhomes and a private drive connecting to Foster St. and Green Bay Rd (see attached). This plan is not acceptable to the Public Works Agency or Planning & Zoning Division, and does not follow the intent of the West Evanston Master Plan. This development proposal has not been
applied for and is not under consideration as part of this map amendment request.

It is of interest to note that if the oWE District is removed from the applicant's properties, the maximum building height is reduced from 42 feet to the midpoint of the roof (oWE regulation) to 35 feet to the peak (R4 regulation). Additional R4 General Residential District regulations that the properties would revert to include reduced building lot coverage of 40% and impervious surface coverage of 55%, 27 foot front yard setbacks, and 30 foot rear yard setbacks. Complete R4 District regulations are attached.

If the oWE District is removed as requested, the applicant plans to then proceed with more detailed plans for redevelopment at the properties and will apply for a Planned Development. Any proposal should still follow the intent of the West Evanston Master Plan. As a Planned Development, certain regulations are eligible for Site Development Allowances to override the R4 District maximums. Planned Developments require a public hearing with the Plan Commission and City Council approval.

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 map amendment to remove the oWE West Evanston Overlay District from 2044 Wesley Ave. and the adjacent Mayfair right-of-way property may be consistent with the goals, objectives, and policies of the Comprehensive General Plan. The Comprehensive Plan notes Evanston faces the challenge of having a “housing market perceived as comparatively expensive necessitating efforts to promote housing affordable for low-, moderate-, and middle-income households. The West Evanston Master Plan and current oWE District call for townhomes, a needed housing type in Evanston, at 2044 Wesley Ave. However, the exact regulations of the oWE District cannot be feasibly carried out at 2044 Wesley Ave. unless additional parcels are aggregated, including the self-storage facility to the north that is not for sale. The exact requirements of the oWE District could be carried out if properties from four other owners were added to the development.
Recommendation
Staff recommends the Plan Commission discuss the facts presented and make a recommendation to the City Council regarding the proposed map amendment to remove 2044 Wesley Ave. and surrounding parcels from the oWE West Evanston Overlay District.

Attachments
Map Amendment Application – submitted November 12, 2019
Plats of Survey
Preliminary Site Plan
Alternate Preliminary Site Plan
West Evanston Master Plan
oWE West Evanston Overlay District
Canal-Green Bay Road/Ridge Avenue Church Street Study Area Report
Townhouse Type II oWE Regulations (excerpt)
R4 General Residential District Regulations
Zoning Map of Properties
Aerial View of Properties
### Formstack Submission For: Zoning Map Amendment Application
Submitted at 11/12/19 3:54 PM

| Address                  | 2044 Wesley Ave  
<table>
<thead>
<tr>
<th></th>
<th>Evanston, IL 60201</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Identification Number (PIN) 1:</td>
<td>10132040210000</td>
</tr>
<tr>
<td>Permanent Identification Number (PIN) 2:</td>
<td>10132040220000</td>
</tr>
<tr>
<td>Name:</td>
<td>John Cleary</td>
</tr>
<tr>
<td>Organization:</td>
<td>TEMP Capital inc</td>
</tr>
</tbody>
</table>
| Address:                 | 1424 W Division St  
|                         | Chicago, IL 60642   |
| Home or Office Phone Number: | (773) 817-5646      |
| Cell Phone Number:       | (773) 817-5646      |
| Email:                   | johnpcleary@mac.com |
| Please choose primary means of contact: | Cell Phone |
| Is applicant also the property owner?: | Yes |
Name: 

Organization: 

Address: 

Home or Office Phone Number: 

Cell Phone Number: 

Email: 

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

Address: 1803 Jackson St 

PIN: 101320040230000 

1) Are more properties affected?: Yes 

Address: 

PIN: 10132030240000 

2) Are more properties affected?: Yes 

Address: 

PIN: 10132030210000 

3) Are more properties affected?: No 

Address: 

PIN: 

4) Are more properties affected?: 

Address: 

PIN: 

5) Are more properties affected?:
6) Are more properties affected?:

Address:

PIN:

7) Are more properties affected?:

Address:

PIN:

8) Are more properties affected?:

Address:

PIN:

9) Are more properties affected?:

Address:

PIN:

10) Are more properties affected?:

Address:

PIN:

Are more properties affected?:

Please list all additional properties affected with address along with PIN.:

Please list the contact information (Name, address, phone, email) of all property owners affected by this amendment.:

TEMP Capital Inc, John Cleary, 1424 W Division St.,
Chicago IL 60642 773-8175646
Kathleen D Parris, C/O Hyman & Blair PC, 1411 McHenry
Road, Suite 125, Buffalo Grove IL 60089 847-2762790
### Subject to this Application:

<table>
<thead>
<tr>
<th>Current Overlay District(s) (if any):</th>
<th>WE Overlay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Zoning Districts of Properties Subject to this Application:</td>
<td>R4 and R5</td>
</tr>
<tr>
<td>Proposed New Overlay District(s) (if any):</td>
<td></td>
</tr>
</tbody>
</table>

### Describe the current land use of the properties subject to this petition.:

Currently the land is a disused railroad spur consisting of 2.3 acres in total.

### Describe the development, proposal, or other reason(s) for this amendment.:

The proposed development comprises of 16 number 3 story townhouses and one 12 unit apartment building over 4 stories. The property also contains 10 outdoor uncovered parking spaces and 32 indoor parking spaces (2 per townhouse). Its proposed to extent Jackson Street to the edge of the north west edge of the property line. A new 24 foot wide private driveway, maintained by the condo association, would be created linking and extended Jackson Ave to Wesley Ave enough for a 27 foot wide turning radius. The current overlay proposes a new public road linking Wesley and Jackson and proposes townhouses as the preferred type of housing.

### How is the proposed amendment with the goals, objectives, and policies of the Comprehensive General Plan, as adopted and amended from time to time by the City Council?:

The proposed development fits into the overall scope of the West Evanston Overlay district it its scope, type of housing proposed and linkage of the two streets Wesley and Jackson with a new road.

### In what ways is the proposed amendment compatible with the overall character of existing development in the immediate vicinity of the subject property?:

There are very few newer construction dwellings in the immediate area, most of the housing stock is 2-3 stories, a mixture of single family homes and multi unit buildings. Most are owner occupied or rental properties. The proposed development will fit in well to the existing mix of housing, it will be oof a similar height, style being owner occupied and contribute to the neighborhood. It will help revitalize the area with fresh housing stock and pride of ownership.

### Will the proposed amendment have an adverse affect on the values of adjacent properties and why?:

No as the the property has long been vacant and subject to dumping. The property to the north is a storage facility, to the south are larger apartment buildings. The proposed development will bring a vacant under utilized property and transform it into owner occupied townhouses. If anything the proposed development will have a significant positive influence on the adjacent properties and there values.

### What change to existing public facilities and services, the developer proposes extending Jackson Street to the north west edge of the property. Relocation of an existing
if any, will be required to serve the effects of the proposed amendment?:

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

Date of Survey: May 01, 2019

Legal Descriptions of all properties as shown on Plat of Survey:

Date of Descriptions: May 01, 2019

Proof of Ownership - Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents, etc.:

Document Submitted: HUD FROM CLOSING

Additional Documentation:

Additional Documentation -:

Quantity: 1

Price: 1100

Credit Card: Card number: ************9789 Expiration: 02/23

I certify that all of the above statements and all statements, information and exhibits that I am submitting in conjunction with this application for relief from the requirements of the Zoning Ordinance or for an appeal from the Zoning Administrator’s decision are true to the best of my knowledge.:
West Evanston Zoning Overlay
XIV. Building Types: Townhouse II

A. Building Siting. (See Figure XIV-A)
Multiple principal and accessory structures & uses are permitted on single parcels; however, each building must meet all requirements. Note: Each building consists of multiple townhouse units.

Street Frontage.
A.1 Front and corner side Facades of the building units must be constructed within a Build-to Zone, located between fifteen (15) and thirty (30) feet from the front and corner side property line.
A.2 The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
A.3 For every Townhouse Type II building unit on a Lot that meets the requirements of A.1 above, one (1) additional building unit may front on a courtyard or Open Space, or two (2) additional units may front Park District property. The courtyard or Open Space must be a minimum of thirty five (35) feet wide.

A.4 Building units may step back beyond adjacent units within the Build-to Zone in increments no greater than ten (10) feet.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.
A.5 Per street face, a minimum of two (2) and a maximum of five (5) continuous units are permitted to cluster without side yard Setbacks.
A.6 The interior side of a building must be set back a minimum of five (5) feet from the interior side property line.
A.7 For multiple buildings on one parcel, a minimum of ten (10) feet is required between buildings.

A.8 The rear of any buildings must be set back a minimum of five (5) feet from the rear property line.

Buildable Area.
A.9 Maximum Building Coverage shall be 50% of the Total Lot Area.
A.10 Maximum Impervious Site Coverage shall be 55% of the Total Lot Area.
A.11 An additional 15% of the Total Lot Area may be Semi-Pervious.
A.12 No minimum lot size is required.

Parking & Garages.
A.13 Parking is permitted in the rear yard or within the rear portion of the Principal Building. Detached garages are not permitted.
A.14 Parking and garage areas must be screened from all street faces by buildings. Garage doors must face the alley or rear of the Lot.

Driveways & Access.
A.15 Driveway and garage access is permitted only off public alleys.
A.16 Where no public alley is shown, one driveway per development area is permitted off of Green Bay Road or Foster Avenue as shown on the Regulating Plans.
West Evanston Zoning Overlay
XIV. Building Types: Townhouse II

**B. Height & Use Requirements.** (See Figure XIV-B)

**Building & Floor Heights.**

- **B.1** Principal Building height at the front street face shall be a minimum of two (2) stories and a maximum of two and a half (2 1/2) stories. Maximum building height at the front street face is thirty five (35) feet.

- **B.2** A maximum of three and a half (3 1/2) stories is permitted if the top floor is set back from the Front Facade a minimum of eight (8) feet. Overall maximum building height is forty two (42) feet.

- **B.3** Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

**Uses.**

- **B.4** Principal permitted use is single-family attached only.

- **B.5** Parking is permitted internally in the rear of the building; a minimum of fifteen (15) feet from the Front Facade of the Ground Story must be occupied by a permitted use other than parking.

**C. Facade Requirements.** (See Figure XIV-C)

**Transparency.**

- **C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.

**Building Entrance.**

- **C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

- **C.3** The principal entrance must be located on the front or corner side Facade.

**Allowable Cap & Base Types.** (See Sections V and VI)

- **C.4** Allowable Cap Types are the parapet and pitched roof. Towers are permitted on units at street termini per the Regulating Plans.

- **C.5** Allowable Base Types are stoop and porch.

**Facade Design.**

- **C.6** Each building, consisting of multiple connected units must be treated with a different design than adjacent buildings, such as a change in material color, Cap Type, or Base Type.

**Building Materials.** Applicable to street Facades or Facades visible from a street.

- **C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.

- **C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

**Balconies.**

- **C.9** Projecting balconies are not permitted on street face Facades.
6-8-5-6. - BUILDING LOT COVERAGE.

The maximum lot coverage in the R4 district is forty percent (40%).

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. 109-0-02)

6-8-5-7. - YARD REQUIREMENTS.

The minimum yard requirements in the R4 district are as follows [7]:

<table>
<thead>
<tr>
<th>(A)</th>
<th>Residential structures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Front yard</td>
</tr>
<tr>
<td>2.</td>
<td>Side yard abutting a street</td>
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<tr>
<td>3.</td>
<td>Side yard</td>
</tr>
<tr>
<td>4.</td>
<td>Rear yard</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>(B)</th>
<th>Nonresidential structures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Front yard</td>
</tr>
<tr>
<td>2.</td>
<td>Side yard abutting a street</td>
</tr>
<tr>
<td>3.</td>
<td>Side yard</td>
</tr>
</tbody>
</table>
2. Rear yard
   Twenty-five (25) feet for building; five (5) feet for parking

(C) Accessory uses and structures:

1. Front yard
   Garages only, twenty-seven (27) feet

2. Side yard abutting a street
   Garages only, fifteen (15) feet

3. Side yard
   Five (5) feet

4. Rear yard
   Three (3) feet

Footnotes:
--- (7) ---
See also Subsection 6-4-1-9(A), "General Yard Requirements," of this Title.

6-8-5-8. - MAXIMUM BUILDING HEIGHT.

(A) The maximum building height for any principal structure in the R4 district, including any exterior knee-wall, shall not exceed thirty-five (35) feet, measured from grade to the highest point of said structure, or two and one-half (2 1/2) stories, whichever is less.

(B) Any building or structure legally existing as of the effective date of Ordinance 72-O-12 shall be deemed compliant with this maximum building height requirement and, with regards to height, shall have the status of a legally permitted building or structure, not a noncompliance. Such conforming status shall continue in the event said building is destroyed by a means not within control of the owner thereof and shall allow for construction of a replacement building or structure at the height of the destroyed building or structure.

(Ord. 70-0-07; Ord. No. 72-O-12, § 2, 10-22-2012)

6-8-5-9. - IMPERVIOUS SURFACE.

(A) The maximum impervious surface ratio for the R4 district is fifty-five percent (55%).

(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 surfaced, non-naturally occurring area that does not readily absorb water, including, but not limited to, any 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 6-8-5-10 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 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; Ord. No. 165-O-15, § 5, 5-23-2016)

6-8-5-10. - 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)