MEETING MINUTES
PLAN COMMISSION
Wednesday, May 13, 2020
7:00 P.M.
Virtual Meeting through Zoom Platform

Members Present: Peter Isaac (Chair), Jennifer Draper, George Halik, John Hewko, Brian Johnson, Jane Sloss

Members Absent:

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

Presiding Member: Chair Isaac

1. CALL TO ORDER / DECLARATION OF QUORUM
Chair Isaac called the meeting to order at 7:03 P.M. Ms. Jones called the roll and a quorum was established.

2. SUSPENSION OF THE RULES Members participating electronically or by telephone
Commissioner Johnson made a motion to suspend the rules to allow for electronic or telephone participation. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed, 6-0.

Commissioner Halik made a motion to approve the minutes from the February 26, 2020 and March 11, 2020 meetings. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed, 6-0.

4. OLD BUSINESS
   A. Subdivision & Major Adjustment to a Planned Development
       1619 Chicago Avenue 19PLND-0059
       The applicant, Horizon Realty Group, submits for a subdivision and Major Adjustment to a Planned Development in the D4 Downtown Transition
District. The requested adjustment will increase FAR from 3.15 to 4.2, increase parking spaces from 32 (23 on-site, 9 leased) to 38 (all leased off-site), and a decrease in total number of units from 205 to 186 (includes 65 dwelling units). No new site development allowance will be needed.

B. Planned Development
1621 Chicago Avenue 18PLND-0112
The applicant, Horizon Realty Group, submits a planned development application to construct a 19-story apartment building with 240 units, 85 subterranean parking spaces, and approximately 3,540 sq. ft. of ground floor retail space in the D4 Downtown Transition District. Site development allowances are being requested for: 1) a building height of 211 ft. 8 in. where 105 ft. is allowed), 2) an FAR of 11.62 where a maximum of 5.4 is allowed, 3) 240 dwelling units where 54 is maximum is allowed, 4) 85 parking spaces where a minimum 185 is required, and 5) 1 short loading berth where 2 short loading berths are required. In addition, the applicant may seek and the Plan Commission may consider additional Site Development Allowances as may be necessary or desirable for the proposed development.

Chair Isaac explained that this item is continued from the February 26, 2020 Commission meeting. He then stated that the applicant had submitted a request for a continuance and invited the applicant to explain their request.

Mr. David Meek, attorney for the applicant, explained that the request was made due to conditions that exist within these cases. There are concerns of other zoning practitioners and municipal attorneys regarding the legality of holding virtual public hearings and issues that may occur with the platforms and then explained several points mentioned within the request including: due process, ability of the applicant and members of the public to cross-examine, compromised ability to communicate with his client and that there was no rush to complete the hearing as the applicant owns the property where the development is proposed. There is no harm to the applicant nor the public as a result of the request. Mr. Meek then stated that the only issue is the Plan Commission rules which require a recommendation by 120 days after a case is first presented to the Commission. He suggested suspending this rule given the circumstances. He also added that article 16 within the Plan Commission Rules and Procedures provides for the Commission to suspend the rules under certain circumstances.

Chair Isaac stated that he consulted with the City’s legal counsel and that there were no issues or objections to the requested continuance. He then asked if there were any questions or concerns from the Commission. There were none.
Chair Isaac then explained that the application has been around for a while but that there are many Evanston citizens who have opinions on the project and want to be heard and he feels that that alone is a good reason to delay these items until the next in-person meeting. He added that Mr. Meek was accurate in referencing Article 13N which requires the Commission to make a recommendation within 120 days. There is an option to extend this time or suspend the rules. This is a situation that this applies to.

Commissioner Johnson concurred with Chair Isaac’s comments to suspend the Commission rules and continue these items

Ms. Gandurksi interjected that, as a point of order, the rules should be suspended first then the agenda items continued to a future meeting

Commissioner Johnson made a motion to suspend the rules regarding the 120 day time period. Seconded by Commissioner Hewko. A roll call vote was taken and the motion was approved, 6-0.

Ayes: Isaac, Draper, Halik, Hewko, Johnson, Sloss
Nays:

Commissioner Sloss made a motion to continue items 4A and 4B to the next in-person Plan Commission meeting. Seconded by Commissioner Hewko. A voice vote was taken and the motion was approved, 6-0.

Ayes: Isaac, Draper, Halik, Hewko, Johnson, Sloss
Nays:

5. NEW BUSINESS

A. Text Amendment 20PLND-0024
City-initiated Text Amendments to the Zoning Ordinance, Title 6 of the City Code, to Chapter 3 (Implementation and Administration) regarding the classification and administration of Minor and Major Variations and to Chapter 4 (General Provisions) regarding Residential Care Homes and Transitional Treatment Facilities in the R4a, General Residential Zoning District.

Mr. Mangum provided an overview of the proposed text amendment, emphasizing that there is no proposed change to regulations for height, setback, or bulk requirements within the code but a reclassification of some variations that would change the review process. He then provided details on those reclassifications which include: changing major variations relating to parking from needing Council review to just needed Zoning Board of Appeals (ZBA) review and changing major variations for single or two-family accessory structures, yard obstructions and 2nd
floor addition setback variations to minor variations. Mr. Mangum then explained that the R4a, a fairly newer zoning district, was mistakenly omitted within the list of districts under distancing requirements for residential care homes and transitional care homes. The proposed amendment would add that district into the existing district listing in that section of the code. Mr. Mangum then noted that noticing requirements would remain the same as would the appeal process.

Chair Isaac asked if there were any questions or comments from the public. There were none. He then confirmed that no additional comments had been received. Ms. Jones stated that there were no comments for this item but a clarification requested on whether this amendment would change the regulations for residential care homes. She stated that, per Mr. Mangum’s presentation, this amendment would not change those requirements.

Chair Isaac stated that the number of cases reviewed for each of the proposed changes was included as well and that the amendment seems to be less of a workflow issue than it is meant to benefit property owners in dealing with the process.

Mr. Mangum responded that there would be roughly a handful of cases per year where the process would change. It is a combination of assisting homeowners and a few items within the code needing to be changed to streamline the review process and enable the Zoning Board of Appeals and City Council to spend more time on larger or more contentious items.

Mr. Isaac then asked if these cases are generally approved and non-controversial issues. Mr. Mangum responded that specific cases would need to be looked at but the cases are generally non-controversial with limited impact on the neighborhood as a whole.

The Commission then reviewed the standards for approval of amendments and agreed that the applicable standards were met.

**Commissioner Hewko made a motion to recommend approval of the proposed text amendment. Seconded by Commissioner Draper. A roll call vote was taken and the motion passed unanimously, 6-0.**

* Ayes: Isaac, Draper, Halik, Hewko, Johnson, Sloss
* Nays:

6. PUBLIC COMMENT

There was no public comment.

7. 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 6-0. The meeting was adjourned at 7:35 pm.

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