



Land Use Commission

Wednesday, August 27, 2025 @ 7:00 PM

Lorraine H. Morton City Hall, James C. Lytle City Council Chambers

**COMMITTEE MEMBER
PRESENT:**

Jameika Mangum,
Jeanne Lindwall, Chair
Brian Johnson,
Max Putchel,
Darush Mabadi,
Loren Berlin,
Luke Harris-Ferree

**COMMITTEE MEMBER
ABSENT:**

Kiril Mirintchev,
Myrna Arevalo

STAFF PRESENT:

Meagan Jones, Neighborhood and Land Use Planner
Jeremiah Bebo, Development Services Supervisor
Sarah Flax, Director of Community Development
Elizabeth Williams, Planning Manager
Sam Hubbard, Senior Planner
Brian George, Assistant City Attorney

A. CALL TO ORDER/DECLARATION OF A QUORUM: JEANNE LINDWALL, CHAIR

The August 27, 2025 Land Use Commission meeting was called to order with a quorum present, staff and legal counsel introduced, and procedures for testimony and deliberation explained.

B. APPROVAL OF VIRTUAL COMMISSIONER PARTICIPATION

Commissioners voted to allow remote participation via Zoom and approved modifying the agenda to hear new business items before the major case at 605 Davis.

C. OLD BUSINESS

A. **Planned Development | 601-603 and 605-615 Davis St. & 1604-1608 Chicago Ave. | 25PLND-0019**

Kerry Dickson, applicant, of Davis Street Development Company, LLC, submits for a Special Use for a Planned Development to allow construction of a new 31-story mixed-use building with approximately 3,200 square feet of ground floor commercial space, 430 dwelling units, and 194 parking spaces (80 onsite and 114 offsite) in the D3 Downtown Core Development District. The applicant requests the following site development allowances: 1) 306 dwelling units where a maximum of 92 dwelling units are allowed; 2) no ziggurat setback between 42'-131' in height where a 40' ziggurat setback is required and a 33' ziggurat setback from 131' in height to the top of the building where a 40' ziggurat setback is required; 3) no upper story setback above 42' in height along a street side lot line (Davis St) where a 30' upper story setback above 42' is required and a 15.25' upper story setback above 42' in height along an interior side yard property line (north) where a 25' upper story setback above 42' in height is required; 4) a 12.9 floor area ratio where a maximum floor area ratio of 6.5 is allowed; 5) a 308' tall building where maximum building heights are limited to 85'; and 6) 194 parking spaces where 250 parking spaces are required. The applicant may seek and the Land Use Commission may consider additional Site Development Allowances as may be necessary or desirable for the proposed development. The Land Use Commission makes a recommendation to the City Council, the determining body for this case. PINs: 11-18-306-021-000, 11-18-306-026-0000, 11-18-306-029-0000, 11-18-306-030-0000, and 11-18-306-040-0000.

Public Testimony – 605 Davis Planned Development

Dr. Arthur Alman, a Sherman Plaza resident for 18 years, spoke about traffic concerns on Davis and Sherman Streets, noting that the proposed building could increase congestion, especially during school drop-offs at nearby facilities. He also raised concerns about small apartment sizes and suggested adding a small park with a playground and memorial tablets to complement Fountain Square.

Bruce Baumberger, a resident at 807 Davis Street, highlighted potential alley issues, including truck and delivery traffic affecting Bright Horizons childcare access, and concerns about wind tunnel effects from a tall building impacting the childcare center's rooftop play area. He noted that the alley already experiences logistical challenges with deliveries and parking. Baumberger also referenced the large volume of documentation provided, including a detailed analysis by former Winnetka Community Development Director David Scoon, and emphasized that the scale of the project should be carefully considered, drawing a comparison to the five-year review process of the Legacy project.

Sam Gehman, who was out of the country, submitted written materials for the commission's review.

Stephen Miszkowicz, 807 Davis Street, raised concerns about the developer's proposed use of a Transfer of Development Rights (TDR) arrangement to justify increased floor area and building height. He noted that the TDR parcel and construction site parcels have separate ownership and control, which conflicts with the Evanston zoning code requirement for single ownership or control under a planned development. Miszkowicz also identified deficiencies in the application's disclosure statements, including incomplete information about ownership percentages and beneficiary interests. He concluded that the application is not ready for consideration until these issues are resolved and transparency regarding ownership is provided. He called upon Jeff Smith as an expert witness, to provide testimony on the Transfer of Development Rights (TDR) and ownership issues.

Jeff Smith, attorney, reviewed the proposed Planned Development and the developer's use of a Transfer of Development Rights (TDR) to justify increased floor area ratio (FAR) and building height. He concluded that the application is not proper under Evanston code because it lacks single ownership or control of the involved parcels. Smith further noted that the TDR mechanism has no grounding in the zoning code and could be challenged as void against public policy. Even ignoring these issues, the proposed building is too large for the site, exceeding FAR standards and creating concerns about bulk and congestion in the downtown area. He suggested that the applicant withdraw the application or revise it to address ownership, disclosure, and scale concerns.

David Reifman, counsel for the applicant, addressed issues raised by Jeff Smith regarding ownership, control, and the use of floor area ratio from adjoining properties. Reifman noted that under the Evanston zoning ordinance, a zoning lot may be designated by its owner or developer and can include multiple owners, with agreements between owners such as the proposed zoning control agreement satisfying the single ownership/control requirement. He clarified that Planned Developments may include multiple buildings on a lot, and the ordinance allows these structures to be owned by different entities. Reifman emphasized that the Land Use Commission's role is to evaluate the project based on the development standards, and that the ordinance does not preclude the proposed 31-story building. He concluded that while technical and legal concerns were raised regarding ownership and FAR transfers, the application meets the zoning requirements and is appropriate for commission consideration.

Commissioner Berlin asked the Assistant City Attorney Brian George about the legality of the proposed Transfer of Development Rights (TDR) structure under the Evanston zoning code. The City Attorney responded that, per Section 6-7-2, the lot in question has been designated as a single zoning lot, even though a district boundary runs through it. Since the lot is under singular control, it is within the Zoning Administrator's authority to determine how the rules of the applicable districts are applied. The City confirmed that the TDR arrangement is considered legal under the zoning code.

Valy Lev, 807 Davis Street presented concerns about the proposed 605 Davis development, focusing on parking, loading, and drop-off spaces. The speaker analyzed parking demand based on comparable buildings with similar demographics, noting that 605 Davis proposes far fewer in-building parking spaces (80) than his estimated need (314). The submitted parking study was criticized for relying on averages, including student housing, and underestimating actual demand.

The speaker also addressed the loading dock, calculating that 605 Davis would generate 71% more deliveries and dumpsters per day than 807 Davis, indicating that the proposed two-bay loading dock is insufficient. Similarly, drop-off spaces at the main entrance are limited to two, compared to seven spaces as based on his study of comparable nearby buildings like 807 Davis and 1580 Sherman. The speaker concluded that the building, as currently designed, is not functional for residents' parking and service needs and recommended the Commission require a reduction in building size to meet realistic parking, loading, and drop-off demands before approval.

Kerry Dickson of Vermillion Development responded to the public testimony regarding parking at 605 Davis. He called upon Sara Disney Haufe of TY Lin, a licensed engineer, who explained the methodology of their parking study. She emphasized that the study followed best practices outlined by the Institute of Transportation Engineers, using data from eight comparable buildings to capture a realistic range of outcomes. While five of the eight buildings primarily house students, the study accounted for differences in demographics, rental units, and building characteristics.

The survey results were consistent with ITE guidelines, showing approximately 0.46 spaces per dwelling unit (0.32 per bedroom), aligning closely with typical TOD (transit-oriented development) settings with high walkability and transit access. She noted that the projected parking demand from 605 Davis would require 96–118 additional spaces, which represents about 7% of current vacancies in nearby Church Street and Sherman Plaza parking garages. The team concluded there is sufficient parking availability within walking distance to accommodate residents' needs.

Commissioner Johnson asked Mr. Lev about differences in the package and turnover numbers compared to the prior meeting. Mr. Lev clarified that the methodology remained the same, but the numbers were adjusted to reflect the updated proposal, which reduced the total units from 445 to 430. The recalculated figures account for this change, explaining the discrepancy with the July meeting notes.

Commissioner Harris-Ferree asked about the potential to expand the drop-off zone and its impact on on-street parking. Planning Manager Liz Williams and Senior Planner Sam Hubbard explained that the drop-off area is required to accommodate deliveries and accessibility needs. The current proposal provides two spaces, but staff noted there is room to increase to four spaces while maintaining a net neutral number of metered parking spots along Davis Avenue. They also confirmed that the existing bike lane will remain, with proposed bollards to improve safety. Staff noted that the layby/drop-off area could potentially operate as a timed parking/loading zone (e.g., 15–30 minutes) subject to administrative review, providing flexibility without permanently reducing parking availability.

Commissioner Berlin asked City staff, Development Services Supervisor Jeremiah Bebo, about best practices for bike lane placement relative to loading zones. Bebo explained that it is generally safer to position bike lanes behind on-street parking or drop-off areas, as this provides a buffer from vehicle traffic, making the current proposal preferable. Commissioner Berlin also asked about accessibility considerations for the loading zones, noting that some buildings designate one spot for people with mobility issues. Staff confirmed that accessibility requirements apply, and at least one of the drop-off/loading spaces should be reserved to accommodate individuals with disabilities, consistent with code and safety standards.

Commissioner Berlin asked Senior Planner Sam Hubbard about the relationship between ADA-accessible parking and the proposed layby/drop-off spaces. Hubbard clarified that ADA spaces are governed by city standards within the right-of-way and are separate from the layby lane. In this case, the layby lane would not reduce or interfere with any required ADA spaces. The existing ADA spaces would remain in compliance, and the layby lane would function independently, ensuring that accessibility requirements are met while maintaining adequate drop-off capacity.

Commissioner Mabadi asked Sara Disney Haufe of TY Lin to clarify how the estimated 46 parking spaces per unit for the development were calculated. Haufe explained that the number is based on surveys of eight nearby buildings, capturing actual overnight occupancy rather than relying on public parking availability. She confirmed that most parking spaces at the surveyed buildings were only 33–76% occupied overnight, and only one building (Tapestry Station) was fully occupied. Based on these results, the 46 spaces per unit estimate reflects the observed demand and is considered sufficient.

Mabadi also asked what proportion of units in the surveyed buildings actually accessed parking. Haufe explained that, on average, 57% of units used parking, indicating substantial unused capacity. She noted that this weighted average helped inform the 46-space-per-unit calculation. Commissioner Mabadi raised concern that the proposed development may be underestimating parking demand, particularly given the high likelihood of residents having cars in this area. Staff acknowledged the concern and noted it would be addressed further during follow-up discussions with the development team.

Gul Agha (1720 Maple Avenue, professor, scientist, and member of the Evanston Environment Board) objected to the project, arguing it contradicts the City's environmental goals by increasing carbon emissions from high-rise construction, and raises safety concerns due to inadequate wind study impacts on pedestrians, bicyclists, frail individuals, and nearby daycare play areas.

Commissioner Luke Harris-Ferree asked Gul Agha about his concerns, noting that Agha himself lives in a high-rise. Agha explained that, as president of his condo board, he discovered through utility data that high-rises are significantly more energy intensive per square foot than houses, which led him to study the issue and submit supporting research into the public record. He suggested buildings ideally be limited to six stories, with higher emissions scaling as buildings grow taller.

Commissioner Loren Berlin followed with two questions: whether the project's planned efficiency certifications could address Agha's concerns, and how Agha reconciles his carbon concerns with the need to use land efficiently. Agha responded that the proposal only scored two of nine points on LEED energy performance, relies heavily on concrete and glass without advanced materials, and does little to mitigate embodied carbon. He argued that modest mid-rise developments using brick and solar can still deliver density near transit while significantly reducing emissions compared to a high-rise, and emphasized that density should be achieved with environmentally friendlier building types.

Commissioner Max Puchtel asked Gul Agha to expand on his sustainability concerns, noting that the applicant had committed to achieving LEED Gold certification but Agha felt this was insufficient. Commissioner Puchtel asked what stronger requirements might look like.

Agha responded that the project should incorporate measures such as reducing glass to limit solar gain, improving its energy optimization score from 2 out of 9 possible points, and using green cement to cut carbon emissions by 20–30%. He noted that while these changes would not fully resolve the higher carbon footprint of high-rises, they would make a meaningful

reduction. Agha also pointed out that LEED certification, especially at the Gold rather than Platinum level, does not adequately address embodied carbon.

Commissioner Puchtel acknowledged Agha's points, observing that LEED prerequisites do establish some minimum standards, and suggested the commission may revisit sustainability goals for the project later in the evening.

Commissioner Berlin asked Gul Agha about the risk of wind tunnels and shared that a local architect she consulted believed conditions at the site were unlikely to create significant effects; Agha countered that the applicant's wind study used weak standards and showed red-zone impacts that could make walking uncomfortable up to 20% of the time.

Commissioner Mangum then asked how many floors would avoid creating wind tunnels, and Agha argued that the study ignored critical community uses like Fountain Square and the Bright Horizons daycare playground, stressing the need for stricter criteria and more thorough analysis to ensure safety.

Kerry Dickon (Vermillion Development) responded to concerns about wind impacts, explaining that RWDI's analysis showed conditions at Fountain Square would remain essentially unchanged after construction, and that the Bright Horizons plaza would actually improve. He offered to have the consultant clarify further, but Assistant City Attorney Brian George reminded that cross-examination was not the time for a full presentation.

Julia Forgash (1580 Sherman Avenue) spoke on behalf of the Downtown Evanston Residents Association, presenting a petition signed by 103 downtown residents calling for a reduction in the size of the proposed development. She focused on traffic impacts, noting concerns with the developer's traffic data, which included counts on a holiday with atypical conditions. She emphasized that the combined traffic from 605 Davis and the already-approved Legacy building (approximately 551 units / 800 residents) would significantly affect the intersection of Chicago and Davis, highlighting that Chicago Avenue is a critical north-south through street with heavy traffic and truck access. She also noted that the development would conflict with standards to avoid undue congestion and with the downtown plan.

Paul Breslin read a statement from affordable housing developer Alf McConnell, who argued that the requested variances for 605 Davis would result in \$40–50 million in tax abatements, translating to \$500,000–\$1 million per affordable unit despite construction costs of about \$200,000, and urged rejection of variances unless Vermillion first rejects the abatements. Speaking for himself, Breslin said the money would be better used to build affordable housing directly rather than within luxury high-rises, challenged the argument that increasing housing supply lowers rents, criticized "variance shopping" by developers citing the long Legacy negotiations, and noted the proposal's affordable units do not adequately meet the need for larger family units. He concluded that Evanston should first evaluate existing vacant housing stock before pursuing large new developments.

Marita McLaughlin (1862 Sherman Ave.) opposed the 605 Davis proposal, citing Envision Evanston 2045's sustainability goals and urging the Commission to review environmental

concerns raised by other residents; she expressed doubt that a 31-story residential tower would deliver promised commercial revitalization given existing vacant storefronts in other developments, pointed to traffic and parking challenges downtown, and concluded the project would not improve quality of life in Evanston.

Kerry Dickson of Vermillion Development introduced the project's consultant team, which included TY Lin (parking), KLOA (traffic), Greystar (management operations), SCB (architecture), Kettelkamp & Kettelkamp (landscape), JLL (market study), and RWDI (wind). He encouraged commissioners to direct questions to the consultants, noting their familiarity with Evanston and the rigor of their analyses. Mr. Dickson also addressed concerns about alley access, describing the 20-foot alley as wider and less obstructed than typical downtown alleys, with capacity for two-way traffic. To verify traffic concerns raised by residents, Vermillion conducted additional counts in the alley and in the Orrington Plaza parking lot. The results confirmed KLOA's findings, showing roughly 35 daycare drop-offs and pick-ups daily (about one car every two minutes), along with other short-term business uses, demonstrating that the alley could accommodate the proposed development.

Chris Dillion of Campbell Coyle, co-developer with Vermillion, summarized the proposal's merits, emphasizing its consistency with the comprehensive plan, downtown plan, and climate action goals. He noted the project would include 86 affordable units—nearly triple the requirement—setting a new benchmark for downtown affordability, and would be one of the region's first large all-electric residential towers. He highlighted public realm improvements, alley reconstruction contributions, new trees, and funding for citywide alley repair, while also noting the project's potential to generate significant property tax revenue and revitalize a long-vacant site. Dillion described the development as “transformational,” adding residents to strengthen downtown businesses while balancing trade-offs.

Commissioner Johnson asked whether the proposed building would have adverse wind impacts and, if so, whether those impacts would be lessened if the project were redesigned to comply with the city's setback requirements he also asked whether redesigning the building to comply with setback requirements would reduce adverse wind impacts and which factor—setbacks or height—was more effective in minimizing such impacts.

Consultant Hanqing Wu of RWDL, Inc. responded that while more setbacks and lower height can generally improve wind conditions, the effect in this case would be minimal unless the building was significantly reduced in scale. He emphasized that the most important factor is the building's relative exposure compared to surrounding high-rises, noting that setbacks on the north and south sides and the adjacent University Building provide mitigating effects. He concluded that height tends to have a greater influence than setbacks, but the impacts ultimately depend on the surrounding context and building design.

On sustainability, Johnson raised concerns about the LEED Gold commitment and echoed earlier expert testimony. The development team, including Devon Patterson of SCB (architect) and representatives from Vermillion, responded that the project is not an all-glass building, with roughly 50% metal panel and spandrel glass, low-E coatings, and a mechanical system designed to redistribute heat loads. They emphasized that the project will comply with Illinois' aggressive energy stretch code, and noted their track record in delivering net-zero buildings at the University of Illinois. They stressed that while cost constraints limit

certain enhancements, the building will be all-electric—the first of its scale in the region—and consistent with Evanston’s Healthy Buildings Ordinance.

On public benefits and transit, Commissioner Johnson highlighted KLOA’s recommendation for crosswalk improvements and a transit kiosk. The development team agreed to consider a prominently located transit display board in the lobby, potentially visible from the street, to reinforce the building’s transit-oriented identity. Johnson also suggested a creative approach to parking relief: purchasing unlimited RTA passes for residents in proportion to the number of parking spaces being waived. The applicant responded positively, committing to explore the feasibility and costs, and noting that underutilized parking spaces in their other Evanston projects suggest transit incentives could be a stronger public benefit.

On affordable housing and tax abatements, Commissioner Johnson questioned whether reducing the affordable unit set-aside below 20%—to avoid triggering state tax abatements that reduce revenue for schools—might be preferable. The applicant replied that the project’s financial viability depends on the 20% level, which aligns with state incentives that were supported by local legislators. They noted the current site contributes only about \$21,500 annually in property taxes, and that the new building would generate substantially more revenue while housing few school-aged children.

Community Development Director Sarah Flax clarified that the City and schools still receive the full tax levy regardless of abatements; what changes is how that levy is distributed across the tax base. She noted that redeveloping the currently vacant parcel will expand the overall base, so while the project’s assessed value grows gradually under the abatement, the City still gains both new housing and a broader tax base to spread the levy over.

David Reifman, counsel for the applicant, reiterated that while the project expands the tax base, it does not directly increase the City’s tax levy, which remains fixed and redistributed across more properties. He highlighted that the site currently generates about \$21,000 annually in property taxes, or \$1.7 million over 30 years, compared to an estimated \$66 million with redevelopment, about half of which would benefit schools. Mr. Reifman noted that while this helps lower other taxpayers’ burdens at the margins, he wanted the record clear that the levy itself does not increase with development.

Commissioner Mabadi expressed concern that the abatement structure still results in less tax revenue than if the building were developed without incentives, meaning other taxpayers may carry more of the cost of City services. He emphasized that the site is a premier downtown location that clearly demands redevelopment, but argued that the public should understand the true fiscal impact, including costs of new service demands, and suggested reviewing pro form as with different affordability scenarios to evaluate tradeoffs. While he acknowledged the affordable housing component, he questioned its scale and effectiveness compared to the City’s broader needs.

Christopher Campbell and David Reifman responded that redevelopment of this long-vacant parcel carries significant economic upside beyond taxes, including bringing 600–700 new residents downtown to support local businesses, and that the abatement sunsets over time while the building will remain. They emphasized that the incentive program is one of the most effective tools in Illinois for delivering affordable units and would more than double

Evanston's total since 2007. They also noted that affordable housing requirements are City Council policies, not set by the Commission, and argued that the project meets the Commission's standard of not diminishing surrounding property values.

Commissioner Mabadi reiterated that he disagreed with the idea that a new building automatically raises nearby property values and stressed his broader concerns, though he acknowledged that Council sets the affordability framework. He closed by noting lingering concerns with parking, drop-off, and sustainability, but said those could be further refined.

Commissioner Johnson moved to continue this meeting after 11 pm.

Commissioner Berlin seconded.

Voice vote occurred with all commissioners in favor of continuing the meeting beyond the 11pm ending time.

Commissioner Puchtel expressed overall support for the project, citing its alignment with downtown development goals and confidence in the development team. He requested one additional condition: that the applicant update their sustainability scorecard from LEED v4 to LEED v5 to better reflect current standards.

Commissioner Johnson raised concerns about the adequacy of the proposed two layby spaces, calling them wholly insufficient given package delivery, rideshare, and move-in needs. He urged expanding the number of spaces to at least four, and possibly more, even if that meant removing on-street parking, noting the city's underutilized garages could absorb demand. He also reiterated concerns about the breadth of site development allowances and the tax abatement structure, agreeing with Commissioner Mabadi that it represented a significant trade-off. While recognizing the project's merits—activating a long-vacant lot, supporting downtown vitality, and leveraging existing parking infrastructure—he felt the current iteration asked for too much in terms of zoning relief.

Commissioner Berlin acknowledged the legitimate concerns raised but voiced strong support, stressing that the site was a rare opportunity for substantial new housing and should be maximized. She argued that “perfect cannot be the enemy of the good,” noting the project could bring hundreds of new residents downtown, including two- and three-bedroom affordable units that are increasingly rare. She expressed confidence in the city's financial projections and the state tax abatement program, while also noting the difficulty of securing financing in the current market as a reason to move forward. Berlin suggested conditions to strengthen the project, such as exploring transit support to demonstrate demand for future Yellow Line expansion and ensuring larger affordable units serve families. While recognizing traffic and design concerns, she emphasized the broader benefits of housing density, downtown foot traffic, and activating a long-vacant parcel.

Chair Lindwall stated that she took issue with the extent of the site development allowances requested, especially with regards to height. While she acknowledged that there were many good aspects of the proposal, she would not vote in favor of any project in the downtown area that exceeded the maximum height site development allowance. She suggested that a building half the size may be more appropriate.

Commissioner Mangum agreed with many of the previous concerns and emphasized issues with traffic increases, potential wind tunnel effects, and the daycare center's rooftop playground. She noted that she would not support the project as currently proposed, but would be open to reconsidering if it were scaled down.

Commissioner Berlin expressed personal support for the project, acknowledged differing opinions on density and height, and reminded the commission that the vote should ultimately be based on whether the proposal meets the city's standards.

The Chair reviewed the Special Use Standards (6-3-5-10)

1. It is one of the special uses specifically listed in the zoning ordinance.
The Chair stated that planned developments are listed as special uses in this district, so this standard is met.
2. It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time.
The Chair found this standard to be met. We are always looking for additional development in the downtown, particularly affordable housing units, which are priorities for the city.
3. It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the City as a whole.
The Chair stated that this standard is not met. While another 20- story building might be appropriate, and a 20-story tower may be appropriate here, a 31- story proposal is too much for this location. Testimony showed that a smaller building would have less impact in terms of wind and other issues. The Chair acknowledged that others may feel differently. Commissioner Berlin said that she believed the standard it is met, just based on the definition of the cumulative effect and that the pros of the project outweigh the negatives.
4. It does not interfere with or diminish the value of property in the neighborhood.
The Chair said that this standard is met. Having development on this underutilized property, including elimination of an 85-foot curb cut, is definitely desired.
5. It can be adequately served by public facilities and services.
The Chair noted that the commission had no testimony to suggest otherwise, so this standard is met.
6. It does not cause undue traffic congestion.
The Chair stated that while there are concerns about traffic congestion, the developer's traffic analysis shows the development can be adequately handled from a traffic standpoint. This standard is met.
7. It preserves significant historical and architectural resources.
The Chair found that including the university building within the zoning lot will preserve that building, so this standard is met.
8. It preserves significant natural and environmental features.
The chair stated that there are no significant features on this site, so the standard is not applicable.

9. It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.

The Chair found this standard to be met.

The Chair reviewed the Planned Development Standards (6-3-6-9)

1. The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable Site Development Allowance(s) of the Planned Development location.

The Chair stated that this standard was not met due to the excess relief requested beyond height and FAR site development allowance thresholds, which would create an adverse impact. Commissioner Berlin noted that Code has a process for exceeding site development allowances, so that fact that the requested site development allowances are beyond the base thresholds does not automatically equate to non-compliance with this standard and she concluded that the standard has been met.

2. The proposed development is compatible with the overall character of existing development in the immediate vicinity of the subject property.

The Chair said that this standard is not met due to the height of the building. There are two other twenty-story buildings on the block, which establish an acceptable height for this vicinity, and the proposed building exceeds the established height. Commissioner Berlin stated that the existence of other tall buildings in this vicinity is the reason this standard is met and found the proposed tower to be compatible with the other tall buildings. Commissioner Johnson cited the proposed setbacks and FAR as additional reasons why he believed this standard was not met.

3. The development site circulation is designed in a safe and logical manner to mitigate potential hazards for pedestrians and vehicles at the site and in the immediate surrounding area.

The Chair found this standard to be met. The proposed layby lanes will enhance circulation and the limited number of on-site parking spaces will disperse traffic to surrounding garages. The number of loading docks proposed comply with Code requirements.

4. The proposed development aligns with the current and future climate and sustainability goals of the City.

The Chair said that this standard is generally met, although there was testimony received to the contrary. The building will be all-electric and the developer will look into additional building sustainability features. However, the height of the building and the proposed building materials may not align with certain sustainability goals.

5. Public benefits that are appropriate to the surrounding neighborhood and the City as a

whole will be derived from the approval of the requested site development allowance(s).

The Chair found this standard to be met. The building will generate a substantial amount of affordable housing.

Commissioner Johnson suggested an additional condition of approval relating to increasing the size of the layby lane.

Commissioner Puchtel asked if meeting certain proposed conditions would change Commissioner Johnson's vote.

Commissioner Johnson responded that he still had other deal breakers and did not believe the proposal met the standards.

Commissioner Puchtel questioned the purpose of adding conditions if he still planned to vote against the project.

Commissioner Johnson clarified that even if he voted against it, the project could still pass and that the conditions would help make the project better.

Commissioner Luke Harris-Ferree stated he was in favor of the project and supported adding additional conditions, including more layby lanes, though he was unsure if it would affect the outcome of the process.

Chair Lindwall stated that regardless of whether commissioners vote for or against the project, it is important that the recommendation to City Council include the additional conditions suggested during the discussion. She noted that certain items, such as the layby lanes, would ultimately be a city decision rather than the developer's responsibility, but that Council should be aware of these concerns. She emphasized the importance of including conditions that the commission agrees should be added.

A motion was made to add a condition recommending that the City increase the number of layby spaces in the proposal from two to four (Johnson) . The motion was seconded (Berlin). It was clarified that the vote at this time was only on the proposed conditions, not on the project itself, and that a roll call vote may be conducted on the final motion incorporating all conditions. Agreement was confirmed on including this recommendation.

Voice vote occurred with all commissioners in favor of adding this condition.

Commissioner Johnson motioned to add another condition of approval to include public transportation information kiosks in the development. The motion was seconded (Berlin).

Voice vote occurred with all commissioners in favor of adding this condition.

Commissioner Johnson motioned to add another condition of approval that encourages the developer provide a 50 unlimited ride passes of all of the regional transit agencies residents free of charge. The motion was seconded (Mabadi).

Voice vote occurred with commissioners Johnson, Mangum, Lindwall, and Mabadi in favor of

and commissioners Berlin, Harris-Ferree, and Puchtel against.

Commissioner Puchtel motioned to add a condition of approval requiring that the building conform to the LEED v5 standards. The motion was seconded (Harris-Ferree).
Voice vote occurred with all commissioners in favor of adding this condition.

Commissioner Puchtel motioned to recommend approval of 601, 603, 605-615 Davis Street and 1604-1608 Chicago Avenue, case 25PLND-0019, for a special use permit and planned development, including all of the Department recommendations on page 44 of the July 23 rd Land Use Commission agenda, in addition to the four conditions of approval that were discussed this evening. The motion was seconded (Johnson).

Motion: Puchtel
Second: Johnson

For Action

Motion Failed 3-4-2

Ayes: Puchtel, Berlin, and Harris-Ferree
Nayes: Mangum, Lindwall, Johnson, and Mabadi
Absent: Mirintchev and Arevalo

D. NEW BUSINESS

A. Major Variations | 2102 Grant Street | 25ZMJV-0031

Nate Rosalie, applicant on behalf of the property owner, requests Major Variations from the Zoning Ordinance in order to construct a new 1st-floor addition to an existing single-family home in the R1 Residential District. The applicant is seeking a variation from Section 6-8-2-8 which requires a minimum side yard setback of 15 feet and from Section 6-8-2-7 which restricts maximum building lot coverage to 30 percent. The Land Use Commission is the determining body for this case, in accordance with Section 6-3-8 of the Evanston Zoning Ordinance. PIN: 10-12-312-009-0000.

Contractor and neighbor Nate Rosalie presented the project at 2102 Grant St, describing a modest rear four-season room addition intended for gardening and seating, and explained that variances are required due to the substandard lot size and existing setbacks, though the scale is limited and adjacent neighbors have expressed support.

Commissioner Johnson confirmed with Development Services Supervisor Jeremiah Bebo that the project will maintain impervious surface coverage at 58% by removing pavers, while building lot coverage will increase from 39% without requiring an additional variation.

Commissioner Mangum recused herself from the project due to personal connections with nearby neighbors and did not participate in the vote.

The Chair reviewed 6-3-8-12.E – Standards for Major Variations

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties.
The chair stated that this is a minimal requested variation, and from the Grey Avenue side it will be behind a fence and not visible.
2. The requested variation is in keeping with the intent of the zoning ordinance.
The chair noted that the requested variations are consistent with the intent of the zoning ordinance, particularly in allowing minor improvements of existing properties so they maintain their livability.
3. The alleged hardship or practical difficulty is peculiar to the property.
The chair explained that this is a small lot platted many decades ago; the non-conforming status of the property creates the hardship, so this standard is met.
4. The property owner would suffer a particular hardship or practical difficulty, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
The chair stated that the requested relief is minimal, allowing the construction of this improvement, and that the applicant has also worked with staff to minimize impervious surface requirements.
5. The purpose of the variation is not based exclusively upon a desire to extract additional income from the property; or, while granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council (depending on final jurisdiction under Section 6-3-8-2 of the Zoning Code) has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, including but not limited to any of the standards of Section 6-3-6-3 of the Zoning Code.
The chair stated that the purpose is not to extract additional income; it is clearly to provide new space for the current owner's use. The chair stated this standard is met.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
The chair noted that the hardship was not created by the property owner; it results from the small lot size, which limits additional square footage.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.
The chair explained that the requested variations are the least deviations; certain pavers will be removed to minimize any adverse impact. The chair stated this standard is met.

Motion: Putchel

Second: Berlin

For Action

Motion Passed 6-0-2

Ayes: Lindwall, Johnson, Putchel, Mabadi, Berlin, and Harris-Ferree

Nays: None

Absent: Mirintchev and Arevalo

Abstained: Mangum

B. Special Use | 815 Howard Street | 25ZMJV-0033

Dr. Barbara Roayl, applicant, requests a Special Use for an animal hospital in order to operate a new veterinary clinic within an existing building in the B3 Business District, (Section 6-9-4-3). The Land Use Commission makes a recommendation to the City Council, the determining body for this case, in accordance with Section 6-3-5 of the Evanston Zoning Ordinance. PIN: 11-30-123-020-0000.

Applicant Dr. Barbara Royal described her proposal to open a new veterinary clinic, noting the building's prior medical use and emphasizing that the clinic would not include overnight stays. She highlighted her 30 years of experience, current practices in Wilmette and Chicago, and interest in consolidating into Evanston. Dr. Royal stated the clinic would integrate conventional and holistic care (acupuncture, rehab, nutrition counseling, chiropractic, minor surgeries) with appointments only, limiting traffic. She noted the site's 13 parking spaces were sufficient for staff and clients, that medical waste would be properly managed, and that a small outdoor turf area would be maintained for animal relief. She emphasized the project would not negatively affect neighborhood character or property values, would provide local jobs, and would enhance the community with both standard and specialized veterinary services.

Chair Lindwall confirmed that the applicant was agreeable to the proposed staff conditions and noted that the listed business hours of 9:00 a.m. to 5:00 p.m. were not set as a condition. Dr. Royal acknowledged that hours may change over time due to business needs or emergencies but emphasized her intent to operate responsibly and in a way that supports the community.

The Chair reviewed 6-3-5-10 – Special Use Standards

1. It is one of the special uses specifically listed in the zoning ordinance.
The chair stated this animal hospital is listed as a special use in the B3 district.
2. It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time.
The chair stated the proposed use is supported by the comprehensive general plan, promotes diversity of commercial and industrial areas, and makes use of a currently vacant site.
3. It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the City as a whole.
The chair stated there is one similar use nearby, but no negative impacts are anticipated; the chair stated this standard is met.
4. It does not interfere with or diminish the value of property in the neighborhood.
The chair stated the proposed use provides needed community services and the property is being purchased by the applicant, so this standard is met.
5. It can be adequately served by public facilities and services.
The chair stated the site has sufficient parking and access, and public transportation is available for employees; this standard is met.
6. It does not cause undue traffic congestion.
The chair stated that with 13 off-street parking spaces and the nature of the use, traffic congestion is not expected; this standard is met.
7. It preserves significant historical and architectural resources.
The chair stated this is not applicable, as the property is not historically significant.
8. It preserves significant natural and environmental features.

The chair stated this is not applicable, as no notable environmental features exist on the site.

9. It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.

The chair stated the use complies with all applicable regulations, and the applicant will obtain necessary building permits for interior renovations; this standard is met.

Commissioner Mabadi recused himself on this vote as Dr. Roayl is the vet he uses, otherwise he'd vote yes.

Motion: Putchel

Second: Harris-Ferree

For Action

Motion Passed 6-0-2

Ayes: Mangum, Lindwall, Johnson, Putchel, Berlin, and Harris-Ferree

Nays: None

Absent: Mirintchev and Arevalo

Abstained: Mabadi

E. PUBLIC COMMENT

John Story Williamson, of 864 Sheridan Road and 812 Davis, raised concerns about inconsistencies between the Land Use Commission's rules and the city code regarding continuances. He noted that the commission's rules allow anyone with a legal interest, such as buyers under contract, mortgage holders, or tenants, to request a continuance, whereas the code limits this to property owners within 1,000 feet. He also noted that the commission's rules require written requests to include reasons, read into the record, and limit future hearings to those reasons, which the code does not require. He requested clarification on whether the commission's rules are enforceable and urged alignment with the city code to ensure fairness, transparency, and public trust. Staff acknowledged the comment and indicated it would be addressed.

A.

F. ADJOURNMENT

Commissioner Puchtel motioned to adjourn. Seconded by Commissioner Harris-Ferree. A voice vote was taken and the motion passed unanimously. Meeting adjourned at 11:29 pm.