



LAND USE COMMISSION

Wednesday, February 23, 2022

7:00 P.M.

Via Virtual Meeting

AGENDA

As the result of an executive order issued by Governor J.B. Pritzker suspending in-person attendance requirements for public meetings, members of the Land Use Commission and City staff will be participating in this meeting remotely.

Due to public health concerns, residents will not be able to provide public comment in-person at the meeting. Those wishing to make public comments at the Land Use Commission meeting may submit written comments in advance or sign up to provide public comment by phone or video during the meeting by calling/texting 847-448-4311 or completing the Land Use Commission meeting online comment form available by clicking [here](#), or visiting the Land Use Commission webpage, <https://www.cityofevanston.org/government/land-use-commission>, clicking on How You Can Participate, then clicking on Public Comment Form.

Community members may watch the Land Use Commission meeting online through the Zoom platform:

Join Zoom Meeting

<https://us06web.zoom.us/j/89142944948?pwd=NjlfFaFMvMzkvL280OTZPVVZnN1FVUT09>

Meeting ID: 891 4294 4948

Passcode: 925892

One tap mobile +13126266799,,89142944948# US (Chicago)

Dial by your location

+1 312 626 6799 US (Chicago)

- I. CALL TO ORDER
- II. APPROVAL OF MEETING MINUTES: February 9, 2022
- III. OLD BUSINESS

Order & Agenda Items are subject to change. Information about the Land Use Commission is available at: <https://www.cityofevanston.org/government/land-use-commission>. Questions can be directed to Meagan Jones at mmjones@cityofevanston.org or 847-448-4311. 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 847-448-4311 or 847-866-5095 (TTY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines 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).

A. Public Hearing: 1414 Church Street | 22ZMJV-0002

Daniel Tornheim, architect and applicant, requests the following: a Major Variation from Section 6-8-2-8(A)(4) of the Evanston Zoning Code to allow a rear yard of 3 feet where 30 feet is required; a Minor Variation from Section 6-8-2-7 of the Evanston Zoning Code to allow a building lot coverage of approximately 38.1% or 1,783 square-feet where no more than 30% or 1,404 square-feet is permitted; and a Minor Variation from Section 6-8-2-10(A) of the Evanston Zoning Code to allow an impervious surface lot coverage of approximately 49% or 2,291 square-feet where no more than 45% or 2,106 square-feet is permitted, all for the construction of an addition to the existing principal structure in the R1 Single-Family Residential District. The Land Use Commission is the determining body in accordance with Section 6-3-8-9 of the Evanston Zoning Code and Ordinance 92-O-21. **State law requires that a majority vote of the commission's seated (appointed) members is required. Due to an initial vote of 2-5 on a motion to approve the requested zoning relief, the application for zoning relief was continued to this meeting in order to obtain a sixth vote to render a majority of the 11 seated members.**

IV. NEW BUSINESS

A. Public Hearing: 1224 Washington Street | 21ZMJV-0100

James Tullio, property owner, requests various zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The zoning relief requested is as follows: to allow both the proposed corner and interior lots to be 4,613 square feet where a minimum of 5,000 square feet is required for a single family residence (Section 6-8-4-4); to allow the proposed corner lot a building lot coverage of 2,090 square feet or 45.3% where a maximum of 2,076 square feet is permitted (Section 6-8-4-6); to allow the proposed corner lot an impervious surface lot coverage of approximately 3,600 square-feet or 78.04% where the maximum permitted is 2,767.8 square-feet or 60% is permitted (Section 6-8-4-9), and a 2.8' interior side yard setback for an accessory structure (existing patio) where 5' is required [Section 6-8-4-7(C)(3)]. The subject property is currently improved with one two-story building, a driveway, and patio. The Land Use Commission makes a final determination on these requests per Section 6-3-8-10 of the Evanston Zoning Ordinance and Ordinance 92-O-21. The City Council shall consider the draft plat of subdivision per Section 4-11-1 of the Evanston Building Code, should the Land Use Commission approve the aforementioned variations from the Evanston Zoning Ordinance.

B. Public Hearing: 1706-10 Sherman Avenue | 21ZMJV-0095

Steven Rogin, The Varsity LLC, and Chris Dillion, Campbell Coyle, request a Major Variation from the Evanston Zoning Ordinance to allow two on-site parking stalls where 26 are required (Section 6-16-3-5, Table 16-B) for the addition of 35 upper floor apartments within the existing 4-story building, formerly known as The Varsity Theater, in the D2 Downtown Retail Core District. The co-applicants also propose to maintain +/- 9,850 square feet of ground floor commercial space within the existing building. No changes to building height or footprint are proposed. The Land Use Commission makes a recommendation to the City

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Council, the determining body for this case per Section 6-3-8-10 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

C. Public Hearing: 2356 Colfax Terrace | 22ZMJV-0005

Sarah and Patrick Hillman, property owners, submit for major zoning relief from the Evanston Zoning Ordinance for additions to a single family residence in the R1 Single Family Residential District. The applicant requests zoning relief for 32.7% building lot coverage where a maximum 30% is allowed (Section 6-8-2-7), 54.5% impervious surface coverage where a maximum 45% is allowed (Section 6-8-2-10), a 1.5' north interior side yard setback where 5' is required (Section 6-8-2-8), a 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang) (Section 6-4-1-9), a 17.4' west rear yard setback where 30' is required (Section 6-8-2-8), a 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk) (Section 6-4-1-9), detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards (Section 6-4-6-2-D, 6-4-6-3-A), a 2' north yard setback where 3' is required to any property line for detached accessory structures (Section 6-4-6-2-E), a 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang) (Section 6-4-1-9), 35' height for a detached accessory structure where a maximum 20' height is allowed for accessory structures that are not garages or ADUs (Section 6-4-6-2-G), a fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house (Section 6-4-6-7-F), and 7.3' fence height where a maximum fence height of 6' is allowed (Section 6-4-6-7-F). The Land Use Commission is the final determining body for this case per Section 6-3-8-9 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

D. Text Amendment: Text Amendment | Office and Medical Office Uses | 22PLND-0007

City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to modify the parking requirement for Medical Office Uses in existing structures, and to change ground-floor permitted Office Uses in non-residential and non-university districts to Administrative Review Uses. The Land Use Commission makes a recommendation to the City Council, the determining body for this case per Section 6-3-4-6 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

V. DISCUSSION

Discussion regarding returning to in-person meetings beginning April 2022.

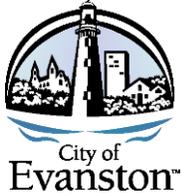
VI. PUBLIC COMMENT

VII. ADJOURNMENT

The next meeting of the Evanston Land Use Commission will be held on **Wednesday, March 9, 2022, at 7:00 pm, via the virtual meeting platform, Zoom**. Login information will be provided on the agenda posted in advance of the meeting.

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MEETING MINUTES

LAND USE COMMISSION

Wednesday, February 9, 2022

7:00 PM

Via Virtual Meeting

Members Present: George Halik, Kiril Mirintchev, Jeanne Lindwall, Max Puchtel, Matt Rodgers, Kristine Westerberg, Jill Zordan

Members Absent: Myrna Arevalo, Violetta Cullen, John Hewko, Brian Johnson,

Staff Present: Johanna Nyden, Meagan Jones, Cade Sterling, Brian George

Presiding Member: Matt Rodgers

Call to Order

Ms. Jones opened the meeting at 7:00pm. A roll call was done and a quorum was present.

Approval of January 26, 2022 Meeting Minutes

Commissioners Zordan and Lindwall suggested edits relating to attendance, wording and clarification on reasoning for the vote on a requested continuance. Commissioner Puchtel made a motion to approve the Land Use Commission meeting minutes from January 26, 2022 as amended. Seconded by Commissioner Westerberg. A roll call vote was taken and the motion passed, 6-0, with 1 abstention.

New Business

A Public Hearing: 1414 Church Street | 22ZMJV-0002

Daniel Tornheim, architect and applicant, requests the following: a Major Variation from Section 6-8-2-8(A)(4) of the Evanston Zoning Code to allow a rear yard of 3 feet where 30 feet is required; a Minor Variation from Section 6-8-2-7 of the Evanston Zoning Code to allow a building lot coverage of approximately 38.1% or 1,783 square-feet where no more than 30% or 1,404 square-feet is permitted; and a Minor Variation from Section 6-8-2-10(A) of the Evanston Zoning Code to allow an impervious surface lot coverage of approximately 49% or 2,291 square-feet where no more than 45% or 2,106 square-feet is permitted, all for the construction of an addition to the existing principal structure in the R1 Single-Family Residential District. The Land Use Commission is the determining body in accordance with Section 6-3-8-9 of the Evanston Zoning Code and Ordinance 92-O-21.

Ms. Jones read the case into the record. Chair Rodgers clarified that this item began under the Zoning Board of Appeals but has now transitioned to the Land Use Commission since the duties of Zoning Board and Plan Commission combined and are under the jurisdiction of the Land Use Commission (as of January 1, 2022)

Mr. Daniel Tornheim, architect, provided an overview of the project, site constraints and various options considered. He noted the smaller lot size and challenges with regards to setbacks, different garage locations that were considered and reasoning for the current proposal for a garage addition right off of the alley.

The hearing was then open to questions from Commissioners.

Commissioner Halik expressed that Mr. Tornheim did a good job describing the plan but needed to address the reasoning behind massing and asked if other massings had been considered. Mr. Tornheim responded that the addition referenced the existing home to be consistent. He mentioned a discussion with Preservation regarding the initial significant overhang on the garage which was asked to be reduced. The Existing garage is setback less than 1 ft. from the property line with an eave height of about 8 or 9 ft. and the proposed garage addition would increase the setback to 3 ft. with a similar eave height. He added that a flat roof on this addition would not be consistent with the home. Mr. Tornheim then explained that the roof height is where it is in order to maintain the interior ceiling height. If the garage height were lowered, the ceiling height in the home would have to be lower and is already at 8 ft. where a 7 ft. height is the minimum.

Commissioner Westerberg asked if the removed parking pad is intended to be turned into green space once the garage is built. Mr. Tornheim confirmed this is the intent and was necessary to reduce impervious surface coverage.

Commissioner Puchtel inquired about references to comments and Chair Rodgers and Ms. Jones clarified that comments were linked in the staff report and additional comments received after the packet was posted were added to the website and shared with the Commission.

The hearing was then open to public questions and testimony.

Mr. Mark McKeown stated that his home is near the alley entrance at the opposite end of the alley and has a keen interest in the alley use. He explained that he has been working to improve the alley with the City and neighbors. He continued, stating that focused on the impact of the proposal of the alley. OF the 10 homes with only the King's home (1414 Church) do not have a garage. He added that he read through the packet materials and looked at the effects of the functionality and aesthetics. He believes the aesthetics and functionality of the alley will be improved with the proposal.

Mr. Paul McDonald stated that he lives across the street from the subject property and understands the lack of parking in the area. He expressed support for the project and

that the location of the garage makes sense and aesthetically, the proposed garage looks nice. He stated he supports everyone having a garage where feasible and reiterated his support of the proposed project.

Mr. Dave and Mrs. Nan Hoff who live in the coach house immediately south of the proposed project stated their opposition. The expressed concern for safety and described the only way to enter and exit the coach house is through two wooden staircases adjacent to the proposed garage. Mr. Hoff stated that fire hazard would increase with the new addition. Mrs. Hoff stated that their views would also be significantly impacted by the new garage. She then explained that the renderings do not show the two large windows on the north side of the coach house that allow for sunlight and views while the current garage does not block the light. The new garage looms over the coach house. She expressed understanding of the King's desire to have a garage that enables them to access their vehicles without dealing with inclement weather but that there are other alternatives to do so. She then suggested that a single-car garage and parking pad would be better.

Shannon Sieberling stated that she has walked up and down the alley and expressed that zoning laws are not primarily for the individual but to preserve the beauty and value of the community. Glad for improvements to a house but if a project affects neighbors; it does not contribute to the community. The coach house is an architecturally designed and intriguing building and the proposed garage is almost a robbery of value from one property to another. She also expressed concern about permeable space that is important to include.

Ms. Joan Safford stated she has lived in the neighborhood since the 1960's and expressed her opposition to the proposed project. She explained that the proposed garage is a handsome design but does not recognize its broader impact. The proposed garage will impinge on the coach house and the view of it. She then explained that there is not a recognizable hardship and that the proposal does not meet the standards. Ms. Safford then explained the history of the neighborhood and changes that have occurred due to white flight. She mentioned that she has walked buyers around the neighborhood and that it has a variety of housing stock. She then stated that she has served on the Zoning Committee and has worked on fair housing. Ms. Safford reiterated that the standards were not met and explained this is due to there being impact to the neighborhood, a lack of parking not rendering their property nonfunctional and that lack of parking not being unique to this property. Ms. Safford added that she treasures the Kings as neighbors but that any accommodation for this proposal is not the minimum change.

Mary McWilliams stated that she helped form the request to the Preservation Commission requesting that the Commission deny the proposed changes. She explained that this area was not created considering cars and that people purchasing homes do so with the expectation that that would be the case. Ms. McWilliams then gave a short history of subdivisions and easements of other properties and provided the example of a two car garage being approved at 1330 Church but it had greater open

space. The subdivision of 1414 Church was done in 1897. She closed by encouraging the Commission to deny the changes.

Mr. Kirk Ziehm explained that he and his wife share 50% of the property border with 1414 Church and 2 other neighbors share the other borders. He explained that the Kings asked them in October about their plans but had not had their comments included in what is proposed. He then added that, since there are no postcards mailed for DAPR meetings there were no voices of opposition at that meeting. He then urged the Commission to oppose the proposal.

Mrs. Amanda Ziehm clarified that the Preservation Commission did approve the CoA but did not provide a recommendation on the zoning changes and declined to provide that to the ZBA (whose duties now fall under the Land Use Commission). Preservation did provide comments on the need for a 2-car garage. Mrs. Ziehm then stated that the proposal does not meet 5 of the 7 standards. There is adverse impact on the neighbor, the height and proximity of the addition would impact enjoyment and safety of the coach house. She then expressed concern of the \$70,000 investment made to improve the coach house and expressed that the proposed plan is inconsistent with City's efforts in developing ADUs. Mrs. Ziehm added that nonconforming conditions are common in the historic district and 1-car or no garage is common off of the alley and provided suggestions for possible alternative, stating she would support other options. She then asked that the Commission deny any variance requested.

Mr. Tornheim made a closing statement explaining that the top of the list in the garage design is safety. The City's building codes require structures to have a 1-hour fire rated wall and eave. He emphasized that he has not tried to make the garage unsafe, that there would be a 3 ft. setback instead of less than 1 ft. setback and that typical lighting and venting is provided.

The Commission then began deliberation.

Commissioner Halik expressed that this is a tight site and he has no problem with variations for a site like this but has typically reviewed projects that are much larger. This type of project is easier to make a decision on as it affects fewer residents and the Commission should listen to them. He expressed that he believes the proposed project will devalue the neighboring property and that there are other possible alternatives.

Commissioner Westerberg echoed Commissioner Halik's comments and complimented the architect on a well-designed addition. She added that despite this, it is a dramatic impact which should be taken into account.

Commissioner Puchtel echoed other Commissioner statements. He explained that if the proposed project was confined to its own property it would be ok, it is designed well and increases greenspace. However, he is troubled with the impact. He explained that the renderings do not accurately reflect the full impact. He then stated that the height does not seem to change from the existing home but that he would err on the side of caution.

Commissioner Zordan stated that if the Commission were considering just this property, the proposal appears to be an elegant and appropriate solution. However looking at the impact to the coach house she would like to see some additional information on the visual impact of the proposed addition.

Commissioner Mirintchev stated that he is on the same page with his colleagues with some nuance. He explained that this proposal would probably pass with better renderings; however, there are other solutions that could be applied here. He liked that there are similarities in the addition to the existing home but the same effects can be obtained with a different massing.

Commissioner Lindwall explained that she likes the notion of a 1-car attached garage with a parking pad; this would still need variations but could create additional building separation. She expressed appreciation for the proposed mitigation such as increasing the setback from the rear lot line and replacing the brick patio with permeable pavers.

Chair Rodgers suggested that he would be in the minority regarding his thoughts on the project. He stated that the applicant is removing the illegal parking pad. He stated that he was at the property and that at footers for the coach house stairway, the gap between that and the garage is very small and he is in favor of moving the garage further away and with better construction with a fire rated wall which is likely more than what is existing. He then explained that he does not buy into issues with views from the property as the property faces north and would still get sunlight. He then added that the subdivision put the coach house right at the property line at no fault to any of the current residents. He then pointed out that a parking pad creates additional stormwater run-off and a garage would have a gutter to better direct the stormwater.

The Commission then reviewed Standards for Approval of Major Variations, led by Commissioner Puchtel. Standards 1 and 4 were met with disagreement on whether or not the standard had been met.

1. Commissioner Puchtel expressed that that impact is not fully known but there likely will be. Chair Rodgers countered that all zoning changes have impact but it needs to be considered if the impact will be substantial. With regards to views from the coach house, three remaining sides will have sunlight and unobstructed views (without confirming the proposal does obstruct views). Commissioner Lindwall agreed, stating there is more of the coach house that extends east on that property. She does not know that as much of the light is blocked as was suggested.

2. Standard met.

3. Standard met.

4. Commissioner Westerberg stated that she felt this standard was not met since other homes in the area do not have 2-car garages and there are other alternatives.

Commissioner Puchtel agreed. Chair Rodgers expressed that the garage would be superior to a parking pad because, while you are keeping the same amount of

impervious surface, you are better able to direct stormwater run-off. Commissioner Halik stated that this is not just about the 2-D surface but the 3-D structure of the garage.

5. Standard met.
6. Standard met.
7. Standard met.

Chair Rodgers then clarified that due to the Commission currently having 11 members and being the determining body in this case, 6 concurrent votes are needed to approve the requested variation.

Commissioner Lindwall made a motion to approve the Major Variation request. Seconded by Chair Rodgers. A roll call vote was taken and, due to the absence of Commissioners, the matter was continued to the February 23, 2022 meeting with the vote of 2-5 on a motion to approve this item recorded standing in order to allow additional Commissioners to view the minutes and/or audio-visual recording of the proceedings, and then vote on the motion at the February 23 hearing as per the Land Use Commission rules.

B. Public Hearing: 1000 Grove Street | 21ZMJV-0097

Richard Lehner, LCM Architects, applicant on behalf of the McGaw YMCA, requests two zoning variations from the Evanston Zoning Ordinance to allow for the addition of an approximately 431 square-foot entry vestibule to the existing recreation and community center with men's residences, commonly known as the McGaw YMCA, in the R6 General Residential District. The applicant requests one Major Variation to allow a street side yard setback from Maple Avenue of zero (0) feet where a minimum of 15 feet is required [Section 6-8-8-7(B)(2)]. The applicant also requests a Minor Variation to allow the building lot coverage of approximately 43,331 square-feet or 60.22% percent where the maximum permitted is 35,977 square-feet or 50% of the lot area (Section 6-8-8-6). The subject property is currently improved with one 5-story building and a surface parking lot. The Land Use Commission is the determining body for this request.

Ms. Jones read the case into the record.

Ms. Monique Parsons, President and CEO of McGaw YMCA, provided an introduction of the architect, Richard Lehner, Nicole Woodard (McGaw's Chief Operating Officer) and Jodie Wickersheimer (McGaw's Chief Development Officer) then provided a brief history and background of the YMCA.

Mr. Richard Lehner, LCM Architects, provided information on the renovations being done on the interior of the building and detailed the proposed entry addition to the Maple Avenue facade of the building. He explained that the work is being done to improve the quality of life and dignity of the men living in the residences.

The hearing was then opened to questions from Commissioners.

Chair Rodgers asked for clarification on building entries and asking if the intent is to keep traffic separate. Mr. Lehner explained that the intent is to create separate entrances for the residences and the YMCA members. Currently the men go in through the main entry, as the elevator is accessible from the main entrance, and have mail boxes that are in a corner used by other people using the YMCA. Egress has been seriously considered and there are two means of egress which meets egress requirements.

Chair Rodgers confirmed that the passenger elevator is in the main lobby and accessed from the main entrance. Mr. Lehner confirmed this and that there are two main groups that use the elevators, those living the men's residences and those accessing the McGaw administrative offices though he believes about 95% of those individuals use the stairs. Ms. Parsons confirmed staff use of the stairs since it is just one flight up to reach the offices.

Commissioner Halik asked if a flatter massing had been considered with less projection from the east facade. Mr. Lehner responded that this was considered but that it was found to obscure more windows and it may hinder other exits on that side of the building. Some of those windows are in a public area used by middle school youth that the YMCA wanted to keep open. Commissioner Halik mentioned that a narrower design could be considered if anyone has issues with the current design.

Commissioner Mirintchev inquired about the windows behind the new entry. Mr. Lehner clarified that the windows above the mullion will remain visible while 2 two windows below that are intended to be opaque. He added that he could investigate leaving them open but is not sure if that would be desirable and the space may also need to be used for utilities and stormwater run-off.

Chair Rodgers mentioned that the roof appears to slope towards the building. Mr. Lehner confirmed this to be the case and that there is a separation of the new entry's roof from the building to accommodate stormwater run-off.

Commissioner Westerberg asked where the applicant was retrieving impervious surface. Mr. Lehner pointed out where additional paving was being taken out and clarified that the proposed addition is on top of existing impervious surface. Due to existing site conditions, there were no vast areas of additional impervious surface that could be removed.

Commissioner Zordan inquired about existing trees and landscaping on the site and if that would remain or be replaced. Mr. Lehner clarified that the rendering that is in the packet does not show the exact location of trees. There is a tree on the corner of the property that is unaffected by the addition and the addition will be under the canopy of a nearby tree. One small tree will be removed but replaced per DAPR request.

Commissioner Puchtel inquired if the proposed addition would remove basement access. Mr. Lehner responded that the existing egress stair from the basement was

grandfathered in and is being replaced by the addition, which enters into the basement level.

The hearing was then open to public questions and testimony.

Ms. Hanchar asked if the Grove Street entrance will return to being the main entrance for members and what prevents that return to using the Grove entry. Ms. Parsons responded that the Grove Street will eventually be the main entrance but may not be the only entrance and she could not clarify exactly when due to the ongoing pandemic. She then clarified that the proposed entry is not being proposed because of the pandemic but in order to separate the resident entry from the recreational entry. This helps control flow into the building.

Ms. Parsons then thanked Tom Moran for providing the seed funding for the detailed planning and variance phase of the project and staff and Commissioners for their time. Approving the variances makes it possible for McGaw to continue fundraising momentum for the project construction.

The Commission then began deliberations.

Chair Rodgers stated that the proposed addition makes sense and creates minimal impact. He then expressed that he likes that the design does not attempt to mimic the existing structure but gives the addition its own space. Appreciates allowing the residence to have its own entrance as is seen in so many buildings that share uses.

The Commission then reviewed the 7 standards for approval of Variations and found that all 7 standards had been met

Commissioner Halik made a motion to approve the proposed variations. Seconded by Commissioner Zordan. A roll call vote was taken and the motion was approved unanimously.

Communication

Ms. Jones provided a brief overview of the next meeting's agenda.

Commissioner Halik inquired about an update to the Strategic & Comprehensive Plan RFP. Ms. Nyden responded that the RFP has been posted and Commissioner Lindwall confirmed that she began reaching out to Comprehensive Plan Sub-Committee members.

Adjournment

Commissioner Lindwall motioned to adjourn, Commissioner Westerberg seconded, and the motion carried.

Adjourned 9:12pm

Respectfully submitted,

Meagan Jones, Neighborhood & Land Use Planner



Memorandum

To: Chair and Members of the Land Use Commission

From: Johanna Nyden, Director of Community Development
Katie Ashbaugh, Planner

Subject: 1414 Church Street | 22ZMJV-0002
Land Use Commission Determining Body

Date: February 18, 2022

Notice – Published in the January 20, 2022 Edition of the *Evanston Review*:

Daniel Tornheim, architect and applicant, requests the following: a Major Variation from Section 6-8-2-8(A)(4) of the Evanston Zoning Code to allow a rear yard of 3 feet where 30 feet is required; a Minor Variation from Section 6-8-2-7 of the Evanston Zoning Code to allow a building lot coverage of approximately 38.1% or 1,783 square-feet where no more than 30% or 1,404 square-feet is permitted; and a Minor Variation from Section 6-8-2-10(A) of the Evanston Zoning Code to allow an impervious surface lot coverage of approximately 49% or 2,291 square-feet where no more than 45% or 2,106 square-feet is permitted, all for the construction of an addition to the existing principal structure in the R1 Single-Family Residential District. The Land Use Commission is the determining body in accordance with Section 6-3-8-9 of the Evanston Zoning Code and Ordinance 92-O-21.

February 9, 2022 Land Use Commission Meeting:

The Land Use Commission conducted a public hearing to consider the aforementioned zoning relief for the subject property. A motion to approve the zoning relief was made and seconded, and a roll call vote of 2-5 was made. Although the Rules & Procedures of the Land Use Commission, as approved on January 12, 2022, state a concurrent vote of at least 5 members is required for a determination to be made, the state law requires that a majority vote of the commission's seated (appointed) members, not members present at the meeting, is required. Therefore, this application for zoning relief is continued to the next regularly scheduled meeting, February 23, 2022, to obtain a sixth vote to render a majority of the 11 seated members.

The applicant and staff will not make a presentation and public testimony is closed. Commissioners who did not attend the February 9, 2022, public hearing that attend the February 23, 2022 continuation of the hearing shall read the draft meeting minutes and attest for the record they have done so. Should an additional sixth Commissioner not present on February 9th determine they would like to vote no on the motion to approve,

they shall state which standard or standards they find are not met. All pertinent materials for this application are linked below.

Attachments:

- [Land Use Commission Agenda & Packet - February 9, 2022](#)
- [Land Use Commission Meeting Recording](#)
- Land Use Commission Draft Minutes - February 9, 2022 (see documents immediately following agenda in this meeting packet)
- [Land Use Commission Actions - February 9, 2022](#)
- [Preservation Commission Approved Meeting Minutes - November 9, 2021](#)
- [DAPR Approved Meeting Minutes – November 10, 2021](#)
- [Written Comments from Adjacent Property Owners](#)

Land Use Commission
Determining Body

1224 Washington St.
Major Variation and Minor Variation
for Substandard Lot Size/2-Lot Split



Memorandum

To: Members of the Land Use Commission

From: Johanna Nyden, Director of Community Development
Katie Ashbaugh, Planner

Subject: 1224 Washington Street | 21ZMJV-0100
Land Use Commission | Determining Body

Date: February 18, 2022

Notice – Published in the February 3, 2022 Edition of the *Evanston Review*:

James Tullio, property owner, requests various zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The zoning relief requested is as follows: to allow both the proposed corner and interior lots to be 4,613 square feet where a minimum of 5,000 square feet is required for a single-family residence (Section 6-8-4-4); to allow the proposed corner lot a building lot coverage of 2,090 square feet or 45.3% where a maximum of 2,076 square feet is permitted (Section 6-8-4-6); to allow the proposed corner lot an impervious surface lot coverage of approximately 3,600 square feet or 78.04% where the maximum permitted is 2,767.8 square-feet or 60% is permitted (Section 6-8-4-9), and a 2.8' interior side yard setback for an accessory structure (existing patio) where 5' is required [Section 6-8-4-7(C)(3)]. The subject property is currently improved with one two-story building, a driveway, and a concrete patio. The Land Use Commission makes a final determination on these requests per Section 6-3-8-10 of the Evanston Zoning Ordinance and Ordinance 92-O-21. The City Council shall consider the draft plat of subdivision per Section 4-11-1 of the Evanston Building Code, should the Land Use Commission approve the aforementioned variations from the Evanston Zoning Ordinance.

Recommendation:

Staff and the Design and Project Review Committee (DAPR) recommend approval with conditions of the aforementioned variations to allow the existing 9,226 square foot lot to be subdivided into two 4,613 square foot lots, each with a width of 50 feet. Please see the Legislative History, February 15, 2022, DAPR Meeting, section of this report.

Site Background:

The property, 1224 Washington Street, is located at the southeast corner of the Asbury Avenue and Washington Street intersection. It is located within the R3 Two-Family Residential District, and is surrounded by the following zoning districts:

North (across Washington):	R3	Two-Family Residential District
South:	R3	Two-Family Residential District
East:	R3	Two-Family Residential District
West (across Asbury):	R3	Two-Family Residential District

To the north of the subject property across Washington Street is a 2-story, 3-unit townhome building. Single-family homes are located to the south and the east. To the west across Asbury Avenue is also a single-family home.

The subject property is currently improved with one 2-story building, a driveway, and a patio. The improvements are located on the western half of the property, with the building sitting at only about 8 inches from the street side (Asbury) lot line. The building is also only about 4 feet 5 inches from the front (Washington) lot line. To the south of the building is a curb cut providing vehicular access to the property off of Asbury Avenue and one parking stall.

The 2-story building historically was a mixed-use building with commercial on the ground floor and an apartment on the upper floor. The building is now primarily used as the applicant's residence where he also operates a private recording studio for high school music students. The east half of the property is unimproved and enclosed by a fence, functioning as a large side yard to the building.

Proposal:

The applicant proposes to subdivide the existing 9,226 square foot property into two lots, with both lots being 4,613 square feet in area and having a compliant lot width of 50 feet. The applicant intends to sell Lot 2 (interior lot) to be developed as a single-family home. The applicant is not proposing any additional building or site improvements to either of the proposed lots. Any new single-family home proposed for Lot 2 would be required to meet all applicable zoning requirements.

To create both lots, a variation for each is required to allow a lot area of 4,613 square feet in the R3 district where 5,000 square feet is required. Both Lots 1 and 2 meet the minimum lot width requirement of 35 feet.

To allow Lot 1 (corner lot) to maintain its existing improvements, three additional variations are required: a variation to allow a building lot coverage of 2,090 square feet or 45.3% where a maximum of 2,076 square feet is permitted (Section 6-8-4-6); a variation to allow the proposed corner lot an impervious surface lot coverage of approximately 3,600 square feet or 78.04% where the maximum permitted is 2,767.8 square-feet or 60% is permitted (Section 6-8-4-9), and a variation to allow a 2.8' interior side yard setback for an accessory structure (existing patio) where 5' is required [Section 6-8-4-7(C)(3)].

Currently, as one lot of record, the existing impervious surface lot coverage is approximately 3,412 square feet or 36.9 percent. The relief requested is for 3,600 square feet or 78.04%, as the vehicular access to the south of the building must be paved with a hard surface per Section 6-16-2-2 of the Zoning Ordinance. During staff review, staff requested the applicant to include a cross-access easement from Asbury to Lot 2, which is shown. Because it would provide this vehicular access to any parking on Lot 1, the hard surface would be required at the time Lot 2 would be developed. The applicant is not proposing to improve this drive at this time but the relief as requested accommodates this.

In summary, four variations are required to create Lot 1 and one variation is required to create Lot 2 for a total of five variations. No additional zoning relief is required and no exterior changes to the existing building are proposed. No objections were received before the distribution of this report.

Ordinances Identified for Requested Relief:
6-8-4 R3 Two-Family Residential District

6-8-4-4 Lot Size: The minimum lot size in the R3 district is five thousand (5,000) square feet for single-family dwellings, except as expressly allowed in Subsection 6-4-1-7(B) of this Title, three thousand five hundred (3,500) square feet per dwelling unit for two-family units and seven thousand two hundred (7,200) square feet for non-residential uses.

6-8-4-6 Building Lot Coverage: The maximum lot coverage, including accessory structures, in the R3 district is forty-five percent (45%).

6-8-4-6(C) Yard Requirements, Accessory Structures and Uses:

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

6-8-4-9 Impervious Surface(A): The maximum impervious surface ratio for the R3 district is sixty percent (60%).

Comprehensive Plan:

Specifically, the goal of Chapter 3, Housing, of the Evanston Comprehensive Plan is to “maintain and enhance the desirability and range of choice (in terms of style and price) that the housing stock offers both buyers and renters”. An objective of this goal is to “address concerns about cost and affordability”, with a specific policy action being to “encourage proposals from the private sector that will maintain the supply of moderately priced housing, both rental and owner-occupied”. Another objective of this goal is to “address high property tax concerns”, with the policy action being to “seek creative

means of increasing Evanston's property tax base to maintain the provision of quality services while relieving some of the tax burden placed on homeowners".

Legislative History:

February 15, 2022 - Design and Project Review (DAPR) Committee Recommendation

The Design and Project Review Committee reviewed the request for variations to allow the subdivision of the subject property and voted 8-3 to recommend approval to the Land Use Commission with the following conditions: 1) that the new interior lot not be granted any building lot coverage or impervious surface lot coverage variations; 2) that if the existing structure on the corner lot is ever removed, any new structure comply with the current Zoning Code; 3) that no curb cut be added to Washington Street for either lot, and 4) that the existing concrete patio on the corner lot is replaced with permeable pavers. Because the requested relief changed from the original request considered by DAPR on January 4, 2022, and the application needed to be re-noticed, DAPR also was required to make a new recommendation.

To develop these conditions, staff considered the conditions of approval recommended by the Zoning Administrator, which were included in the previous memo to the Land Use Commission for the original proposal, dated January 7, 2022 (see previous packet linked in Attachments). Some staff agreed that the conditions would address any concerns related to excess pavement and building lot coverage from the existing improvements. They felt these conditions would suffice by prohibiting future zoning relief requests from being granted for either lot regarding building and impervious surface lot coverage. Staff also said that the addition of a new smaller lot would allow for the development of a smaller, and therefore more affordable, single-family home and therefore be a benefit to the City. With regard to site access, staff maintained the position that a new curb cut should not be added to Washington Street, specifically from the new interior lot. Staff noted that a driveway from Washington to the rear of the interior lot would only increase impervious surface lot coverage and therefore make it less likely the lot would comply with the permitted maximum. This would then go against one of the conditions of approval in the recommendation.

Those that voted against the motion to recommend approval maintained their concerns that creating a substandard lot would not be good policy and precedent for the City, and that adding any new impervious surface was against the goals and intent of the Climate Action and Resiliency Plan (CARP). They noted again that covering the existing green space on the proposed Lot 2 (interior lot) would exacerbate any flooding issues in the area as the lot to the east (1218 Washington) already has limited open space.

January 12, 2022 - Land Use Commission

The Land Use Commission conducted a public hearing to consider two variations for the subject property to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots. The applicant proposed Lot 1 (corner lot) to be compliant in area at 5,000 square feet, with a lot width of 54.2 feet, and Lot 2

(interior lot) to be 4,226 square feet, requiring one of the two variations, and a lot width of 45.8 feet. The second variation was to allow Lot 1 to have an impervious surface lot coverage of approximately 3,485 square feet or 69.7 percent where the maximum permitted is 3,000 square feet or 60 percent (Section 6-8-4-9).

The Commission did not take action on these variations and instead continued the application. The Commission asked staff and the applicant to develop an alternative subdivision resulting in the two lots being closer to compliant with the minimum lot area requirement of 5,000 square feet, rather than one lot being compliant and the other being much more substandard. The Commission also wanted information regarding traffic impact if a curb cut were added to Washington Street from the new interior lot.

January 4, 2022 - Design and Project Review (DAPR) Committee

The Design and Project Review Committee reviewed the proposed variations for the subject property and voted unanimously to recommend denial to the Land Use Commission. Specifically, staff was concerned that creating a substandard lot at present would only cause future problems for anyone developing the proposed Lot 2, as it would likely need additional zoning relief at the time a single-family home would be built. Staff said that substandard lots elsewhere in the City create problems as they do often require zoning relief when they need to be improved and to create a substandard lot deliberately was not a good policy for the City. Additionally, staff found that the proposed subdivision did not meet the goals and intent of the Climate Action and Resiliency Plan (CARP), as covering the existing green space on the proposed Lot 2 would exacerbate any flooding issues in the area as the lot to the east (1218 Washington) is already has limited open space.

Variation Standards:

For a variation to be approved, the LUC must find the proposed variations:

1. **Will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties:** Standard met - The proposed subdivision will not result in future variation requests from building and impervious surface lot coverage requirements in effect at the time of future improvements, as the recommended conditions of approval prohibit such requests. Cross access easements in lieu of alleys, while not common, do exist in the City currently. The proposed language of the easement can stipulate maintenance and minimum access requirements for both lots.
2. **Is in keeping with the intent of the Zoning Ordinance:** Standard met - The proposed subdivision is in keeping with the intent of the Zoning Ordinance in that the proposed lots are each only 8% less than the minimum required lot size and comply with the minimum lot width requirement. The land use for each of the lots is limited to one single-family detached dwelling unit per lot and accessory uses as permitted in Section 6-4-6, as neither meet the minimum lot sizes for

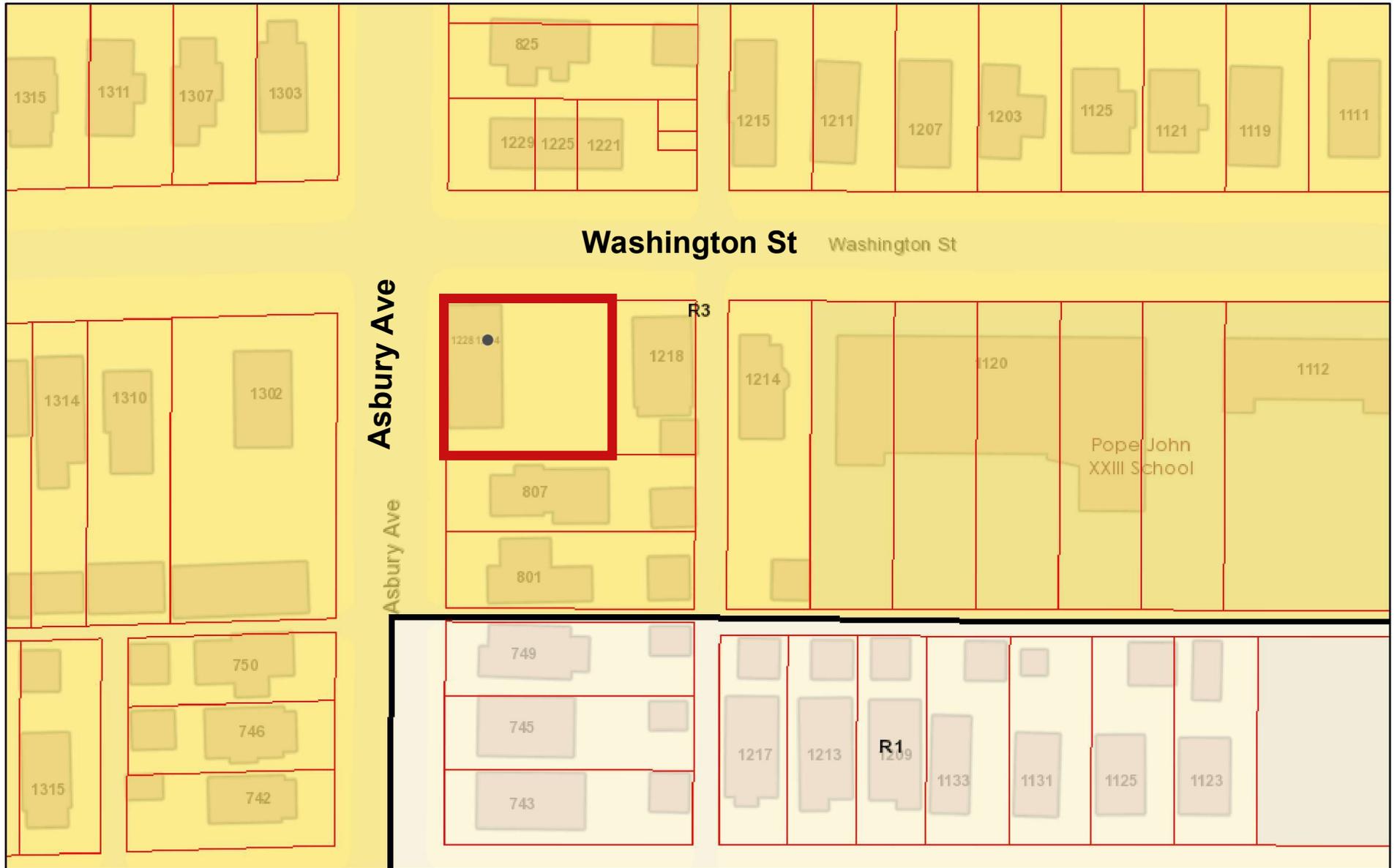
nonresidential uses and for two-family dwelling units. The conditions of approval prohibit any future zoning relief approvals from building and impervious surface lot coverage requirements.

3. **Has a hardship or practical difficulty that is peculiar to the property:** Standard met - The size of the existing single lot is in conformance with the minimum standard of the R3 district and existed as less than 10,000 square feet prior to the current ownership. The size of the current lot cannot be increased and any subdivision of the current lot would result in a substandard lot or lots.
4. **The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience:** Standard met - If the relief requested is not granted, the property owner, with the property being 774 square feet less than 10,000 square feet, owns what otherwise is a double lot functionally and the vacant half of the lot is not serving its highest and best use in the R3 district. The property owner may only improve his property with accessory structures or uses as one principal structure and use already exists.
5. **Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived:** Standard met - The addition of a new vacant residential lot allows for the development of a smaller single-family home that may be of a lower market rate than other homes on larger lots in the City, thereby adding to housing options for current and potential Evanston residents as a public benefit.
6. **Does not have a hardship or practical difficulty that was created by any person having an interest in the property:** Standard met - The size of the lot as a whole existed as such prior to current ownership. The existing lot would need to be 10,000 square feet in area to be subdivided into two compliant lots in the R3 district with minimum areas of 5,000 square feet. Any owner, current or future, would need to request zoning relief to subdivide the existing lot as long as the minimum size requirement of 5,000 square feet is in effect.
7. **Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty:** Standard met - The proposed sizes of both new lots are the minimum necessary to achieve two lots that are as close to compliance with the minimum requirement. This results in two lots that are only 8% less than the required minimum area of 5,000 square feet, whereas creating one compliant lot of 5,000 square feet and one non-compliant lot of 4,226 square feet would render the 4,226 square foot lot as being 15% less than the required minimum area. The condition of approval requiring the existing concrete patio to be replaced by permeable pavers also reduces the degree of the requested impervious surface lot coverage variation. The other conditions also prohibit any future variations from building and impervious surface lot coverage requirements.

Attachments:

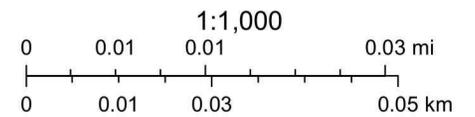
- Application Materials – February 2, 2022
- Zoning Map
- Aerial Photo
- Street View Photos
- Plat of Survey - August 18, 2021
- Plat of Subdivision - Draft, October 26, 2021
- Building Footprint Estimates (staff prepared)
- Zoning Analysis - January 28, 2022
- [DAPR Approved Meeting Minutes – January 4, 2022](#)
- [Land Use Commission Meeting Materials - January 12, 2022](#)
- [Land Use Commission Approved Meeting Minutes - January 12, 2022](#)
- DAPR Draft Meeting Minutes - February 15, 2022

1224 Washington St - Zoning



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- Zoning Districts**
- Zoning Boundaries & Labels
 - B2 - Business
 - B3 - Business
 - B1 - Business
 - B1a - Business
 - C1a - Commercial Mixed-Use
 - C2 - Commercial
 - C1 - Commercial
 - D1 - Downtown Fringe
 - D2 - Downtown Retail Core
 - D3 - Downtown Core Development
 - D4 - Downtown Transition



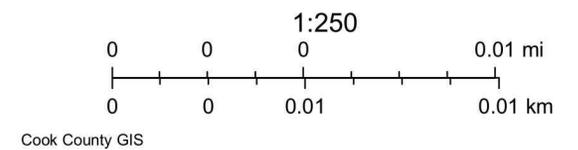
1224 Washington St - Aerial



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 City Boundary

 Tax Parcels



1224 Washington Street – Street view looking south from Washington



1224 Washington Street – Street view looking east from Asbury



5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- | | | |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | (This) Completed and Signed Application Form | |
| <input checked="" type="checkbox"/> | Plat of Survey | Date of Survey: <u>8/01/21</u> |
| <input type="checkbox"/> | Project Site Plan | Date of Drawings: <u>10/25/21</u> |
| <input checked="" type="checkbox"/> | Plan or Graphic Drawings of Proposal (If needed, see notes) | |
| <input checked="" type="checkbox"/> | Non-Compliant Zoning Analysis | |
| <input checked="" type="checkbox"/> | Proof of Ownership | Document Submitted: <u>Warranty Deed</u> |
| <input checked="" type="checkbox"/> | Application Fee (see zoning fees) | Amount \$ _____ plus Deposit Fee <u>\$150</u> |

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

2-Lot Split of one 9,226 s.f., 100-foot wide lot into one 5,000 s.f., 54.19 ft. wide, corner lot and one 4,226 s.f., 45.8-foot wide interior lot

B. Have you applied for a Building Permit for this project? **NO** **YES**

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant. (See the Zoning Analysis Summary Sheet for your project's information)

(A) Section (ex. "6-8-3-4")	(B) Requirement to be Varied (ex. "requires a minimum front yard setback of 27 feet")	(C) Requested Variation (ex. "a front yard setback of 25.25 feet")
1		
<u>Sec 6 8 4 9</u>	<u>The maximum permitted impervious surface lot coverage is 60% in the R3 district.</u>	<u>The proposed building lot coverage for the corner lot is +/- 3,484.1 s.f., or 69.7%</u>

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

2		
<u>Sec 6 8 4 4</u>	<u>The minimum lot size required for residential uses in the R3 district is 5,000 s.f.</u>	<u>The minimum lot size proposed for the interior lot is 4,226 s.f.</u>
3		
_____	_____	_____

- B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

My lot is 9,296 sq ft and is not an official 10,000 sq ft double lot. In order to try and sell the second lot i need a variance.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

This won't affect either neighbor around me. I have one neighbor behind me and one to the east as it is a corner lot.

2. 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.

I would most likely go into foreclosure and lose the property. Please see the attached document for further explanation.

3. Either...

- (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
(b) while the 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 Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

(b) The money derived from the sale of the lot will only go towards the mortgage to save the building.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

Because of covid 19 and a rising interest rate our income has suffered drastically. If this had not happened we wouldn't have to try and sell the lot.

5. Have other alternatives been considered, and if so, why would they not work?

Raising the required amount is not feasible in the timeframe i
have to save the building, so the only alternative is to try and sell
the adjacent lot.



City of Evanston DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made:
Does not apply.

James Tullio
Butcher Boy School Of Music Production (NFP)
1224 Washington St
Evanston, IL 60202

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number ____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number ____ above, or indicated below.

Bamboula Lender LLC c/o Len Loventhal
3522 N. Janssen Ave
Chicago, IL 60657

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number X above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

- a. Names and addresses of all officers and directors.

Butcher Boy School Of Music Production (NFP)

James Tullio Director 1224 Washington St Evanston 60202

Patrick Hughes Officer 1317 Livingston Evanston 60201

Neil Gambow Officer 927 Michigan Ave #2 Evanston 60202

- b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

2068245 (7)
MERCURY TITLE COMPANY, L.L.C.

1072 Hwy
WARRANTY DEED

MAIL DEED TO:

Fritschell & Paulowski
6554 W. Northwest Hwy
Chicago IL 60631

SEND TAX BILLS TO:

James Tullio
1224-28 Washington St.
Evanston IL 60202

M.G.R. TITLE

Doc#: 0818841030 Fee: \$28.00
Eugene "Gene" Moore RHP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/15/2008 10:57 AM Pg: 1 of 2

THE GRANTORS, G. ERIC SPROULL and HEIDI J. SPROULL, Husband and Wife, both of City of Evanston, County of Cook, State of Illinois, for and in consideration of TEN DOLLARS AND 00/100 in hand paid, CONVEY and WARRANT to JAMES TULLIO, of 1477 Scott, Winnetka, Illinois, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Subject to: general real estate taxes not due and payable at the time of closing; covenants, conditions, and restrictions of record; building lines and easements, if any; so long as they do not interfere with the current use and enjoyment of the Real Estate.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois, TO HAVE AND TO HOLD said premises forever.

Permanent Real Estate Index Number: 11-19-304-001-0000

Address of Real Estate: 1224-28 WASHINGTON STREET, EVANSTON, ILLINOIS

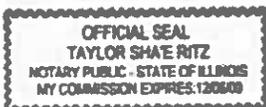
DATED this 7 day of May, 2006

G. S. Sproull
G. ERIC SPROULL

Heidi J. Sproull
HEIDI J. SPROULL

STATE OF ILLINOIS, COUNTY OF COOK ss. I, the undersigned, a Notary Public in and for said County, in the State of Illinois, DO HEREBY CERTIFY that G. ERIC SPROULL and HEIDI J. SPROULL, Husband and Wife, are known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 7 day of May, 2006.



Taylor S. Ritz
Notary Public

This instrument prepared by: Mary M. York, Attorney at Law, 4001 N. Wolcott Avenue, Chicago, Illinois 60613

CITY OF EVANSTON
Real Estate Transfer Tax
City Clerk's Office

PAID JUN 09 2006 AMOUNT \$ 2450.00
Agent MM

STATE TAX
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE
JUN. 14. 06

COOK COUNTY
REAL ESTATE TRANSACTION TAX
REVENUE STAMP
JUN. 14. 06

REAL ESTATE TRANSFER TAX
000002815
0028500
FP 103042

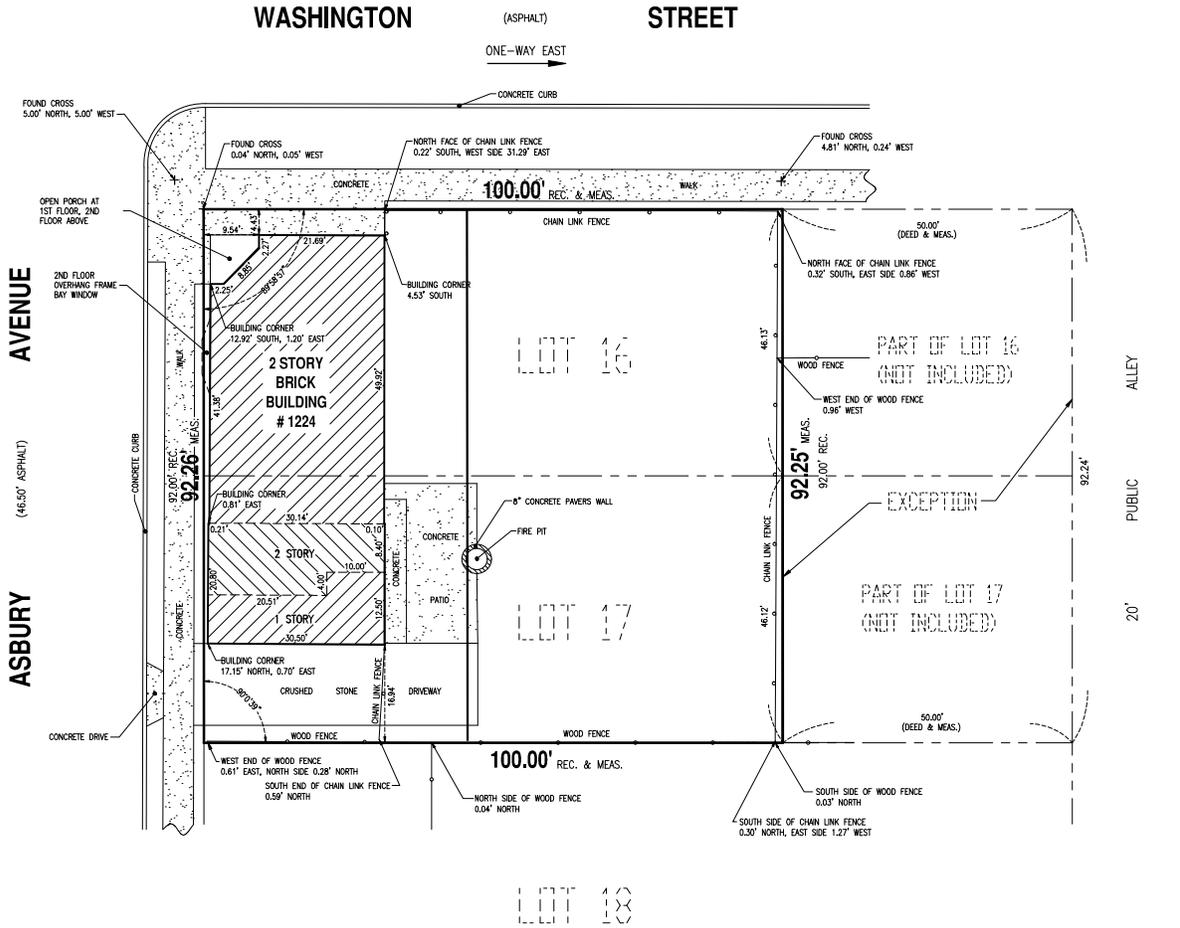
000005603
REAL ESTATE TRANSFER TAX
FP 328689
0053000

PLAT of SURVEY

LEGAL DESCRIPTION:

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1224 WASHINGTON STREET, EVANSTON, ILLINOIS.



SITE NOTES:
Area of surveyed property = 9,225 sq. ft.

GENERAL NOTES:
All information provided to the surveyor is shown or noted herein.

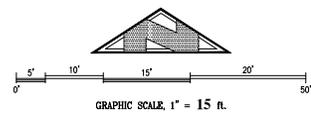
The legal description on this plat was provided to us by the client or obtained from public records and should be compared to your Deed, Abstract or Certificate of Title. This plat and the legal description shown hereon does not determine, imply or guarantee ownership.

Prior to excavation call J.U.L.I.E. at 811 or 800-892-0123

All building restrictions, building lines and easements may or may not be shown. Check your Deed, Abstract, Title Report, and local ordinances. No responsibility is assumed by the surveyor.

Compare all points before building by same and report any discrepancy at once.

Dimensions are shown in feet and decimal parts thereof. No dimension is to be assumed by scaling.



B.H. SUHR & COMPANY, INC.	
SURVEYORS ESTABLISHED 1911 450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 TEL. (847) 864-6315 / FAX (847) 864-9341 E-MAIL: SURVEYOR@BHSUHR.COM	Professional Design Firm License No. 184.008027-0008
LOCATION 1224 WASHINGTON STREET	SURVEY DATE AUGUST 6, 20 21
ORDER No. 21-146	ORDERED BY JIM TULLIO
AA/FC © 2021 B. H. Suhr & Company, Inc. All rights reserved.	

FIELD MEASUREMENTS COMPLETED AUGUST 6, 20 21

STATE OF ILLINOIS
COUNTY OF COOK) ss.

This professional service conforms to the current Illinois Minimum Standards for a boundary survey.

By *Raymond R. Hansen* Dated AUGUST 18, 20 21

Raymond R. Hansen
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

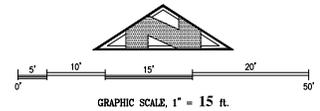
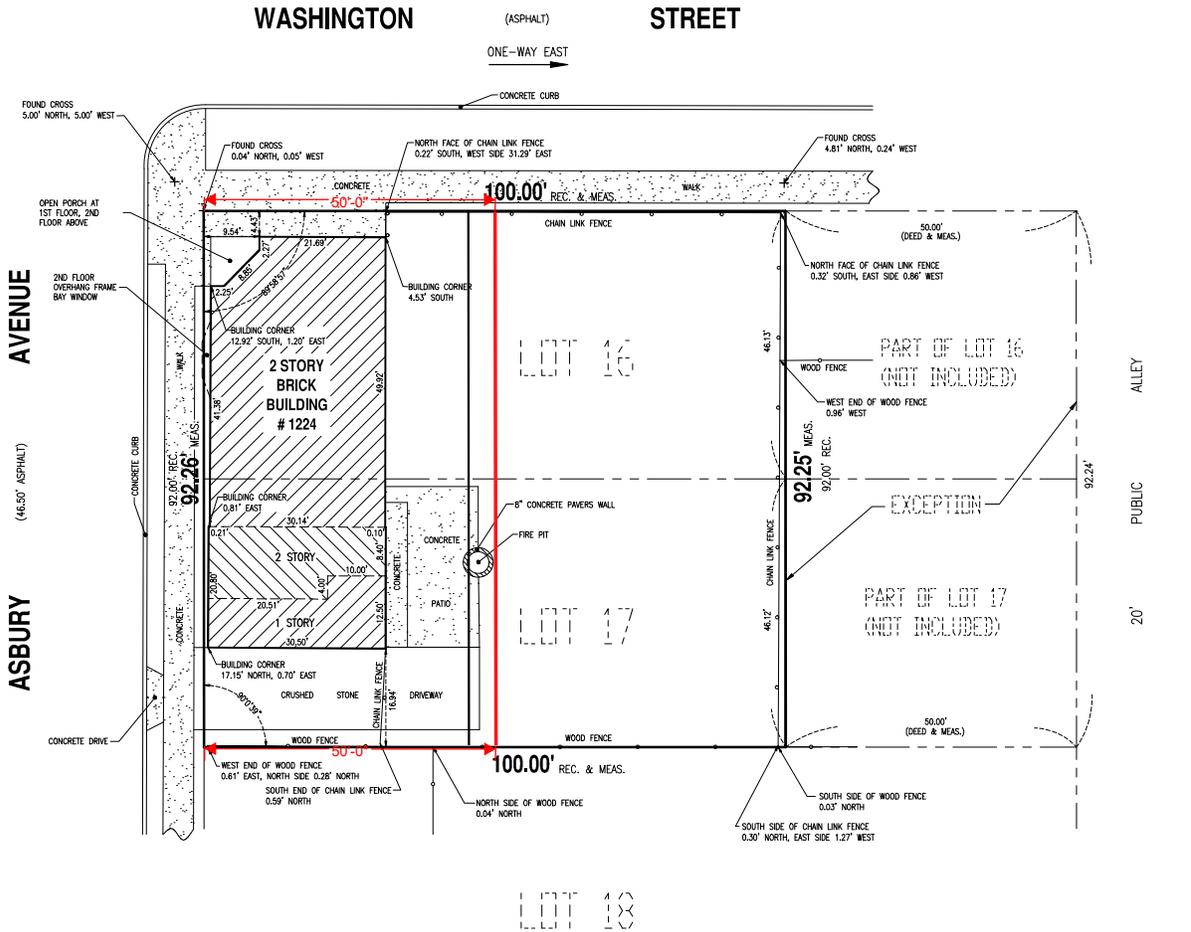


PLAT of SURVEY

LEGAL DESCRIPTION:

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1224 WASHINGTON STREET, EVANSTON, ILLINOIS.



SITE NOTES:
Area of surveyed property = 9,225 sq. ft.

GENERAL NOTES:
All information provided to the surveyor is shown or noted herein.

The legal description on this plat was provided to us by the client or obtained from public records and should be compared to your Deed, Abstract or Certificate of Title. This plat and the legal description shown hereon does not determine, imply or guarantee ownership.

Prior to excavation call J.U.L.I.E. at 611 or 800-892-0123

All building restrictions, building lines and easements may or may not be shown. Check your Deed, Abstract, Title Report, and local ordinances. No responsibility is assumed by the surveyor.

Compare all points before building by same and report any discrepancy at once.

Dimensions are shown in feet and decimal parts thereof. No dimension is to be assumed by scaling.

B.H. SUHR & COMPANY, INC.	
SURVEYORS ESTABLISHED 1911	
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062	
TEL. (847) 864-8315 / FAX (847) 864-9344	
E-MAIL: SURVEYOR@BHSUHR.COM	
Professional Design Firm License No. 184.008027-0008	
LOCATION 1224 WASHINGTON STREET	SURVEY DATE AUGUST 6, 20 21
ORDER No. 21-146	ORDERED BY: JIM TULLIO
AA/FC © 2021 B. H. Suhr & Company, Inc. All rights reserved.	

FIELD MEASUREMENTS COMPLETED AUGUST 6, 20 21

STATE OF ILLINOIS }
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By  Dated AUGUST 18, 20 21

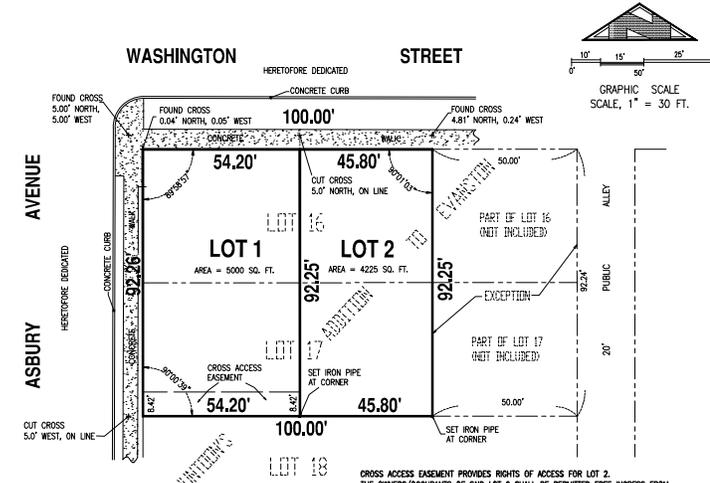
Raymond R. Hansen
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22



TULLIO RESUBDIVISION OF

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PRELIMINARY 10-25-21



OWNER'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, Jim Tullio, do hereby certify that I am the legal owner of the property described hereon and that I have caused the same to be surveyed for the purpose of resubdividing it into two (2) lots as shown hereon.

Dated this _____ day of _____, A.D., 20 ____.
Signed: _____ Printed: _____

NOTARY'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jim Tullio, personally known to me the same person whose name is subscribed to the foregoing instrument as the Title Owner of record of said property, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this _____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

MORTGAGEE CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

_____, as Mortgagee under the provisions of a certain mortgage recorded in the Recorder's Office of Cook County, Illinois, as Document No. _____, does hereby consent to the Plat of Resubdivision hereon drawn.

Dated this _____ day of _____, A.D., 20 ____.
Signed: _____ Attest _____

NOTARY CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of _____, personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such _____ and _____ respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, not individually, but solely as Mortgagee, as aforesaid, for the uses and purposes therein set forth, and the _____ did also then and there acknowledge that they, as Custodian of the Corporate Seal of said Corporation, did affix the Corporate Seal to the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, as Mortgagee, as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this _____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

COUNTY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, County Clerk of Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the described property and shown on the plat hereon drawn.

Dated this _____ day of _____, A.D., 20 ____.
Signed: _____
Cook County Clerk

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this _____ day of _____, A.D., 20 ____.
Signed: _____
Director of Community Development

DIRECTOR OF PUBLIC WORKS CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this _____ day of _____, A.D., 20 ____.
Signed: _____
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, Chief Financial Officer for the City of Evanston, Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the plat hereon drawn.

Dated this _____ day of _____, A.D., 20 ____.
Signed: _____
Chief Financial Officer

CORPORATION COUNSEL CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this _____ day of _____, A.D., 20 ____.
Signed: _____
Corporation Counsel

CITY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved by the Council of the City of Evanston, Illinois, at a meeting held on this _____ day of _____, A.D., 20 ____, in witness whereof, I set my hand and affix the Corporate Seal of said City, this _____ day of _____, A.D., 20 ____.
Signed: _____
City Clerk of Evanston, Illinois

LAND SURVEYOR'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of resubdividing it into two (2) lots as shown hereon.

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Dimensions are shown in feet and decimal parts thereof and are correct at 62 degrees Fahrenheit.

It further certifies that the property shown hereon is not situated in a special flood hazard area as identified by the Federal Emergency Management Agency, as per Flood Insurance Rate Map 17031C0265J of Community Number 170090, Panel No. 0265 J, effective date August 19, 2008, Zone "X" (unshaded) Area of Minimal Flood Hazard.

Dated at Northbrook, Illinois, this _____ day of _____, A.D., 20 ____.
Signed: _____

PRELIMINARY 10-25-21

RAYMOND R. HANSEN
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911 Professional Design Firm
450 SKOKIE BLVD, SUITE 105, NORTHBROOK, ILLINOIS, 60062 License No. 184.000027-0008
TEL. (847) 864-6315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION 1224 WASHINGTON STREET SURVEY DATE, OCTOBER... 20 21
ORDER No. 21-146-S ORDERED BY: JIM TULLIO

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EXISTING P.I.N.
11-19-304-001-0000

SEND TAX BILL TO:
JIM TULLIO
1224 WASHINGTON STREET
EVANSTON, IL 60202

SUBMITTED BY AND RETURN PLAT TO:

CITY OF EVANSTON
DEPARTMENT OF PUBLIC WORKS
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60204

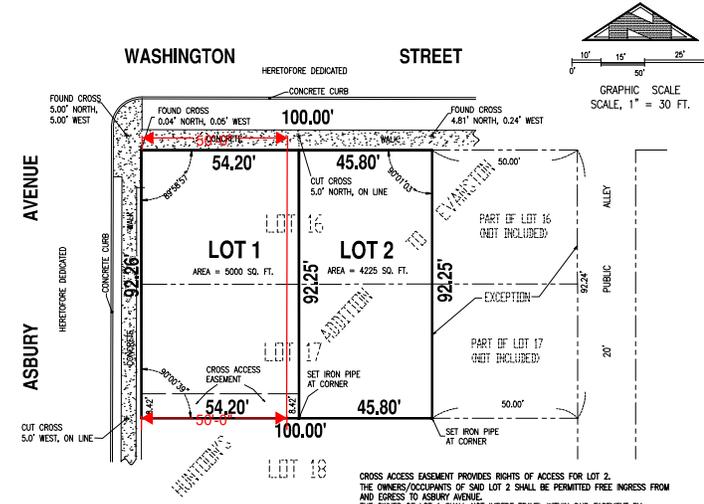
PRELIMINARY 10-25-21

TULLIO RESUBDIVISION

OF

PRELIMINARY 10-25-21

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



COUNTY CLERK CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, _____, County Clerk of Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the described property and shown on the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____
Cook County Clerk

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Director of Community Development

DIRECTOR OF PUBLIC WORKS CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, _____, Chief Financial Officer for the City of Evanston, Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____
Chief Financial Officer

CORPORATION COUNSEL CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Corporation Counsel

CITY CLERK CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

Approved by the Council of the City of Evanston, Illinois, at a meeting held on this ____ day of _____, A.D., 20 ____, in witness whereof, I set my hand and affix the Corporate Seal of said City, this ____ day of _____, A.D., 20 ____.

Signed: _____
City Clerk of Evanston, Illinois

LAND SURVEYOR'S CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of resubdividing it into two (2) lots as shown hereon.

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Dimensions are shown in feet and decimal parts thereof and are correct at 62 degrees Fahrenheit.

It further certifies that the property shown hereon is not situated in a special flood hazard area as identified by the Federal Emergency Management Agency, as per Flood Insurance Rate Map 17031C0265J of Community Number 170090, Panel No. 0265 J, effective date August 19, 2008, Zone "X" (unshaded) Area of Minimal Flood Hazard.

Dated at Northbrook, Illinois, this ____ day of _____, A.D., 20 ____.

Signed: **PRELIMINARY 10-25-21**
RAYMOND E. HANSEN
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

OWNER'S CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, Jim Tullio, do hereby certify that I am the legal owner of the property described hereon and that I have caused the same to be surveyed for the purpose of resubdividing it into two (2) lots as shown hereon.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____ Printed: _____

NOTARY'S CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jim Tullio, personally known to me the same person whose name is subscribed to the foregoing instrument as the Title Owner of record of said property, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.

Signed: _____ Notary Public

MORTGAGEE CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

_____, as Mortgagee under the provisions of a certain mortgage

recorded in the Recorder's Office of Cook County, Illinois, as Document No. _____, does hereby consent to the Plat of Resubdivision hereon drawn.

Dated this _____, day of _____, A.D., 20 ____.

Signed: _____ Attest _____

NOTARY CERTIFICATE:
STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of _____, personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, not individually, but solely as Mortgagee, as aforesaid, for the uses and purposes therein set forth, and the _____ did also then and there acknowledge that they, as Custodian of the Corporate Seal of said Corporation, did affix the Corporate Seal to the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, as Mortgagee, as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.

Signed: _____ Notary Public

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911 Professional Design Firm
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 License No. 184.008027-0008
TEL. (847) 864-8315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION 1224 WASHINGTON STREET SURVEY DATE: OCTOBER... 20 21
ORDER No. 21-146-S ORDERED BY: JIM TULLIO

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EXISTING P.I.N.
11-19-304-001-0000

SEND TAX BILL TO:
JIM TULLIO
1224 WASHINGTON STREET
EVANSTON, IL. 60202

SUBMITTED BY AND RETURN PLAT TO:

CITY OF EVANSTON
DEPARTMENT OF PUBLIC WORKS
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60204

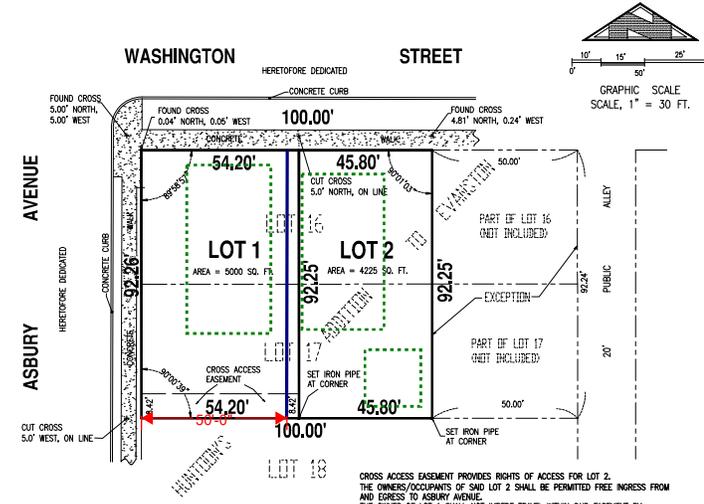
PRELIMINARY 10-25-21

TULLIO RESUBDIVISION

OF

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PRELIMINARY 10-25-21



COUNTY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, County Clerk of Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the described property and shown on the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____
Cook County Clerk

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Director of Community Development

DIRECTOR OF PUBLIC WORKS CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, Chief Financial Officer for the City of Evanston, Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____
Chief Financial Officer

CORPORATION COUNSEL CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Corporation Counsel

CITY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved by the Council of the City of Evanston, Illinois, at a meeting held on this ____ day of _____, A.D., 20 ____, in witness whereof, I set my hand and affix the Corporate Seal of said City, this ____ day of _____, A.D., 20 ____.
Signed: _____
City Clerk of Evanston, Illinois

LAND SURVEYOR'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of resubdividing it into two (2) lots as shown hereon.

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Dimensions are shown in feet and decimal parts thereof and are correct at 62 degrees Fahrenheit.

It further certifies that the property shown hereon is not situated in a special flood hazard area as identified by the Federal Emergency Management Agency, as per Flood Insurance Rate Map 17031C0265J of Community Number 170090, Panel No. 0265 J, effective date August 19, 2008, Zone "X" (unshaded) Area of Minimal Flood Hazard.

Dated at Northbrook, Illinois, this ____ day of _____, A.D., 20 ____.

Signed: **PRELIMINARY 10-25-21**
RAYMOND E. HANSEN
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

OWNER'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, Jim Tullio, do hereby certify that I am the legal owner of the property described hereon and that I have caused the same to be surveyed for the purpose of resubdividing it into two (2) lots as shown hereon.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____ Printed: _____

NOTARY'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jim Tullio, personally known to me the same person whose name is subscribed to the foregoing instrument as the Title Owner of record of said property, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

MORTGAGEE CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

_____, as Mortgagee under the provisions of a certain mortgage

recorded in the Recorder's Office of Cook County, Illinois, as Document No. _____, does hereby consent to the Plat of Resubdivision hereon drawn.

Dated this _____, day of _____, A.D., 20 ____.
Signed: _____ Attest _____

NOTARY CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of _____, personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, not individually, but solely as Mortgagee, as aforesaid, for the uses and purposes therein set forth, and the _____ did also then and there acknowledge that they, as Custodian of the Corporate Seal of said Corporation, did affix the Corporate Seal to the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, as Mortgagee, as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911 Professional Design Firm
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 License No. 184.008027-0008
TEL. (847) 864-8315 / FAX (847) 864-9341
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LOCATION 1224 WASHINGTON STREET SURVEY DATE, OCTOBER... 20 21
ORDER No. 21-146-S ORDERED BY: JIM TULLIO

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EXISTING P.I.N.
11-19-304-001-0000

SEND TAX BILL TO:
JIM TULLIO
1224 WASHINGTON STREET
EVANSTON, IL. 60202

SUBMITTED BY AND RETURN PLAT TO:

CITY OF EVANSTON
DEPARTMENT OF PUBLIC WORKS
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60204

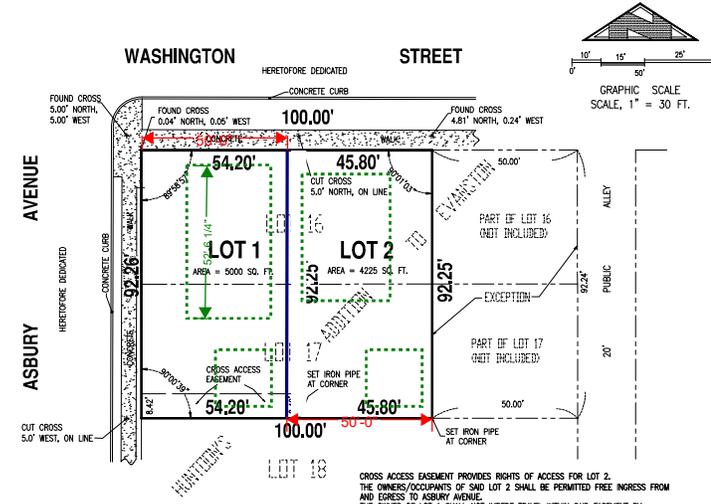
PRELIMINARY 10-25-21

TULLIO RESUBDIVISION

OF

PRELIMINARY 10-25-21

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



COUNTY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, County Clerk of Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the described property and shown on the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____
Cook County Clerk

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Director of Community Development

DIRECTOR OF PUBLIC WORKS CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, Chief Financial Officer for the City of Evanston, Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____
Chief Financial Officer

CORPORATION COUNSEL CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.
Signed: _____
Corporation Counsel

CITY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved by the Council of the City of Evanston, Illinois, at a meeting held on this ____ day of _____, A.D., 20 ____, in witness whereof, I set my hand and affix the Corporate Seal of said City, this ____ day of _____, A.D., 20 ____.
Signed: _____
City Clerk of Evanston, Illinois

LAND SURVEYOR'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of resubdividing it into two (2) lots as shown hereon.

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Dated at Northbrook, Illinois, this ____ day of _____, A.D., 20 ____.

Signed: **PRELIMINARY 10-25-21**
RAYMOND E. HANSEN
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

OWNER'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, Jim Tullio, do hereby certify that I am the legal owner of the property described hereon and that I have caused the same to be surveyed for the purpose of resubdividing it into two (2) lots as shown hereon.

Dated this ____ day of _____, A.D., 20 ____.
Signed: _____ Printed: _____

NOTARY'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jim Tullio, personally known to me the same person whose name is subscribed to the foregoing instrument as the Title Owner of record of said property, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

MORTGAGEE CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

_____, as Mortgagee under the provisions of a certain mortgage

recorded in the Recorder's Office of Cook County, Illinois, as Document No. _____, does hereby consent to the Plat of Resubdivision hereon drawn.

Dated this _____, day of _____, A.D., 20 ____.
Signed: _____ Attest _____

NOTARY CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of _____, personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, not individually, but solely as Mortgagee, as aforesaid, for the uses and purposes therein set forth, and the _____ did also then and there acknowledge that they, as Custodian of the Corporate Seal of said Corporation, did affix the Corporate Seal to the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, as Mortgagee, as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.
Signed: _____ Notary Public

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911 Professional Design Firm
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 License No. 184.008027-0008
TEL. (847) 864-8315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION 1224 WASHINGTON STREET SURVEY DATE, OCTOBER... 20 21
ORDER No. 21-146-S ORDERED BY: JIM TULLIO

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EXISTING P.I.N.
11-19-304-001-0000

SEND TAX BILL TO:
JIM TULLIO
1224 WASHINGTON STREET
EVANSTON, IL. 60202

SUBMITTED BY AND RETURN PLAT TO:

CITY OF EVANSTON
DEPARTMENT OF PUBLIC WORKS
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60204

PRELIMINARY 10-25-21

City of Evanston

ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: Pending Review January 28, 2022

RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 21ZONA-0089

Purpose: Zoning Analysis without Bld Permit App

Address: 1224 WASHINGTON ST

District: R3

Overlay: None

Preservation: Not Within

Applicant: James Tullio

Reviewer: Katie Ashbaugh

District:

Phone: 8476481024

THIS APPLICATION PROPOSES (select all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> New Principal Structure | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Sidewalk Cafe |
| <input type="checkbox"/> New Accessory Structure | <input type="checkbox"/> Retention of Use | <input type="checkbox"/> Other |
| <input type="checkbox"/> Addition to Structure | <input checked="" type="checkbox"/> Plat of Resubdiv./Consol. | |
| <input type="checkbox"/> Alteration to Structure | <input type="checkbox"/> Business License | |
| <input type="checkbox"/> Retention of Structure | <input type="checkbox"/> Home Occupation | |

ANALYSIS BASED ON:

Plans Dated:

Prepared By:

Survey Dated: 8/18/2021

Existing

2-story brick bldg, concrete patio,

Improvements:

gravel driveway

Proposal Description:

2-Lot Split of one 9,226 s.f., 100-foot wide lot into two 4,613 s.f., 50 ft. wide lots

ZONING ANALYSIS

RESIDENTIAL DISTRICT CALCULATIONS

The following three sections apply to building lot coverage and impervious surface calculations in Residential Districts.

Front Porch Exception (Subtract 50%)

Total Eligible
Front
Front Porch
Regulatory Area

Pavers/Pervious Paver Exception (Subtract

Total Paver Area
Paver Regulatory Area

Open Parking Debit (Add 200sqft/open space

Open Required Spaces
Addtn. to Bldg Lot Cov.

PRINCIPAL USE AND STRUCTURE

	Standard	Existing	Proposed	Determination
USE:	R3	Dwelling - SF Detached	Dwelling - SF Detached	Compliant
Comments: No change; Corner lot only				
Minimum Lot Width (LF)	35	100	50	Compliant
USE: Single Family Detached				
Comments: Corner lot only				
Minimum Lot Area (SF)	5,000 sqft	9226	4613	Compliant
USE: Single Family Detached				
Comments: Corner lot only				
Dwelling Units:	1	1	1	Compliant
Comments:				
Building Lot Coverage (SF) (defined, including subtractions& additions):	2075.85	2090 22.653370908302623%	2090 45.306741816605246%	Non-Compliant
Comments: Corner lot only				
Impervious Surface Coverage (SF, %)	2767.8	3470 37.6%	3600 78.04032083243008%	Non-Compliant
Comments: Corner lot only				

	Standard	Existing	Proposed	Determination
Height (FT) Comments:				No Change
Front Yard(1) (FT) Direction: N Street: Washington Comments: No change; Corner lot only	27	4.43'		Legal Non-Conforming
Street Side Yard (FT) Direction: W Street: Asbury Comments: No change; Corner lot only	15	0.7'		Legal Non-Conforming
Interior Side Yard(1) (FT) Direction: E Comments:	5	68.8'	16.17'	Compliant
Rear Yard (FT) Direction: S Comments: No change; Corner lot only	30	16.94'		Legal Non-Conforming

MISCELLANEOUS REQUIREMENTS

	Standard	Existing	Proposed	Determination
Requirement (1): Sec 6-8-4-4, Min. Lot Size Comments: Interior lot only	5000 s.f.	9226 s.f.	4613 sf	Non-Compliant
Requirement (2): Comments:				
Requirement (3): Comments:				

COMMENTS AND/OR NOTES

Analysis Comments

RESULTS OF ANALYSIS

Results of Analysis: This Application is **Non-Compliant**
 Site Plan & Appearance Review Committee approval is: **Required**
 See attached comments and/or notes.



 SIGNATURE

1/28/2022

 DATE

III. OLD BUSINESS:

A. 1224 Washington Street

Recommendation to LUC

James Tullio, property owner, requests various zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The zoning relief requested is as follows: to allow both the proposed corner and interior lots to be 4,613 square feet where a minimum of 5,000 square feet is required for a single family residence (Section 6-8-4-4); to allow the proposed corner lot a building lot coverage of 2,090 square feet or 45.3% where a maximum of 2,076 square feet is permitted (Section 6-8-4-6); to allow the proposed corner lot an impervious surface lot coverage of approximately 3,600 square-feet or 78.04% where the maximum permitted is 2,767.8 square-feet or 60% is permitted (Section 6-8-4-9), and a 2.8' interior side yard setback for an accessory structure (existing patio) where 5' is required [Section 6-8-4-7(C)(3)]. The subject property is currently improved with one two-story building, a driveway, and patio. The Land Use Commission makes a final determination on these requests per Section 6-3-8-10 of the Evanston Zoning Ordinance and Ordinance 92-O-21. The City Council shall consider the draft plat of subdivision per Section 4-11-1 of the Evanston Building Code, should the Land Use Commission approve the aforementioned variations from the Evanston Zoning Ordinance.

APPLICATION PRESENTED BY: James Tullio, property owner

DISCUSSION:

- Mr. James Tullio described his non-profit music production studio for high school students that he operates at his home on the subject property. He again noted that there are many lots in Evanston that are less than 5,000 square feet in area.
- Mr. Tullio said he had never had a drainage problem and that if a new home were built on the property that they would still have “plenty of land”.
- K. Ashbaugh summarized the discussion at the January 12, 2022 Land Use Commission (LUC) meeting where a prior version of the proposed subdivision was considered. She said they were not comfortable taking a vote on the proposed subdivision with one 5,000 square foot lot and one 4,226 square foot lot and asked staff to evaluate making both lots the same size so they would be closer to compliance with the 5,000 square foot minimum.
- K. Ashbaugh said the subdivision as requested by the LUC did result in 2 additional variations for the corner lot for a total of 3 in addition to the lot size variation where only 1 was required with the original subdivision.
- L. Biggs acknowledged Mr. Tullio’s issues but reiterated that flooding is an issue in the City and the purpose of the adoption of the Climate Action Resiliency Plan was to mitigate that, and that it was not in the best interest of the community to create a substandard lot or lots.
- M. Jones cited Zoning Administrator Melissa Klotz’s memo to the Land Use Commission and her suggested conditions of approval to prohibit any variations

from being granted with relation to building and impervious surface lot coverage requirements for either lot.

- M. Jones said that the potential to build a smaller home on a smaller lot would add to affordable housing stock.
- L. Biggs said that the existing lot was still very much out of conformance with building and impervious surface lot coverage.
- K. Ashbaugh concurred with M. Jones and reiterated that the LUC wanted staff to show potential building footprints on the proposed lots. She noted that both lots would also still be limited to a single-family dwelling for land use.
- J. Nyden said she was also at the LUC meeting and said they very much wanted a way to approve this request. She said they were receptive to the conditions prepared by the Zoning Administrator, which included a “no build” letter for the corner lot in its current state.
- J. Nyden asked Mr. Tullio if he was okay with the conditions as proposed.
- Mr. Tullio said he was.
- M. Griffith asked if there had been discussion about removing the concrete patio and replacing it with permeable pavers.
- Mr. Tullio said there had not been but he was okay with it.
- C. Pratt asked how much impervious surface it would take away in total.
- M. Griffith said it would shave off a few percentage points.
- K. Ashbaugh added that the existing driveway is still crushed stone/gravel and that when she prepared the notice for the relief, she considered it as pavement as it is required to be paved eventually and not continuously maintained as gravel.
- There was discussion regarding the required pavement material for the driveway and a request for clarification on when it needs to be paved with a hard surface.
- A. Schnur clarified when the driveway would need to be hardscaped eventually and asked Mr. Tullio who would be responsible for snow removal on the easement.
- Mr. Tullio said that he shoveled the driveway because the car is parked there and it needs to be cleared to get out.
- A. Schnur asked if the City was going to require him to bring the driveway into compliance with the current code.
- J. Nyden suggested we move forward with the conditions as discussed from the Zoning Administrator and the change from concrete to permeable pavers for the patio.
- K. Ashbaugh stated that the Land Use Commission also had asked staff to consider the traffic impact of allowing a curb cut onto Washington Street on the interior lot.
- L. Biggs noted that allowing a curb cut on Washington to lead to a rear detached garage would be counterproductive to one of the conditions of approval suggested by the Zoning Administrator as it would require even more pavement and likely result in the need for a variation from the impervious surface lot coverage on the interior lot.
- J. Nyden and I. Eckersberg concurred.

M. Griffith made a motion to recommend approval to the Land Use Commission, with the conditions below, seconded by J. Hyink:

- 1. that the new interior lot not be granted any building lot coverage or impervious surface lot coverage variations;**
- 2. that if the existing structure on the corner lot is ever removed, any new structure comply with the current Zoning Code;**
- 3. that no curb cut be added to Washington Street for either lot, and**
- 4. that the existing concrete patio on the corner lot is replaced with permeable pavers**

The Committee voted 8-3 by roll call vote to recommend approval to the Land Use Commission, with the aforementioned conditions.

Ayes: J. Nyden, M. Griffith, M. Jones, A. Schnur, M. Tristan, R. Papa, I. Eckersberg, J. Hyink

Nays: E. Cano, L. Biggs, C. Pratt

Abstained:

**SITE PLAN AND APPEARANCE REVIEW COMMITTEE (SPAARC)
MEETING NOTES
August 30, 2006**

Attendees:

Committee Members: Carolyn Brzezinski, Jeff Cory, Paul D'Agostino, Rajeev Dahal, Arlova Jackson, David Jennings, Dennis Marino, Sat Nagar, James Pickett, James Wolinski

Citizen Member: Tad Cook

Other Staff: Frank Aguado, Brian Barnes, Ingrid Eckersberg, Susan Guderley, Walter Hallen, Bobbie Newman, Morris Robinson, Carlos Ruiz, Tom Jackson (for David Stoneback)

Chair Brzezinski began the meeting at 2:35p.m.

The Committee voted to approve the 8/23/06 Meeting Notes by a majority.

Projects Reviewed:

SPAARC	410 South Boulevard	Preliminary and Final
<i>Construct a 3-unit multiple family dwelling and detached garage</i>		

PROJECT REPRESENTED BY: Mike Greco Architect
Gary DeStefano Developer

GENERAL PROJECT PRESENTATION/DISCUSSION:

Mr. DeStefano presented plans to tear down a 1-story farmhouse on a 50' X 150' lot and build a 2-5 story structure with 3 units: a 36' X 63' front and rear duplex, and a larger unit over the top of both. Lot is bounded by a cemetery in the rear (south), townhouses on the east and a rental building on the west. Entrance to the units would be on the West side of building with French doors to balconies across front.

Materials:

- Front solid masonry; red brick with herringbone brick pattern and Limestone; Buff Renaissance Stone
- Balconies: Painted Steel Railings (black or bronze)
- Windows and Doors: Simulated Divided lights; Aluminum clad wood.
- Parking: 3 Spots in Garage with one additional spot on a lift system)
- Lighting: Side entry to be well lit to highlight importance; Landscape lighting along path
- Water: 1 meter; Fully sprinklered; mechanical water pump at base of stairwell; Flow Test to be administered

ACTION:

The Committee voted unanimously, to approve Preliminary and Final Plan.

Lighting:

- Security lights around perimeter with sharp shield for adjacent neighbors
- Alley currently lit

Water:

- 3" Cast iron pipe
- Committee suggested basement back-ups, interior downspouts for flood protection in case of heavy rainfall
- Architect is meeting with Water Dept.

Configuration:

1st Floor units will become duplex utilizing basements

Front Elevation:

- Restoring original entries
- Parapets will be repaired
- Mr. Ruiz advised matching mortar composition with original; Do NOT use harder mortar

Landscaping:

- Keeping original landscaping
- Committee suggested more perennial planting beds to suggest ownership rather than rental.
- Pathway: Concrete
- Committee suggested if replacing, use pavers
- Landscaping plan to be submitted

Parking:

- 8 spots in back

Condenser Units:

- In compliance: On roof, 10' from edge
- Committee suggested isolation pads to insulate top units from noise

Trash cans at edge of alley

ACTION:

The Committee voted unanimously to approve plan for concept.

SPAARC 1224 Washington Street Recommendation to ZBA

Re-subdivide one zoning lot into two

PRESENTED BY: Jim Tullio Owner

GENERAL DISCUSSION:

Mr. Tullio presented plan to convert a storefront into a residence and divide his lot into two:

Variance:

- The property is 9400 sq. ft.; 5,000 required for individual lot. Smaller lot: Asking for 47% coverage versus 45% allowed; Larger lot: Asking for 68% coverage; versus 60% allowed
- His residence would be the smaller lot

Appearance:

- Committee suggested he get neighbors' approval
- Try to replace glass area with glass, rather than bricking in

ACTION:

SPAARC Meeting Notes – August 30, 2006

Page 3

Mr. James followed up on the following issues discussed at his previous SPAARC review:

- He obtained 100% approval from neighbors
- Numerous homes in the community have 25' lots (existing non-conforming)
- His lot would be 34% used for dwelling; not a zoning variance
- Variance:
 - 3' setback versus 5' required
 - 5,400 sq. ft. for 2 residences versus 7,000 sq. ft required
- 6' Between buildings to address issue of Fire Dept. (prefer 10'); Most in neighborhood 6'
- Committee:
 - feels he is trying to "overbuild" on lot
 - Wants to see investment/effort of an architectural drawing
 - Show hardship that makes it difficult to build one dwelling

ACTION:

Committee voted by majority (with one opposed) to deny recommendation to ZBA.

The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Bobbie Newman
Exec. Sec., Planning Division



CITY OF EVANSTON
DEPARTMENT OF COMMUNITY DEVELOPMENT, ZONING DIVISION

2100 RIDGE AVENUE # 3700 EVANSTON, ILLINOIS 60201
847/866-2930 FAX: 847/448-8120

E-MAIL:
ZONING@CITYOFEVANSTON.ORG

CITY WEB SITE:
HTTP://WWW.CITYOFEVANSTON.ORG

October 5, 2006

Jim Tullio
1224 Washington Street
Evanston, IL 60202

RE: TRANSCRIPT AND INVOICE FOR ZBA 06-56-V(F) 1224 WASHINGTON STREET

Dear Jim,

I am enclosing a copy of the September 19, 2006 decision of the Zoning Board of Appeals in ZBA 06-56-V(F) in response to your variation request. The Zoning Board of Appeals denied this zoning relief as stated in the approval letter. Also enclosed is a copy of the hearing transcript and an invoice for transcript fees.

Please, feel free to contact me at 847/866-2930 or ajackson@cityofevanston.org with any comments, questions or Please refer to the Zoning Ordinance or the City Code in their entirety for a full understanding of what is permitted or prohibited. Please, visit the City's website at <http://www.cityofevanston.org>. This website provides access to the entire City Code, including the Zoning Ordinance.

Sincerely,

Arlova Jackson
Interim Zoning Administrator, City of Evanston
Zoning Division, Community Development Department

Enclosures

October 2, 2006

**ZONING BOARD OF APPEALS' DECISION
REGARDING 1224-1228 WASHINGTON STREET
CASE ZBA 06-56-V(F);
HEARD SEPTEMBER 19, 2006.**

Based on the application, submitted documents, testimony, and upon the deliberations and findings contained in the transcript of the hearing, the Zoning Board of Appeals denies the application by James Tullio, propertyowner, for variations to Sections 6-8-4-4, 6-8-4-6, and 6-8-4-9 for 1224-1228 Washington Street in the R3, Two-Family Residential district. The property owner requested zoning relief to subdivide one lot of record improved with an existing structure into two lots of record. The Zoning Ordinance requires a minimum lot size of 5,000 square feet for single family dwellings, whereas the proposed lot size is approximately 4,159.8 square feet. In addition, the proposed subdivision will raise building lot coverage and impervious surface area for the improved lot to 50.8% and 68%, respectively. The Zoning Ordinance limits building lot coverage and impervious surface area to 45% and 60%, respectively, in the R3 district.

This decision is final and appealable within the meaning of the Illinois Administrative Review Act, 735 ILCS 5/3-101, et seq. That Act grants certain rights, among which is the right to appeal this decision to the Circuit Court. Any such appeal must be filed within 35 days from the date this decision was served upon you.

Robert A. Creamer, Chair
Zoning Board of Appeals

Date

Voting Aye (on motion to approve):

Wilson.

Voting Nay:

Creamer, Rodgers, Fox, Summers.

Abstaining:

None.

Absent:

Sutton, Frischer.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

JAMES TULLIO

v.

CITY OF EVANSTON

06-M2 2916

No.

06 M2 00887

AGREED ORDER

THIS CAUSE COMING TO BE HEARD FOR STATUS ALL PARTIES HAVING GIVE NOTICE AND ADVISING THE COURT OF THEIR AGREEMENT TO DISMISS THE MATTER AND THE COURT BEING OTHERWISE FULLY ADVISED IN THE PREMISES

IT IS HEREBY ORDERED THAT THIS MATTER IS DISMISSED

8006

[Signature]
ATTY FOR TULLIO

[Signature]
ATTY FOR CO. EVANSTON

Atty. No.: 13809
Name: TOM MITCHELL
Atty. for: JAMES TULLIO
Address: 870 AVALON # 500
City/State/Zip: EVANSTON IL 60201
Telephone: (847) 475-3091

ENTERED:

Dated: _____

Judge _____

ENTERED
JUL 27 2007
DOROTHY BROWN
CLERK OF CIRCUIT COURT
Judge's No. _____

Land Use Commission
Recommending Body

1706 – 10 Sherman Avenue
Major Variation for
Parking Reduction



Memorandum

To: Members of the Land Use Commission

From: Johanna Nyden, Director of Community Development
Katie Ashbaugh, Planner

Subject: 1706-10 Sherman Avenue | 21ZMJV-0095
Land Use Commission | Recommending Body

Date: February 18, 2022

Notice – Published in the February 3, 2022 Edition of the *Evanston Review*.

Steven Rogin, The Varsity LLC, and Chris Dillion, Campbell Coyle, request a Major Variation from the Evanston Zoning Ordinance to allow two on-site parking stalls where 28* are required (Section 6-16-3-5, Table 16-B) for the addition of 35 upper floor apartments within the existing 4-story building, formerly known as The Varsity Theater, in the D2 Downtown Retail Core District. The co-applicants also propose to maintain +/- 9,850 square feet of ground-floor commercial space within the existing building. No changes to building height or footprint are proposed. The Land Use Commission makes a recommendation to the City Council, the determining body for this case per Section 6-3-8-10 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

**A scrivener's error in the notice stated 26, not 28 stalls were required. A count of 28 parking stalls is the correct requirement.*

Recommendation:

Staff and the Design and Project Review Committee (DAPR) recommend approval of a Major Variation to allow the two (2) on-site parking stalls where 28 are required, with the condition that the applicant lease 16 additional parking stalls off-site for a total of 18 stalls where 26 are required. Please see the DAPR Discussion and Recommendation section of this report.

Site Background:

The property, 1706-10 Sherman Avenue, is located at the west side of Sherman Avenue, just north of the intersection with Church Street. It is located within a Transit Oriented Development (TOD) Area and is within the D2 Downtown Retail Core District. The following zoning districts surround the subject property:

North (across Bookman's Alley):	D2	Downtown Retail Core District
South:	D2	Downtown Retail Core District
East (across Sherman Avenue):	D2	Downtown Retail Core District
West:	D2	Downtown Retail Core District

To the north of the subject property across Bookman's Alley is a 3-story mixed-use building with a commercial ground floor and residential upper floors. To the south is a 5-story mixed-use building (former Marshall Fields building), also with a commercial ground floor and residential upper floors. The former Marshall Fields building also wraps around to the west (rear) with a shared loading/alley area separating the subject property and the Marshall Fields building. Across Sherman Avenue to the east is a single-story commercial building (CVS Pharmacy).

The subject property is currently improved with one 4-story building with a paved area to the rear. The building is 59 feet 6 inches in height and has most recently, only the ground floor has been used as commercial/retail. The building currently has a ground floor (at grade), a second floor, and a mezzanine, reflecting its prior primary use as a theater. The existing gross floor area is 34,603 square feet.

Proposal:

The applicant proposes to add 35 apartments to the second floor, and also by creating a third and fourth floor within the existing 4-story building. No additional building height or footprint is required to accommodate the apartments. The applicant is proposing to maintain approximately 9,850 square feet of commercial on the ground floor, with the remaining as either accessory to the residential use or shared building functions (i.e. loading, waste refuse, etc.).

Because the site is urban in its design and context with the building sitting on the north (interior side along Bookman's Alley) and east (front along Sherman) lot lines and 5 and 50-foot setbacks from the south (interior side) and west (rear) lot lines, minimal area is available for on-site parking. The applicant proposes two (2) on-site parking stalls to the rear of the building where 28 are required for the residential use.

In addition to the two (2) on-site stalls, a recommended condition of approval by the Design and Project Review Committee states that an additional 16 stalls shall be leased off-site. To address this condition of approval, the applicant is exploring alternatives to the City-owned garages per Section 6-16-2-1 of the Zoning Ordinance, which allows parking to be provided off-site on a property within 1,000 feet of the subject property, provided that either a deed or long-term lease is approved by the Zoning Administrator. The deed or lease shall require such owner or his or her heirs or assigns to maintain the required number of parking facilities for the duration of the use served or the deed or lease, whichever ends first.

Inclusionary Housing Ordinance & Parking Analysis

Per Section 6-16-3-5, Table 16-B of the Zoning Ordinance, which cites the Inclusionary Housing Ordinance (IHO), parking stalls are not required for the proposed dwelling units considered affordable. In compliance with the IHO, the applicant is proposing a total of three (3) dwelling units as affordable. At this time, the applicant is specifically proposing two 1-bed units and one 2-bed unit as affordable. The proposed unit mix of apartments,

their associated parking requirement within a TOD area, and the deduction of the required stalls for the affordable units, is below:

Unit Type	Parking Requirement	Number of Units	Parking Required	IHO Units	Parking Deducted
studio	0.55	3	1.65	0	
1-bed	0.55	20	11	2	1.1
2-bed	1.1	5	5.5	1	1.1
3-bed	1.65	7	11.55	0	
			29.7	3	2.2
			30		(28 rounded) 27.5

No additional zoning relief is required. No written statements in favor or against the proposal were received before the distribution of this report.

Ordinances Identified for Requested Relief:

6-16-3-5, Table 16-B

Multiple-family dwellings	Multiple-family dwellings shall be provided according to the following schedule:
	Dwelling unit with 1 or fewer bedrooms: 1¼ spaces for each dwelling unit or .55 spaces for each dwelling if within a designated Transit Oriented Development area.
	Dwelling unit with 2 bedrooms: 1½ spaces for each dwelling unit or 1.10 spaces for each dwelling if within a designated Transit Oriented Development area.
	Dwelling unit with 3 or more bedrooms: 2 spaces for each dwelling unit or 1.65 spaces for each dwelling if within a designated Transit Oriented Development area.
	Multiple-family dwellings which fall under Inclusionary Housing Ordinance requirements shall meet parking standards as specified in the corresponding zoning district's Inclusionary Housing Bonus section.

Long Range Planning:

A policy action in Chapter 3, Housing, of the Evanston Comprehensive General Plan, “[encourages] both new housing construction and the conversion of underutilized non-residential buildings to housing in order to increase housing variety and to enhance the property tax base.” The project is an adaptive reuse of a largely vacant and underutilized building that is limited in existing on-site space to provide parking. The lack of on-site parking on the property is offset by its proximity to public transit and bike-share options, being five minutes or less from both the Davis Metra and CTA Purple line stops as well as the Church/Benson Divvy station. Another policy action in Chapter 3 is to “continue to support and recognize private efforts to restore and preserve Evanston's architectural heritage.” By rehabilitating, rather than demolishing, a property that is not located within a local historic district or a designated local landmark but is an example of

Renaissance Revival architecture (constructed in 1926 and designed by J.E.O. Pridmore), the project fulfills this action.

Objective 1 of the Master Plan within the Downtown Plan states, “take full advantage of the potential of downtown as a mixed-use pedestrian and transit-oriented urban center that is located adjacent to a renowned university.” A strategy of this objective is to, “explore new types of and locations for affordable rental and for-purchase housing, such as in rehabilitated buildings in ‘traditional areas,’ in order to attract households representing a wide range of incomes, age groups, and mobility levels.” The subject property is located in the North Traditional Core Zone, and therefore the addition of apartments to this building directly meets Objective 1.

Objective 2 of the Master Plan within the Downtown Plan states, “promote the rehabilitation and adaptive reuse of buildings and sites that provide historical and architectural significance to the downtown”. Noting the subject property has been largely vacant or at the least underutilized since the theater use was no longer active, the proposed conversion of the building to add 35 upper floor apartments meets this objective.

Objective 5 of the Master Plan within the Downtown Plan states, “encourage more residents and visitors to use transit to and from downtown, including possibly changing parking ratios for new development near the train stations.” The proposed ratio for the project is 0.5 parking stalls per dwelling unit, with 18 total stalls provided for 35 apartments. This ratio is consistent with other residential developments in the downtown, which were new construction and higher density.

Design and Project Review (DAPR) Discussion and Recommendation:

On February 1, 2022, the Design and Project Review Committee reviewed the requested variation for the subject property and voted unanimously to recommend approval to the Land Use Commission, subject to the condition that 16 additional parking stalls be leased off-site to the proposed 2 stalls on-site for a total of 18 stalls where 28 are required. (Note, the scrivener’s error of 26 in lieu of 28 was used in making this recommendation.) The precedent used to determine the number of stalls provided is the parking ratio of 0.5 stalls per dwelling unit. By providing two stalls on-site, one of which is required to be ADA compliant, and an additional 16 stalls off-site, the project would meet the 0.5 stalls per dwelling unit precedent and was the reasoning for the recommendation.

Variation Standards:

For a variation to be approved, the Land Use Commission and the City Council must find that the proposed variation:

1. **Will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties:** Standard met - The requested variation, with the condition of approval to require the applicant to lease an

additional 16 parking stalls off-site for a total of 18 stalls, will not have a substantial impact on the use, enjoyment, or property values of adjoining properties. The property is located in a transit-oriented development area and is a 5-minute walk or less from the Evanston Davis Street UP-North Metra and CTA Purple Line stations. The property is also a 5-minute walk or less from the Church/Benson Divvy bike-share station. The access to alternative transportation options from the subject property is such that car ownership by potential residents is not critical for routine travel so a lesser amount of leased stalls is acceptable.

2. **Is in keeping with the intent of the zoning ordinance:** Standard met - The requested variation is in keeping with the intent of the Zoning Ordinance in that the applicant is providing more than 50% (approximately 64%) of the required parking via the condition of approval requiring 16 stalls to be leased off-site for the apartments. The applicant is also adding the most possible compliant parking stalls to the property (2 stalls) where none exist currently.
3. **Has a hardship or practical difficulty that is peculiar to the property:** Standard met - The property has been improved with the current building in its present location with respect to lot lines and lot coverage for decades and is providing the greatest number of compliant parking stalls on the property at two. Any substantial use change or new use within the existing building regardless of the required number of stalls would require a parking variation to allow only the 2 stalls on the property.
4. **The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience:** Standard met - The owner would be prevented from the continued use of his property and its existing building to the fullest extent in that except for the ground floor, any new use in the upper floors of the existing building would require a parking variation to allow only 2 stalls on-site.
5. **Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived:** Standard met - Although the applicant is proposing to develop the interior such that residential tenants may rent apartments where none are there currently, the site only provides room for 2 compliant parking stalls to the rear of the building. Any attempt to use the available upper floors of the existing building would require a parking variation.
6. **Does not have a hardship or practical difficulty that was created by any person having an interest in the property:** Standard met - The site presents a hardship or practical difficulty in that as it is improved currently, only provides room for 2 compliant parking stalls to the rear of the building. Any attempt to use

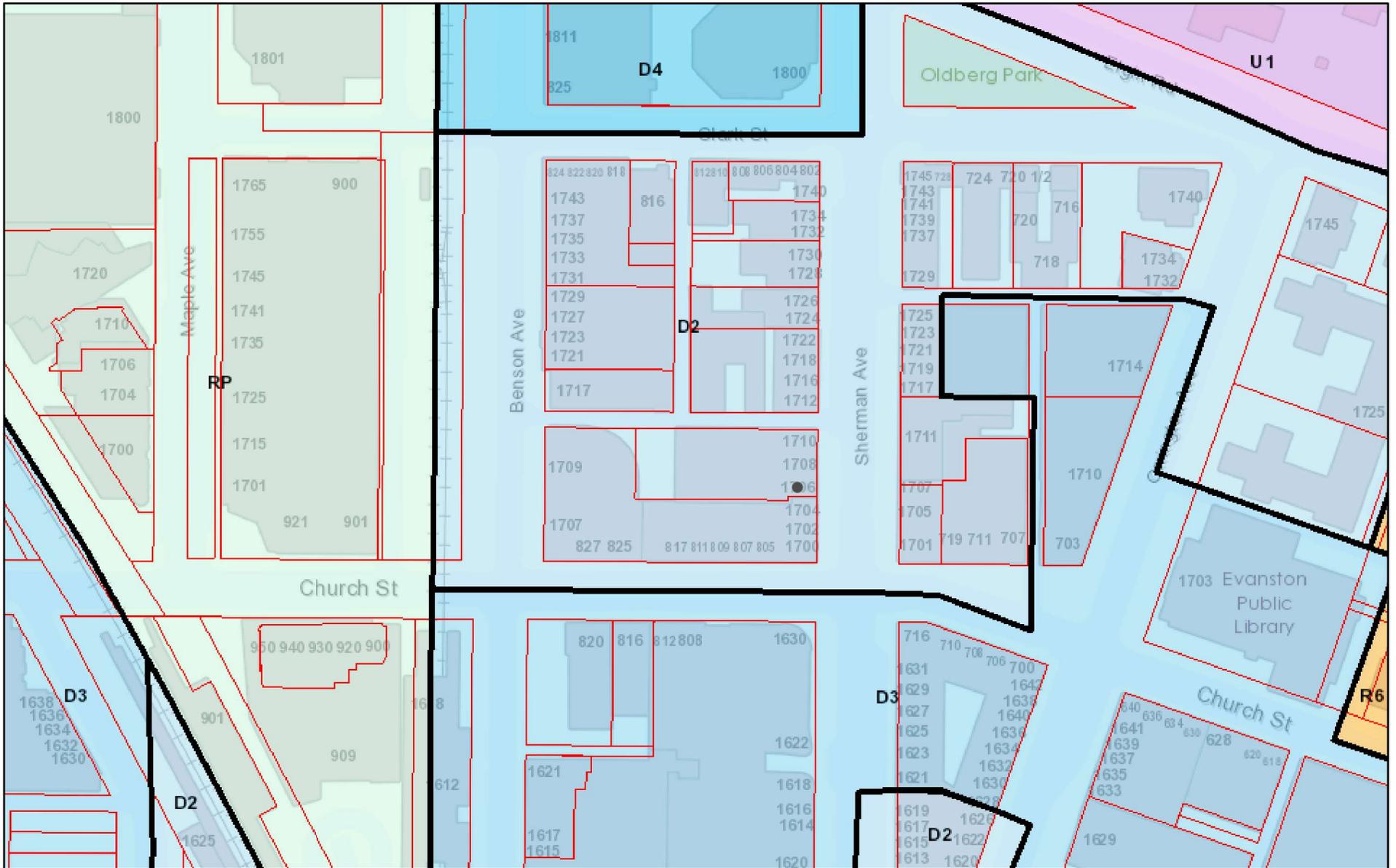
the available upper floors of the existing building would require a parking variation.

7. **Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: Standard met** - The applicant is proposing the maximum number of stalls, two (2), able to fit to the rear of the existing building that are compliant with minimum width, depth, and setback requirements in the Zoning Code. The request is to allow two on-site where 28 are required.

Attachments:

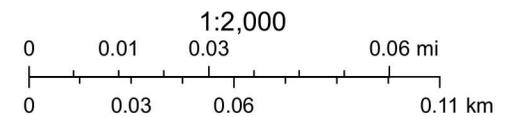
- Zoning Map
- Aerial Photo
- Street View Photos
- Plat of Survey
- Existing Conditions Site Plan
- Proposed Site Plan
- Existing Floor Plans
- Proposed Floor Plans
- Existing Elevations
- Proposed Elevations
- Rendering
- Site Data
- Application Materials
- Zoning Analysis - January 28, 2022
- [DAPR Approved Meeting Minutes - February 1, 2022](#)

1706-10 Sherman - Zoning

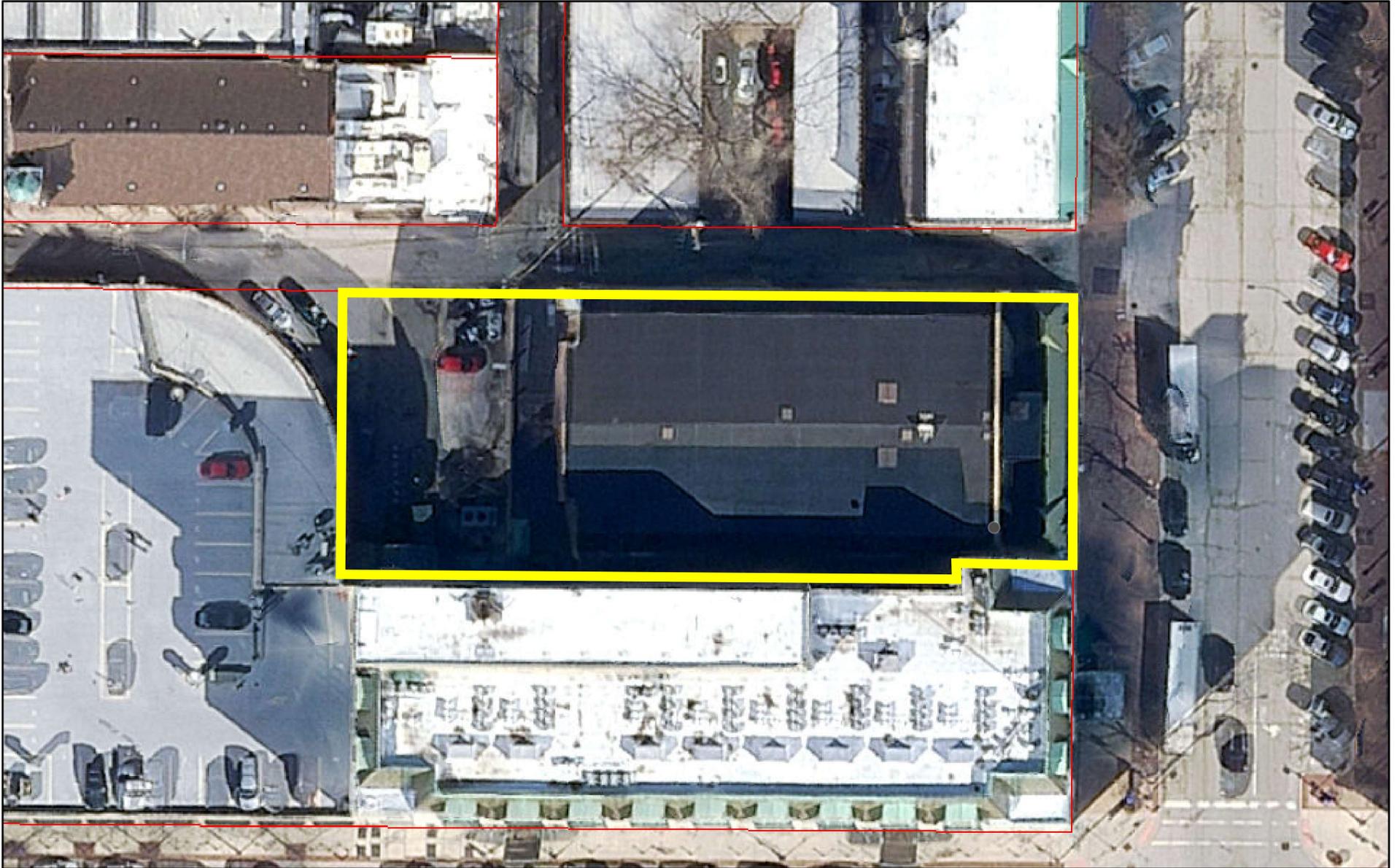


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- | | | | |
|------------------|----------------------------|---------------------------|--------------------------------|
| Zoning Districts | B3 - Business | C2 - Commercial | D3 - Downtown Core Development |
| B1 - Business | C1 - Commercial | D1 - Downtown Fringe | D4 - Downtown Transition |
| B1a - Business | C1a - Commercial Mixed-Use | D2 - Downtown Retail Core | I1 - Industrial / Office |
| B2 - Business | | | |

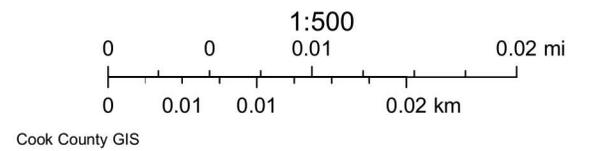


1706-10 Sherman - Aerial



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-  City Boundary
-  Tax Parcels



1706-10 Sherman Avenue – Street view



Phone: (773) 775-0530
 (773) 775-0531
 Fax: (773) 775-2512

TOPOGRAPHICAL-ALTA/ACSM-BOUNDARY-SUBDIVISIONS-MORTGAGE-CONDOMINIUM

7700 West Touhy Avenue
 Chicago, Illinois 60631-4200

ORDER NO.
 04-2825

Jens K. Doe
 Professional Land Surveyors, P.C.

ORDERED BY:
 FEDERAL REALTY

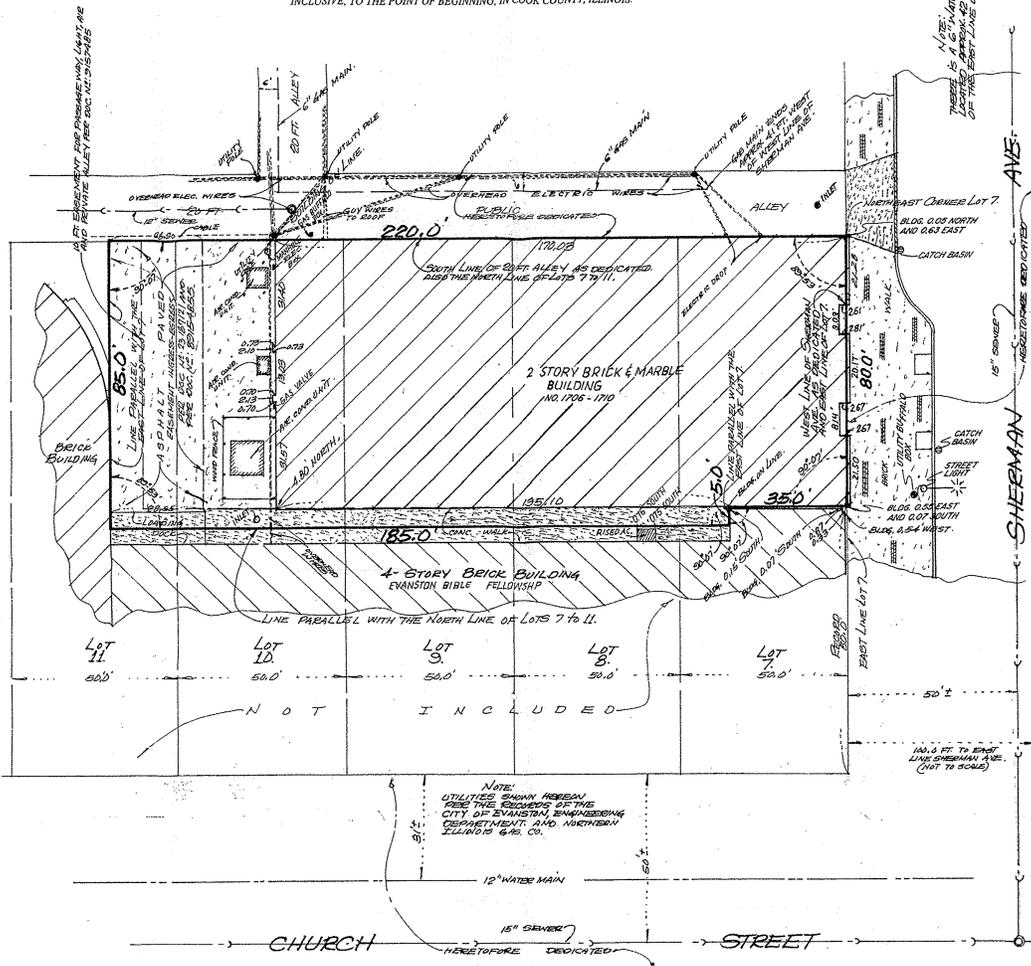
ALTA/ACSM LAND TITLE SURVEY

of

"AREA OF PROPERTY"
 SHOWN HEREON
 18,524.96 SQ. FT.
 OR 0.425 ACRES

THAT PART OF LOTS 7, 8, 9, 10, 11, 12 AND 13 IN THE RESUBDIVISION OF BLOCK 17 IN EVANSTON IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, DESCRIBED AS FOLLOWS:

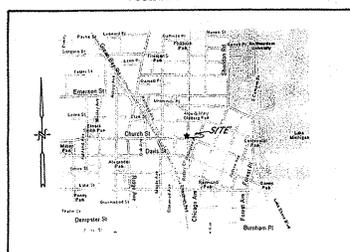
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7; THENCE RUNNING SOUTH ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 80.0 FEET; THENCE RUNNING WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 35.0 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 7, A DISTANCE OF 5.0 FEET; THENCE RUNNING WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOTS 7 TO 11, BOTH INCLUSIVE, A DISTANCE OF 185.00 FEET; THENCE RUNNING NORTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 7, A DISTANCE OF 85.0 FEET TO A POINT IN THE NORTH LINE OF SAID LOT 11, BEING 220.0 FEET FROM THE NORTHEAST CORNER OF SAID LOT 7; THENCE EAST ALONG THE NORTH LINE OF SAID LOTS 7 TO 11, BOTH INCLUSIVE, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.



NOTE:
 UTILITIES SHOWN HEREON
 ARE THE RECORDS OF THE
 CITY OF EVANSTON, ENGINEERING
 DEPARTMENT, AND METROPOLITAN
 ILLINOIS GAS CO.

NOTE:
 THE PROPERTY SHOWN HEREON REFLECTS MATTERS OF TITLE AS CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. NCS-74751-DC71, EFFECTIVE DATE NOVEMBER 3, 2004.
 THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (AREA DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN) PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17031C0270 F, EFFECTIVE DATE: NOVEMBER 6, 2000.
 DIMENSIONS SHOWN HEREON ARE NOT TO BE ASSUMED OR SCALED.
 THE PROPERTY SHOWN HEREON IS COMMONLY KNOWN AS 1705 - 1710 SHERMAN AVE., EVANSTON, IL.
 THERE ARE 0 STRIPED PARKING STALLS LOCATED ON THE PROPERTY SHOWN HEREON.
 THERE IS NO VISIBLE EVIDENCE OF THE PROPERTY SHOWN HEREON AS BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
 THERE IS NO VISIBLE EVIDENCE OF ANY EARTH MOVING WORK OF EXTERIOR BUILDING CONSTRUCTION ON THE PROPERTY SHOWN HEREON.
 THERE IS NO VISIBLE EVIDENCE OF ANY SIDEWALK OR STREET REPAIRS BEING PERFORMED ON THE DEDICATED RIGHT-OF-WAYS SHOWN HEREON.

VICINITY MAP



NOTE:
 Dimensions are not to be assumed or scaled.
 The legal description noted on this plat is a copy of the order and for accuracy MUST be compared with Deed, for building restrictions refer to your Abstract, Deed or Contract.
 Compare distances between points before building and report any discrepancy to this office immediately.

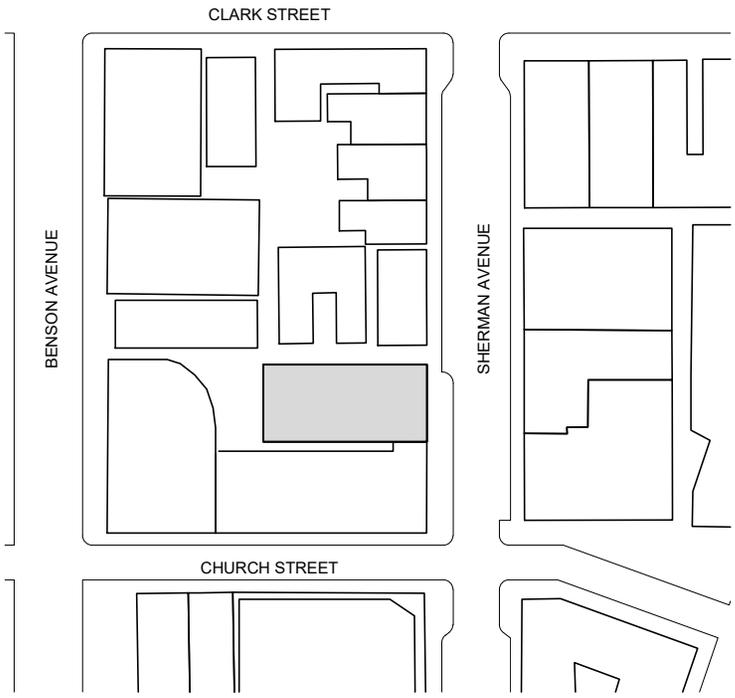
STATE OF ILLINOIS
 COUNTY OF COOK)
 JENS K. DOE PROFESSIONAL LAND SURVEYORS P.C. DOES HEREBY CERTIFY TO: NORTH STAR TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 1, 1004 AND KNOWN AS TRUST NO. 04-7896; FIRST EAGLE NATIONAL BANK AND ITS SUCCESSORS AND ASSIGNS; AND FIRST AMERICAN TITLE INSURANCE COMPANY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 7 (a), 8, 9, 10, 11 (a, b visible utilities), 14, 15 AND 16 OF TABLE "A" THEREOF AND PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA, ACSM AND NSPS) AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. THE UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS".

DATED THIS 13TH DAY OF DECEMBER, 2004.
 DOMINICK M. BLANCK
 (ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3390)
 MY LICENSE EXPIRES 11-30-04



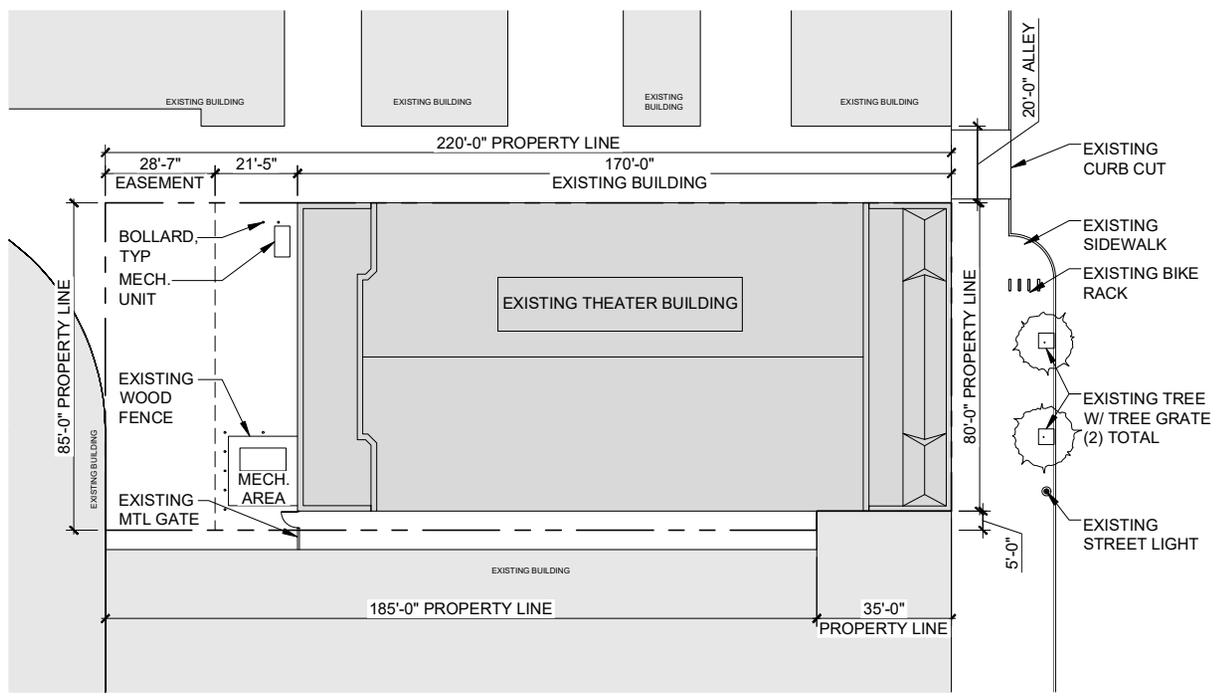
REVISED: DECEMBER 24, 2004

04-2825



EXISTING CONTEXT PLAN 

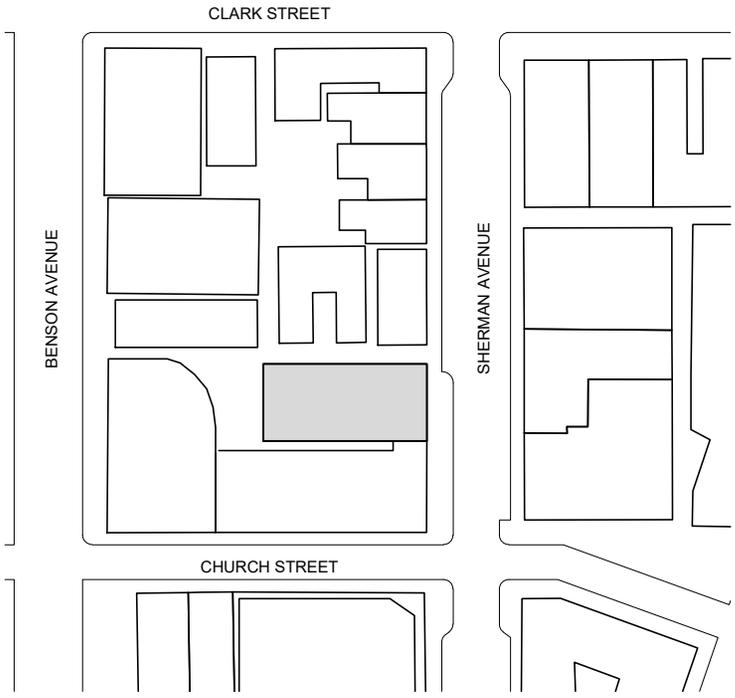
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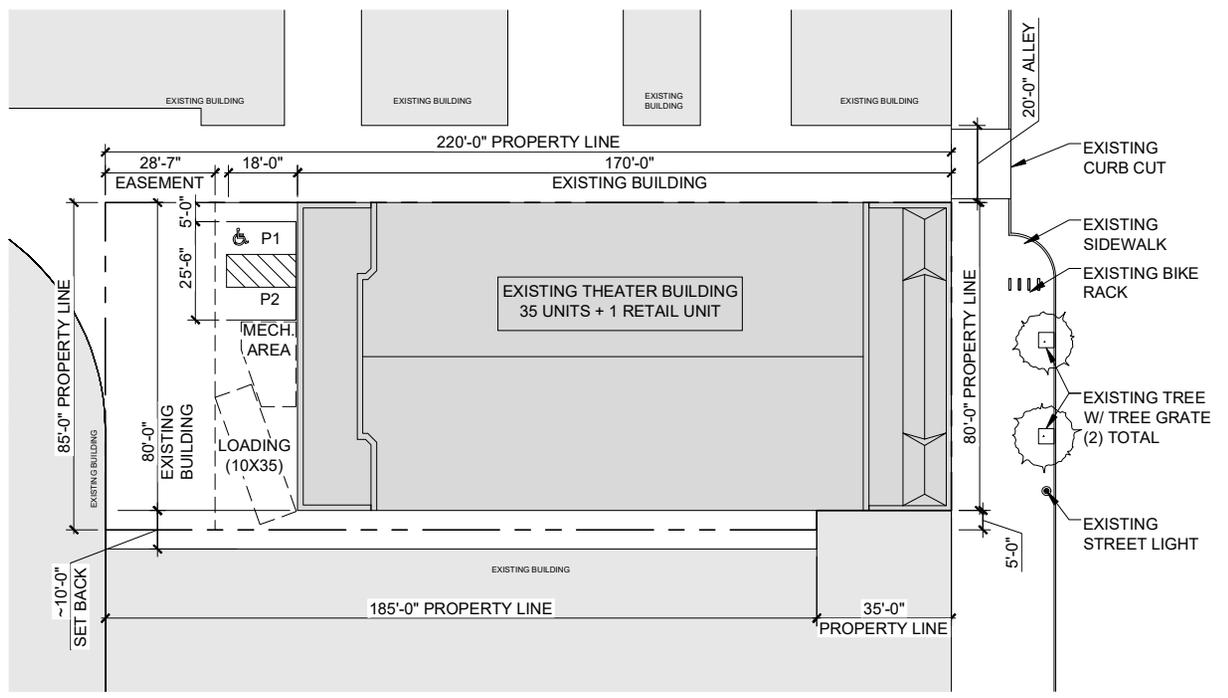
EXISTING SITE PLAN 

SCALE: 1/32" = 1'-0"





CONTEXT PLAN
SCALE: 1/128" = 1'-0"

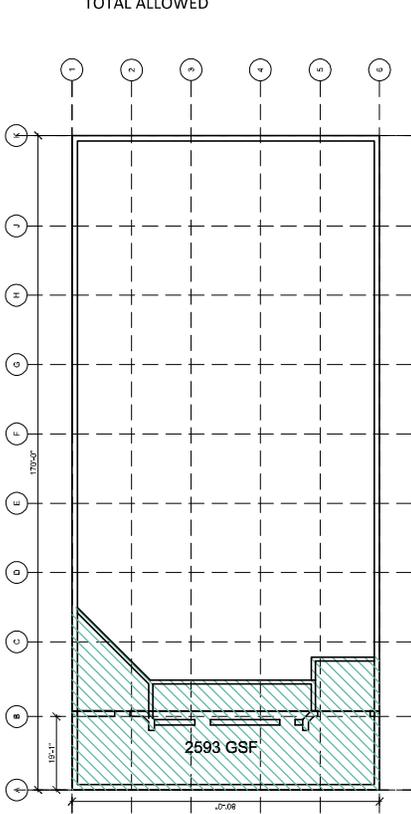


SITE PLAN
SCALE: 1/32" = 1'-0"

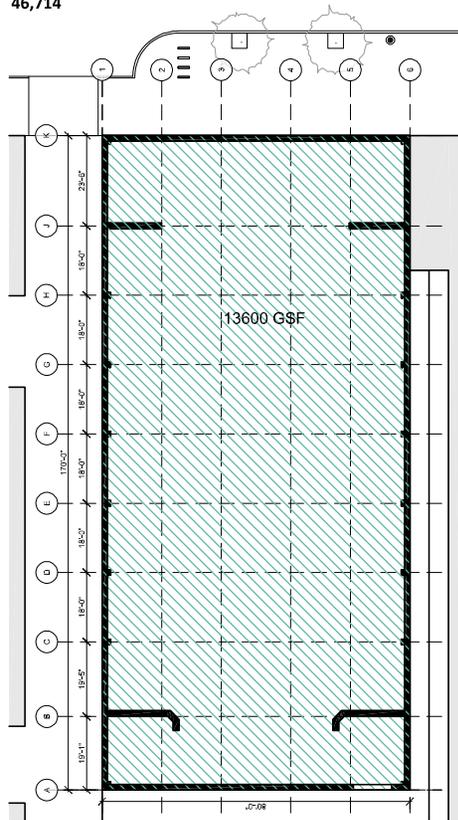
EXISTING BUILDING AREA CHART

FLOOR	FLR-FLR	CUM HT	GROSS AREA
MEZZANINE			6,181
02 - HISTORIC 2ND FLOOR			6,200
02- EXISTING 2ND FLOOR			6,029
GRADE	15.00	15.00	13,600
BASEMENT			2,593

TOTALS EXISTING 34,603
 X 35%
 TOTAL ALLOWED 46,714

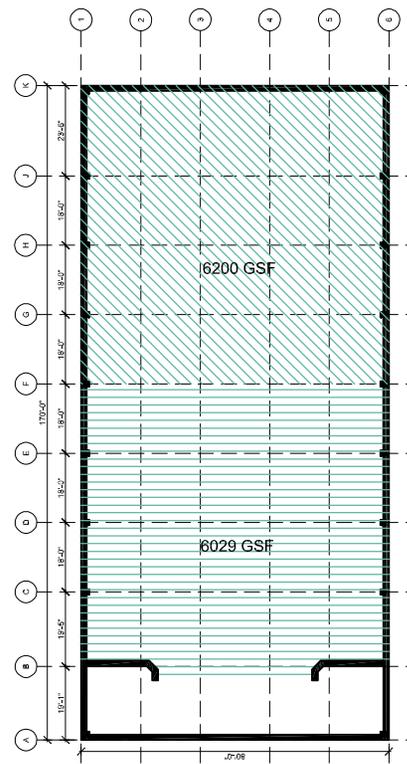


BASEMENT

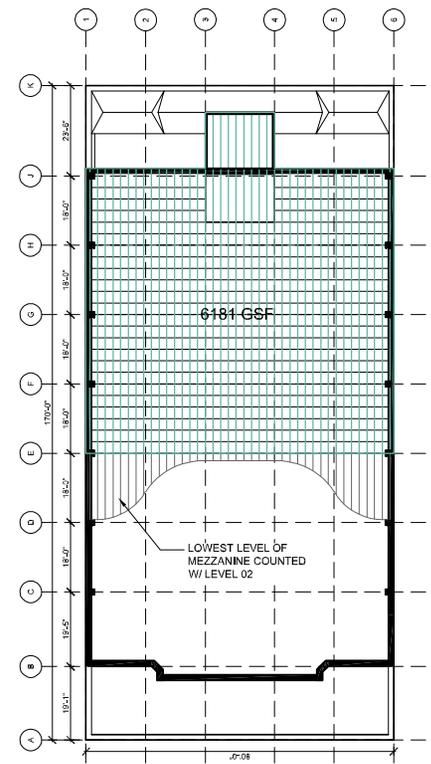


GRADE LEVEL

SCALE: 1/32" = 1'-0"

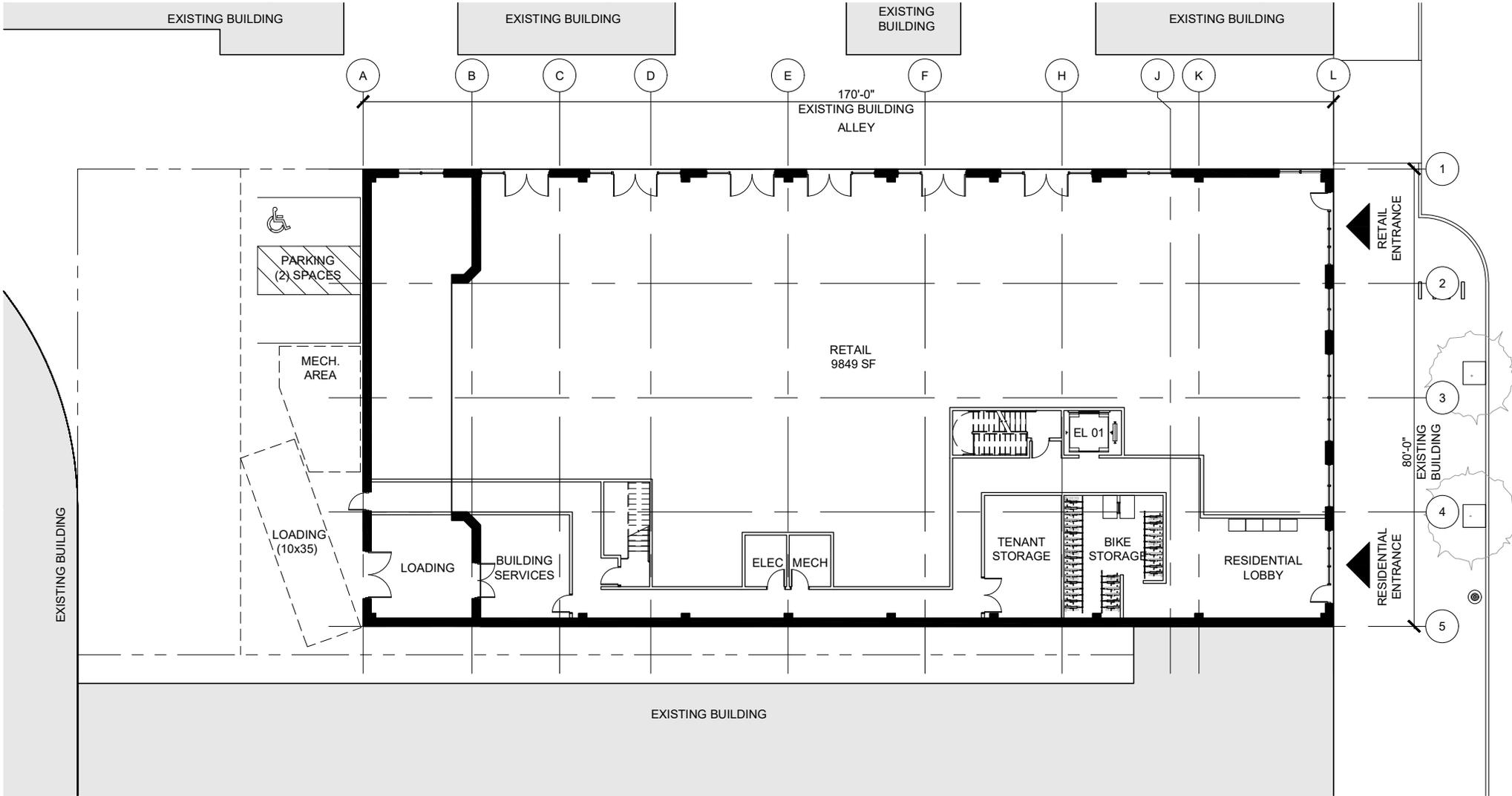


LEVEL 02



MEZZANINE

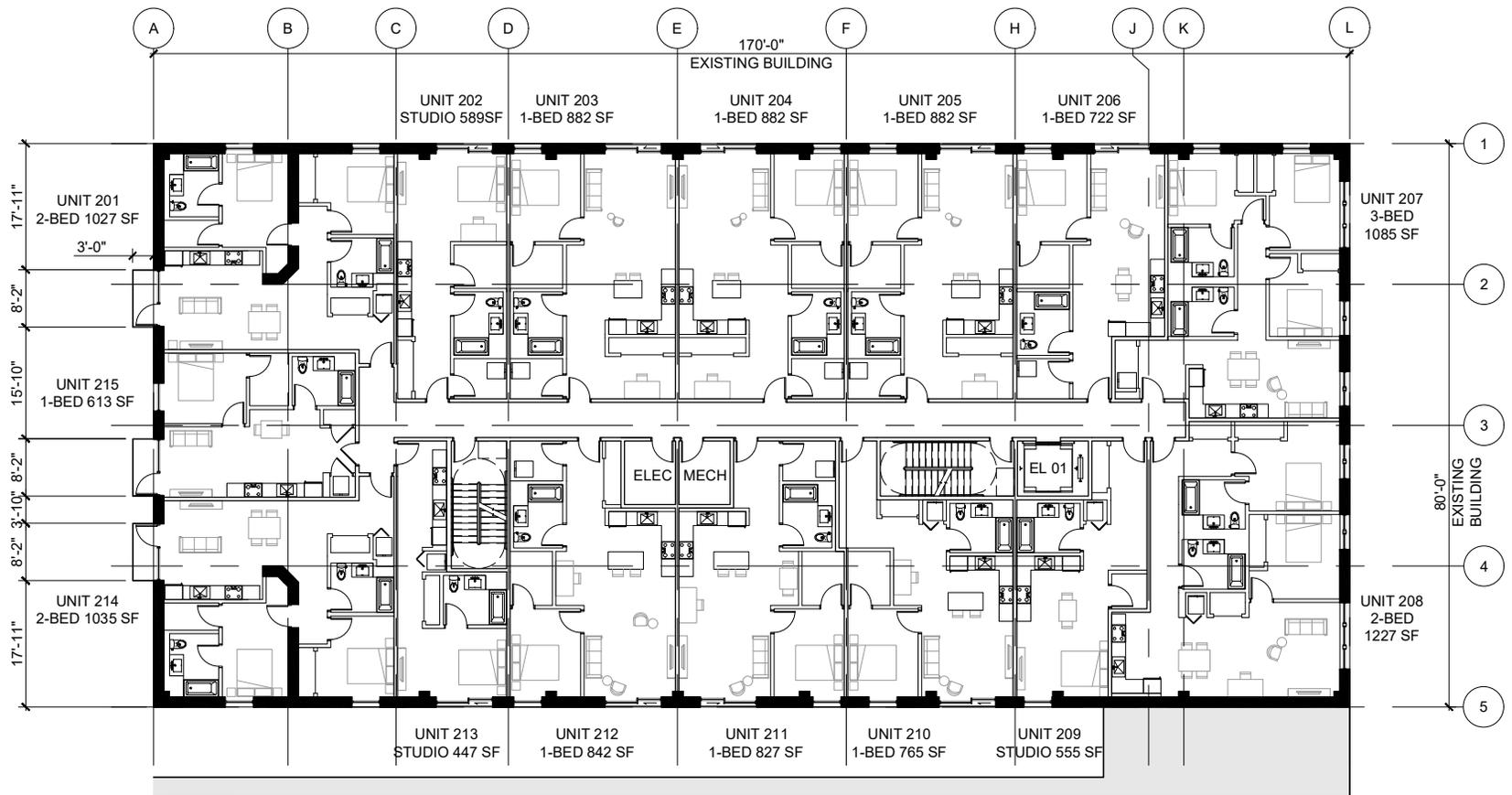




GROUND FLOOR
 SCALE: 1/8" = 1'-0"

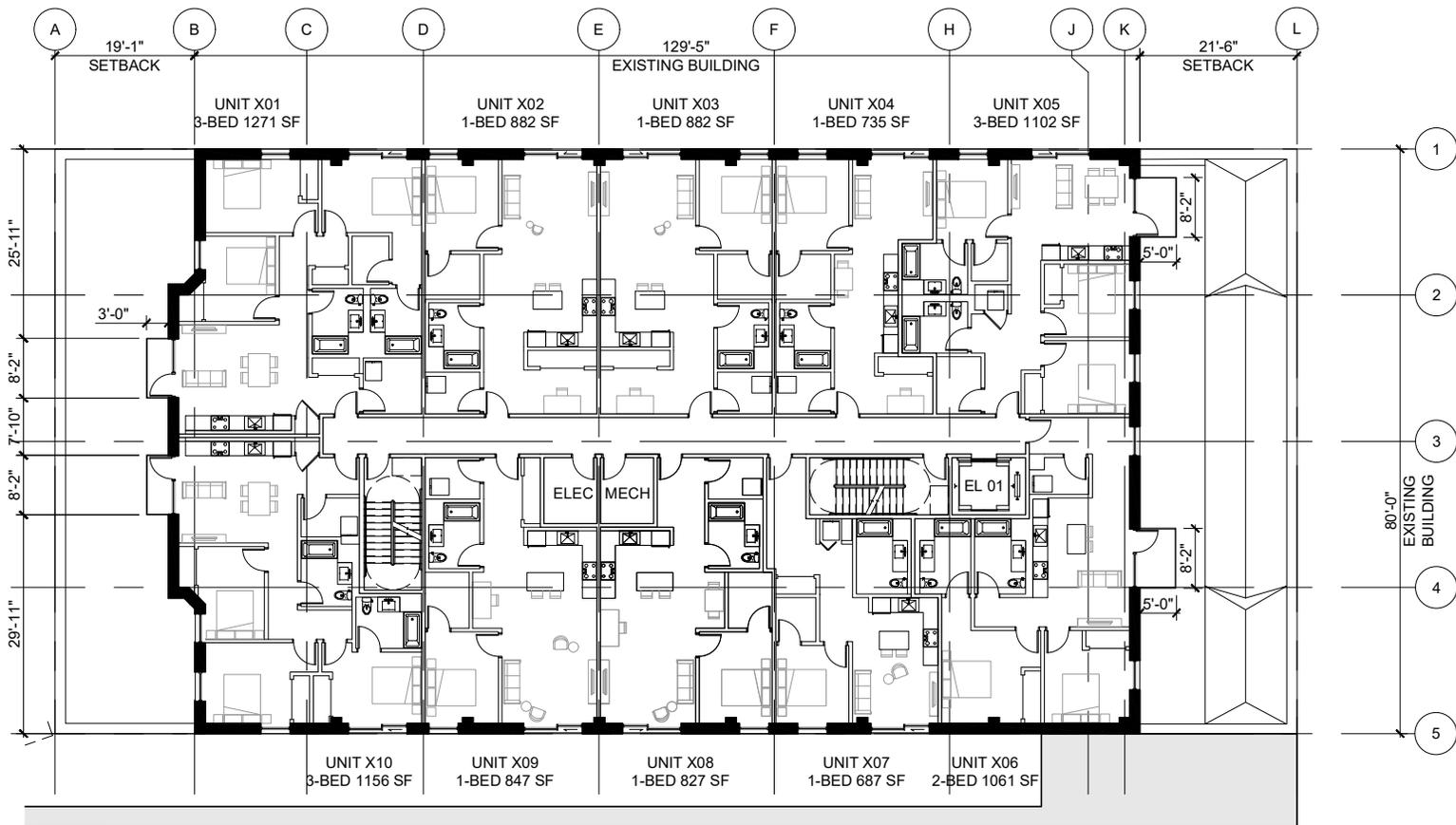
© 2022 G|R|E|C Architects, LLC

21 JANUARY 2022



SECOND FLOOR
SCALE: 1/8" = 1'-0"





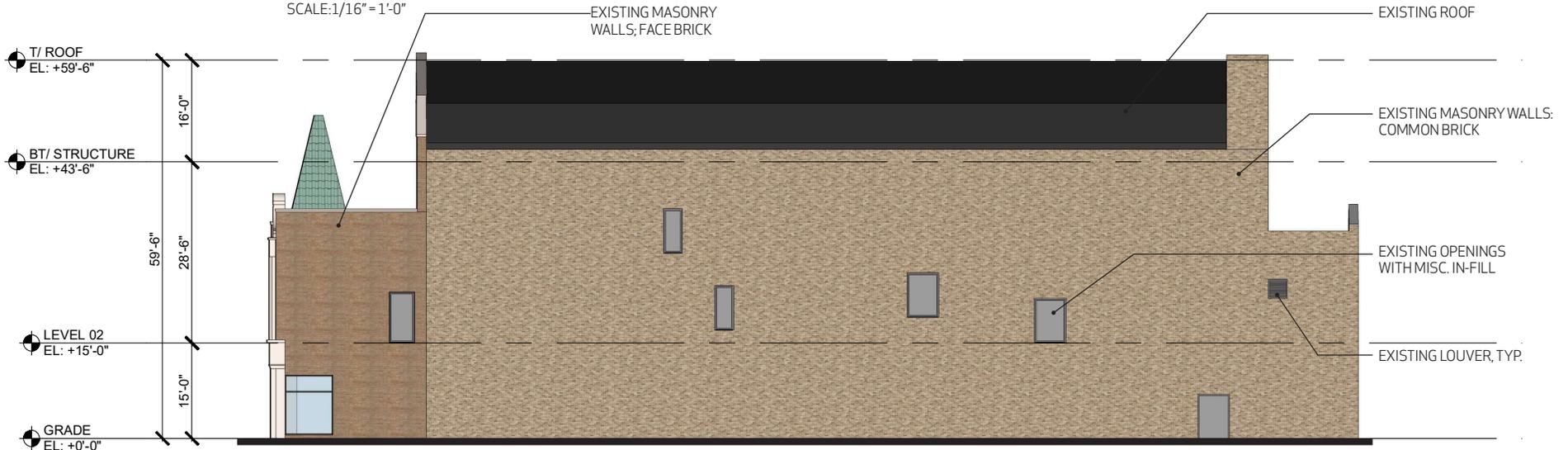
THIRD + FOURTH FLOORS

SCALE: 1/8" = 1'-0"

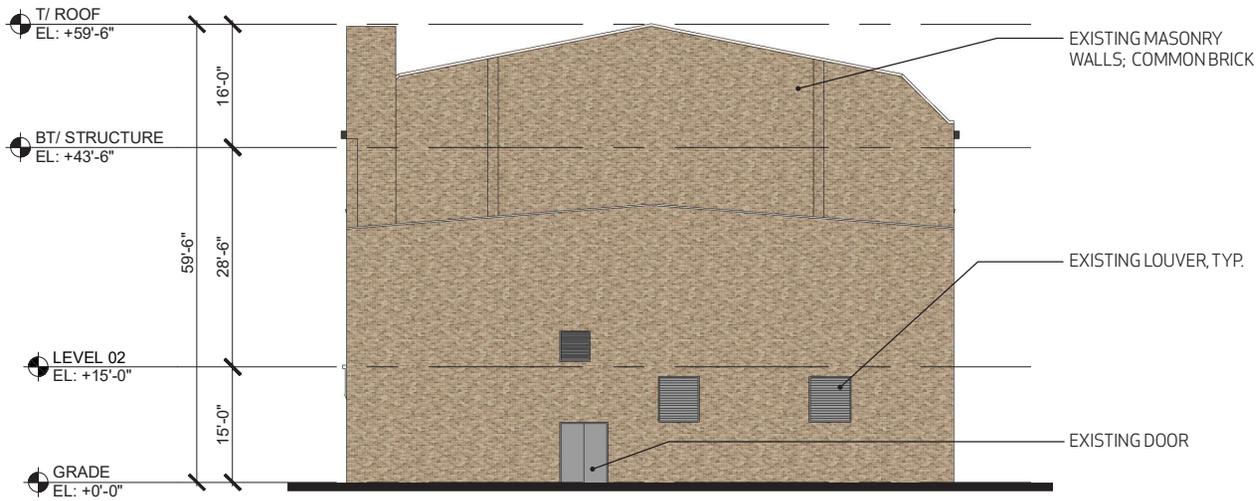




EAST ELEVATION - EXISTING
SCALE: 1/16" = 1'-0"



NORTH ELEVATION - EXISTING
SCALE: 1/16" = 1'-0"



WEST ELEVATION - EXISTING
SCALE: 1/16" = 1'-0"



SOUTH ELEVATION - EXISTING
SCALE: 1/16" = 1'-0"



EAST ELEVATION
SCALE: 1/16" = 1'-0"



NORTH ELEVATION
SCALE: 1/16" = 1'-0"



WEST ELEVATION
SCALE: 1/16" = 1'-0"



SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



VIEW FROM SHERMAN AVENUE

© 2022 G|R|E|C Architects, LLC

21 JANUARY 2022

Varsity Theater Evanston

G|R|E|C Architects

VARSITY THEATER CONVERSION PRELIMINARY AREAS

EXISTING BUILDING

FLOOR	FLR-FLR	CUMU HT	GROSS AREA
MEZZANINE			6,181
02 - HISTORIC 2ND FLOOR			6,200
02- EXISTING 2ND FLOOR			6,029
GRADE	15.00	15.00	13,600
BASEMENT			2,593

TOTALS EXISTING 34,603
 X 35%
 TOTAL ALLOWED AREA SF **46,714**

PROPOSED BUILDING

FLOOR	FLR-FLR	CUMU HT	BLDG GROSS AREA	ZONING GROSS AREA
04	8.50	43.50	10,509	9,924
03	10.00	35.00	10,509	9,924
02	10.00	25.00	13,600	13,015
GRADE	15.00	15.00	13,600	13,015
BASEMENT				N/A

excludes Stair/Elev/MEP
 excludes Stair/Elev/MEP
 excludes Stair/Elev/MEP
 excludes Stair/Elev/MEP

UNITS					
UNIT AREA SF	STUDIO	1 BED	2 BED	3 BED	TOTAL

9,450
 9,450
 12,380
 9,849

RETAIL

9,849

BOH	STAIR/ELEV/MEP
-----	----------------

1,529
 585
 585
 585

TOTALS 48,218 45,878 41,129 3 20 5 7 35 9,849 1,529 2,340
 9% 57% 14% 20% 100%



MAJOR VARIATION APPLICATION

zoning office use only

CASE #: _____

1. PROPERTY

Address 1706-1710 Sherman Avenue, Evanston, IL 60201

Permanent Identification Number(s):

PIN 1: 1 1 - 1 8 - 1 2 6 - 0 1 4 - 0 0 0 0 PIN 2: [] [] - [] [] - [] [] [] [] - [] [] [] []

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.)

2. APPLICANT

Name: Steven Rogin / Chris Dillion

Organization: The Varsity LLC / Campbell Coyle

Address: 1780 Ash Street, Suite 200

City, State, Zip: Northfield, IL 60093

Phone: Work: 847 867 1295 / 312 282 8396 Home: _____ Cell/Other: 847 867 1295 / 312 282 8396

Fax: Work: _____ Home: _____

E-mail: srogin@aol.com / cdillion@campbellcoyle.com

Please circle the primary means of contact.

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

- same
- architect
- officer of board of directors
- builder/contractor
- attorney
- other: Joint Venture Partnership
- potential purchaser
- lessee
- potential lessee
- real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: The Varsity LLC

Address: 1780 Ash Street, Suite 200

City, State, Zip: Northfield, IL 60093

Phone: Work: 847 867 1295 Home: _____ Cell/Other: 847 867 1295

Fax: Work: _____ Home: _____

E-mail: srogin@aol.com

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Steven Rogin
MANAGER VARSITY LLC
Property Owner(s) Signature(s) -- REQUIRED

November 23, 2021

Date

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

[Signature]
Applicant Signature -- REQUIRED

November 23, 2021

Date

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- | | | |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | (This) Completed and Signed Application Form | |
| <input checked="" type="checkbox"/> | Plat of Survey | Date of Survey: <u>December 24, 2004</u> |
| <input checked="" type="checkbox"/> | Project Site Plan | Date of Drawings: <u>October 25, 2021</u> |
| <input checked="" type="checkbox"/> | Plan or Graphic Drawings of Proposal (If needed, see notes) | |
| <input checked="" type="checkbox"/> | Non-Compliant Zoning Analysis | |
| <input checked="" type="checkbox"/> | Proof of Ownership | Document Submitted: <u>Closing Statement, dated May 7, 2015</u> |
| <input checked="" type="checkbox"/> | Application Fee (see zoning fees) | Amount \$ <u>660</u> plus Deposit Fee <u>\$150</u> |

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

A proposed 36-unit mixed-use project comprised of (1) ground floor commercial retail unit and (35) multi-family residential units on floors 2-4, contained within an adaptive reuse of the Varsity Theater. The ground floor commercial is oriented to Sherman Avenue (to the east) and Bookman's Alley (to the north), creating a new placemaking and alley activation opportunity. The alley is the subject of a separate easement recently finalized between the Property Owner and the City of Evanston. The project is designed by Chicago-based GREC Architects and developed by a joint venture comprised of The Benamy Group and Campbell Coyle.

B. Have you applied for a Building Permit for this project? NO YES

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant.

(See the Zoning Analysis Summary Sheet for your project's information)

(A) Section (ex. "6-8-3-4")	(B) Requirement to be Varied (ex. "requires a minimum front yard setback of 27 feet")	(C) Requested Variation (ex. "a front yard setback of 25.25 feet")
1		
6-16-3-5, Table 16-B	26 parking stalls for 35 dwelling units	Provide 2 on-site parking stalls where 26 are required

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

2		
_____	_____	_____
3		
_____	_____	_____

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

An overriding objective for the project is to save the Varsity Theater and repurpose it under an adaptive reuse scheme, incorporating multi-family residential above ground floor retail.

The constraints created by saving the building are significant. With regard to parking (6-16-3-5), the proposed project attempts to maximize the opportunity to provide market rate and affordable housing units while balancing the desire to save the existing building, with the intention of addressing anticipated parking demand off-site. The proposed scheme also maintains ground floor retail space, consistent with its current use.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

The requested variation will not have substantial adverse impact on adjacent properties in terms of use, enjoyment or property values. By preserving the Varsity Theater, the relationship with adjacent buildings and Sherman Avenue remains virtually unchanged. Further, the intensity of a theater use would arguably generate more traffic and parking demand than the mixed-use approach proposed. The proposed use is very much consistent with the predominant uses and the surrounding context. By any measure, it is additive to the downtown area.

2. 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.

If parking were required to be on-site the property owner would suffer significant hardships, likely resulting in a partial or complete demolition of the existing structure to accommodate parking either below grade, at-grade or above grade. Those scenarios would also result in added costs and the displacement of retail and/or residential square footage.

If the parking were required to be on-site, it would be challenging to locate it below grade given the site dimensions. At-grade parking would reduce the existing commercial foot print, while above grade would require ramping and major modifications to the design to add an additional floor, which would significantly impact the front elevation of the Varsity Theater.

3. Either...

- (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
- (b) while the 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 Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

The requested variation is created in part by saving the building and further compounded by challenging existing conditions with the built improvements. The existing conditions are costly to plan and build around, but the project team views the adaptive reuse of the Varsity Theater as a priority. The variation would permit off-site parking. If the parking were required to be on-site, it would be challenging to locate it below grade given the site dimensions. At-grade parking would reduce the existing commercial foot print, but that foot print already exists, so there is no additional income associated with that component of the project since it already exists. Locating it above grade would require a portion of the building to be demolished and major modifications to the front facade.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

The parking variance is driven by the goal of saving the Varsity Theater and other spatial limitations, as noted above.

5. Have other alternatives been considered, and if so, why would they not work?

The design and development team evaluated demolition of a portion of the Varsity Theater building. Ultimately, the team prioritized saving the structure because it contributes to the fabric of the downtown area. Incorporating parking on-site would result in a prohibitively expensive below grade parking solution, a dramatic loss of ground floor retail space and/or parking above the first floor that would raise the height of the building and complicate the front facade. This would result in a taller, more challenging project that would have to expand beyond the existing structure. These scenarios would require significant demolition of the Varsity Theater, creating a series of structural and cost-related challenges.



**City of Evanston
DISCLOSURE STATEMENT FOR ZONING HEARINGS**

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

- 1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made:
Does not apply.

N/A

- 2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number 3 above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

- 3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number 3 above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number 3 above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

N/A

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

N/A

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

The Varsity LLC — c/o Steven Rogin, Manager, 1780 Ash Street, Suite 200, Northfield, IL 60093; Property Owner, Joint Venture Partner

Campbell Coyle Holdings, LLC — c/o Chris Dillion. President, 530 W. Dickens Avenue, Suite 201, Chicago, IL 60014; Joint Venture Partner



**First American Title Insurance Company
National Commercial Services**

30 North LaSalle Street, Suite 2700 • Chicago, IL 60602

Office Phone: (800)333-3993 Office Fax: (312)553-0480

Borrower's Final Settlement Statement

Property: 1706-1710 Sherman Ave, Evanston, IL 60201

File No: [REDACTED]

Officer: [REDACTED]

Settlement Date: 05/07/2015

Disbursement Date: 05/07/2015

Print Date: 05/07/2015, 12:03 PM

Borrower: The Varsity, LLC

Address:

Seller:

Address:

Lender: [REDACTED]

Address:

New Loan No.:

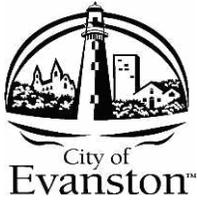
Charge Description	Borrower Charge	Borrower Credit
New Loan(s):		
Lender: First Bank of Highland Park		
New Loan Amount - First Bank of Highland Park		
Point Fee - First Bank of Highland Park		
Documentation Fee - First Bank of Highland Park		
Appraisal - Appraisal Research Counselors		
Tax Service - National Real Tax Tracking		
Flood Determination - ServiceLink National Flood		
Tax, lien and Judgment Search - CT Liens		
Initial Deposit to RE Tax Escrow - First Bank of Highland Park		
Funds received pre-closings - First Bank of Highland Park		
Available funds for future disbursements - First Bank of Highland Park		
Payoff Loan(s):		
Lender: First Eagle Bank		
Payoff loan #54881 - First Eagle Bank		
Title/Escrow Charges to:		
Closing-Escrow Fee to First American Title Insurance Company National Commercial Services		
Predatory Lending Fee to First American Title Insurance Company N		
Policy-Extended ALTA 2006 Lender's to First American Title Insurance Company National Commercial Services		
Endorsement (L) to First American Title Insurance Company N		
Estimated Recording Fees to First American Title Insurance Company National Commercial Services		
Cash (X From) (To) Borrower		
Totals		

BORROWER(S):

The Varsity, LLC, an Illinois limited liability company

Steven P. [Signature] MANAGER
By: STEVEN [Signature], MANAGER
Authorized signor
5/7/15

Initials: _____



Zoning Analysis

Summary – **UPDATED**

Case Number:

21ZONA-0194 (21ZMJV-0095)

Case Status/Determination:

Non-Compliant

Proposal:

Mixed-use interior remodel for 35 DUs and 1 ground floor commercial use in existing 4-story building (former Varsity Theater)

Site Information:

Property Address	1706-10 Sherman Ave	Zoning District	D2
Overlay District:	None (is in TOD Area)	Preservation District:	None

Disclaimers:

- All comments herein are subject to change upon receipt of a complete application submittal, including to-scale and dimensions elevations of all four sides of the proposed building. These comments are also assume compliance with [Sec 5-7-4\(A\)](#) of the Evanston Inclusionary Housing Ordinance.

Zoning Comments:

- Repeat Comment** – (Updated per proposed Floor Plans dated 1/21/2022) - The required parking of 26 stalls for the multi-family residential use has been determined with the following assumptions in mind, noting the submitted Inclusionary Housing Proposal is not complete:

- 35 total dwelling units (DUs)
- 3 are studios
- 20 of 35 are 1-bedroom
- 5 of 35 are 2-bed
- 7 of 35 are 3-bed
- 10% of 24 is 3 DUs required to be affordable
- +4 DUs bonus per 1 affordable unit (12 total bonus) are not exempt from parking.
- One studio DU and two 1-bed DUs each being affordable, are exempt from parking.
- 3 studio DUs, 20 1-bed DUs, 5 2-bed DUs, and 7 3-bed DUs requiring 0.55 stalls, 0.55 stalls, 1.1 stalls, and 1.65 stalls each respectively within a TOD area, result in a total of 30 required parking stalls for the residential use. When deducting the parking that would otherwise be required for 1 studio unit and two 1-bed units (a total of 2 stalls when rounded), 28 parking stalls are required. *Per comments 2, 13, and 14 below, a variation to allow only 3 on-site parking stalls where a minimum of 28 is required must be approved by the City Council.*

Please submit a **complete** Inclusionary Housing Proposal. Staff understands that the applicants working on this.

- Repeat Comment** – Because the subject site provides only **32** on-site parking stalls, staff recommends that the applicant secure leases for off-site parking within the block area, in accordance with Section 6-16-2-9(B)(4). *Staff strongly suggests that parking stalls are secured within the block area to decrease the degree of the relief requested. Please contact Michael Rivera, Parking Division Manager, at mrivera@cityofevanston.org or (847) 859-7804. Staff understands that the applicant spoke to him on 11/23/2021 and only asked which garage in the area had availability and the parking rate. M. Rivera stated that the closest garage is the Sherman Garage with a rate of \$130/month, subject to periodic increase. The applicant should continue to work with M. Rivera in preparing a draft lease for parking stalls*

- to reduce the degree of relief requested.*
3. **Repeat Comment** – Please provide a current plat of survey. The proposed loading area conflicts with what is shown on the plat of survey to be ground HVAC units. *Staff understands this is in progress.*
 4. **Repeat Comment** - In relation to the above two comments, the proposed site plan needs to be updated to reflect the encroachment of the balconies into the south interior side and rear yards. Note, although these are not *required* yards (meaning no minimum setback from lot line to building), any open space between the lot line and building is still defined as that yard. *Balconies are still proposed on the west elevation. Please show them on the proposed site plan. The depth of 3 feet is now compliant.*
 5. **No Response Required** - At the time of building permit application, provide for recycling and composting in the building’s waste stream. *This can be addressed during the formal building permit review. It is not a codified requirement.*
 6. The square footage for the ground floor on the Varsity Theater Conversion Preliminary Areas is not correct. Including the building services, tenant storage, bike storage, and lobby, staff finds a total of approximately 11,020 s.f., for a total building GSF of 42,300 s.f.
 7. Please identify the ADA compliant accessible path from the parking stall to a building entrance (may come up at DAPR).

Zoning Section	Comments
Sec 6-16-3-5	2 parking stalls provided; 28 stalls required for proposed multi-family residential uses; <u>Major Variation is required to allow 2 stalls where 28 are required.</u>
Multiple-family dwellings	Dwelling unit with 1 or fewer bedrooms: 1¼ spaces for each dwelling unit or .55 spaces for each dwelling if within a designated Transit Oriented Development area.
	Dwelling unit with 2 bedrooms: 1½ spaces for each dwelling unit or 1.10 spaces for each dwelling if within a designated Transit Oriented Development area.
	Dwelling unit with 3 or more bedrooms: 2 spaces for each dwelling unit or 1.65 spaces for each dwelling if within a designated Transit Oriented Development area.
	Multiple-family dwellings which fall under Inclusionary Housing Ordinance requirements shall meet parking standards as specified in the corresponding zoning district’s Inclusionary Housing Bonus section. For purposes of this use, any room other than a kitchen, living room, dining room, living-dining room, laundry room, bathroom, or lavatory shall be deemed a bedroom Residential developments which fall under Inclusionary Housing Ordinance requirements shall meet parking standards as specified in the corresponding zoning district’s Inclusionary Housing Bonus section.

Recommendation(s):

8. **Repeat Comment** - Obtain leases for all remaining 28 required parking stalls; or
9. **Repeat Comment** – Obtain leases for as many parking stalls as possible within the block area. Evidence that the parking stalls are not necessary within 1-2 years following occupancy of the dwelling units can be submitted in conjunction with an application for a Major Variation to request a reduced parking requirement. *Current Major Variation must be updated to reflect the degree of the relief requested.*

Applicant	Chris Dillion
Phone Number	(312) 282-8396

Katie Ashbaugh

1/28/2022

Signature

Date

NO RESPONSE NEEDED

Housing & Grants Comments:

1. **Repeat Comment** – As a covered development, 10% of the proposed total units must be affordable per the Inclusionary Housing Ordinance. The final number and size of units will be determined once more detail about the project and any zoning relief is finalized, in collaboration with the zoning staff.
2. **Repeat Comment** – Additional information pertaining to market rent vs. affordable unit rent, mix of affordable units, square footage, etc. is required to before further comments pertaining to IHO compliance can be provided.

Preservation Comments:

3. **Repeat Comment** – Preservation of the existing front-facing primary facade second story fenestration and terracotta detailing should occur. The existing front facing casement windows on the second floor and the masonry appear in good condition. The tile roof should also be preserved, as indicated.
4. **Repeat Comment** – First floor storefront alterations should attempt to be as sensitive as possible and relate to traditional storefront design with a masonry bulkhead and recessed transparent glazing.
5. **Repeat Comment** – There is a significant amount on interior architectural integrity at the second floor. Is any of this being retained? If it is all proposed for removal, it should be extensively photo documented and salvaged for resale or donation for reuse elsewhere.
6. **Repeat Comment** – Once the project is complete, local landmark status would be a significant public benefit in order to preserve the front facing facade for future generations. Alternatively, a preservation easement to Landmarks Illinois should be donated for the front facing facade only.

City of Evanston

ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: Pending Review November 12, 2021

RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 21ZONA-0194
Address: 1706 Sherman AVE
Applicant: Chris Dillion
Phone: 8478671295

Purpose: Zoning Analysis without Bld Permit App
District: D2 **Overlay:** None **Preservation:** Not Within
Reviewer: Katie Ashbaugh **District:**

THIS APPLICATION PROPOSES (select all that apply):

ANALYSIS BASED ON:

- | | | |
|---|--|--|
| <input type="checkbox"/> New Principal Structure | <input checked="" type="checkbox"/> Change of Use | <input type="checkbox"/> Sidewalk Cafe |
| <input type="checkbox"/> New Accessory Structure | <input type="checkbox"/> Retention of Use | <input type="checkbox"/> Other |
| <input type="checkbox"/> Addition to Structure | <input type="checkbox"/> Plat of Resubdiv./Consol. | |
| <input checked="" type="checkbox"/> Alteration to Structure | <input type="checkbox"/> Business License | |
| <input checked="" type="checkbox"/> Retention of Structure | <input type="checkbox"/> Home Occupation | |

Plans Dated: 1/21/2022
Prepared By: GREC Architects
Survey Dated: 12/4/2004
Existing Improvements: 4 story non-residential building

Proposal Description:

Mixed-use interior remodel for 35 DUs and 1 ground floor commercial use in existing 4-story building (former Varisty Theater)

ZONING ANALYSIS

FRONT YARDS

Section 6-4-1-9(A)3 - For R, T, or U District proposals, does 50% or more of the block frontage have a setback of more than 27 feet?

Section 6-4-1-9(A)5a - Does an abutting lot have less than the required front yard setback of the zoning district?

Section 6-4-1-9(A)5b - Is the subject property located between an improved lot and a vacant lot? Or is the subject property a corner lot?

RESIDENTIAL DISTRICT CALCULATIONS

The following three sections apply to building lot coverage and impervious surface calculations in Residential Districts.

<u>Front Porch Exception (Subtract 50%)</u>	<u>Pavers/Pervious Paver Exception (Subtract</u>	<u>Open Parking Debit (Add 200sqft/open space</u>
Total Elible Front	Total Paver Area	# Open Required Spaces
Front Porch Regulatory Area	Paver Regulatory Area	Addn. to Bldg Lot Cov.

PRINCIPAL USE AND STRUCTURE

	Standard	Existing	Proposed	Determination
USE:	D2	Mixed Use	Mixed Use	Compliant

Comments:

Minimum Lot Width (LF) USE: Multi Family	No Requirement	80	Compliant
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Comments:

Minimum Lot Area (SF) USE: Multi Family	1 DU/400 SF	18525	Compliant
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Comments:

Dwelling Units: Comments: Per Sec 5-7-13(D)	1 DU/400 SF	0	35	Compliant
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	Standard	Existing	Proposed	Determination
Gross Floor Area (SF)	4.75	34603	42300	Compliant
Use: All Uses		1.8679082321187583	2.28	
Comments: Per Sec 5-7-13(D)				
Height (FT)	42	59.6		Legal Non-Conforming
Comments:				
Front Yard(1) (FT)	0	0		Compliant
Direction: E				
Street: Sherman				
Comments: No change				
Interior Side Yard(1) (FT)	0	0		Compliant
Direction: N				
Comments: No change				
Interior Side Yard(2) (FT)	0	5		Compliant
Direction: S				
Comments: No change				
Rear Yard (FT)	0	50		Compliant
Direction: W				
Comments: No change				
ACCESSORY USE AND STRUCTURE				
Use (1)	Standard	Existing	Proposed	Determination
Permitted Districts:		None	Balcony	Compliant
Comments:				
Permitted Required Yard:	Front, Rear	None	Rear Yard	Compliant
Comments:				
Additional Standards:				
Comments:				
Height (FT)	Flat or mansard roof 14.5', ot			
Comments:				
Rear Yard (FT)		N/A	3'	Compliant
Direction: W				
Comments:				
PARKING REQUIREMENTS				
	Standard	Existing	Proposed	Determination
Use(1): Retail Goods Establishment	1 per 350 sqft gross floor area.	0	0	Legal Non-Conforming
Comments:				
Use(2): Multi-family (Nonres District)	< 1 bdrm --> 1 1/2 DU □ 2 bdrm --> 1 1/2 DU □ 3 bdrm --> 2 /DU	0	0	Non-Compliant
Comments: 26 stalls required				
TOTAL REQUIRED:	28 stalls required, total	0	2	Non-Compliant
Comments: See cover sheet.				

	Standard	Existing	Proposed	Determination
Handicap Parking Spaces	Sec. 6-16-2-6	0	1	Compliant

Comments:

Garage Setback from Alley Access (FT)

Comments:

LOADING REQUIREMENTS

	Standard	Existing	Proposed	Determination
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Loading Use: Retail and/or Commercial	1 short 5K to 10K, 2 short 10K to 25K, 2 long 25K to 60K, 3		1	Compliant
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Comments: 1 short total required

TOTAL (long): 0

TOTAL (short): Multi-Family, 1 short 30K to 100K

Short Berth Size (FT)	10' wide x 35' deep		10x35'	Compliant
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Comments:

Vertical Clearance (FT)	14'			Compliant
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Comments:

Location:	Sec. 6-16-4-1			Compliant
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Comments:

COMMENTS AND/OR NOTES

Analysis Comments

RESULTS OF ANALYSIS

Results of Analysis: This Application is **Non-Compliant**

Site Plan & Appearance Review Committee approval is: **Required**

See attached comments and/or notes.

SIGNATURE _____

DATE _____

Design Evanston Project Review of the Varsity Theater Building/Bookman's Alley Project

January 11, 2022 (Zoom Meeting)

General Comments

Design Evanston professional members participated in a presentation by the project development team of the proposed adaptive re-use of the Varsity Theater Building and re-development of Bookman's Alley. The building will include approximately 10,000 square feet of retail space at ground level directly connected to Bookman's Alley. In addition, it will include 35 apartments—studio, 1, 2 and 3-bedroom units, three of which are to be affordable. The project calls for 28 parking spaces—three on site with one accessible and the remainder of the spaces elsewhere as negotiated. Integral to the project is the emphasis on developing the eastern half of Bookman's Alley (the length of the existing Varsity Theater Building) for pedestrian activity and access to new and existing retail along the new development.

This project has been many years in the making and the development team of The Benamy Group, Campbell Coyle, DMA, GREC Architects and JLL has completed many adaptive re-use, renovation, and mixed-use projects for municipalities, neighborhoods, private and public clients.

The development team has met with City staff, Zoning officials, neighbors including the Baptist Church at the other end of the alley, Council members, and are all enthusiastic about the project moving forward. The development team seeks to enliven the alley, making it a destination with unique retail offerings and converting it into a place for people that includes retail, restaurants, public art, and an entertainment venue.

Design Evanston understands that the developers' ability to get the right kind of commercial/entertainment tenants will be critical in making the project a great success.

Design Evanston Project Review Standards

Based on the development team's presentation to Design Evanston, we have evaluated the project using the Design Evanston Project Review Standards as follows:

1. The project should address a perceived need in the city and its respective community.

This project will address a need for unique shopping experiences in downtown Evanston to keep it vibrant and drawing visitors to return. This project will help provide a shopping experience which isn't available most other places.

The city especially needs affordable housing for families. We hope that at least some of the 3-bedroom apartments be in the affordable category.

Tenant vendors in the Varsity Theater Building need to provide products and services that people in and out of the Evanston community would consider important enough to want to go to shop, eat or be entertained. The development team is aiming to provide something that customers may not be able to find in their own neighborhoods.

2. The project should be of an appropriate and beneficial use within the project's geographical context.

The project will provide for attractive storefronts along the alley and Sherman Avenue creating a unique, pedestrian appropriate and beneficial use of the underused Varsity Theater Building and



400 Main Street, 2c
Evanston, Illinois 60202
(847) 866-7480
www.designevanston.org

alley. The development will provide lighting and potentially public art, plantings, and seating along the sides of Bookmans's Alley which will support the new commercial activity at street level in the Varsity Theater Building.

The project will also provide a more inviting path to the venerable book shop "Bookends and Beginnings" and "Alley Gallery" which have long attracted people to the alley. Reinvigorating the Varsity Theater Building exterior without changing its character will be beneficial to the appearance and 'feel' of that block of Sherman Avenue. The 35 new living units in the building will generate more pedestrian activity in the heart of downtown as well as providing unique living spaces.

3. The project should be of appropriate and complementary size, scale, and proportion for its physical context.

This adaptive re-use of an historic building has appropriate and complementary size, scale, and proportion for its physical context. The project will enhance the existing structure without changing its size or scale compatibility with its surroundings. Converting the alley into a pedestrian destination is a unique way of activating an underused space in downtown.

Resolution of the required parking for the development, as well as deliveries and pickups access is still pending. Those issues will need to be resolved in an unobtrusive yet convenient way. The project development team has begun to address these issues with the city.

The project will generate more pedestrian activity on the block and in the alley while providing a more pleasant environment. Increased circulation is at the heart of the project's goals and the pedestrian areas will be enhanced accordingly. Project and alley signage, lighting and ground level design are to be carefully considered by the development team for safety and visual impact.

Signage could be a critical element in attracting people to the alley. Gateway signs over both east and west alley entrances might incorporate the original Varsity Theater marquee or a facsimile, thus preserving the Theater's nostalgic image on the street.

4. The project should reflect current progressive, creative, and sustainable design goals and practices.

The project is a re-use of the existing Varsity Theater Building, and a re-imagining of the existing Alley adjacent to the building. In general terms, building re-use is a highly sustainable act, given that buildings and their construction consume 40% of the world's energy.

The development team's entire concept is progressive in its goal of putting new interest and usability in an existing urban setting without major building demolition. Their design emphasis is very contemporary in its thoughtful approach to maintain the character and scale of the existing building and alley. Development of existing alleys off main streets has been successfully pursued in towns and cities in the US and around the world.

A participant suggested that to upgrade the views and ambience of the project, there might be an opportunity to install a green (planted) vertical wall on the north façade of the Marshall Field building to enhance views from the proposed new Varsity Theater Building apartments.



5. The project should provide for current and future economic growth.

The proposed project provides for future economic growth by placing housing and more specialized retail, food / dining and potentially entertainment in one development which will set a new precedent for downtown Evanston and could spur other developments with similar goals now and in the future.

Providing housing in this location will add to traffic on Sherman Avenue, especially after-hours, and will help to make this into a safe space and will potentially add patrons to existing retail and restaurant venues in downtown Evanston overall.

6. The project should provide for good city revenue generation with as low as feasible infrastructure burden to the city.

The redeveloped Varsity Theater Building is projected to provide a 180% increase in its tax payments to the city.

Reusing an historic building with existing infrastructure reduces any potential burden on the city. Undoubtedly the plumbing and power loads generated by the project will increase the loads on public utilities, but the overall impact should be much less than a new building which would likely be bigger with much higher utility demands.

7. The project should provide for a positive, engaging experience at street and pedestrian level.

Evanstonians have been essentially 'waiting for years' for this project to be enacted. Converting the alley into a people- friendly space would provide an engaging experience at pedestrian level. Re-using the Varsity Theater Building will bring residents to downtown further providing activity in and pedestrian activity around the building.

8. The project should complement the practices and goals of "Complete Streets" and encourage multi-modal transportation use.

The site is conveniently located in downtown Evanston, close to all rapid transit stations shopping, dining, health services and other amenities. The site will be pedestrian friendly and should increase retail activity. The project will have a bike room in the redeveloped Varsity Theater Building as well as bike parking outside. The development of Bookman's Alley will provide new interest and activities for pedestrians.

9. The project should be a contributor to the city of Evanston's goals to be energy self-sufficient.

The development team indicated its intention to pursue compliance with Evanston's Green Building ordinance.

10. The project should provide a tangible complement of public benefits.

This unique destination in Evanston hopes to attract a diverse audience to its offerings; mixed use retail; restaurants; entertainment venue; all as a clean, visually appealing, "discoverable" and unique pedestrian pathway.



The project will provide three on-site affordable housing units and the reimagined Bookman's Alley will become a destination in downtown Evanston.

There will be an enhancement of Sherman Avenue as the result of the project's repair of the upper portions of the Varsity Theater Building exterior and sensitive reworking of the existing street level store frontage.

Additionally, aspects of the Varsity Theater's past could be preserved and reused for public benefit. As mentioned above, if available, the Theater's two smaller marquees could be reused as alley gateway elements at both east and west entrances.

Some of the Theater's interior artifacts or details could be salvaged and used elsewhere in either the retail or residential portions of the building. A participant suggested that a small "museum", accessible to the public, could be created that would display both artifacts and historic photographs.

Note: One of the most notable public benefits of the project was mentioned by the developer after the project review had ended. It's Design Evanston's understanding that in ongoing discussions with City staff the development team has expressed its desire to improve the entire length of the alley—from Sherman to Benson—using economic development/ARPA funds. If realized this would fulfill one long-awaited goal of the City's 2009 Downtown Plan and would be a wonderful public benefit.



2356 Colfax Terr.
22ZMJV-0005

LUC Determining Body



Memorandum

To: Chair and Members of the Land Use Commission

From: Johanna Nyden, Director of Community Development
Melissa Klotz, Zoning Administrator

Subject: 2356 Colfax Terrace | 22ZMJV-0005
Land Use Commission Determining Body

Date: February 17, 2022

Notice – Published in the February 3, 2022 Edition of the *Evanston Review*.

Sarah and Patrick Hillman, property owners, submit for major zoning relief from the Evanston Zoning Ordinance for additions to a single family residence in the R1 Single Family Residential District. The applicant requests zoning relief for 32.7% building lot coverage where a maximum 30% is allowed (Section 6-8-2-7), 54.5% impervious surface coverage where a maximum 45% is allowed (Section 6-8-2-10), a 1.5' north interior side yard setback where 5' is required (Section 6-8-2-8), a 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang) (Section 6-4-1-9), a 17.4' west rear yard setback where 30' is required (Section 6-8-2-8), a 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk) (Section 6-4-1-9), detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards (Section 6-4-6-2-D, 6-4-6-3-A), a 2' north yard setback where 3' is required to any property line for detached accessory structures (Section 6-4-6-2-E), a 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang) (Section 6-4-1-9), 35' height for a detached accessory structure where a maximum 20' height is allowed for accessory structures that are not garages or ADUs (Section 6-4-6-2-G), a fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house (Section 6-4-6-7-F), and 7.3' fence height where a maximum fence height of 6' is allowed (Section 6-4-6-7-F). The Land Use Commission is the final determining body for this case per Section 6-3-8-9 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Revisions submitted February 11, 2022 eliminate the requested zoning relief for building lot coverage and accessory structure height, and reduces the impervious surface variation request to 51.4%.

Recommendation:

Staff and the Design and Project Review Committee (DAPR) provide a neutral recommendation of the zoning relief requested. The Standards for Major Variation may be met for certain relief requested and may not be met for other portions.

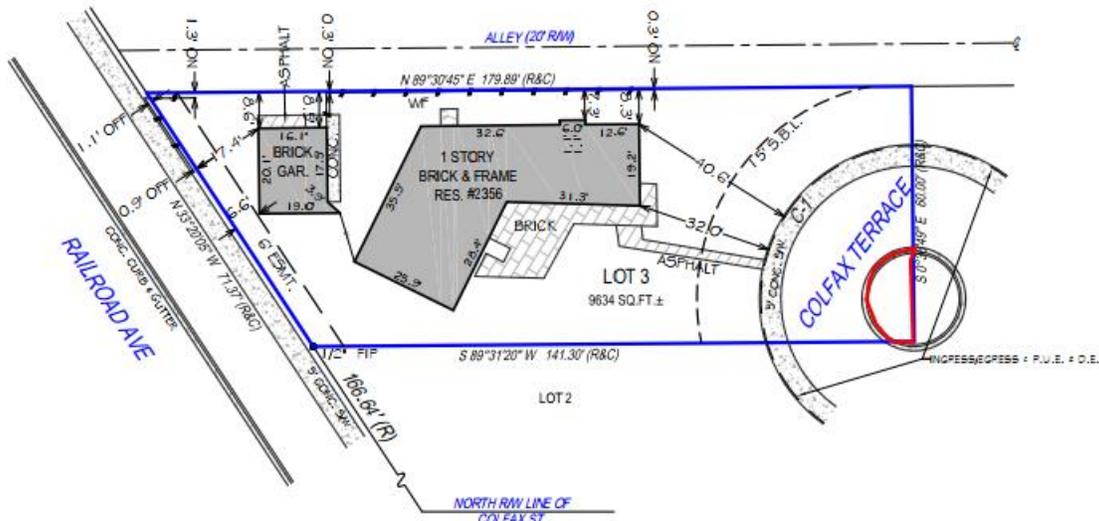
Site

Background:

2356 Colfax Terrace a unique lot with private street frontage along the Colfax Terr. cul-de-sac and public street frontage along Poplar Ave. The property is located in the R1 Single Family Residential District on a 9,635 sq. ft. lot where 7,200 sq. ft. is required, and features a dilapidated single family home that has sat vacant for the last 10 - 20 years. The property uses Colfax Terr. as the front yard and Poplar Ave. as the rear yard, just like the other properties on the block.



Note: Although the City's GIS shows Colfax Terrace as a public street, it is private (per the plat of survey) and the property line extends approximately half-way into the cul-de-sac.



2356 Colfax Terr. is a unique lot. Since it features two street frontages and is not a corner lot, it is considered a through-lot. Most through-lots in Evanston are regulated by two front yards. However, Section 6-4-1-9-A of the Zoning Ordinance states that a block of through-lots with an established front yard and established rear yard shall continue that interpretation and regulation. Since the block on that side of the street (including the existing structure at 2356 Colfax Terr.) has historically been interpreted with a Colfax Terr. front yard and Poplar Ave. rear yard, that consistent interpretation remains in effect. The front yard is to the east fronting Colfax Terr. (where the front lot line extends into the private cul-de-sac), the south interior side yard abuts the adjacent residential property, the west rear yard setback abuts Poplar Ave., and the north interior side yard abuts the alley. Per the Zoning Ordinance, the required yards cannot be interpreted in a different way. With these interpretations, the 9,635.7 sq. ft. lot (where 7,200 sq. ft. is required) features a buildable area of 4,625 sq. ft. when taking into account the required 38' front yard setback, 5' interior side yard setbacks, and 30' rear yard setback for attached structures. A standard rectangular 7,200 sq. ft. R1 property with a compliant lot width of 35' features a buildable area of 3,700 sq. ft. for attached structures.

Proposal:

Based on the documents submitted, including a revised site plan package submitted February 11, 2022, the applicant proposes the following variations for the substantial rehabilitation/additions to the existing structure to create a new single family residence with multiple accessory structures connected by wall and/or breezeway:

1. ~~32.7%~~ building lot coverage where a maximum ~~30%~~ is allowed (revised into compliance at 29.4%)
2. ~~54.5%~~ 51.4% impervious surface coverage where a maximum 45% is allowed
3. 1.5' north interior side yard setback where 5' is required
4. 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang)
5. 17.4' west rear yard setback where 30' is required
6. 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk)

7. detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards
8. 2' north yard setback where 3' is required to any property line for detached accessory structures
9. 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang)
- ~~10. 35' height for a detached accessory structure where a maximum 20' height is allowed for accessory structures that are not garages or ADUs (revised into compliance at 20')~~
11. a fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house
12. 7.3' fence height where a maximum fence height of 6' is allowed

The applicant is not in agreement with staff on the variations requested but did not submit an Appeal application to challenge any interpretations or calculations. Each variation request is detailed as follows:

1. Building lot coverage is revised into compliance; variation is no longer requested

2. 51.4% impervious surface coverage where a maximum 45% is allowed

An impervious surface variation is triggered solely because half of the private cul-de-sac street is included in the lot size and hardscape coverage. If the property line was at the sidewalk and the street area was not considered a part of the lot, more similar to typical lots, then the lot size would amount to roughly 8,173.47 sq. ft. with 3,680.56 of impervious area which amounts to 45% coverage. It is a hardship unique to the property that the private street is included in the calculation and is the reason for the variation request. Impervious variations at similar properties with private streets have been approved in the past. This is an appropriate variation.

3. 1.5' north interior side yard setback where 5' is required

The property features three bulk projections towards the north interior side property line that abuts the alley. One bulk projection is the garage which is towards the rear of the property and is comprised of much of the existing garage. The new garage is enlarged to fit today's vehicles, and features a compliant building footprint with a 5.8' north interior side yard setback where 5' is required (since the garage is attached). The second bulk projection is the dining/den and is new construction located 1.5' from the north interior side property line. This area is the closest point to the property line.

A setback variation should not be needed here since there is buildable area available within the large building envelope. The applicant states the required 5' north interior side yard setback that abuts the alley is wasted space that is otherwise unusable and should therefore be built upon. Staff notes setback areas abutting alleys are used for snow removal, garbage cans, utility poles and guy wires, etc.,

and at least 3' should be maintained when possible in order to align with detached accessory structure setbacks and to meet fire code.

The third bulk projection is the bicycle room and is discussed further below as a detached accessory structure.

4. 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang)

The attached garage features a 2' roof overhang that extends from the compliant exterior wall below and into the north interior side yard setback at 3.3' where 5' is required. A roof overhang may extend 10% or a minimum of 6" into a building setback, so a roof overhang on this portion of the garage could be 15 inches (or 1.3') since the garage wall sits at 5.8 and the roof overhang may extend to 4.5. Since it is easy to comply with this regulation and the request is aesthetic only, a variation is not appropriate.

5. 17.4' west rear yard setback where 30' is required

The existing garage is 6.6' from the west rear yard property line. The required rear yard setback for principal structures, which includes this proposal since the garage is attached to the house, is 30'. The applicant requests to expand the size of the existing garage and proposes the new construction at a point 17.4' from the rear property line (at the NW part of the property). There is no way to expand the existing garage size to fit today's vehicles without triggering a rear yard setback unless the garage is detached from the house.

6. 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk)

A roofed "covered walk at entrance" is located in the rear yard setback adjacent to the main bulk of the house and the garage. The area is located 10.5' from the west rear property line where it may extend 10% or 3' into the required 30' rear yard building setback. However, the existing garage and new garage extension, as well as a portion of the main bulk of the house at the SW portion of the property, are within the required setback and/or are closer to the rear property line than the proposed roofed walk.

7. Detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards

Staff notes both the bicycle room and the chimney that are within the front yard are considered detached accessory structures. The definition for Accessory Use or Structure includes the language "an accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building." The bicycle room connects to the principal building by an open air stair from the second floor that somewhat acts as a breezeway roof. The chimney in the SE area of the property connects to the principal building by a 7.3' tall brick wall that extends off of the house façade. Staff does not consider the open air stair, or

the brick wall, to be “attached to a principal building in a substantial manner” that meets the intent of the regulation.

Detached accessory structures are not permitted in front yards. As proposed with an attached garage off of Poplar, there is no private rear yard area available to compliantly locate detached accessory structures. Instead, the front yard detached structures and extended fences/walls create a barrier surrounding the sides of the property and extending into the front yard. The bicycle room extends into what would typically be a required front yard setback (if the street were public and not private) and features a roof overhang that extends to roughly 4’ away from the sidewalk/curb adjacent to the cul-de-sac. Although not required by the City, the plat of survey notes a 15’ building setback line, and other buildings on the block follow that line and are at least 15’ back from the sidewalk/curb. The bicycle room does not meet that setback line.

Staff notes chimneys may extend 10% into required setbacks as yard obstructions (when attached to a principal structure). The proposed chimney is 20’ tall from grade. If there is an opening at or around grade level, the Fire Department may consider the chimney to be a fire pit, which must be 10’ from any property line (and is a Fire Department regulation, not a Zoning Ordinance regulation). The most recently updated site plan re-labels the chimney as a “fireplace” and the elevation does show an opening near grade.

8. 2' north yard setback where 3' is required to any property line for detached accessory structures

The bicycle room near the NE area of the property is considered a detached accessory structure. It does feature an open air second story stair that connects to the principal structure, but is not considered “substantially connected” by staff and is therefore viewed as a detached accessory structure. The most recent site plan shows this area to be roofed, but the applicant confirmed at DAPR it is a stair and not a roof over, and the elevation drawing clarifies.

As a detached structure, a 3’ north interior side yard setback is required. It appears there is ample room to shift the bicycle room one foot to the south to comply, or to reduce the size of the bicycle room by 1’ so that it complies with the setbacks.

If the bicycle room were considered an attached structure, it would be within the required front yard setback as well as the required north interior side yard setback.

9. 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang)

The roof overhang on the bicycle room is proposed with a 1’ depth so that the overhang extends to a 1’ setback to the north interior side yard property line that abuts the alley. As proposed, the oversized eave is quite close to the property line and is at risk of being hit by garbage trucks that navigate the alley. The overhang is

not consistent with other overhangs or eave depths on the property (ie. the south interior side yard setback).

- 10. 35' height for a detached accessory structure (chimney) where a maximum 20' height is allowed for accessory structures that are not garages or ADUs - the chimney in the front yard is revised to a compliant maximum height of 20' per the most recent site plan; variation is no longer requested.**

- 11. A fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house**

Fences on residential properties are not allowed in front yards or within the 3' of the front façade of the house. There is an existing fence along the north property line that abuts the alley and runs the length of the north interior side yard property line from the rear yard at the west to the front lot line at the east. A variation to replace this fence with a larger and more solid fence that blocks visibility to the adjacent alley is appropriate when considering the proximity to front yards and the need for privacy.

There is a new fence proposed near the south interior property line that projects east from the chimney in the front yard, to a point 3 feet away from the sidewalk/curb. The neighboring property features an air conditioning condenser unit along the north side of their house that is visible from the subject property and is the reason for this requested fence. However, there is no need for this fence to extend to a point 3 feet away from the sidewalk. At DAPR, the applicant has indicated this fence may not be needed since the neighbor may screen the air conditioning condenser instead, but it is still proposed on the site plan.

The barrier wall that attaches to both sides of the chimney and runs much of the length of the interior side property line is also considered a fence and is located in the front yard.

- 12. 7.3' fence height where a maximum fence height of 6' is allowed:**

A variation to replace the existing alley fence with a 6 foot privacy fence is appropriate, but there is no reason to extend the height of any fence or barrier wall beyond 6', especially within a front yard. Doing so would create a fortress-like appearance that is out of place compared to the rest of the neighborhood. If the barrier wall does not extend further east than the chimney and is reduced to 6' in height then it complies with fence regulations since it is not located in the front yard (since the dining/den house bulk extends closer to the street and to the east than the chimney).

Porch/Deck:

The front porch/deck/hardscape area that is within the front yard and interior courtyard of the property was revised in the latest site plan. With additional information provided, staff determined the decking portion is eligible for the 3% deck credit, the roofed areas with hardscape or decking under are eligible for the 50% front porch credit, and the

remaining hardscaped areas are eligible for the 25% impervious credit. With all credits applied to the maximum benefit allowed, the building lot coverage is reduced into compliance at 29.4%.

However, the credits are allowed because the porch is now shown as attached to the principal structure. This also means that porch depth rules apply, and the porch cannot be more than 7' deep. As shown, the porch does not comply with this regulation and a variation was not originally requested (based on the previous site plan). Therefore, a porch depth variation cannot be granted by the Land Use Commission. It is an eligible minor variation that could be requested by the applicant at a later date. However, the applicant believes the front porch will be revised into compliance prior to permit submittal and will not require a variation.

Summary:

Given the larger than required lot size and lot width, which includes a buildable envelope 50 feet wide, and the substantial teardown of the existing structure (which is considered a tear-down by the Building & Inspection Services Division and required to pay the affordable housing tear-down tax), most of the zoning relief requested are aspects of the Zoning Ordinance that could be complied with at this property. Staff is aware the adjacent neighbor to the south is supportive of the request as proposed since the existing house has been vacant for 10-20 years, and there is no known opposition within the neighborhood.

Ordinances Identified for Requested Relief:

See legal notice and listed variations/revisions at beginning of memorandum.

Design and Project Review Committee (DAPR) Discussion and Recommendation:

December 8, 2021 – Following extensive back and forth recommendations and discussions to the applicant by zoning staff, the proposal proceeded to the DAPR Committee in Concept form. The Committee voiced concern that the plan is unclear, and specifically regarding the setbacks to the alley, and regarding the building lot coverage and impervious surface variation requests.

February 8, 2022 – The DAPR Committee found the site plans provided to be unclear and had difficulty understanding what is shown on the various site plans within the proposal package. Staff reiterated that the interpretations made to the Zoning Ordinance and required variations listed were not appealed so the DAPR discussion is in reference to the variations as stated and not any interpretations. Staff clarified certain variations are appropriate (such as the impervious surface coverage) but many are not since there is no hardship unique to the property. Multiple staff stated they could not support the proposal. The Commission unanimously provided a neutral recommendation.

Variation Standards:

In consideration of the DAPR Committee's neutral recommendation, some Standards may be met for some of the variations requested, while some Standards may not be met for some of the variations requested.

For a variation to be approved, the Land Use Commission must find the proposed variations:

1. Will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties.
2. Is in keeping with the intent of the zoning ordinance.
3. Has a hardship or practical difficulty that is peculiar to the property.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience.
5. Is not based exclusively upon a desire to extract additional income from the property *or* public benefit to the whole will be derived.
6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property.
7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty.

Attachments:

Application Materials – revised site plan package submitted February 11, 2022

Updated Staff Zoning Analysis calculations (based on February 11, 2022 site plan)

DAPR Packet:

Aerial Photo

Zoning Map

Plat of Survey

Site Plans & Elevations (previous site plan)

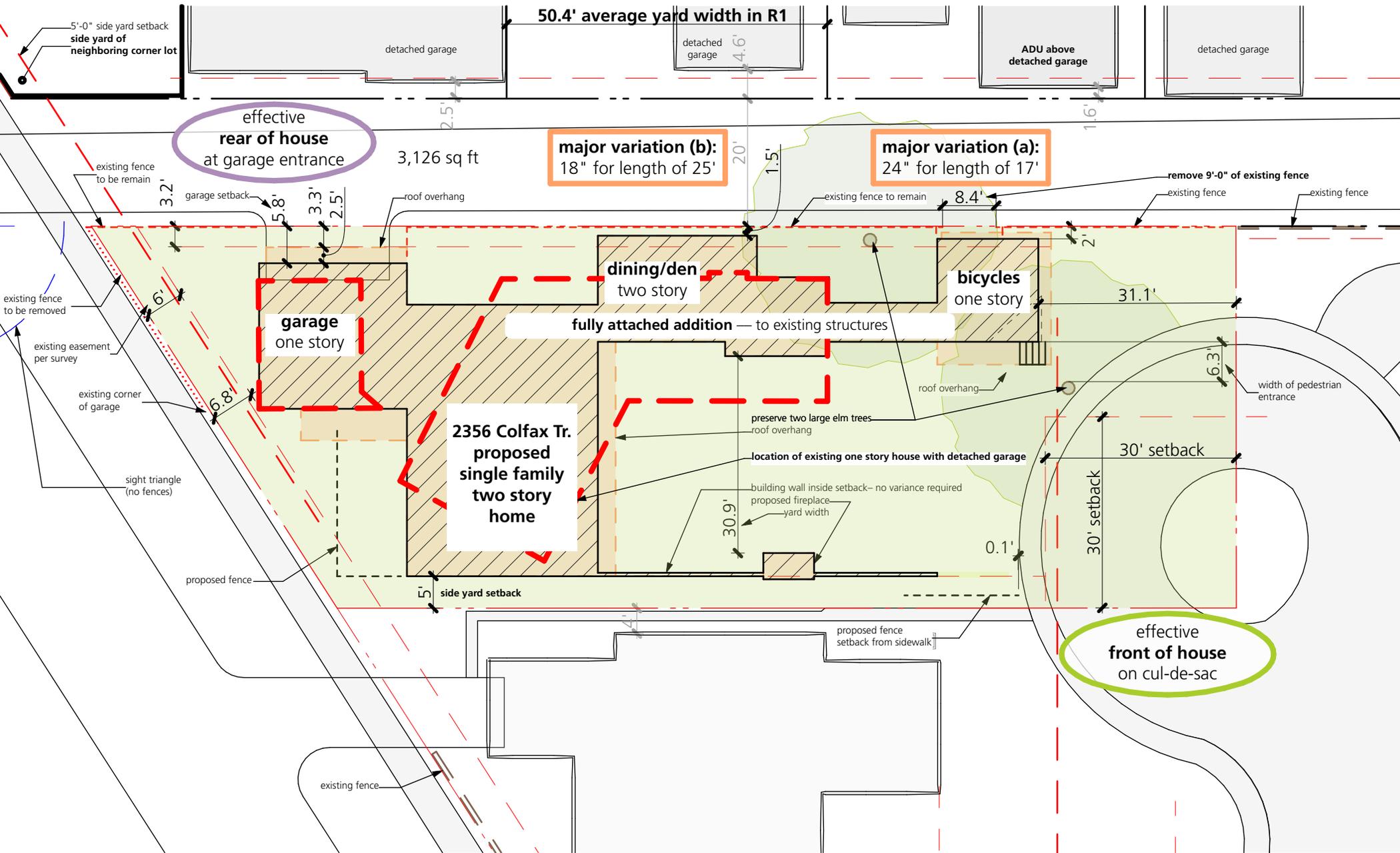
Zoning Analysis (based on previous site plan)

Major Variation Application

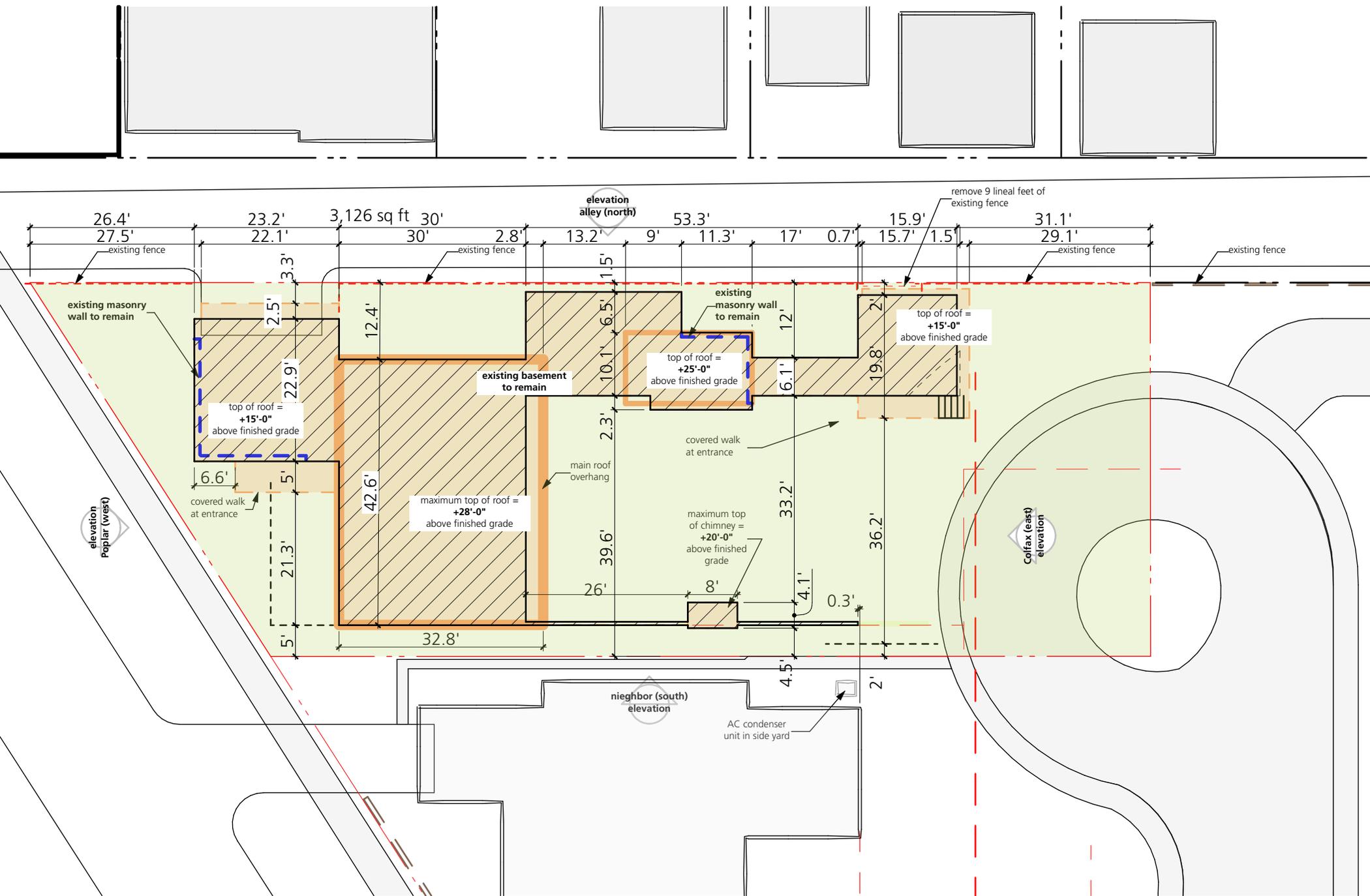
Applicant/Staff Correspondence

DAPR Concept Review Meeting Minutes Excerpt – December 8, 2021

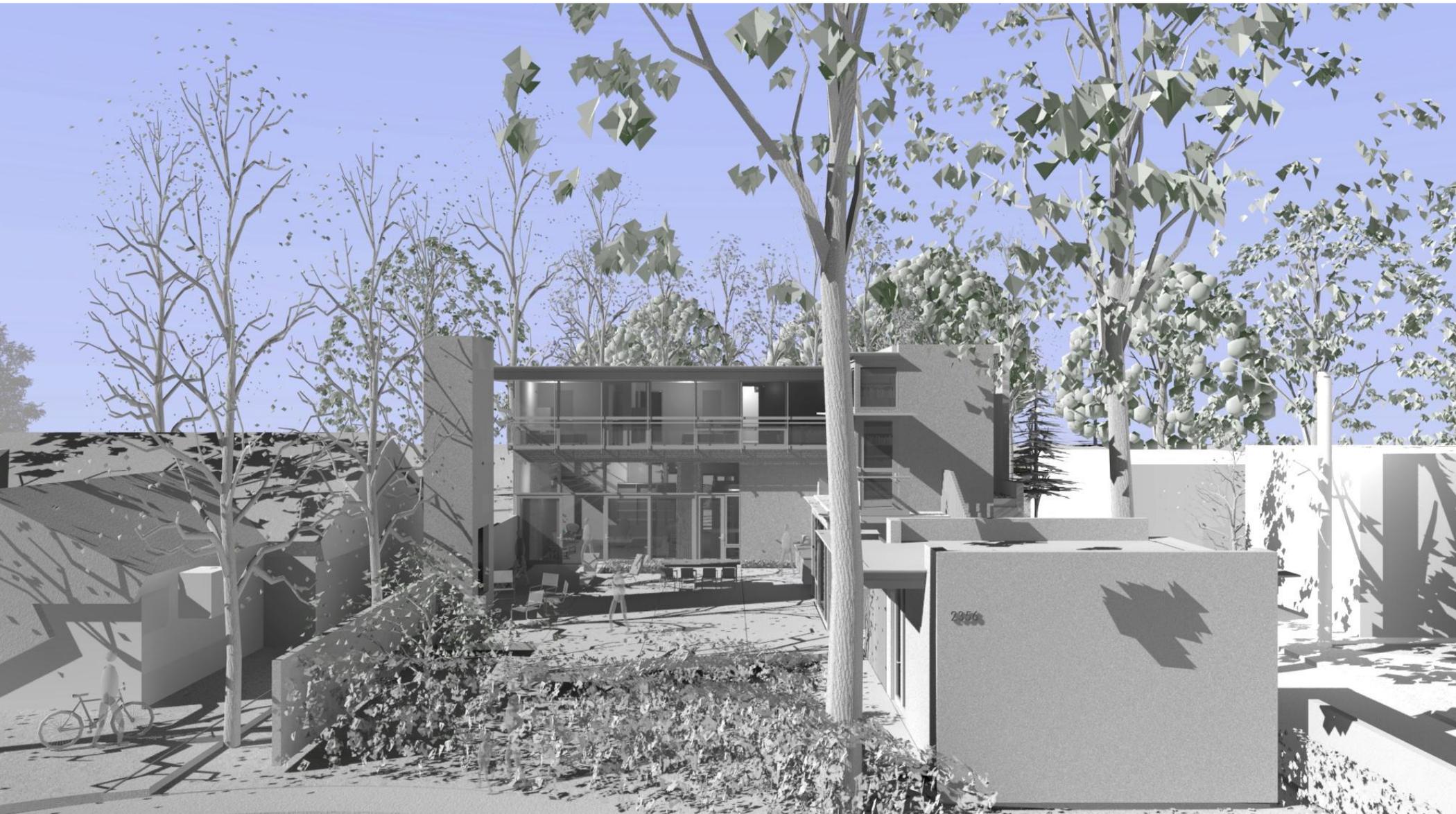
DAPR Approved Meeting Minutes Excerpt – February 8, 2022



We think an improved home with these setbacks will benefit the neighborhood.



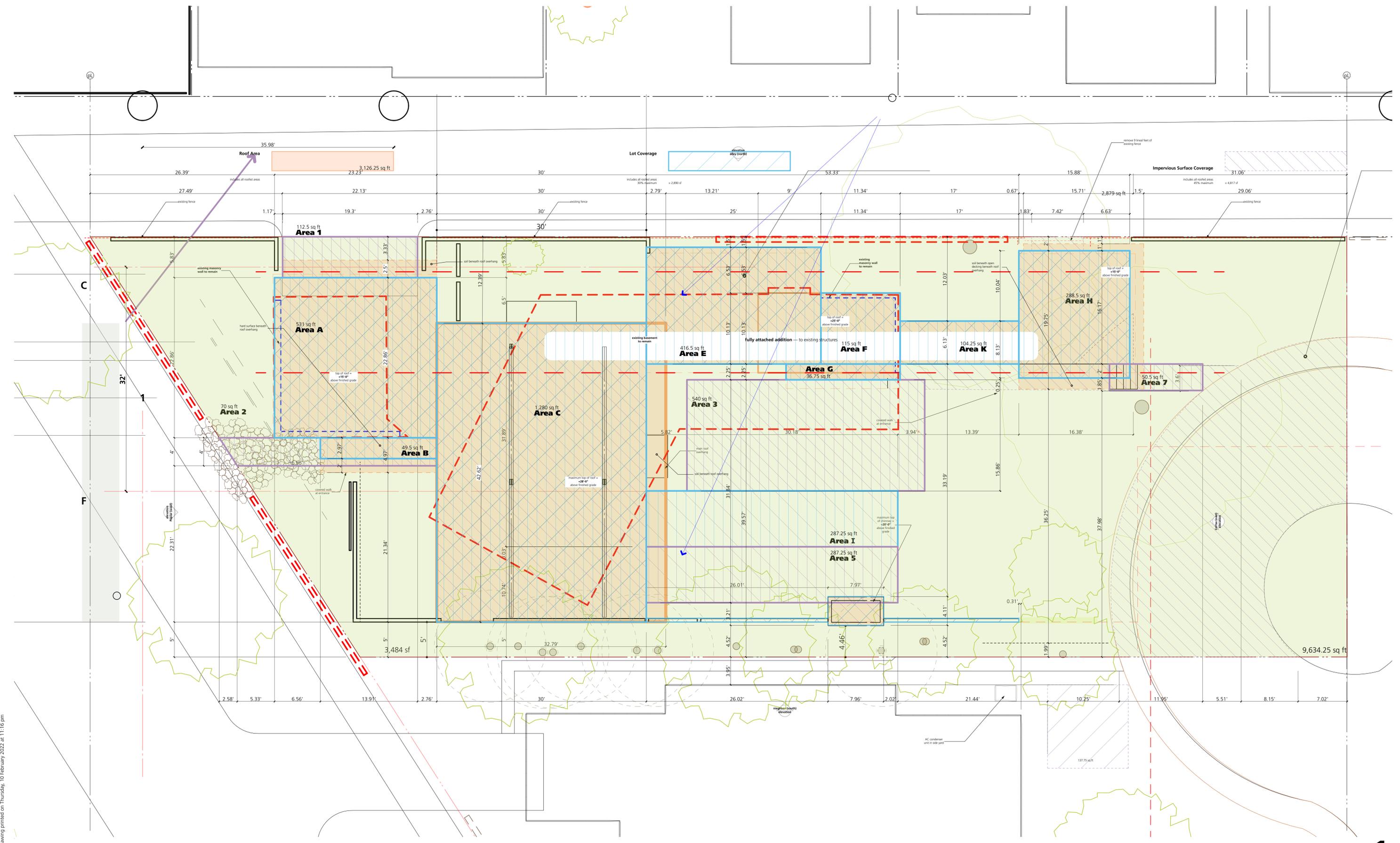




quiet yard away from alley and shared with neighbors to east



Undulating building elements block alley lights from east and south neighbors



This drawing printed on Thursday, 10 February 2022 at 11:16 pm

2356
single-family home
2356 Colfax Terrace
Evanston, Illinois 60201
© 2022 Animate, Inc.

animate...
architecture
objects
spatial studies
animatearchitecture.com
312 867.0450

issued for:
revisions four
clarification five
dimension updates
dimension updates
16december2021
2february2022
9february2022
11february2022

scale:
as noted
north: ↑

site plan MAJOR variation
dimensions

zvm-16

zoning site plan dimensions **1**
zvm-16

BLC 9,635.7

A $22.86 \times 23.23 = 531.04 + 2.5 \times 19.3 = 48.25 = 579.29$

B $3.97 \times 16.67 = 66.18$

C $30 \times 42.67 = 1280.1$

D $O_{new} 2.79 \times 16 = 44.64 \times 50\% = 22.32$

E $16.66 \times 25 = 416.5$

F $11.34 \times 10.13 = 114.87$

G $2.25 \times 16 = 36$

H $15.88 \times 19.77 = 313.95$

I 0

J counted in H.

★ New porch depth variation

$$\frac{2851.53}{2829.21} = 29.6\%$$

$$2829.21 = 29.4\%$$

applied 50% front

Lot w/o Street

9,635.7

- 1275.28 Street

~~★ 127~~ green circle 186.95

8173.47 lot w/o Street

3680.56 Impervious w/o Street

= 45.0%

15C

1 $3.3 \times 19.3 = 63.69$

2 $11.89 \times 4 + 2.58 \times 4 \div 2 = 47.56 + 5.16 = 52.72$

3 270.57

4 $17 \times 6.13 = 104.21$

5 239.41

6 $2 \times 7.42 = 14.84$

7 walk ~~39.5~~ $\times 39.5 \rightarrow \frac{116.38 \times 1.6}{23.12 \times 3.6} = 83.23 + 6.5 = 89.73$
 $+ 2.25 \times 3.5 = 7.88$

8 $7.96 \times 4.11 = 32.7$

9 1275.28

97.61
 $\times 75\%$

 73.21

→ Wood porch - not roofed

$8 \times 33.03 \times 2 = 528.48$

$3\% = 289.07$ credit allowed

239.41 counts

→ Previous porch - not roofed

$15.86 \times (30.18 + 3.94) = 541.14$

34.12

$\times 50\%$

 270.57

 2126.63

 $4955.84 = 51.4\%$

Design and Project Review
(DAPR)

2356 Colfax Terr.

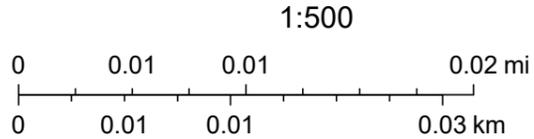
Recommendation to
Land Use Commission

ArcGIS Web Map



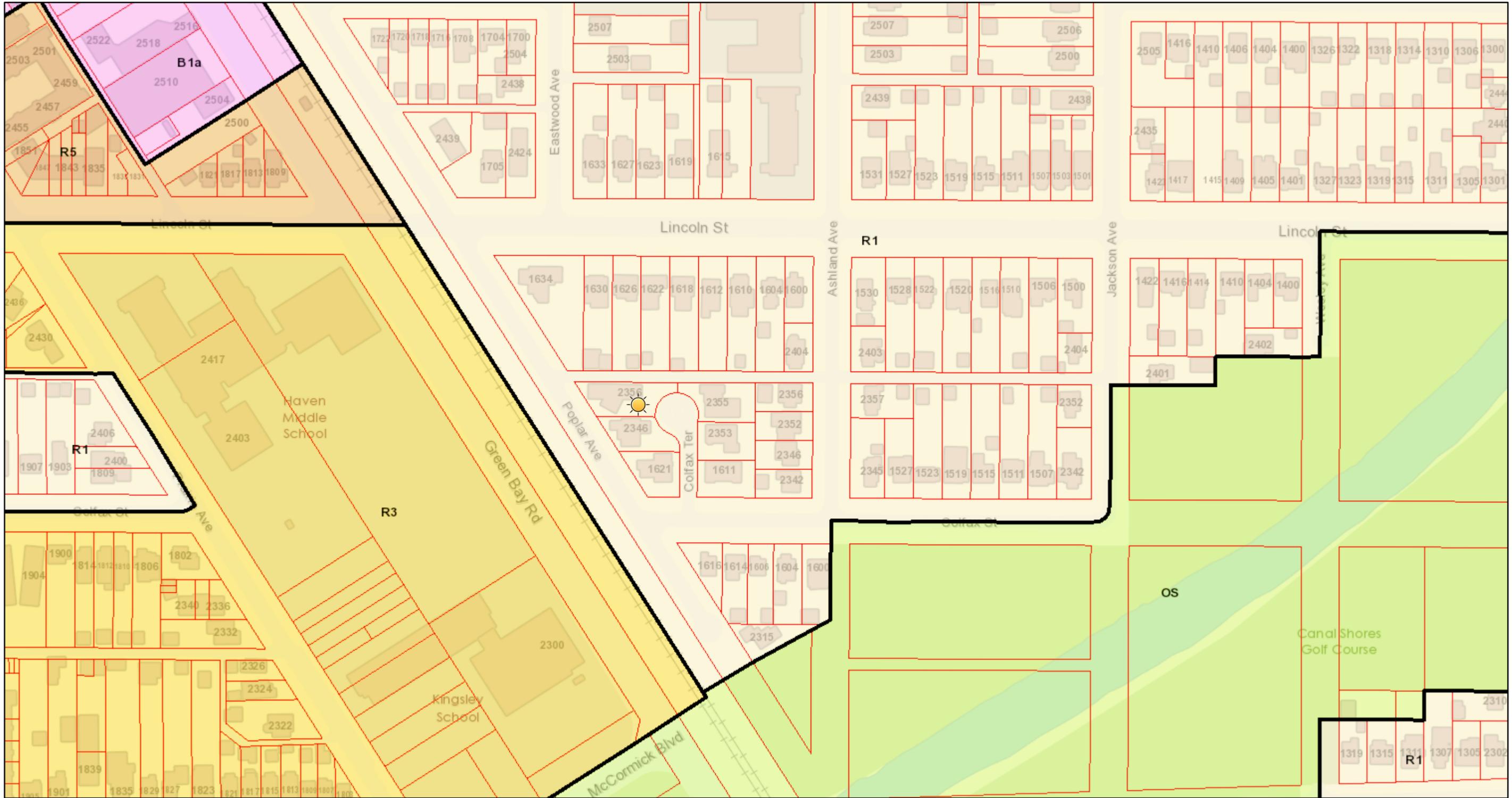
12/3/2021, 11:45:20 AM

-  City Boundary
-  Tax Parcels



City of Evanston IL, Imagery courtesy Cook County GIS

ArcGIS Web Map

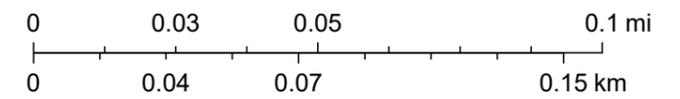


12/3/2021, 11:42:04 AM

1:2,000

Zoning Districts

- | | | | | |
|----------------------------|--------------------------------|---|--------------------------------|--------------------------------------|
| B1 - Business | C2 - Commercial | I2 - General Industrial | R1 - Single-Family Residential | R6 - General Residential |
| B1a - Business | D1 - Downtown Fringe | I3 - General Industrial | R2 - Single-Family Residential | RP - Research Park |
| B2 - Business | D2 - Downtown Retail Core | MUE - Transitional Manufacturing-Employment | R3 - Two-Family Residential | T1 - Transitional Campus |
| B3 - Business | D3 - Downtown Core Development | MXE - Mixed Use Employment | R4 - General Residential | T2 - Transitional Campus |
| C1 - Commercial | D4 - Downtown Transition | O1 - Office | R4a - General Residential | U1 - University Housing |
| C1a - Commercial Mixed-Use | I1 - Industrial / Office | OS - Open Space | R5 - General Residential | U1a - University Housing and Parking |



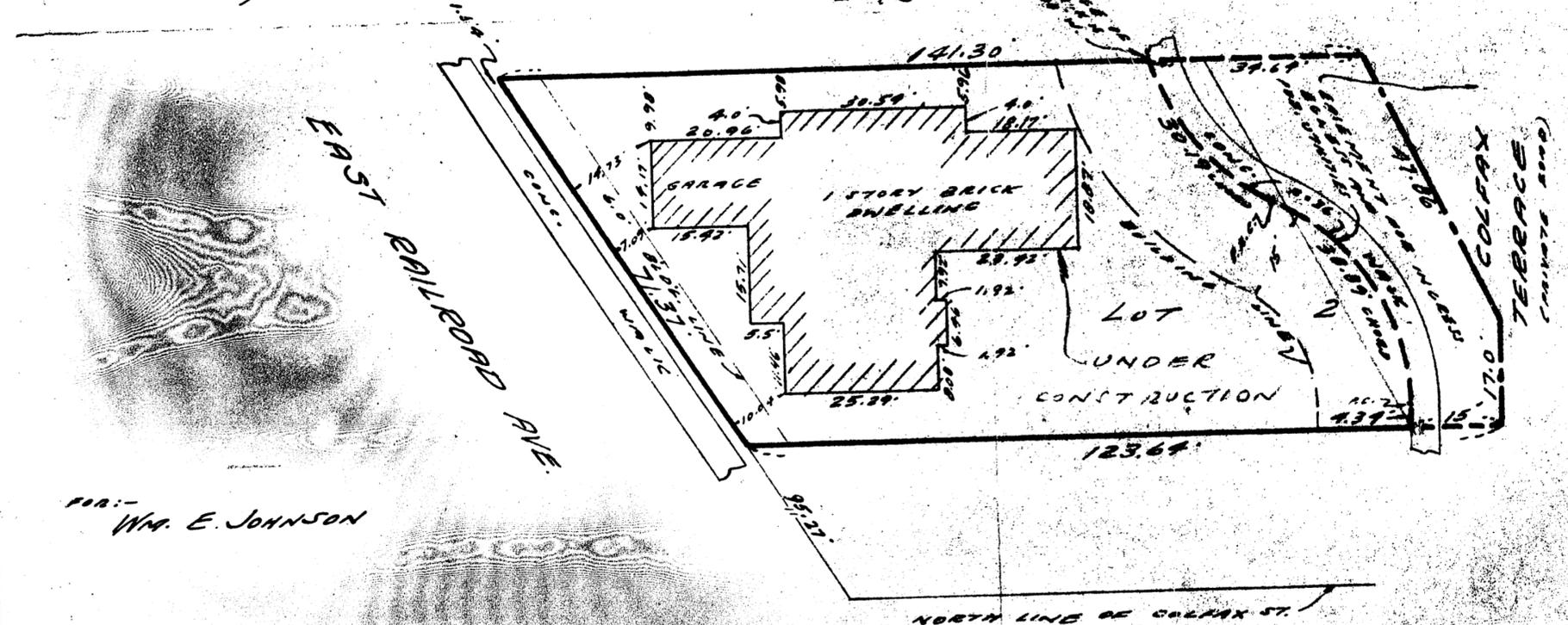
2356 Colfax Terrace



Plat of Survey

87-1996

FOR THE PURPOSE OF A MORTGAGE LOAN OF LOT 2 IN COLFAX MANOR, A RESUBDIVISION OF LOTS 12 TO 15, BOTH INCLUSIVE, IN BLOCK 7 OF THE RESUBDIVISION OF BLOCK 1, 2, 3, 4, 6 AND 7 OF NORTH EVANSTON, BEING A SUBDIVISION OF LOTS 11 TO 16 AND THE WEST 43 ACRES OF LOT 17 IN GEORGE SMITH'S SUB BEING A SUBDIVISION OF LOTS 11 TO 16 AND THE WEST 43 ACRES OF LOT 17 IN GEORGE SMITH'S SUB OF THE SOUTH PART OF ARCHANGELO DUILMETTA RESERVATION, AND ALSO OF LOTS 1, 3 AND THAT PART OF LOT 2 LYING BETWEEN THE C. & N. R. R. AND THE WEST LINE OF LOT 3 PRODUCED NORTH TO THE NORTH LINE OF SEC. 12 - T. 41 N. - R. 13 E. OF THE 3RD 1ST IN RESSOR'S PLAT OF EVANSTON, COOK COUNTY, ILL., COMMONLY KNOWN AS NO. 2350 COLFAX TERRACE, EVANSTON, ILLINOIS.
2346



FOR: -
Wm. E. JOHNSON

State of Illinois)
County of Cook) ss.

I hereby certify that the property described in the above caption has been surveyed under my direction and that the plat shown hereon is a correct representation of said survey. Measurements corrected to 62° F.

Harold A. Hunt
Illinois Land Surveyor
Wilmette, Ill. DEC. 19, 1950

Compare all points before building by same and immediately report any apparent discrepancy. No dimensions should be assumed by scaling.
For building lines refer to your deed, abstract, contract or Building Commissioner.

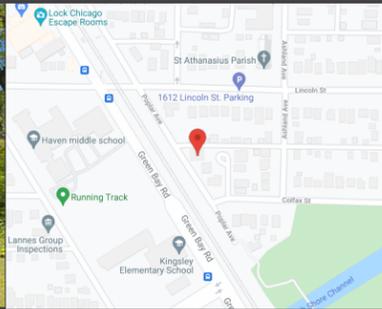
D. J. L. WALTHER
CIVIL ENGINEER AND SURVEYOR
WILMETTE, ILLINOIS
FILE: 5572 - U. 2 B. 154 - P. 86

Scale: 1" = 20'



www.exactalands.com | office: 773.305.4011

2108.3654
BOUNDARY SURVEY
COOK COUNTY



PROPERTY ADDRESS:
2356 COLFAX TERRACE, EVANSTON, ILLINOIS 60201

SURVEY NUMBER: 2108.3654

DATE SIGNED: 09/10/21 **FIELD WORK DATE:** 9/9/2021

REVISION DATE(S):
(REV.1 9/10/2021)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS } SS
COUNTY OF GRUNDY }

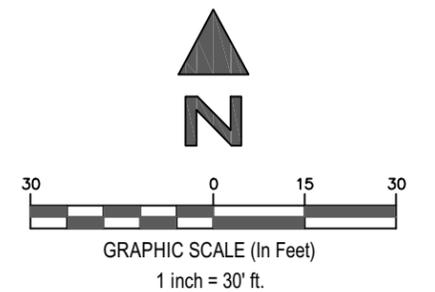
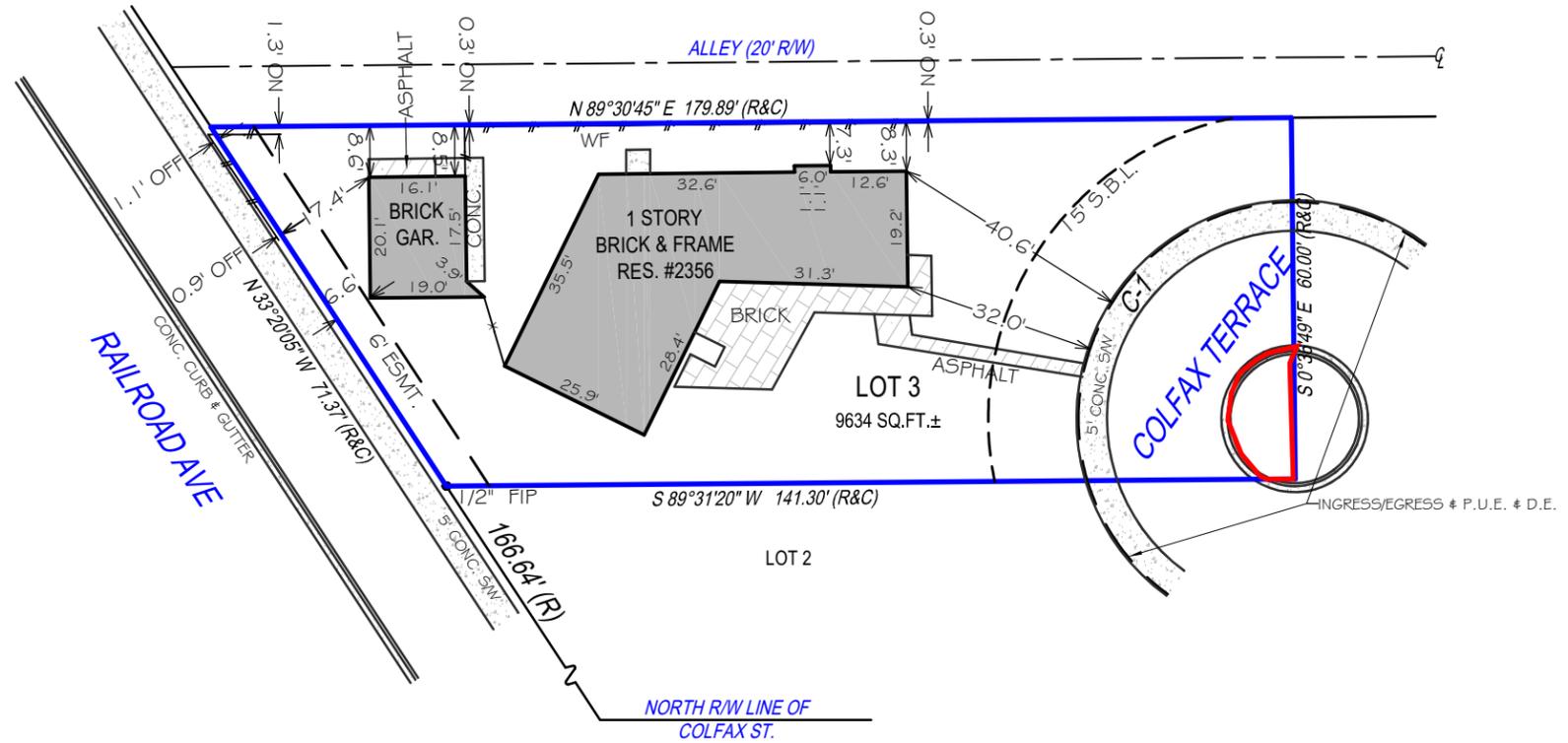
THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

Kenneth Kennedy
KENNETH A. KENNEDY
035-003403
PROFESSIONAL
LAND SURVEYOR
MORRIS, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
LICENSE EXPIRES 11/30/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008



Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



**Zoning Analysis
Summary**

UPDATED: 01-11-22

Case Number:

Case Status/Determination:

21ZONA-0164 – 2356 COLFAX TER	NON-COMPLIANT
-------------------------------	---------------

Plan Dated: 12-15-21

Proposal:

By: ANIMATE...

ADDITION TO EXISTING SINGLE-FAMILY DETACHED DWELLING AND DETACHED GARAGE
--

Zoning Section:

Comments:

	Property zoned R1 Single-Family Residential.
6-6-5-2	Any noncomplying structure may be repaired, maintained, altered or enlarged; provided, however, that any such repair, maintenance, alteration or enlargement whether in the vertical or horizontal dimension, shall comply with all provisions of this Ordinance.
	The plat of survey dated, September 9, 2021, shows the property includes a single-family dwelling (principal structure) and a detached garage (accessory structure). However, most recent aerial shows a roofed area connecting the dwelling and garage. A building permit could not be found for this work.
	Dimensions noted on plan sheet “zoning site plan dimensions” are difficult to read due to small font size, dimensions not legible when printed. Other plan sheets include a note not to scale off drawings.
	➤ Plan sheets are to be drawn to scale with legible dimensions.
	Walk at west entrance, off Poplar Avenue, not shown consistently between plan sheets.
	Proposed porch area shown between dining/den area and chimney is not clearly depicted. As shown the area is not attached to the dwelling and the location is not clear, plan notes “location to be determined”. As shown the area is considered a detached accessory structure, the porch credit does not apply.
6-8-2-6	Lot width: Compliant Minimum required: 35’ ▪ Existing: 60’, no change.
6-8-2-5	Lot size: Compliant Minimum required: 7,200 sf ▪ Existing: 9,635.7 sf, no change.

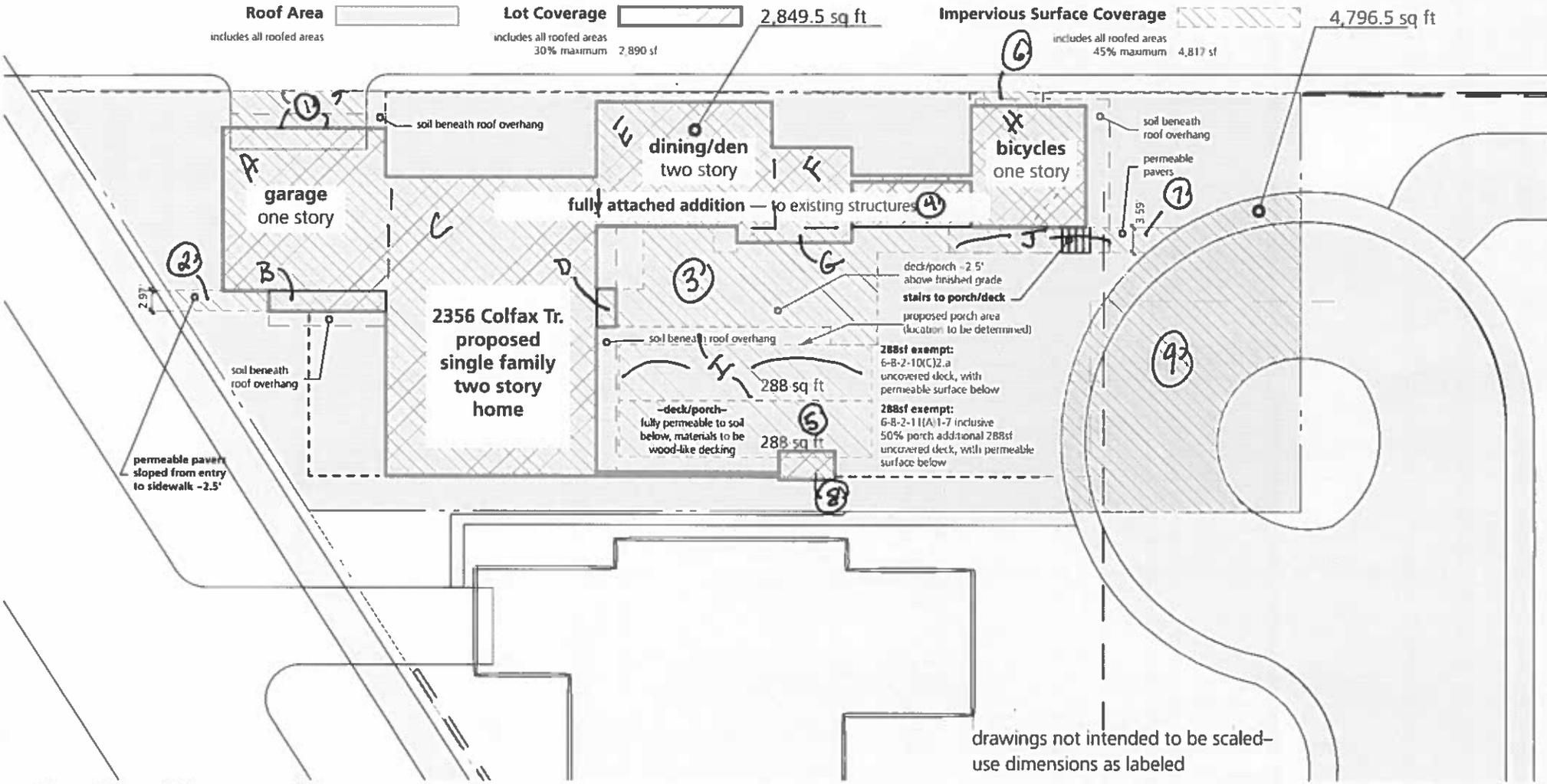
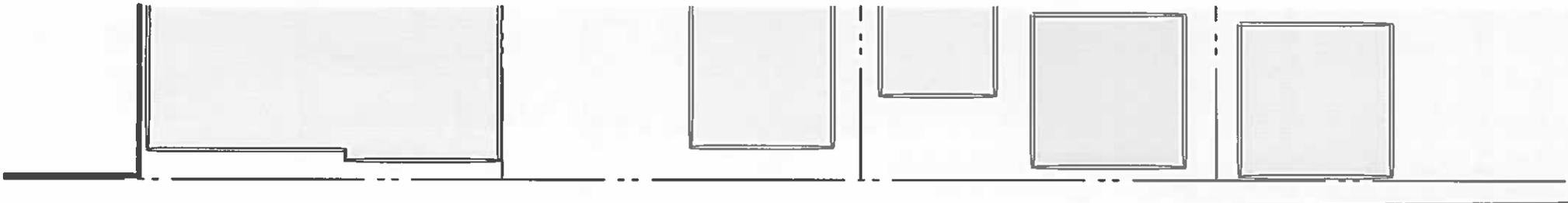
6-8-2-7	<p>Building lot coverage: Non-compliant Maximum permitted amount of building lot coverage is 30%, 2,890.7 sf.</p> <ul style="list-style-type: none"> ▪ 32.7%, 3,150 sf proposed. ➤ See attached diagram with areas labeled. ➤ Roofed areas including roof overhangs over 2' deep over walks included. ➤ Porch area south of dining/den area not attached to residence, determined to be a detached accessory structure, assumed roofed, porch credit does not apply. ➤ Calculation based on plan dimensions and scaling off the plan were dimensions not provided.
6-8-2-10	<p>Impervious surface coverage: Non-compliant Maximum permitted amount of impervious surface coverage is 45%, 4,336.1 sf</p> <ul style="list-style-type: none"> ▪ 54.5%, 5,255 sf proposed ➤ See attached diagram with areas labeled. ➤ Deck immediately south of dining/den area counted at 100%. ➤ Uncovered deck with permeable soil underneath north of chimney excluded, area equals 3% of lot area. ➤ Permeable paver walks off Poplar Avenue and off Colfax Terrace given a 25% credit. ➤ Portion of Colfax Terrace located on property included. ➤ Calculation based on plan dimensions and scaling off the plan were dimensions not provided.
6-8-2-9	<p>Building height, principal structure: Compliant Maximum permitted building height is 35' not to exceed 2.5 stories.</p> <ul style="list-style-type: none"> ▪ 28' proposed at 2 stories.
6-4-1-9.A	<p>Lot is a through lot, has street frontage at both east and west property lines.</p> <p>On a vacant through lot, any street lot line may be established as its front lot line; except that where 2 or more through lots are contiguous, and a front lot line has been duly established on at least one such lot, the same street lot line shall thereafter be deemed to be the front lot line of all such contiguous lots.</p> <p>The existing residence on the lot and the homes to the south are oriented towards Colfax Terrace based on architectural details and front doors.</p> <p>The front yard is determined to be along Colfax Terrace:</p> <ul style="list-style-type: none"> ▪ Front lot line: East lot line ▪ Interior side lot lines: North and south lot lines ▪ Rear lot line: West lot line
6-4-1-9	<p>Front yard setback, principal structure: Compliant Minimum required front yard setback to principal structure is 38.0', average existing front yard setback to the homes to the south on same side of street on same block, east property line extends down center of Colfax Terrace based on plats of survey.</p> <ul style="list-style-type: none"> ▪ 63.9' proposed, measured from east property line to east wall of dining/den area. ➤ Bicycles area considered a detached accessory structure.

6-8-2-8	<p>Interior side yard setback, principal structure: Non-compliant Minimum required interior side yard setback to principal structure is 5'.</p> <ul style="list-style-type: none"> ▪ 1.5' setback proposed from north interior side property line at dining/den. ▪ 5' setback provided from south interior side property line. <p>➤ Proposed north interior side setback triggers a major variation. Deviation from the standard is greater than 35%, Section 6-3-8-3.</p>
6-4-1-9	<p>Interior side yard setback to roof overhang (yard obstruction), principal structure: Non-compliant Minimum required interior side yard setback to roof overhang on principal structure is 4.5' or overhang on addition is permitted to match the existing roof.</p> <ul style="list-style-type: none"> ▪ 3.3' proposed from north interior side property line at attached garage, existing roof overhang dimension not provided.
6-8-2-8	<p>Rear yard setback, principal structure: Non-compliant Minimum required rear yard setback to principal structure is 30'.</p> <ul style="list-style-type: none"> ▪ 17.4' proposed rear yard setback at additional bulk at attached garage. <p>➤ Proposed rear yard setback triggers a major variation. Deviation from the standard is greater than 35%, Section 6-3-8-3.</p> <p>➤ A variation to reduce the required rear yard setback may be appropriate given Colfax Terrace cul-de-sac extends in to the property which requires the home to be pushed towards the rear property line more than is typical. A variation request should be the least deviation feasible from the standard.</p>
6-4-1-9	<p>Rear yard setback to roof overhang (yard obstruction), principal structure: Non-compliant Minimum required rear yard setback to overhang on principal structure is 27'.</p> <ul style="list-style-type: none"> ▪ 10.5' proposed rear yard setback to covered walk at west entrance (not dimensioned, scaled off plan).
6-4-6-2.D, 6-4-6-3.A.3, 6-4-6-2.E 6-4-1-9	<p>Detached accessory use and structures, location: Non-compliant Detached accessory structures are not permitted between the front of the principal building and the front lot line.</p> <ul style="list-style-type: none"> ▪ Porch area and bicycles area are located between the front of the principal building and the front lot line. <p>➤ As shown, the porch area is not connected to the dwelling by either a wall or roof and extends east of the front of the principal building (dining/den area).</p> <p>➤ As shown, the plan does not show how the bicycles area is attached to the principal structure beyond a wall/foundation. Plan sheet "lot coverage" implies a roofed area between the dwelling and bicycles area; however, the plan sheet "north elevation" does not show a roof between these areas.</p> <p>➤ To be attached, the connections must include both a wall and a roof.</p> <p>Detached accessory structures are required to be located within rear yards and setback at least 3' from interior side and rear property lines.</p> <ul style="list-style-type: none"> ▪ Bicycles area setback 2' from north interior side property line. ▪ Chimney setback 4.5' from south interior side property line.

	<p>For detached accessory structures, the minimum required setback to a roof overhang is 2.5'.</p> <ul style="list-style-type: none"> ▪ 1.0' proposed at bicycles area (not dimensioned, scaled off plan).
6-4-6-2.G	<p>Building height, detached accessory use and structure: Non-compliant: Maximum permitted height for detached accessory building that is not a garage is 14.5' (flat or mansard roof).</p> <ul style="list-style-type: none"> ▪ 15' height proposed at bicycles area. ▪ 35' height proposed at detached chimney.
6-4-6-7.F	<p>Fence location: Non-compliant Fences are not permitted within front yards.</p> <ul style="list-style-type: none"> ▪ Fence east of chimney extends past the front of the principal building. ➤ Walls which function similar to a fence are treated as a fence.
6-4-6-7.F	<p>Fence height: Non-compliant Maximum permitted fence height is 6'.</p> <ul style="list-style-type: none"> ▪ 7.3' proposed at wall between dwelling and chimney along south side of the property, and ▪ 6'+ proposed at wall between dwelling and bicycles area, height not dimensioned. ➤ Walls which function similar to a fence are treated as a fence.
	<p>Plat of survey shows a fence within the Poplar Avenue right-of-way.</p> <ul style="list-style-type: none"> ▪ Plan notes existing fence in street right-of-way to be removed.
6-4-6-7.F	<p>Plan shows a fence at the northwest corner of the lot. At the alley and street intersection a site triangle is required extending at least 20' back from where the property line along the alley and the street curb intersect.</p> <ul style="list-style-type: none"> ▪ Site triangle provided at the northwest corner of the lot, corner is more than 20' from the street curb (measured perpendicular to the street curb).
6-16-2, Table 16-B	<p>Off-street parking: Compliant A least 2 off-street parking spaces required.</p> <ul style="list-style-type: none"> ▪ 2 off-street spaces provided.

Attached:

Building lot and impervious surface calculations diagram.



2356 Colfax Ter - 21 ZONA-0164

Building Lot:

- A $23.23 \times 23.36 = 542.65$
- B $16.67 \times 2.97 = 49.51$
- C $30 \times 42.62 = 1278.6$
- D $2.79 \times 5.39 = 15.04$
- E $25 \times 17.91 = 447.75$
- F $11.34 \times 11.38 = 129.05$
- G $16.39 \times 2.25 = 36.88$
- H $16.38 \times 17.42 = 285.34$
- I $288 = 288$
- J $22.87 \times 3.59 = 82.10$

$\underline{3154.9} \Rightarrow 3150; 32.7\%$

Impervious Surface:

- 3154.9 = 3154.9
- (1) $19.3 \times 5.33 = 102.87$
- (2) $\left[\frac{12.55 + 14.46}{2} \times 2.97 \right] \times .75 = 30.08$
- (3) 499.34 = 499.34
- (4) $7.38 \times 17 = 125.46$
- (5) exempt-deck credit = —
- (6) $7.42 \times 2 = 14.84$
- (7) $27.21 \times .75 = 20.41$
- (8) $7.96 \times 4.11 = 32.72$
- (9) 1275.28 = 1275.28

$\underline{5255.9} \Rightarrow 5255; 54.5\%$

PROPERTY ADDRESS:
2356 COLFAX TERRACE, EVANSTON, ILLINOIS 60201

SURVEY NUMBER: 2108.3654

CERTIFIED TO:
.

DATE SIGNED: 09/10/21

BUYER:

LENDER:

TITLE COMPANY:

TITLE COMMITMENT: **CLIENT FILE NO:**

LEGAL DESCRIPTION:
LOT 3 IN COLFAX MANOR RESUBDIVISION OF LOTS 12 TO 15, BOTH INCLUSIVE, IN BLOCK 7

IN RESUBDIVISION OF BLOCKS 1 TO 7 OF NORTH EVANSTON, BEING A SUBDIVISION OF LOTS 11 TO 16 AND THE WEST 43 ACRES OF LOT 17 IN GEORGE SMITH'S SUBDIVISION OF THE SOUTH PART OF ARCHANGEL QUILMETTE RESERVATION AND ALSO OF LOTS 1, 3 AND THAT PART OF LOT 2 LYING BETWEEN THE C. & N RAILROAD AND THE WEST LINE OF LOT 3 PRODUCED NORTH OF THE NORTH LINE OF FRACTIONAL SECTION 12, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

FLOOD ZONE INFORMATION:

GENERAL SURVEYORS NOTES:

- The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless otherwise noted, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
- The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
- If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
- This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
- Alterations to this survey map and report by other than the signing surveyor are prohibited.
- Dimensions are in feet and decimals thereof.
- Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
- Unless otherwise noted "SET" indicates a set iron rebar, 5/8 inch in diameter and eighteen inches long.
- The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
- Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
- Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
- The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
- Due to varying construction standards, house dimensions are approximate and are not intended to be used for new construction or planning.
- Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
- THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE PHONE NUMBER SHOWN HEREON.

SURVEYORS LEGEND:

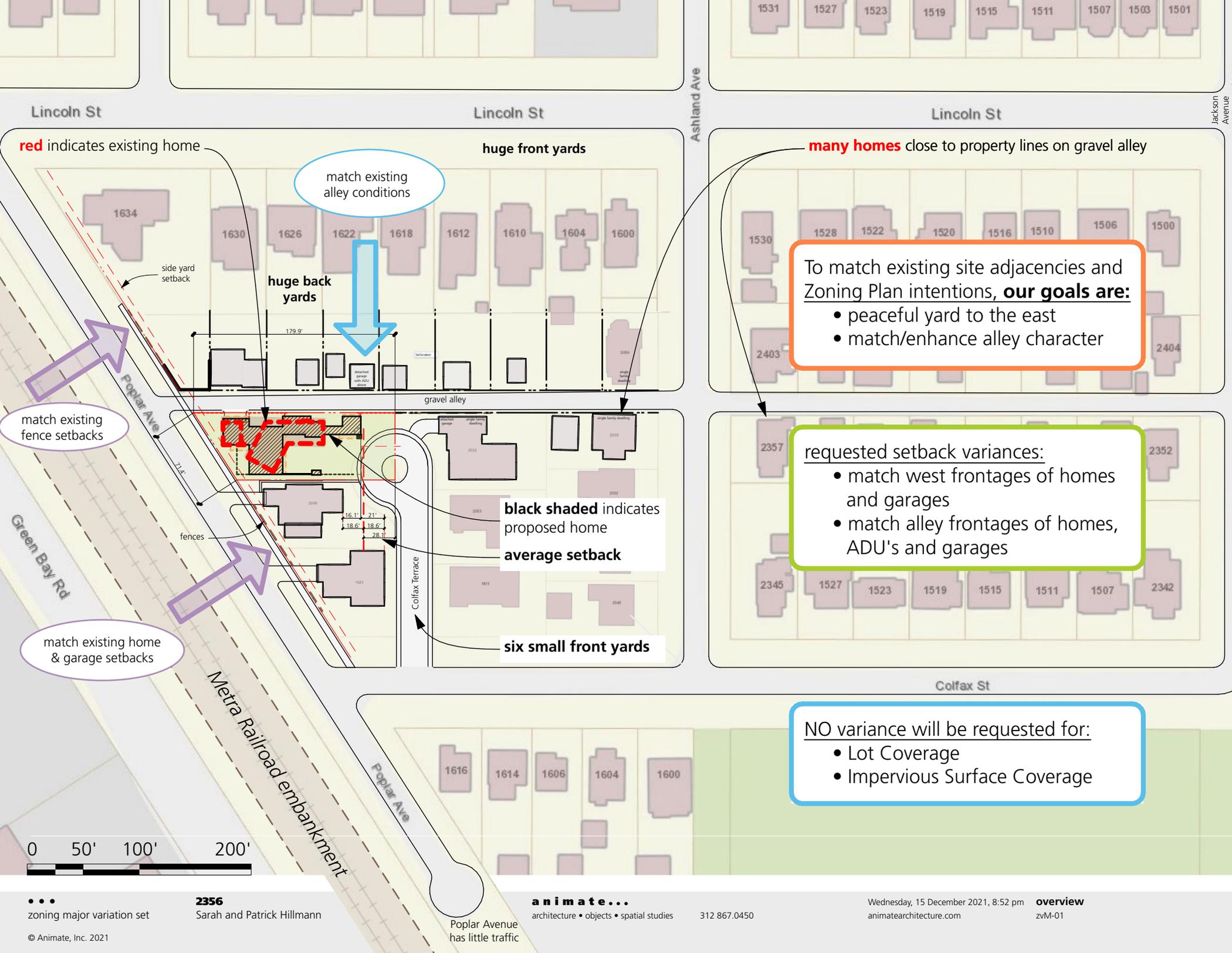
LINETYPES		ABBREVIATIONS	
	Boundary Line	(C) - Calculated	FIPC - Found Iron Pipe & Cap
	Center Line	(D) - Deed	FIR - Found Iron Rod
	Chain Link or Wire Fence	(F) - Field	FIRC - Found Iron Rod & Cap
	Easement	(M) - Measured	FN - Found Nail
	Edge of Water	(P) - Plat	FN&D - Found Nail & Disc
	Iron Fence	(S) - Survey	FRRSPK - Found Rail Road Spike
	Overhead Lines	A/C - Air Conditioning	GAR - Garage
	Structure	AE - Access Easement	GM - Gas Meter
	Survey Tie Line	ANE - Anchor Easement	ID - Identification
	Vinyl Fence	ASBL - Accessory Setback Line	IE/EE - Ingress/Egress Easement
	Wall or Party Wall	B/W - Bay/Box Window	ILL - Illegible
	Wood Fence	BC - Block Corner	INST - Instrument
SURFACE TYPES		BFP - Backflow Preventer	INT - Intersection
	Asphalt	BLDG - Building	IRRE - Irrigation Easement
	Brick or Tile	BLK - Block	L - Length
	Concrete	BM - Benchmark	LAE - Limited Access Easement
	Covered Area	BR - Bearing Reference	LB# - License No. (Business)
	Water	BRL - Building Restriction Line	LBE - Limited Buffer Easement
	Wood	BSMT - Basement	LE - Landscape Easement
SYMBOLS		C - Curve	LME - Lake/Landscape Maintenance Easement
	Benchmark	C/L - Center Line	LS# - License No. (Surveyor)
	Center Line	C/P - Covered Porch	MB - Map Book
	Central Angle or Delta	C/S - Concrete Slab	ME - Maintenance Easement
	Common Ownership	CATV - Cable TV Riser	MES - Mitered End Section
	Control Point	CB - Concrete Block	MF - Metal Fence
	Catch Basin	CH - Chord Bearing	MH - Manhole
	Elevation	CHIM - Chimney	NR - Non-Radial
	Fire Hydrant	CLF - Chain Link Fence	NTS - Not to Scale
	Find or Set Monument	CME - Canal Maintenance Easement	NAVD88 - North American Vertical Datum 1988
	Guywire or Anchor	CO - Clean Out	NGVD29 - National Geodetic Vertical Datum 1929
	Manhole	CONC - Concrete	OG - On Ground
	Tree	COR - Corner	ORB - Official Records Book
	Utility or Light Pole	CS/W - Concrete Sidewalk	ORV - Official Record Volume
	Well	CUE - Control Utility Easement	O/A - Overall
		CVG - Concrete Valley Gutter	O/S - Offset
		D/W - Driveway	OFF - Outside Subject Property
		DE - Drainage Easement	OH - Overhang
		DF - Drain Field	OHL - Overhead Utility Lines
		DH - Drill Hole	ON - Inside Subject Property
		DUE - Drainage & Utility Easement	P/E - Pool Equipment
		ELEV - Elevation	PB - Plat Book
		EM - Electric Meter	PC - Point of Curvature
		ENCL - Enclosure	PCC - Point of Compound Curvature
		ENT - Entrance	PCP - Permanent Control Point
		EOP - Edge of Pavement	PI - Point of Intersection
		EOW - Edge of Water	PLS - Professional Land Surveyor
		ESMT - Easement	PLT - Planter
		EUB - Electric Utility Box	POB - Point of Beginning
		F/DH - Found Drill Hole	POC - Point of Commencement
		FCM - Found Concrete Monument	PRC - Point of Reverse Curvature
		FF - Finished Floor	PRM - Permanent Reference Monument
		FIP - Found Iron Pipe	

JOB SPECIFIC SURVEYOR NOTES:



Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY
PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES



red indicates existing home

match existing alley conditions

match existing fence setbacks

match existing home & garage setbacks

huge front yards

huge back yards

black shaded indicates proposed home
average setback

six small front yards

many homes close to property lines on gravel alley

To match existing site adjacencies and Zoning Plan intentions, **our goals are:**

- peaceful yard to the east
- match/enhance alley character

requested setback variances:

- match west frontages of homes and garages
- match alley frontages of homes, ADU's and garages

NO variance will be requested for:

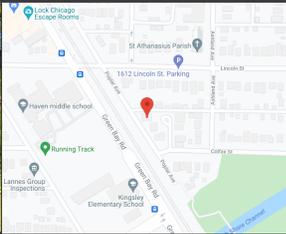
- Lot Coverage
- Impervious Surface Coverage



Poplar Avenue has little traffic



www.exactalands.com | office: 773.305.4011



PROPERTY ADDRESS:
2356 COLFAX TERRACE, EVANSTON, ILLINOIS 60201

SURVEY NUMBER: 2108.3654

DATE SIGNED: 09/21/21 **FIELD WORK DATE:** 9/9/2021

REVISION DATE(S):
(REV.2 9/21/2021) (REV.1 9/10/2021)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS }
COUNTY OF GRUNDY } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

Kenneth Kennedy KENNETH A. KENNEDY
035-003403
PROFESSIONAL
LAND SURVEYOR
MORRIS, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
LICENSE EXPIRES 11/30/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

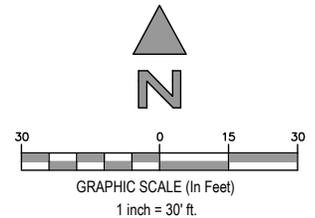
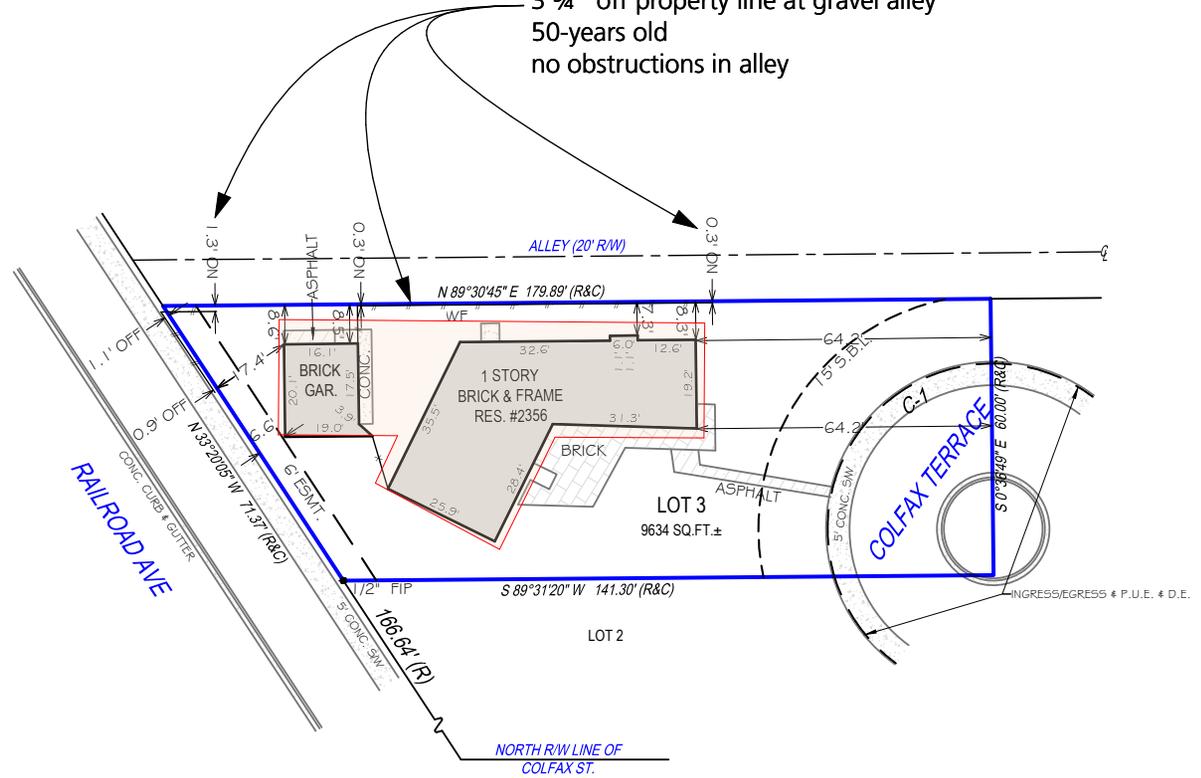


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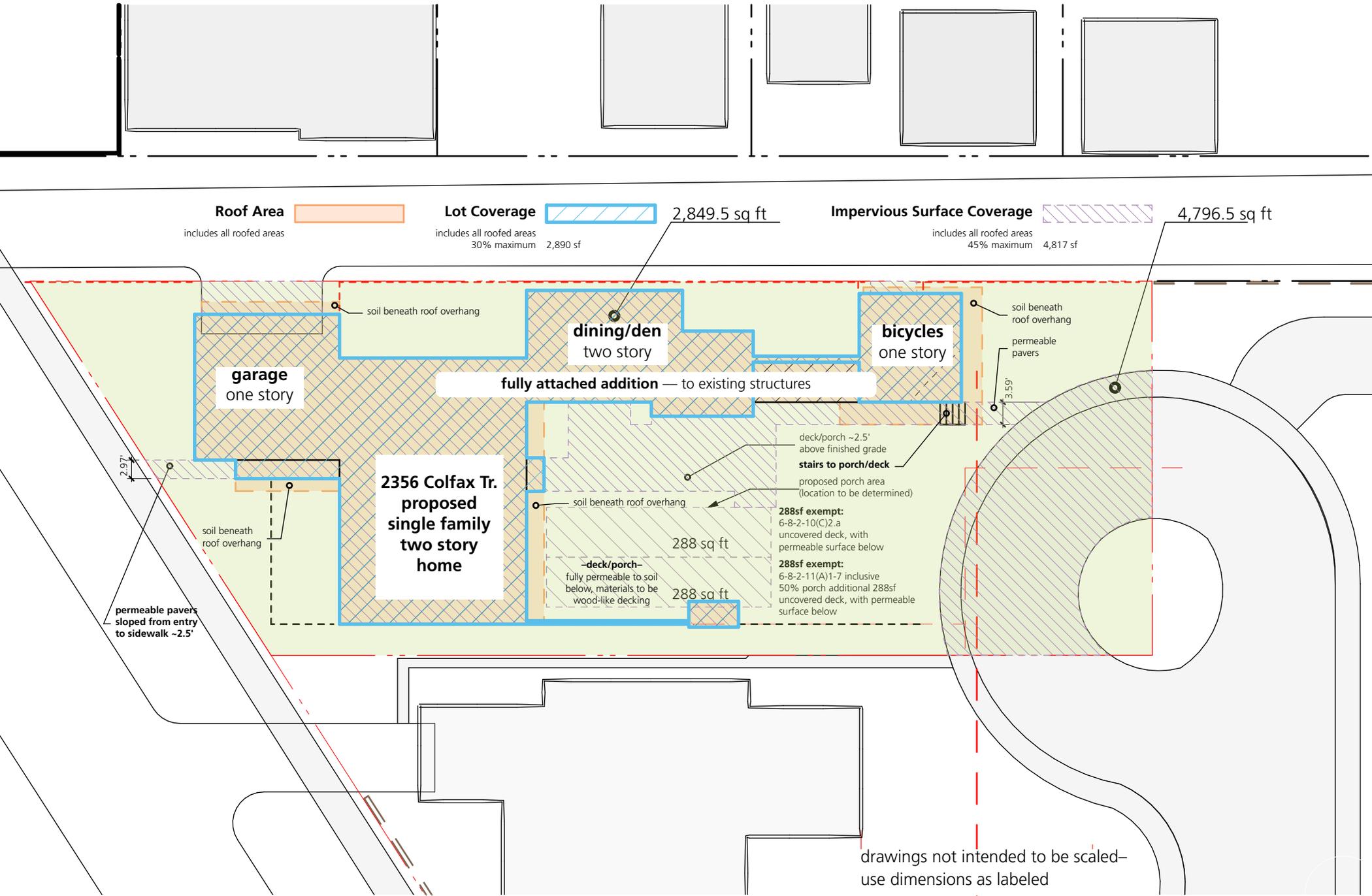


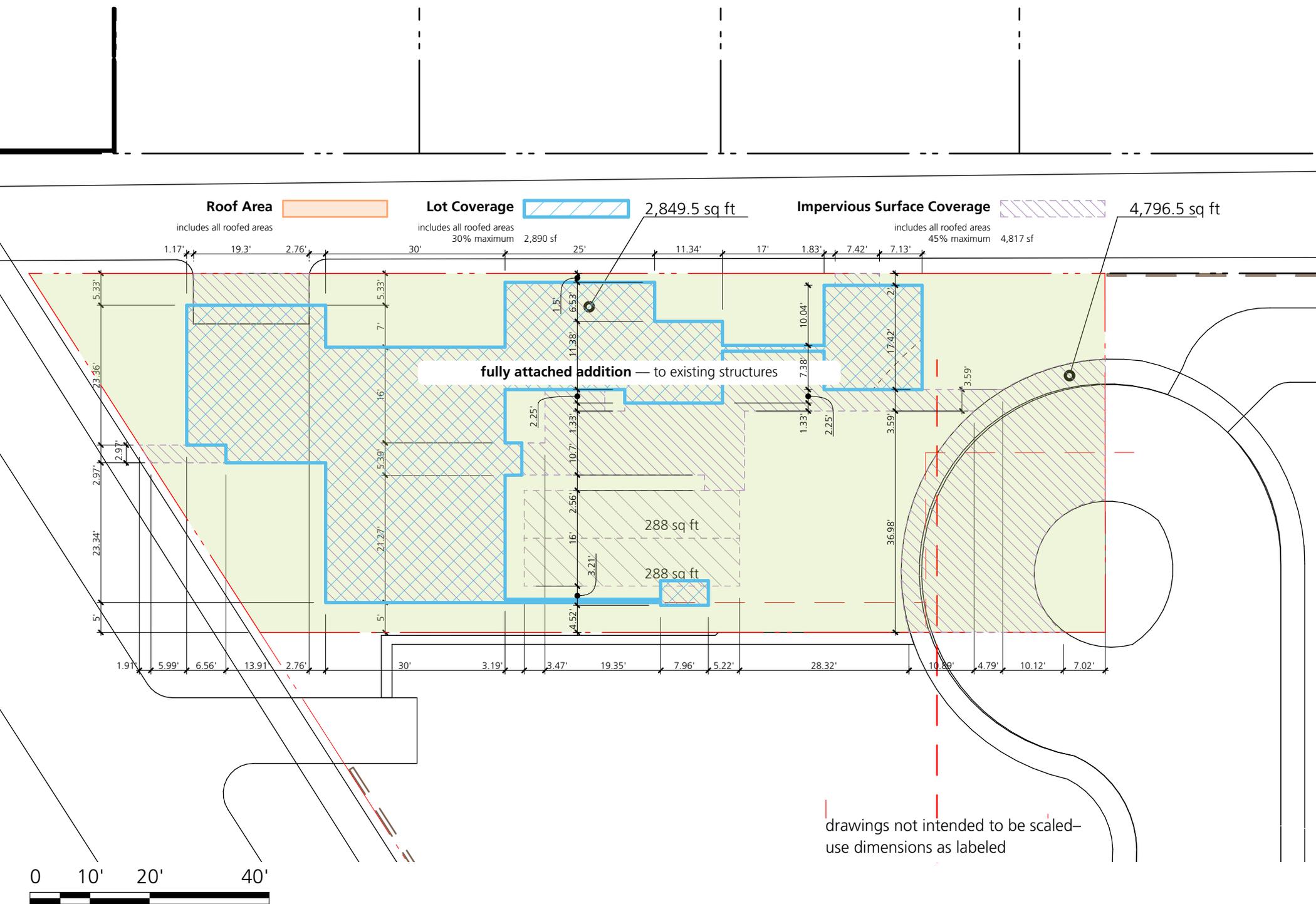
2108.3654
BOUNDARY SURVEY
COOK COUNTY

continuous existing fence
(breaks for opening into garage)
3 3/4" off property line at gravel alley
50-years old
no obstructions in alley



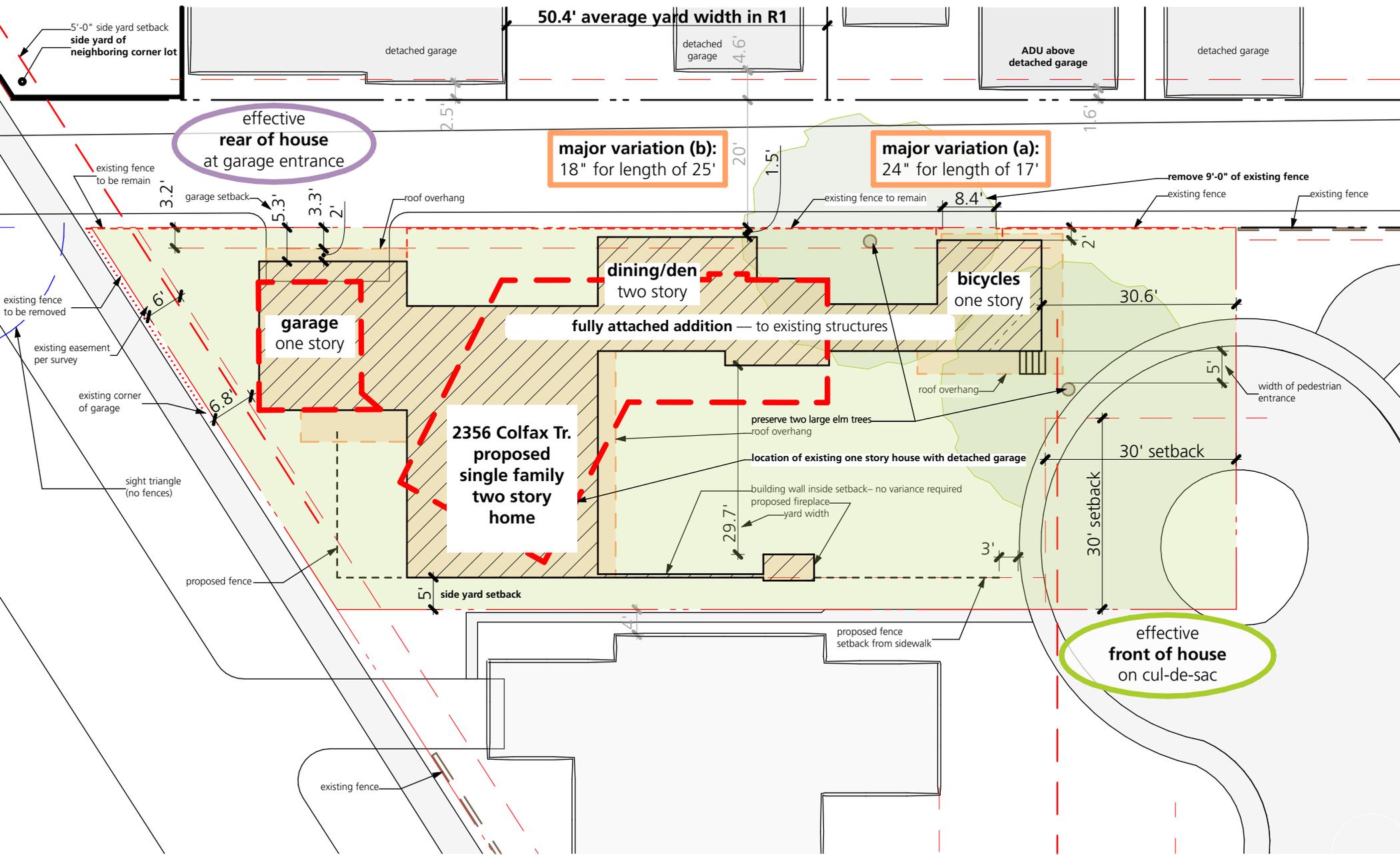
SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



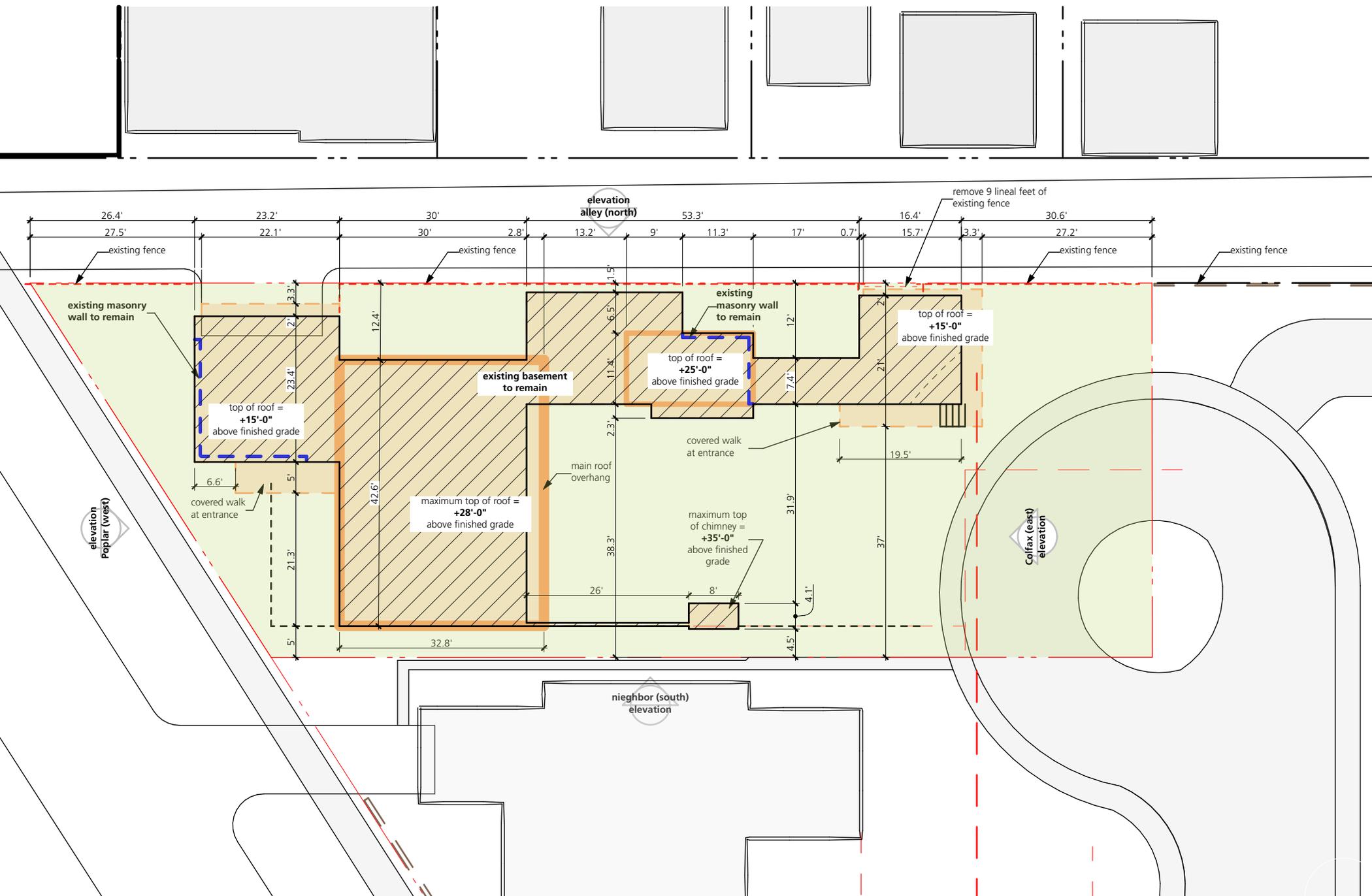


Evanston zoning
R-1

title-cptr	section	issue	zoning requirement	actual	location/ sheet	remarks
			2356 Colfax Terrace	9,634	sf — site area	0.22 acres
		Residential R1	existing home		addition	
6		Zoning (Chapter)				
6-1	2	Intent				
		(A) Promoting the public health... and comprehensive general plan		yes		
		(B) Securing adequate light, pure air, and safety from fire and other dangers		yes		
		(C) Conserving and enhancing the taxable value of land and buildings throughout the City		yes		
		(G) regulating... setback lines on or along streets, alleys, and property lines		yes		
6-2	1	Rules of Interpretation				
		It is not intended ...to interfere with ... other agreements between parties		•		private ownership of a portion of Colfax Terrace cul-de-sac
		(A) In the event of a conflict between the text of these provisions ...the text of these provisions shall control.				
		(C) The word "may" as used in these provisions is permissive		yes		
6-3	8-	Variations				
		1 The purpose of a variation is to relieve a practical difficulty that the regulations ... impose upon a landowner because of the peculiar characteristics of the property				
		3(A)2(a) Front, side, and rear yards and setbacks.	35%		3'-3"	request 35% Variation Alley side yard from 60" to 39"
		6(A) Upon receipt of ..application ..the City will provide notice ..to all owners of ..within ..250 foot radius				
6-4	1-9	Yards				
		(A) the requirements for required yards and for determining or interpreting unusual yard situations:				front and rear yards are effectively at opposite corners
		(A)4 Determining of Front Lot Line for Corner Lots:				
		(A)4(a) If a building exists on the lot, previous determination of the front yard		yes		front yard on east: address per Post Office
		(A)4(c) Pattern of existing development within the neighborhood, specifically of adjacent lots;				
		(A)4(d) The property owner's expressed desire.			west is side yard: between effective rear yard to northwest/front yard to southeast	
		Code does not specify determination of side yards				
6-8	2-8	Yard Requirements				
		(A)3 Side Yard	5'-0" (60")		3'-3"	zv3-06 Variation request (a) and (b)
6-18	3	Definitions				
		side yard ...A side yard .. the yard extending along a side lot line between the front yard and the rear lot lines.				west property line is side yard matching north neighb



We think an improved home with these setbacks will benefit the neighborhood.





Zoning Analysis Summary

Case Number:	Case Status/Determination:
21ZONA-0164 – 2356 COLFAX TER	NON-COMPLIANT

Plan Dated: 10-26-21

Proposal:	By: ANIMATE
CONSTRUCT NEW SINGLE-FAMILY RESIDENCE WITH ATTACHED GARAGE, NEW SHED	

Zoning Section:	Comments:
6-4-1-9.A	<p>Lot is a through lot, has street frontage at both east and west property lines.</p> <p>On a vacant through lot, any street lot line may be established as its front lot line; except that where 2 or more through lots are contiguous, and a front lot line has been duly established on at least one such lot, the same street lot line shall thereafter be deemed to be the front lot line of all such contiguous lots.</p> <p>The existing residence on the lot and the homes to the south are oriented towards Colfax Terrace based on architectural details and front doors. Colfax Terrace is considered to be the front yard on the subject property.</p> <p>Site plan details are spread among multiple sheets. Site plan details should be provided on one sheet generally.</p> <p>Site plan notes an uncovered deck with permeable surface underneath on east side of the main portion of the proposed residence. Plan also indicates this same area as a porch. Please clarify and dimension.</p>
6-8-2-9	<p>Site plan notes building height of 28', height scales to 27' on elevation drawing. While height is compliant at being less than 35' at 2 stories, please confirm height.</p> <p>Please provide elevations for all sides of the proposed residence, only the north elevation provided. Please dimension roof overhang.</p> <p>North building elevation does not appear to match the site plan:</p> <ul style="list-style-type: none"> The bicycle area is shown as a detached structure on the elevation drawing but attached on the site plan. The elevation drawing shows a roof overhang on the east side of the bicycle area not indicated on the site plan. The overhang is over 2' as scaled off the drawing. Please dimension overhang and indicate surface material underneath. The site plan notes the overhang on east side of dining/library/den area has soil beneath, the elevation drawing indicates a balcony off the 2nd-story and landing at grade is below the overhang.
6-8-2-7	Non-compliant:

21ZONA-0164 - Summary

Responses as a part of this Major Variance Application:

correction:

Included with previous submittal is the "Major Variance Application" which states this is an **addition** to an existing single family home. Previous responses indicated **there are no detached structures**. There is a single primary structure with attached walls, fireplace, and bicycle room. Fences are separate.

Yes, there is an overhang above a longer walkway made of permeable pavers.

ibid.

Additional elevations provided. Overhang dimensions are located on the dimension sheet.

There is only one fully attached structure as a part of this submittal:
6-18-3.d An accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building.

Overhangs:
ibid.

Maximum permitted amount of building lot coverage is 30% of lot area; 32.3%, 3116.0 sf proposed.

Building lot coverage includes ground floor area and covered/roofed areas that extend more than 2' from an exterior wall with hardscape or deck underneath.

Site plan shows a 2.7' overhang off north side of garage with hardscape underneath, area counted towards building lot coverage.

Site plan shows a 3.7' overhang off south side of bicycle area with hardscape underneath, area counted towards building lot coverage.

Site plan indicates a covered walk at entrance on west side of residence, please dimension. Area scaled off plan and counted towards building lot coverage.

Site plan shows an overhang over a deck. Please dimension overhang. Overhang scaled at 3' off plan over a deck, area counted towards building lot coverage.

Revise plan to bring building lot coverage into compliance. This is new construction on a lot size of 9635.7 sf where 7200 sf is the minimum standard. This is not an appropriate variation to request and is not likely to be approved.

6-8-2-10

Non-compliant:
Maximum permitted amount of impervious surface coverage is 45% of lot area; 48.6%, 4687 sf proposed.

Impervious surface coverage includes roofed and hardscaped areas.

Uncovered areas labeled permeable pavers received a 25% credit towards measured area. Areas not dimensioned, please dimension.

Impervious surface coverage includes the portion of Colfax Terrace that extends onto the property shown on the plat of survey.

If the portion of Colfax Terrace extending onto the property is removed from the lot area, the resulting coverage would be compliant. A variation regarding impervious surface coverage seems appropriate. However, the requested variation needs to be the least deviation feasible, i.e. Minimize the amount of impervious surface coverage.

6-4-1-9

Non-compliant:
Minimum required front yard setback is 38.0', average of existing front yard setbacks of the homes to the south on same side of the street on the same block, east property line extends down center of Colfax Terrace; 30.6' proposed.

Given the configuration of the lot, specifically the east property line for the lots on the west side of Colfax Terrace extend to the middle Colfax Terrace (based on plats of survey), a variation to reduce the required front yard setback seems appropriate. A front yard setback of at least 15.0' from the edge of sidewalk along the street should be provided to maintain the established distance the homes to the south are from the sidewalk, 10.0' proposed (scaled off plan). Revise plan to provide a minimum 15.0' setback off sidewalk.

6-8-2-8

Non-compliant:
Minimum required interior side yard setback is 5.0' to a principal structure; north interior side yard setback of 0.2' proposed.

Additional dimensions provided. Maximum Lot Coverage of 30% per dimensions is indicated.

Correct.

Has been edited.

Has been edited.

Has been edited.

Has been edited.

No Variation is requested.

Additional dimensions provided. Maximum Impervious Surface Coverage of 45% per dimensions is indicated.

Correct.

Has been edited.

ibid.

No Variation is requested.

28.1' appears to be the average setback.

Yes, we are requesting a decrease in the north lot line setback from 60" reduced to 24" and 18" briefly at two locations along the 180' alley property line.

	Revise plan to provide the required setback from the north interior side property line. This is new construction on a 60' wide lot where the minimum standard is 35'. This is not an appropriate variation to request and is not likely to be approved.
6-8-2-8	Non-compliant: Minimum required rear yard setback is 30.0'; 6.8' proposed. A variation to reduce the required rear setback may be appropriate given Colfax Terrace cu-de-sac extends into the property which requires the home to be pushed towards the rear property line more than is typical. A variation request should be the least deviation feasible from the minimum required setback.
6-4-1-9.B	Non-compliant: Minimum required interior side yard setback to a roof overhang on a principal structure is 4.5' (permitted yard obstruct up to 10% into required setback); north interior side yard setback to overhang of 1.8' proposed. Revise plan to provide the required setback to the roof overhang. This is new construction on a lot that is 60' wide where the minimum standard is 35'. This is not an appropriate variation to request and is not likely to be approved.
6-4-6-2.G	Non-compliant: Except for a detached garage, the maximum permitted building height to a detached accessory structure is 14.5' to a flat roof; 35' proposed at detached fireplace. Revise plan to bring into compliance. This is new construction. This is not an appropriate variation to request and is not likely to be approved. With new construction any existing non-conforming fence loses its non-conforming status: <ul style="list-style-type: none"> Plat of survey shows an existing fence located within the Poplar Avenue public street right-of-way. Site plan notes an existing fence located within the front yard east of the front facing façade of the bicycle area.
	Non-compliant: Fences are not permitted within a public street/alley right-of-way; fence located within the Poplar Avenue public street right-of-way. Revise plan to bring into compliance.
6-4-6-7.F	Non-compliant: Maximum permitted fence height is 6.0'; north elevation drawing shows a fence between the dining/library/den and bicycle areas at over 16' tall. Revise plan to bring into compliance. This is new construction. This is not an appropriate variation to request and is not likely to be approved.
6-4-6-7.F	Non-compliant: Fences are not permitted within the front yard and are required to be setback at least 3' from the front facing façade (bicycle area east façade); fence located within front yard. Revise plan to bring into compliance.
6-4-6-7.E	At alley and street intersection a site triangle is required extending 20' back from where the property line along alley and the street curb intersect; site triangle

not applicable

Existing garage to remain.

Has been edited.

ibid.

There is only one fully attached structure as a part of this submittal:
6-18-3.d An accessory structure attached to a principal building in a **substantial manner by a wall or** roof shall be considered part of the principal building.
Since the fireplace/chimney is attached by a wall and integrated porch, the height limit is 35'.

Existing fences to remain, except where noted on page zVM-06, "dimensions."

ibid.

No fences are taller than 6'

ibid.

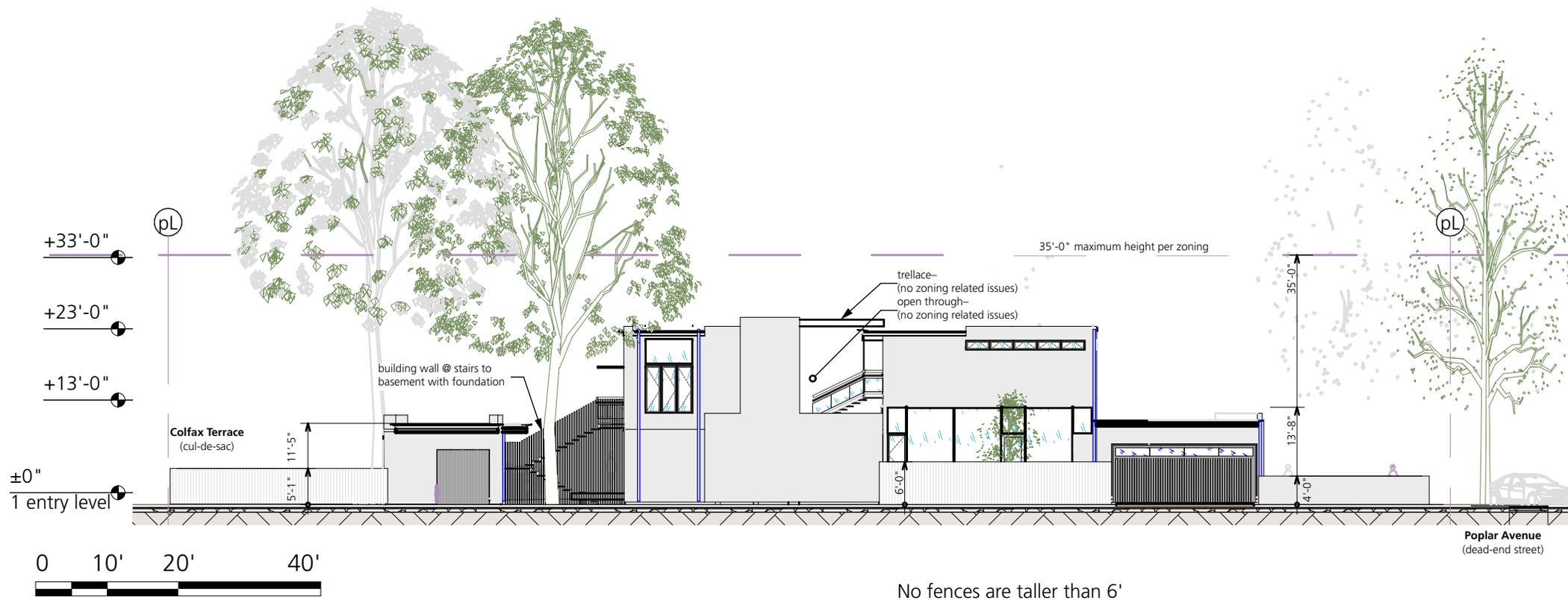
	provided.
6-4-6-3	Non-compliant: Detached accessory structures and uses are not permitted in the interior side yard between the principal structure and the side lot line; fireplace located in the interior side yard between the principal structure and side lot line. Revise plan to bring into compliant. This is new construction.
6-3-8-3	As proposed the proposed plan is zoning non-compliant. The non-conformities do not qualify to be considered under a minor variation application. Revise plan addressing the comments made above and resubmit for review to confirm required variations from the zoning code.

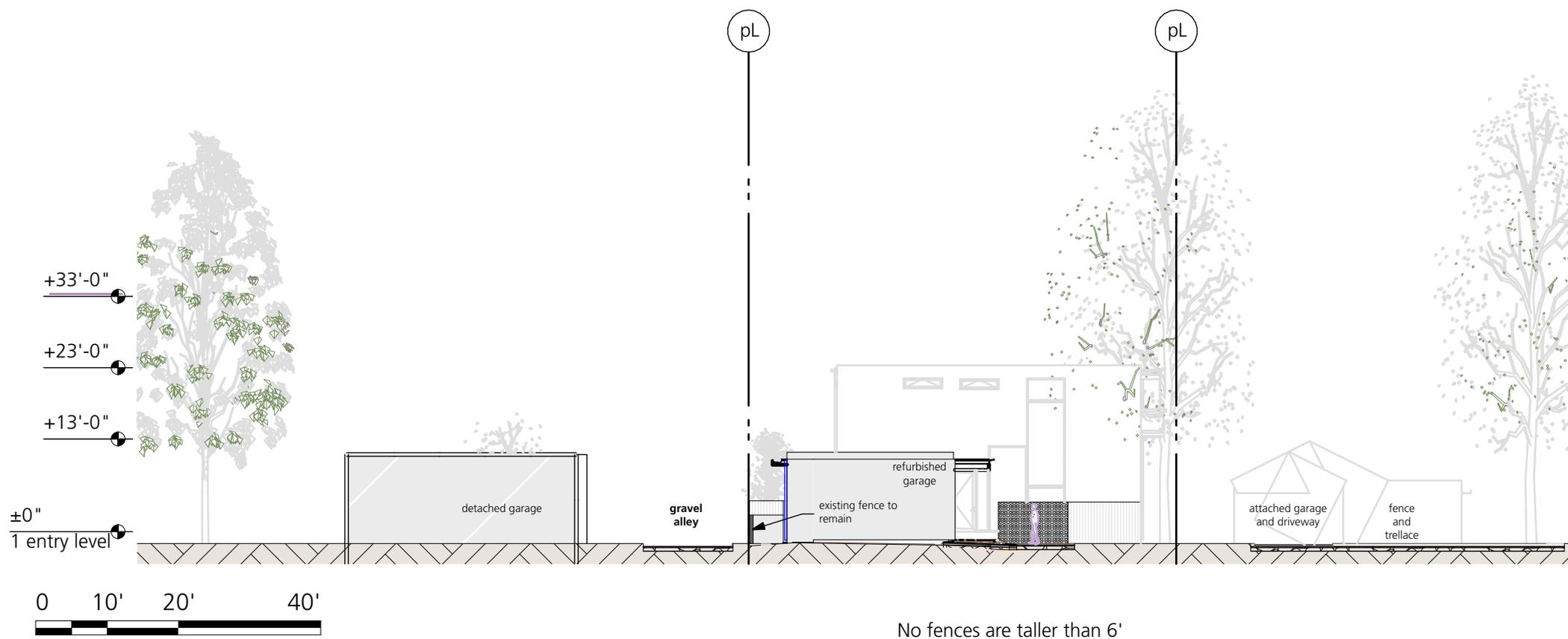
Michael Griffith 11-08-21

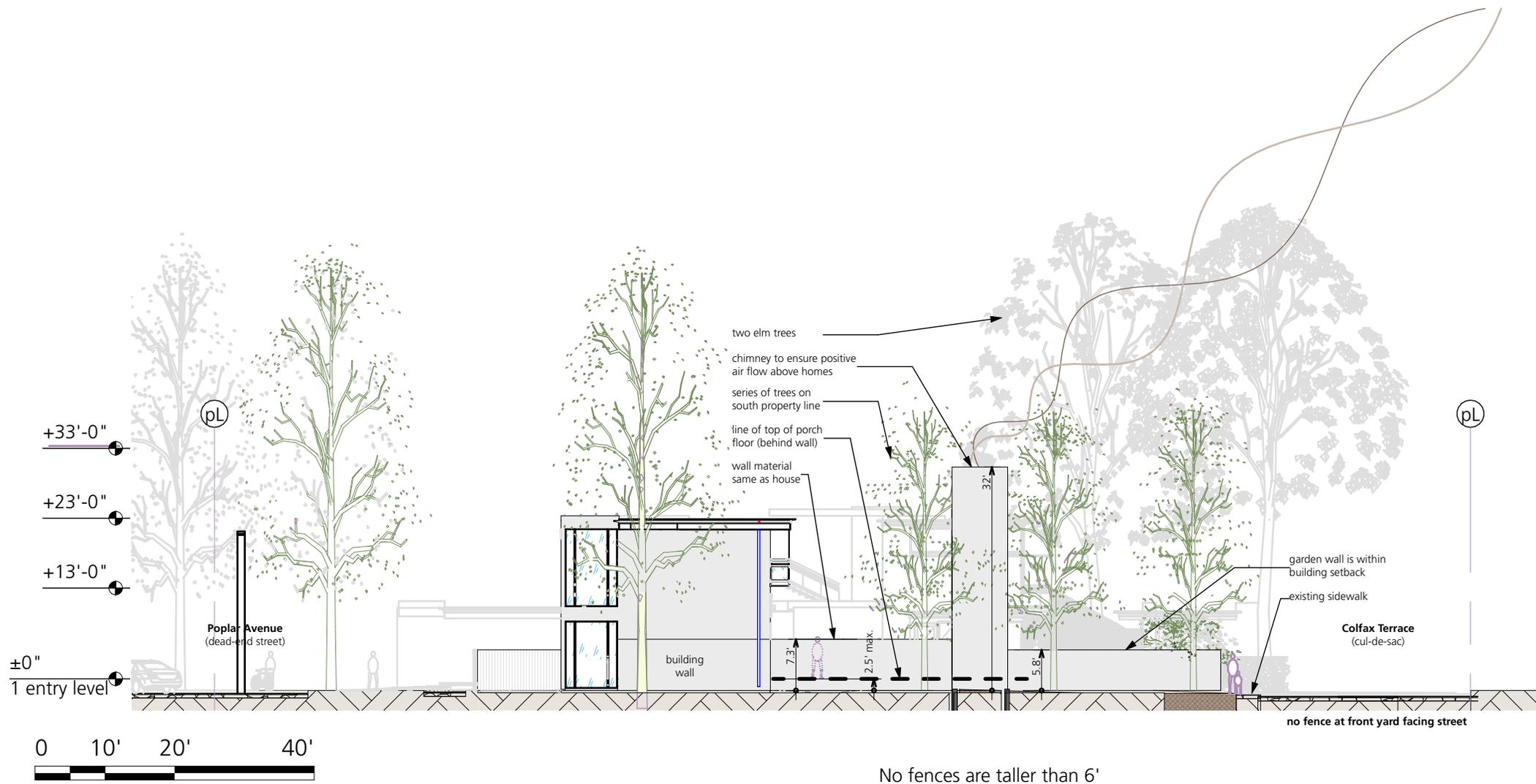
No detached structures are proposed.

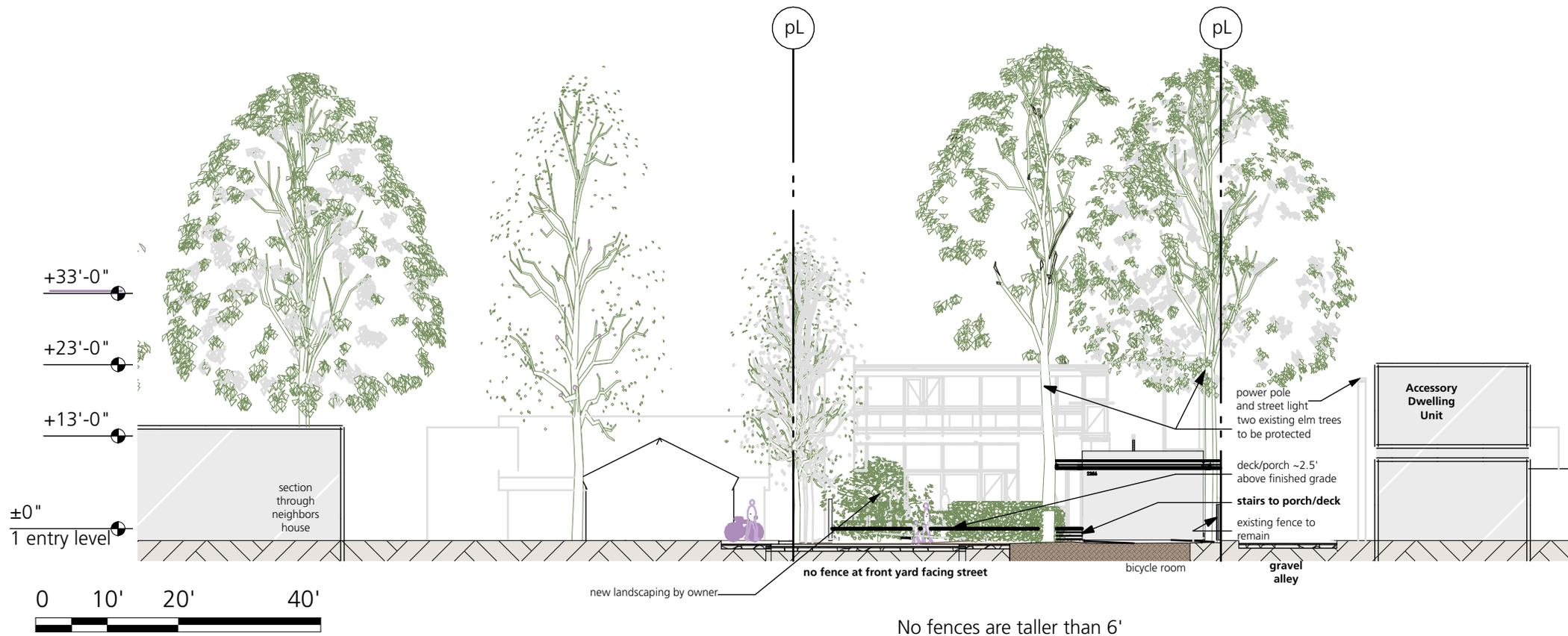
Additional changes after December 8th DAPR meeting:

- 1.) existing structures
Clarifications have been added indicating the existing structure. The building permit will include detailing on the foundations and masonry integration between new and existing.
see page zVM-07
- 2.) porch deck details
Clarifications have been added indicating the stairs and height of the porch/deck. The deck raised approximately 2.5' above grade will be fully permeable, materials to be wood-like decking with water able to seep into the ground below.
see page zVM-15 and zVM-03 (stairs and sloped pavers)
- 3.) the bicycle room stairs and wall
In between the one-story bicycle room, and the two story office/study/dining spaces is an outdoor staircase extending from the basement to the second level. This provides a second exit from the basement and a comfortable entrance to the home office space above. In addition to the two-story staircase and guardrails become a screen wall separating the alley and elm tree landscaped area at grade on the alley.
see page zVM-12
- 4.) the fireplace wall
The height from grade to the top of the wall will be approximately 7'-6", which is fully within the setback and a part of the primary structure. The height is raised to provide privacy when standing on the porch, which is raised approximately 30" above grade. Further this horizontal wall will be contrasted architecturally with the row of vertical tall trees on the south property line. East of the fireplace, the wall will be lowered to approximately 5'-0" above finished grade.
see page zVM-14
- 5.) more space in alley
Proposal now includes removing 9 lineal feet of existing fence which is located less than 4" from the property line. This is to incorporate the City Engineer, Lara Biggs need for additional alley space for snow.
see page zVM-06
- 6.) the garage and bicycle room are one story not two, as mentioned in the meeting.
see page zVM-06
- 7.) the fireplace chimney height
In response to concerns expressed by Melissa, we propose to lower the maximum chimney height from a maximum of 35' allowable as a part of the primary structure, to a maximum of 32' (pending technical fireplace airflow review).
see page zVM-14
- 8.) the bicycle room canopy setback
Proposal reduces the canopy setback at the southeast corner of the bicycle room based on meeting feedback. This is the main entrance to the home and we would like to have a covered area.
see page zVM-06

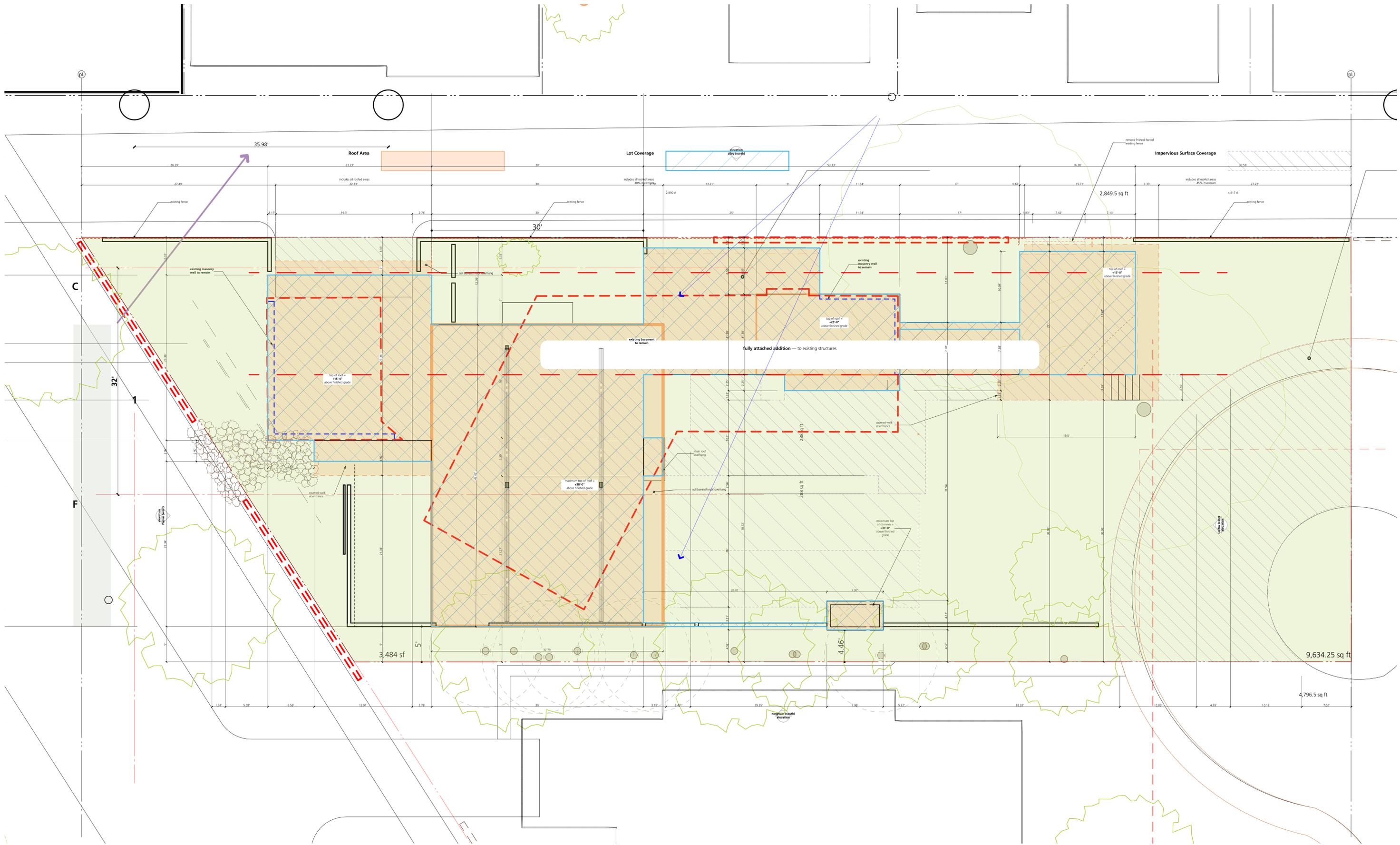








This drawing printed on Wednesday, 15 December 2021 at 6:52 pm



2356
single-family home

2356 Colfax Terrace
Evanston, Illinois 60201

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animate...

architecture
objects
spatial studies
animatearchitecture.com
312 867.0450

issued for:
Minor Setback Variance 1october2021
revisions 4october2021
revisions four 16december2021

scale:
as noted

north: ↑

site plan MAJOR variation
dimensions

zoning site plan dimensions **1**

zvm-16

zvm-16

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- | | | |
|-------------------------------------|--|--|
| <input checked="" type="checkbox"/> | (This) Completed and Signed Application Form | |
| <input checked="" type="checkbox"/> | Plat of Survey | Date of Survey: <u>9/10/2021 (revision)</u> |
| <input checked="" type="checkbox"/> | Project Site Plan | Date of Drawings: <u>12/16/2021 (revision)</u> |
| <input checked="" type="checkbox"/> | Plan or Graphic Drawings of Proposal (If needed, see notes) | <u>zvM-01 through 16</u> |
| <input checked="" type="checkbox"/> | Non-Compliant Zoning Analysis | |
| <input checked="" type="checkbox"/> | Proof of Ownership | Document Submitted: _____ |
| <input type="checkbox"/> | Application Fee (see zoning fees) | Amount \$ <u>385</u> plus Deposit Fee <u>\$150</u> |

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project: Addition to single family home. Work includes some new foundations, structural, mechanical, electrical, plumbing and finishes. Final grading to be performed by landscaper contractor. Full Permit Application to follow.

B. Have you applied for a Building Permit for this project? NO YES

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant. (See the Zoning Analysis Summary Sheet for your project's information)

(A) Section <small>(ex. "6-8-3-4")</small>	(B) Requirement to be Varied <small>(ex. "requires a minimum front yard setback of 27 feet")</small>	(C) Requested Variation <small>(ex. "a front yard setback of 25.25 feet")</small>
1		
<u>6-4-1-9(A)4.c</u>	<u>determination of yard-types to match pattern of adjacent lots</u>	<u>(a) Poplar Street is side yard per north neighbor</u> <u>(b) Alley is side yard per east neighbor</u>

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

2		
<u>6-8-2-8(A)3</u>	<u>minimum alley side yard</u>	<u>(a) from 5' to 24" for bicycle room</u> <u>(b) from 5' to 18" for portion of home</u>
3		
_____	_____	_____

Text

Variations Requested – as noted on the Zoning Analysis and updated for the application by City staff:

1. 32.7% building lot coverage where a maximum 30% is allowed
2. 54.5% impervious surface coverage where a maximum 45% is allowed
3. a 1.5' north interior side yard setback where 5' is required
4. a 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang)
5. a 17.4' west rear yard setback where 30' is required
6. a 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk)
7. detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards
8. a 2' north yard setback where 3' is required to any property line for detached accessory structures
9. a 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang)
10. 35' height for a detached accessory structure where a maximum 20' height is allowed for accessory structures that are not garages or ADUs
11. a fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house
12. 7.3' fence height where a maximum fence height of 6' is allowed

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

The property has peculiar characteristics of configuration on three sides, causing practical difficulties on the Owner's desire to improve the property.

- 1.) Metra embankment to the west,
- 2.) the unpaved alley to the north, and
- 3.) a privately owned cul-de-sac on the property to the east

Combined these to create unnecessary complex hardships to improve the property.

In one example, the Comprehensive Plan does not intend to have front yards (like those on Colfax Terrace) facing an alley, trash cans, and the backs of neighboring homes.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

True, the requested Variation will not.

2. 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.

True, the Owners will suffer. The neighbors will also suffer.

3. Either...

- (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
- (b) while the 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 Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

(a) True, the Owners will not extract income due to the Variation Approval.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

Yes, we have worked with the Zoning Department for four months demonstrating that the Zoning Ordinance was not designed to be applicable on peculiar lots.

5. Have other alternatives been considered, and if so, why would they not work?



City of Evanston DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made:
Does not apply.

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number _____ above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

- a. Names and addresses of all officers and directors.

- b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.



MAJOR VARIATION INFORMATION

A. GENERAL INFORMATION

1. What projects are eligible for a Major Variation?

Property Owners may apply for a Major Variation from the following zoning regulations:

1. Yards and setbacks
2. Height
3. Lot size, width and depth (including flag lots).
4. Lot coverage including impervious surface and/or floor area ratio
5. Off street parking and loading
6. Home occupations. (Ord. 115-0-04)

2. Who can submit an application?

The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Zoning Office in writing. **Standing** (§6-3-8-4):

3. How do I submit an application?

Applications must be submitted in person to the Zoning Office, City of Evanston, Civic Center Room 3700, 2100 Ridge Avenue. Our office hours are Monday through Friday (excluding Holidays) from 8:30am until 5:00pm. Evanston.

Applications must be complete, including all required documentation and fee.
Applications are not accepted by mail or e-mail.
Application materials cannot be returned.

4. What forms of payment are accepted? Cash, Credit Card, Check.

5. Can I withdraw my application? Will my fee be returned?

Yes, an application may be withdrawn any time prior to the final publication of the ZBA Agenda (the Friday before the hearing). If the newspaper notice has not been published or mailed notices sent out, a full refund is general granted. If this has occurred, only the \$150 transcript deposit is returned.

6. Who has access to my application materials?

The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT MAJOR VARIATIONS

1. What is the timeframe?

The approximate time from when the Zoning Division receives a completed Major Variation application to when the applicant can reasonably expect a decision on that application is 30 -40 days.

2. What is the Process?

- Upon receipt of a complete application, the Zoning Department contacts the applicant via phone and with a letter detailing the next steps in the process
- The City publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, between 15 and 30 working days prior to a hearing;
- The City posts a sign announcing the date of the Zoning Board of Appeals hearing on the subject property no less than 10 working days before the hearing date;
- The City must mail notification of the public hearing and an overview of the proposed application to all properties that are within 500' of any point on the subject property;
- The project is heard before the Site Plan Appearance and Review Committee (SPAARC). This committee provides a recommendation to the Zoning Board of Appeals. This committee is made up of representatives from City departments such as Building, Police, Fire and Preservation. A representative of your project must attend. The committee meets every Wednesday at 2:30 at the Civic Center, room 2404.
- The Zoning Board of Appeals is a City Board made up of 7 members. You will present your case to the Board, who in turn will ask you questions to assist in their deliberation. Further, anyone in opposition may present their case and ask questions of you (as you may to them). It takes 4 yes votes to approve a submitted application.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing.

3. What standards are used to decide? (§6-3-8-12(A)):

To grant a major variance, the Zoning Board of Appeals must find that the request meets the following 7 standards:

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
2. The requested variation is in keeping with the intent of the zoning ordinance.
3. The alleged hardship or practical difficulty is peculiar to the property.
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.
5. (a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or
(b) While the 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 zoning board of appeals or the city council, depending on final jurisdiction under section [6-3-8-2](#) of this chapter, has found that public benefits to the surrounding neighborhood and the city as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of section 6-3-6-3 of this chapter.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Zoning Board of Appeals issues its decision or recommendation to the City Council regarding said variation.

4. Can I Appeal?

An applicant may appeal the decision of the Zoning Board of Appeals to the Illinois Circuit Court. (§6-3-8-6(E)):

CONTACT INFORMATION

Community Development Department – Planning & Zoning Division

2100 Ridge Avenue, Room 3202 Evanston, Illinois 60201

P.847-448-4311 F.847-448-8126 E.zoning@cityofevanston.org www.cityofevanston.org/zoning



Melissa Klotz <mklotz@cityofevanston.org>

Re: 2356 Colfax Terrace: zoning analysis updated

1 message

Melissa Klotz <mklotz@cityofevanston.org>

Wed, Jan 12, 2022 at 4:57 PM

To: Joseph Lambke <joe@animatearchitecture.com>

Cc: "Patrick R. Hillmann" <patrickhillmann@gmail.com>, Johanna Nyden <jnyden@cityofevanston.org>, Michael Griffith <mgriffith@cityofevanston.org>, Katie Ashbaugh <kashbaugh@cityofevanston.org>

Joe,

As stated multiple times, the variations requested are not eligible to be reviewed as Minor Variations per the Zoning Ordinance. I cannot consider the lot to be a corner lot - it does not meet the definition stated in the Zoning Ordinance for a corner lot. There is no corner. I absolutely cannot make a final determination on your requested variations. Doing so would be unethical and would put my job at risk. Also, as previously stated, you are free to appeal this to the Land Use Commission.

Moving forward with Major Variations - the Land Use Commission does meet in January but state and local law requires public notice for public hearings well in advance, and there is a queue of other cases. The next available Land Use Commission meeting is February 23rd at 7pm. Please confirm if your team is available for a virtual meeting then. Assuming so, then this is your process:

1. Attend the virtual DAPR meeting to obtain a recommendation from the committee (similar to last time you attended but this time they will formally vote on a recommendation). Confirm if you can attend DAPR on Tuesday, February 1st at 2pm.
2. Attend the virtual Land Use Commission for your public hearing. This will be an in-depth look at all aspects of your proposal. Expect it will take an hour or so. Neighboring property owners within 500' will receive notice and can attend and comment. The Land Use Commission is the final determining body for all of the variations.

As long as there isn't a continuance for some reason, then the Land Use Commission should reach a final determination that evening. If approved, you can then move forward with your building permit. If denied or partially denied, you will need to adjust the plans into compliance with the Zoning Ordinance (I recommend resending to zoning to verify) and then you can move forward with the building permit.

Let me know if you have any questions as we move forward, and please confirm the DAPR and LUC meeting dates. In the meantime, I will review your application and confirm I have all documents needed to proceed.

Thank you,

Melissa Klotz**Zoning Administrator**

Morton Civic Center

City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8153 | 224-223-3154

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On Wed, Jan 12, 2022 at 3:48 PM Joseph Lambke <joe@animatearchitecture.com> wrote:

hi Melissa,

It seems the Department did not review the Owner's of the property's preference for a Minor Variation. Clearly the neighbors and other planning officials prefer this simple resolution as well.

Please review the Minor Variation application with the clarification contained in the email sent last Friday (attached below for your reference).

Thank you

Joe

Begin forwarded message:

From: Joseph Lambke <joe@animatearchitecture.com>

Subject: Re: 2356 Colfax Terrace

Date: Fri, 7 Jan 2022 at 1:23:18 pm PST

To: Michael Griffith <mgriffith@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>, Johanna Nyden <jnyden@cityofevanston.org>

Cc: "Patrick R. Hillmann" <patrickhillmann@gmail.com>

Michael, Melissa, and Johanna,

A community supportive, and quick, resolution to this request only requires an interpretation by the Zoning Administrator that the front yard on this peculiar lot to be at the southwest per the Minor Variation application.

Per code, and neighbor's support, our request to interpret the yards consistent with the intended use of the property:

The Zoning Administrator has the authority to **determine the front lot line** for a corner lot giving consideration including, but not limited to, the following:

- a) If a building exists on the lot, previous determination of the front yard, conformance to existing required setbacks, existing principal building orientation, and location of building entrances;
- b) Proportions of the lot line dimensions, with preference for the front lot line being the shorter lot line abutting a street;
- c) **Pattern of existing development** within the neighborhood, specifically of adjacent lots; and
- d) **The property owner's expressed desire.**

1.) east property line as a side yard, south of southeast corner is the front yard

This interpretation is justified because otherwise, the front yard along the east property line abuts a neighbor's property line, not a public way. Further, the property is entered from the south, not the east.

2.) west property line as a side yard, north of northwest corner is the rear yard

- treating the west property line as a side yard matches the north neighbor with no curb cut on Poplar Street.

- the garage is located in the rear, off the alley in a community preferred manner

3.) southwest & northeast corners are side yards

-this matches neighbor's and community activity

Are there any significant reasons that we are unaware of, that require obstructing this single family home addition?

Joe

On 12 January 2022, at 1:08 pm, Michael Griffith <mgriffith@cityofevanston.org> wrote:

Joseph Lambke and Patrick Hillmann,

The updated zoning analysis is attached. Since both a minor and major variation application were submitted, the plans submitted with the major variation were reviewed.

As previously noted, at least one element of the proposed plan triggers a major variation. The proposed rear yard and north interior side yard setbacks at the additional bulk do not fall within the threshold to be considered under a minor variation application. Therefore, all zoning non-compliant elements would be considered under a major variation application.

Melissa Klotz, Zoning Administrator, is copied on this email. She will follow-up with you concerning the major variation application process.

Respectfully,

Michael Griffith

Planner

Planning & Zoning Division

Community Development Department

Morton Civic Center

City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8155 | 847-448-4311 |
mgriffith@cityofevanston.org | cityofevanston.org



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On Tue, Jan 4, 2022 at 6:17 PM Joseph Lambke <joe@animatearchitecture.com> wrote:

Thank you for your work.

It is disappointing that Melissa has not signed-off on this minor variation.

Joe

On 4 Jan 2022, at 2:41 pm, Michael Griffith <mgriffith@cityofevanston.org> wrote:

Hi Joseph,

Happy New Year!

I'll have the review done by the end of the week confirming the necessary zoning variations. As has been mentioned previously, at least one element of the proposed plan triggers a major variation (additional bulk at the garage within the required rear yard setback), therefore all variations will be considered under a major variation application. With that in mind, this case has been tentatively scheduled for a public hearing before the Land Use Commission in February. We will confirm a hearing date with you.

Respectfully,

Michael Griffith

Planner

Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8155 | 847-448-4311 |
mgriffith@cityofevanston.org | cityofevanston.org



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On Tue, Jan 4, 2022 at 12:57 PM Joseph Lambke <joe@animatearchitecture.com> wrote:

hi Micheal,
Happy New Year, I hope your holiday was rejuvenating.

Is there an update on this issue?
We would like to plan for a Building Permit submittal date.

Thank you
Joe

<21ZONA-0164 - 2356 COLFAX TER - WITH ATTACHMENT - 01.11.22.pdf>

Joe Lambke
Architect, Owner, LEEDap

a n i m a t e . . .
architecture
objects
spatial studies

Portland 503 542.7610
Chicago 312 867.0450

www.animatearchitecture.com



Re: Trying to Drop off Minor Variance Application

1 message

Melissa Klotz <mklotz@cityofevanston.org>
 To: Patrick Hillmann <patrickhillmann@gmail.com>
 Cc: Michael Griffith <mgriffith@cityofevanston.org>

Tue, N

Patrick,

At a glance, I still see issues and major variations. Some things:

- North setback abutting the alley is a 5' interior side yard setback not a 30' required setback. This is also why staff is urging you to comply with the 5'. It is a minor variation at 3.25' but I hardship on why 5' cannot be achieved on a lot that is so large and wide. I do not think this variation will be granted. It is not the same as existing conditions on the other side of the alley detached garages which are permitted at 3' from rear property lines. Since yours is the principal structure, the requirement is 5' (and an interior lot line).
- Chimney is within the setback - it requires a 4.5' setback as a yard obstruction and if connected to the house by a wall AND roof. If it is just connected by a wall then that is a fence barrier is considered detached and noncompliant for its location.
- You show a future front porch and deck on some plans only - either fully include them or don't. The front porch does not get the 50% building lot coverage credit since it is not on the far street (the bike room is), which means you are over on building lot coverage and impervious surface coverage still. A future variation will not be granted if you max out those percentage construction.
- Front yard setback - you are not aligned with the other houses. See the 15' building line noted on the plat of survey - it curves with the alignment of the cul de sac. Your building line shows appropriate front yard variation is that 15' building line as measured off of the sidewalk.
- I see a 2.3' setback along the alley still - clarify if that is for an eave (triggers a variation) or for the walls. If walls, that is a major variation. Regardless, I do not think anything less than 5' there.

You should be able to comply with these things. The only remaining variations that should be requested are the yard setbacks abutting Colfax and Poplar. Please address the above comment include the additional info and then staff will re-verify with an updated analysis. If you instead want to proceed with this plan you can - it has Major Variations and will proceed to the Land Use negative staff recommendation and I would expect denial. If you would like to meet virtually and discuss further we can do that as well.

Thanks,

Melissa Klotz
 Zoning Administrator
 Morton Civic Center
 City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8153 | 224-223-3154

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On Mon, Nov 29, 2021 at 5:18 PM Patrick Hillmann <patrickhillmann@gmail.com> wrote:

Thank you SO much. This is very helpful. I've attached our latest submission in PDF format to this email.

We've tried to answer all of your key points, but based on the information below, I don't think we're asking for any real variation other than the 2.3' setback off the alley, but if that's the case FINE with the 3.25' setback -- if you are comfortable with that we'd love to proceed.

Patrick,

I haven't seen your resubmittal yet, but generally speaking here is what you should be aiming for to meet the intent of the Zoning Ordinance with appropriate variations:

Building lot coverage - should comply since the lot size is far larger than typical. There is no hardship to request to exceed this. Catelevers or eaves that are 2' or less do not further add to building lot coverage, so some revisions to eaves on the last plan would reduce the building lot coverage number.

Understood. Please see the attached docs. We aren't seeking a lot coverage variation. Our plans comply.

Impervious surface coverage - must comply. Variations are not granted for this at new construction lots that are oversized. Evanston has flooding problems in some areas.

Per my note above. We aren't seeking a lot coverage variation. I think there was some confusion in the zoning analysis.

Side yard setback abutting the alley - In order to be a minor variation instead of a major, you need a 3.25' setback where 5' is required. However, since the lot size is not substandard in width (or size), there is no hardship. You should be able to comply with the 5' requirement. Of note, locating the structure closer than 3' to that property line is a building code and fire code issue as well.

Apologies, our architect thinks there may have been a miscommunication with the zoning analysis staff regarding the definition of "substandard": the lot is substandard in overall configuration, not in "width (or size)." As you'll see in the attached pdfs (specifically page two of the file marked "2356 - ZV set 10 November 21.pdf") our property runs lengthwise on an alley. While we originally requested, and prefer, a 2.3' setback from the alley in these two limited locations, we could adjust to a 3.25' setback off the alley if that is the only real hold up here -- especially given the time-crunch we're under.

As you'll see on page 12 of the zoning analysis, it states that we had to have a 35' (thirty five foot) setback off the alley, which was obviously a bit alarming, and the essence of our "hardship" as laid out on page two of the PDF cited above. Any help or understanding here would be greatly appreciated.

Front setback - variation is appropriate given the private street property line. As indicated by Mike, it makes sense to align with other buildings that are at least 15' back from the front sidewalk.



Re: Trying to Drop off Minor Variance Application

1 message

Melissa Klotz <mklotz@cityofevanston.org>
 To: Patrick Hillmann <patrickhillmann@gmail.com>
 Cc: Michael Griffith <mgriffith@cityofevanston.org>

Tue, N

Patrick,

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- North setback abutting the alley is a 5' interior side yard setback not a 30' required setback. This is also why staff is urging you to comply with the 5'. It is a minor variation at 3.25' but I hardship on why 5' cannot be achieved on a lot that is so large and wide. I do not think this variation will be granted. It is not the same as existing conditions on the other side of the alley detached garages which are permitted at 3' from rear property lines. Since yours is the principal structure, the requirement is 5' (and an interior lot line).
- Chimney is within the setback - it requires a 4.5' setback as a yard obstruction and if connected to the house by a wall AND roof. If it is just connected by a wall then that is a fence barr is considered detached and noncompliant for its location.
- You show a future front porch and deck on some plans only - either fully include them or don't. The front porch does not get the 50% building lot coverage credit since it is not on the far street (the bike room is), which means you are over on building lot coverage and impervious surface coverage still. A future variation will not be granted if you max out those percentag construction.
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You should be able to comply with these things. The only remaining variations that should be requested are the yard setbacks abutting Colfax and Poplar. Please address the above comment include the additional info and then staff will re-verify with an updated analysis. If you instead want to proceed with this plan you can - it has Major Variations and will proceed to the Land Use negative staff recommendation and I would expect denial. If you would like to meet virtually and discuss further we can do that as well.

Thanks,

Melissa Klotz
 Zoning Administrator
 Morton Civic Center
 City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8153 | 224-223-3154

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We've tried to answer all of your key points, but based on the information below, I don't think we're asking for any real variation other than the 2.3' setback off the alley, but if that's the case FINE with the 3.25' setback -- if you are comfortable with that we'd love to proceed.

buildings that are at least 15' back from the front sidewalk.

Please see the attached documentation as we comply per average of two neighboring houses. I can also send some pictures from my phone to show that the offset we are proposing is 100% in line with our neighbors.

You may have already addressed some of these issues (I haven't seen your latest update yet). If you can email it all to us we will get to it much quicker - we are running digital only with remote work from home most of the time, so dropping papers off at the Civic Center costs you a lot of time until the app makes its way to me when stopping into the office.

Apologies again, we first contacted the Zoning Department through the 311 system in the beginning of August, and finally began exchanging email with Katie Ashbaugh on August 16th. Some staff vacation travel further delayed us and we just couldn't get a hold of anyone after we got stuck in the zoning analysis phase. I eventually spoke to someone on Ridge Ave (not sure which office) who confirmed that variations had to be presented in printed format since a signed check was also required. They must have been working on old information.

Please email it if you can.

Attached, and thank you for the clarification again. Greatly appreciated.

Once staff has updated the zoning analysis results for your latest plan, you are welcome to move forward with the variations - I strongly recommend you listen to staff's guidance and recommendations, but you are not required to.

If all are minor variations, then the final determination is made by me.

We are praying that based on your feedback and the attached documentation that you'll be able to grant us our final variation. Again, this is a very bizarre lot on a VERY unique street to the area. And again, when you look at our neighbors and the surrounding properties, you'll see that we aren't asking for any changes that haven't already been granted to multiple neighbors on our block.

Again, thank you so much for your support and patience.

Best,
 Patrick & Sarah

Please see the attached documentation as we comply per average of two neighboring houses. I can also send some pictures

Patrick R. Hillmann
 (c) +1 202 651 0176
 (e) patrickhillmann@gmail.com

On Mon, Nov 29, 2021 at 8:50 AM Melissa Klotz <mklotz@cityofevanston.org> wrote:

Patrick,

I haven't seen your resubmittal yet, but generally speaking here is what you should be aiming for to meet the intent of the Zoning Ordinance with appropriate variations:

Building lot coverage - should comply since the lot size is far larger than typical. There is no hardship to request to exceed this. Catelevers or eaves that are 2' or less do not further add to coverage, so some revisions to eaves on the last plan would reduce the building lot coverage number.

Impervious surface coverage - must comply. Variations are not granted for this at new construction lots that are oversized. Evanston has flooding problems in some areas.

Side yard setback abutting the alley - In order to be a minor variation instead of a major, you need a 3.25' setback where 5' is required. However, since the lot size is not substandard in w no hardship. You should be able to comply with the 5' requirement. Of note, locating the structure closer than 3' to that property line is a building code and fire code issue as well.

Front setback - variation is appropriate given the private street property line. As indicated by Mike, it makes sense to align with other buildings that are at least 15' back from the front side

You may have already addressed some of these issues (I haven't seen your latest update yet). If you can email it all to us we will get to it much quicker - we are running digital only with re home most of the time, so dropping papers off at the Civic Center costs you a lot of time until the app makes its way to me when stopping into the office. Please email it if you can. Once zoning analysis results for your latest plan, you are welcome to move forward with the variations - I strongly recommend you listen to staff's guidance and recommendations, but you are i are minor variations, then the final determination is made by me. If you do not agree with the determination made, you have the option to Appeal the case to the Land Use Commission (p Board of Appeals) where a new determination can be made...however staff recommendations are strongly taken into consideration so I again urge you to follow staff's guidance. The dete Land Use Commission (as Major Variations or an Appeal) are appealable to circuit court.

Hope that helps. If you have specific questions or options to discuss to make your proposal more viable, feel free to send things my way.

Thanks,

Melissa Klotz
 Zoning Administrator
 Morton Civic Center
 City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8153 | 224-223-3154

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On Wed, Nov 24, 2021 at 2:34 PM Patrick Hillmann <patrickhillmann@gmail.com> wrote:

Happy Holidays Melissa!

My apologies for not following up sooner, my sister ended up going into early labor and we ended up welcoming our new niece. Then we found out that my wife and I are pregnant with my inbox has been a weeeee bit crazy. However, I dropped off a second package for you last week with a new check, updated drawings, and another analysis that Michael Griffith drew reminder, you folks have our stamped surveys which were included in the first package I dropped off.

I like we may be stuck in an infinite loop though. The house we bought is a VERY odd lot and has the added complexity of a privately owned cul de sac which I own the majority of as it line.

I just think it's REALLY hard to understand without seeing the property.

The variance we are applying for is in compliance with the law, specifically our proposed setback variations fully satisfy all five items listed under 6-3-8-12 Standards for Variations (A) Although the law states (6-4-1-9 (A)4.d) states "Determining lot lines...giving consideration to: d) The property Owners expressed desire." it does not appear that the Zoning Department our intentions to benefit the community by keeping all of the property lines consistent with the current general layout of the neighborhood.

Based on the zoning law setbacks strictly applied in the zoning analysis on this highly atypical site (2356 Colfax Terrace) would force the construction of a very tall 3 story home, tight a to the south, which would fully expose the alley (power lines, trash and bright street lights) to yards on both Poplar Avenue and to Colfax Terrace. I can't imagine that is the intention of expose alley garbage cans to street traffic even when, as in this case, one street is a private cul-de-sac, and the other street is a dead end. We showed four of our neighbors that altern were quite displeased - they suggested we go to our alderman and start a petition.

The zoning law makes provisions for variances in situations such as this, so that we can build in a fully compliant manner. As far as we can tell this is issue is too small to require the C process, and legally appears to qualify as a minor variance.

We've spoken with our neighbors and they have also had variances applied to their properties but seem to have had similar issues in the past getting their paperwork through.

Please let me know if there is ANYTHING we can do to speed this process up as we started it back in mid-October and are trying to limit the number of months that have to pay two mc

The house had been vacant for years and is completely unlivable. So it's putting my wife and I in economic straights with each passing day that we can't get work underway.

Again, I know you folks are simply being diligent, but I really think looking at the property specifically in this matter will alleviate any concerns.

All the best,
 Patrick

Patrick R. Hillmann
 (c) +1 202 651 0176
 (e) patrickhillmann@gmail.com
www.linkedin.com/in/CrisisCommunications

On Thu, Oct 28, 2021 at 9:30 AM Melissa Klotz <mklotz@cityofevanston.org> wrote:

Patrick,

Variance application is received. I glanced at it and see you made modifications - I will pass this on to Michael to update the zoning analysis and then he will be in touch with next ste major variation is requested for the alley side yard setback for the principal structure...that means all variations will proceed to the ZBA as major variations. I do not anticipate approv construction on a compliant lot size and width should comply with side yard setbacks. Other requests may be reasonable but that side yard request is likely not. Hold tight for an updt

Thanks,

Melissa Klotz
Zoning Administrator
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8153 | 224-223-3154

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On Tue, Oct 26, 2021 at 5:19 PM Patrick Hillmann <patrickhillmann@gmail.com> wrote:

Thanks so much, Melissa!

A nice gentleman at "Delivery Door A" took the packet from me and said that he'd make sure you received it. Apologies for going around protocol. I thought I read online that you had a variance app in person, though I didn't check to see if the policy changed post-COVID.

This is my first time going through this process, but I believe the packet has everything that was listed on the application checklist.

If you folks have ANY questions on the application whatsoever, please do not hesitate to reach out to my wife or I. My cell is below and I can be reached any time.

Thank you so much for your kind consideration.

All the best,

Patrick & Sarah Hillmann

Patrick R. Hillmann
(c) +1 202 651 0176
(e) patrickhillmann@gmail.com
www.linkedin.com/in/CrisisCommunications

On Tue, Oct 26, 2021 at 4:12 PM Melissa Klotz <mklotz@cityofevanston.org> wrote:

Patrick,

There is a ground floor entrance at the rear of the building off of the parking lot - if the security officer at the door allows then leave it with my name on it and I'll get it there.

Otherwise scan and email it in.

Thanks,

Melissa Klotz
Zoning Administrator
Morton Civic Center
City of Evanston

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On Tue, Oct 26, 2021 at 3:56 PM Patrick Hillmann <patrickhillmann@gmail.com> wrote:

Hi Melissa!

I'm sitting at the Civic Center trying to drop off my Minor Variance Application paperwork, but it looks like the Center is closed.

Is there any way for me to drop this off today? Any guidance is greatly appreciated.

Have a great day!

Best,
Patrick Hillmann

Sent from my iPhone

**DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
December 8, 2021**

Voting Members Present: J. Nyden, A. Schnur, L. Biggs, M. Callahan, I. Eckersberg, R. Papa (arrived after the meeting minutes were reviewed), M. Tristan, J. Hyink,, M. Jones, C. Sterling

Staff Present: E. Okallau, B. Zimmerman, M. Klotz, K. Ashbaugh, M. Griffith

Others Present:

Presiding Member: J. Nyden

A quorum being present, J. Nyden called the meeting to order at 2:34 p.m.

Suspension of the Rules

1. Members participate electronically or by telephone.

L. Biggs made a motion to suspend the rules to allow members to participate electronically or by telephone, seconded by J. Hyink.

The Committee voted by roll call vote, 9-0, to suspend the rules allowing members to participate electronically or by telephone.

Ayes: J. Nyden, A. Schnur, L. Biggs, M. Callahan, I. Eckersberg, M. Tristan, J. Hyink, M. Jones, C. Sterling

Nays:

2. 2356 Colfax Terrace **Concept Review**

Sarah and Patrick Hillman, property owners, submit for Concept Review of major zoning relief for additions to a single-family residence that include the front yard setback, rear yard setback, north interior side yard setback, accessory structure yard location and height, and may include zoning relief for building lot coverage, impervious surface coverage, and other plan elements after a final review of the most recent plan submittal.

APPLICATION PRESENTED BY: Sarah and Patrick Hillman, property owners
Joseph Lambke, architect

DISCUSSION:

- J. Lambke stated the site is unique with the railroad embankment to the west and an alley along the north. He stated they are trying to mitigate visible garbage cans in the alley and a street light. They plan to build on top of the existing house and construct an addition.
- J. Lambke described the proposed site plan, noting Colfax Terrace is a private street that extends onto the subject property; the alley is visible from Colfax Terrace. They are trying to hide the alley as much as possible. They will not ask for variations for building

or lot coverage, looking to match existing setbacks in the area. They would like to push the addition as close to the alley along the north as much as possible.

- M. Klotz stated staff will need to do a complete review of the latest plan submitted late last week. Given the property has two street frontages, Colfax Terrace as the front and Popular as the rear, variations to reduce required front and rear setbacks seem appropriate. The required front setback is the average setback on the block measured to the property line. However, a 15' setback from the sidewalk should be provided in keeping with the other homes on the block, this is not met at the bike area. The proposed north setback is not an appropriate variation and not necessary. The lot size and width are oversized. The lot is over 9,000 square feet and is 60' wide where 7,200 square feet and 35' are the minimum standards.
- J. Lambke stated the lot provides a small yard when compared to the lots to the north.
- M. Klotz stated there are plan elements that need clarification, including how the chimney is connected to the house, more than a wall is needed. Staff will confirm building lot and impervious surface calculations.
- J. Lambke stated the chimney height has been reduced to 20'.
- P. Hillman asked how the lot width is determined. He stated a setback off the alley creates wasted space. He stated there will not be a continuous wall along the alley.
- M. Klotz stated lot width is measured between the north and south property lines.
- L. Biggs stated lot coverage should comply noting the plan covers a lot of ground. She advised complying with the setback along the alley noting that vehicles do not always stay within the bounds of an alley.
- M. Callahan asked about the trees along the south property line, on their property or neighbor's, should discuss trees with the neighbor.
- J. Lambke stated the trees straddle the property line.

Public Comment:

- Robert Stevens stated he is the neighbor to the south and supports the proposed plan.
- C. Sterling stated the plan is creative but a variation application needs to demonstrate the need for the variations.

This is a concept review, discussion only, no action by the Committee.

Adjournment

L. Biggs made a motion to adjourn, seconded by C. Venatta. The Committee voted by voice vote, 11-0, to adjourn. The Committee adjourned at 3:10 p.m.

Ayes: J. Nyden, A. Schnur, L. Biggs, E. Cano, I. Eckersberg, C. Venatta, M. Tristan, J. Hyink, C. Pratt, M. Jones, K. Ashbaugh

Nays:

The next DAPR meeting is scheduled for Wednesday, December 8, at 2:30 p.m. via a virtual meeting. Additional information will be provided on that meeting agenda.

Respectfully submitted,
Michael Griffith

**DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
February 8, 2022**

Voting Members Present: J. Nyden, A. Schnur, L. Biggs, M. Callahan, R. Papa, M. Tristan, J. Hyink, C. Pratt, M. Jones, M. Griffith

Staff Present: M. Klotz, E. Okallau, C. Ruiz

Others Present:

Presiding Member: J. Nyden

A quorum being present, J. Nyden called the meeting to order at 2:03 p.m.

Suspension of the Rules

A. Members participate electronically or by telephone.

L. Biggs made a motion to suspend the rules to allow members to participate electronically or by telephone, seconded by J. Hyink.

The Committee voted by roll call vote, 10-0, to suspend the rules allowing members to participate electronically or by telephone.

Ayes: J. Nyden, A. Schnur, L. Biggs, M. Callahan, R. Papa, M. Tristan, J. Hyink, C. Pratt, M. Jones, M. Griffith

Nays:

A. 2356 Colfax Terrace

Recommendation to LUC

Sarah and Patrick Hillman, property owners, submit for major zoning relief from the Evanston Zoning Ordinance for additions to a single family residence in the R1 Single Family Residential District. The applicant requests zoning relief for 32.7% building lot coverage where a maximum 30% is allowed (Section 6-8-2-7), 54.5% impervious surface coverage where a maximum 45% is allowed (Section 6-8-2-10), a 1.5' north interior side yard setback where 5' is required (Section 6-8-2-8), a 3.3' north interior side yard setback where 4.5' is required for a yard obstruction (roof overhang) (Section 6-4-1-9), a 17.4' west rear yard setback where 30' is required (Section 6-8-2-8), a 10.5' west rear yard setback where 27' is required for a yard obstruction (roofed walk) (Section 6-4-1-9), detached accessory structures in the front yard where detached accessory structures are only permitted in side and rear yards (Section 6-4-6-2-D, 6-4-6-3-A), a 2' north yard setback where 3' is required to any property line for detached accessory structures (Section 6-4-6-2-E), a 1' north interior side yard setback where 2.5' is required for a yard obstruction on a detached accessory structure (roof overhang) (Section 6-4-1-9), 35' height for a detached accessory structure where a maximum 20' height is allowed for accessory structures that are not garages or ADUs (Section 6-4-6-2-G), a fence in the front yard where fencing is not permitted within the front yard or within 3' of the front facade of the house

(Section 6-4-6-7-F), and 7.3' fence height where a maximum fence height of 6' is allowed (Section 6-4-6-7-F). The Land Use Commission (LUC) is the final determining body for this case. *Item was continued from the February 1, 2022, meeting.*

APPLICATION PRESENTED BY: Patrick Hillman, property owner
Joseph Lambke, architect

DISCUSSION:

- Applicant described the characteristics of the property stating it is an unusual lot with an alley along the north side, portion of the private Colfax Ter. on their property, and Poplar Ave to the west. They are trying to match the development pattern of neighboring properties and to protect trees and light. They are trying to block the alley view as much as possible.
- Applicant stated their front yard should be considered the southeast corner, the rear yard the northwest corner of the lot, and the other lot lines should be considered side lot lines.
- Applicant stated they are not asking for a variation for building lot and impervious surface coverage.
- J. Nyden asked how they calculated coverage.
- Applicant stated their software calculated coverage and could provide details to staff. Asked staff to clarify how coverage was calculated.
- L. Biggs stated staff interprets the code, not the applicant.
- M. Griffith stated the plan was difficult to follow, but it appears the applicant's building lot coverage calculation does not include areas that should be included such as a roof overhang over a walk next to the bike room and the porch in the courtyard. It isn't clear if the porch is roofed or not. Areas which count towards building lot coverage were provided to the applicant and a diagram showing how coverage was calculated was provided to the applicant.
- There was a discussion regarding lot coverage, areas to include, and how it was calculated.
- L. Biggs stated the plan lacks clarity. Staff's calculations are the numbers used. Lot coverage is a significant issue.
- J. Nyden stated staff's review shows coverage is an issue. Staff will continue to work with the applicant to clarify coverage.
- Applicant stated the zoning requests they are making, including:
 - Setback off the north property line, the plan breaks up the wall along the alley.
 - Setback at garage roof eave, this is an architectural detail.
 - Setback at garage, need to enlarge the garage.
 - Setback at the west canopy to the entrance, this is an architectural detail.
 - Bike room is attached via a wall and should not be considered a detached structure.
 - Setback at bike room eave, this is an architectural detail.
 - Chimney height can be lowered. The chimney is attached to the house by a wall and is not a detached structure.
 - Fence in the front yard is intended to screen the neighbors a/c unit. The a/c unit is in the neighbor's side yard yet impacts the applicant's front yard.
 - They are not asking for a fence height variations. The plan is for a wall to connect the bike room to the house and a wall to connect the chimney to the house, these are not fences and therefore fence height regulations do not apply. The wall height connecting the chimney is intended to provide privacy to the neighbor when the people are on the deck.

- L. Biggs asked the applicant to clarify how the bike room is attached.
- Applicant stated there are stairs and a wall which connect the bike room to the house.
- L. Biggs stated the stairs appear to be open to the air, questioned how this means the bike room is attached to the house.
- M. Klotz stated the zoning code defines how the yards are determined, stating the front yard is off Colfax Terrace, the side yards are off the north and south property lines, and the rear yard is off Poplar Ave.
- J. Nyden asked staff to point out possible revisions to the plan.
- M. Klotz stated the lot is unique and some variations are appropriate:
 - Variation for building lot coverage is not appropriate given the compliant lot size and the project is mostly new construction.
 - Variation for impervious surface coverage is appropriate given the cul-du-sac extending onto the property which counts towards their coverage.
 - Proposed north side yard setback is not appropriate.
 - Proposed setback at roof overhangs are not appropriate as shown.
 - Proposed setback at the roof overhang from the west property line is not appropriate.
 - As shown, the accessory structures are not substantially attached and the variation noted is not appropriate.
 - Proposed setback to the detached accessory structure, the bike room, is not appropriate.
 - Proposed setback at the roof overhang on the bike room is not appropriate.
 - Reducing the chimney height is an appropriate revision.
 - A fence within the front yard along the alley is appropriate, a fence in the front yard along the south property line is not appropriate.
- M. Klotz stated the applicant could appeal her code interpretations which would be considered by the Land Use Commission; an appeal has not been submitted.
- Applicant brought up how the yards are determined, noting how they view the yard designations vs. staff's designations.
- L. Biggs stated it appears the applicant is asking for a strict interpretation of the code for certain details and then asking staff to bend the code for other details.
- L. Biggs stated she cannot support the plan. Fencing over 6' all is not acceptable.
- A. Schnur stated that if more than 50% of the existing structure is demolished, the affordable housing tax is triggered and the new structure is required to be sprinkled.
- M. Jones stated she does not support the variations and that details need to be clarified for the Land Use Commission.

Public Comment:

- Robert Stevens, 2346 Colfax Terrace, stated he is the neighbor to the south and supports the plan. The property has been vacant for about 20 years.

J. Nyden made a motion to provide a neutral recommendation to the LUC, seconded by L. Biggs.

The Committee voted by roll call vote to provide a neutral recommendation to the LUC.

Ayes: J. Nyden, A. Schnur, L. Biggs, M. Callahan, R. Papa, M. Tristan, J. Hyink,
C. Pratt, M. Jones, M. Griffith

Nays:

Medical Office Parking &
Ground-Floor Office Uses
Text Amendment
22ZMJV-0007

LUC Recommending Body



Memorandum

To: Chair and Members of the Land Use Commission

From: Johanna Nyden, Community Development Director
Melissa Klotz, Zoning Administrator

Subject: Zoning Ordinance Text Amendment
Ground Floor Office Uses & Medical Office Parking
22PLND-0007

Date: February 16, 2022

Request

City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to modify the parking requirement for Medical Office Uses in existing structures, and to change ground-floor permitted Office Uses in non-residential and non-university districts to Administrative Review Uses. The Land Use Commission makes a recommendation to the City Council, the determining body for this case per Section 6-3-4-6 of the Evanston Zoning Ordinance and Ordinance 92-O-21.

Notice

The Application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on February 3, 2022.

Analysis

Background

In May 2021, staff proposed a substantial text amendment to the Zoning Ordinance to establish Administrative Review Uses as a faster way towards approval for commonly approved Special Uses. This text amendment was primarily in response to the growing vacancy rate in commercial, business, and downtown districts due to the COVID-19 pandemic.

Nearly a year later, a new zoning issue has emerged: COVID-19 test sites are needed and may continue to be needed in coming years as more agencies and businesses require regular testing. COVID-19 test sites are considered Medical Offices, which are Permitted Uses in certain zoning districts and Administrative Review Uses in others.

As Permitted Uses, COVID-19 test sites are under-regulated and may locate where that specific use is not appropriate (ie. next door to another COVID-19 test site; within a shared entrance to another business/multifamily residence).

Additionally, Medical Offices outside of the downtown zoning area are required to provide additional parking beyond what exists on the site. Many times that is not feasible, and sometimes it is also not necessary. This means COVID-19 test sites are locating in certain areas only: either within the downtown (permitted use in D1, D3, D4, RP) and with no parking

requirement; or in smaller commercial areas that are also near City parking lots or strip malls where parking spaces can be leased (but are rarely available). Medical Offices that cannot meet the parking requirement that is required outside of the downtown must seek a variation, which is a 90-120 day process that requires a public hearing with the Land Use Commission and a final determination by the City Council. That timing is specifically detrimental to COVID-19 test sites and instead they operate in other communities.

Proposal Overview

Staff proposes two moderate changes to the Zoning Ordinance so that ground-floor Medical Office uses may operate in appropriate locations throughout the City that feature adequate facilities that may or may not include parking, as needed.

Staff proposes elimination of the extra Medical Office parking requirement so that parking variations with a lengthy zoning process are not needed. Of the COVID-19 test sites currently operating in Evanston, most that are required to lease off-site parking are not actually using the parking that is leased. Instead, all ground-floor Office Uses should be Administrative Review Uses so that each one may be reviewed on an individual basis both for appropriate location, and to determine if additional off-site parking is warranted or not. The Administrative Review Use process is a faster process that takes 2-3 weeks total and may impose conditions for approval including parking regulations.

Since the implementation of the Administrative Review Use process in May 2021, approximately 25 businesses have been approved with conditions that would otherwise require a 90 – 120 day zoning process. Concurrently, staff is aware of approximately 20 inquiries for COVID-19 test sites in the last two months that are not feasible locations specifically due to the extra parking requirement.

Parking Requirement:

Chapter 16 of the Zoning Ordinance lists out zoning uses and the corresponding parking requirements. These parking requirements are required for any new construction, whether an entirely new building or an addition. The parking requirement for regular Office uses (non-medical) is one space for every 500 sq. ft. of office space, and the parking requirement for Medical Office uses is one space for every 200 sq. ft. of office space. (For reference, restaurants require one space for every 250 sq. ft. of space and general retail stores require one space for every 350 sq. ft. of space). This portion of the Medical Office parking requirement is appropriate.

The parking regulations also state that existing structures that change use (ie. a space was a retail store and is changing to a new tenant that is a restaurant) do not calculate a new parking requirement. This is because it is generally not feasible to add parking on a property that is already developed. If uses were required to re-calculate parking requirements with every change in use, most commercial properties in Evanston would not be able to meet the code requirement and would require variations. Therefore, there is no “new” parking requirement calculated for a change of use – with the following exceptions:

- Changes in use or intensity of a use regarding medical or dental offices in the business, commercial, office or transitional manufacturing districts.
- Changes in use to religious institution in the business, commercial, or downtown districts.
- Increases in density of a residential use outside of the downtown or research park districts.

The Medical Office parking requirement (including dental offices) requires a new calculation for

the parking requirement for existing buildings (which are typically constructed to the general retail parking requirement of 1/350 or reduced by variations/site development allowances). This almost always results in an increase in the amount of parking needed for a Medical Office to locate at a site.

The parking calculation for a Medical Office use is calculated by zoning staff as follows:

1. Determine existing building's original parking requirement at the time of original construction and based on the Zoning Ordinance in effect at that time: search historic records when possible; otherwise assume all retail for commercial spaces with today's regulations, also need the number of bedrooms for the residential parking portion for mixed-use buildings.
2. Determine the existing building's original parking requirement as noted in #1 above but with a Medical Office switched into the space in question and determine what that total parking requirement is.
3. Subtract the calculation including the Medical Office (#2 above) from the original calculation and the result is how many additional spaces are needed.
4. Now determine how many parking spaces actually are on site and see if the additional spaces are available on-site (likely not).
5. Repeat at any other property that believes they have "extra" parking available to lease to one of the Medical Office uses to determine if there truly is extra beyond the zoning requirement, and confirm any off-site parking to be leased is within 1,000 of the Medical Office location.

Very few properties in Evanston are developed with additional parking beyond the amount required by zoning, so it is nearly impossible to find a property with an existing building that complies with parking for a Medical Office. This regulation does not apply to the downtown area because there is a variety of parking garage options available. When the extra parking requirement is applied to smaller ground-floor Medical Offices (COVID-19 test sites, chiropractors, physical therapy), the facilities that are able to meet the parking requirement lease parking that is too far away or hidden to be utilized by customers, and is often not needed for staff parking.

Applicants and zoning staff spend an inordinate amount of time looking for additional parking within 1,000 of potential Medical Office locations, confirming whether the additional parking is "extra" that may be leased per the Zoning Ordinance calculations, and ultimately determining the parking is not available. The existing parking requirement effectively zones out Medical Office uses outside of the downtown area.

Applicants do currently have the option to proceed with a parking variation request, which includes a 90 - 120 day process. A public process of that timeframe may work well for larger Medical Offices such as urgent care clinics, or other types of Medical Offices that may need drop-off areas or have other needs, but the parking variation process is too lengthy and burdensome to require for all ground-floor Medical Office uses. Instead, parking for ground-floor Medical Offices, whether COVID-19 test sites, small specialty doctor offices, or large urgent care clinics, should be controlled on a case by case basis with a process that can include conditions for parking as well as other potential impacts.

Administrative Review Use:

Ground-floor Office Uses (which include Medical Offices) in the D2 Downtown Retail Core, oDM Main-Dempster Overlay, and oCSC Central Street Overlay Districts are currently Administrative Review Uses (since they were listed as Special Uses prior to establishing the Administrative Review Use process in May 2021).

Ground-floor Office uses in other zoning districts or outside of the overlay districts are Permitted uses. If the extra parking requirement for Medical Office uses is eliminated (for change of use only; not for the construction of a new building), the Administrative Review Uses should be expanded to include all ground-floor Office uses in zoning districts that do not typically have large on-site parking lots. This will allow potential parking issues to be addressed on a case by case basis while maintaining a quick yet transparent zoning process. Potential parking issues may include a need for employee parking, customer drop-off, car-side service, and customer parking - all of which can be addressed via conditions imposed within the Administrative Review Use process.

Additionally, utilization of the Administrative Review Use process for ground-floor Office uses allows for the ebb and flow of the economic market and allows for quick approval of more ground-floor Office uses when vacancies are high, while maintaining the ability for deferral or denial when vacancies are lower and ground-floor commercial space should be reserved for more retail-oriented uses.

Since the Administrative Review Use process establishes site-specific review for each proposed ground-floor Office, other potential impacts such as public health or negative cumulative effects could then be considered. For instance, some locations are not appropriate for COVID-19 test sites (ie. next door to another COVID-19 test site; within a shared entrance to another business/multifamily residence). Many locations are not appropriate for larger-scale ground-floor Medical Office uses such as urgent care clinics. Any potential location of concern would be deferred to the full Special Use process that includes a public notice, a public hearing with the Land Use Commission and a final determination by the City Council with a 90 - 120 day process.

The Zoning Ordinance currently regulates Office uses (which include Medical Offices) in the following way:

Zoning District	Existing: (P) Permitted, (A) Administrative, or (S) Special Use	Extra Parking Requirement:	Proposed Regulation for Ground Floor Office:
B1, B1a, B2, B3	P	Currently Yes	A
C1, C2	P	Currently Yes	P
C1a	P	Currently Yes	A
D1, D3, D4, RP	P	No	A
D2	A	No	A
O1	P	Currently Yes	P
MU, MUE, MXE	P	Currently Yes	P
I1, I2, I3	P	No	P
Dempster St. Overlay (Dempster near Chicago Ave.)	A	Currently Yes (mostly B Districts)	A
Main St. Overlay (Main near Chicago Ave.)	A	Currently Yes (mostly B Districts)	A
Central St. Overlay (Central St.; Green Bay Rd.)	P (but Active Ground Floor Use required)	Currently Yes (mostly B & C)	A

(Grey indicates a change of regulation proposed)

B Districts – The B1, B1a, B2 and B3 Districts are primarily located in smaller neighborhood business districts. These properties often do not have parking on-site. Some City surface

parking lots exist, but opportunities to lease additional parking are hard to come by. By eliminating the extra parking requirement for Medical Offices and shifting ground-floor Office uses to the Administrative Review Use process, parking can be reviewed and addressed on a case by case basis. Office uses (whether Medical or other) will be reviewed to see if additional parking is needed, as well as whether the Office use requested includes an active storefront and is appropriate for the given ground-floor location or would be better suited elsewhere.

C1 & C2 Districts – These districts are primarily located along busy automobile-oriented corridors where properties are typically less pedestrian friendly and include parking lots. The uses permitted in these districts often do not have active storefronts. Residential uses are not allowed in these districts. Therefore, review on a case by case basis is not needed and Office uses (including Medical Office) should continue as permitted uses while also removing the extra parking requirement for Medical Office uses.

C1a District – This district is primarily located along the pedestrian-oriented portion of Chicago Avenue that functions like a neighborhood business district. Residential uses are permitted and are common in this area, and parking is typically in demand. By eliminating the extra parking requirement for Medical Offices and shifting ground-floor Office uses to the Administrative Review Use process, parking can be reviewed and addressed on a case by case basis. Office uses (whether Medical or other) will be reviewed to see if additional parking is needed, as well as whether the Office use requested includes an active storefront and is appropriate for the given ground-floor location or would be better suited elsewhere.

D1, D3, D4, RP Districts – These districts (along with the D2, which already requires ground-floor Office uses as Administrative Review Uses to require active storefronts in the traditional downtown area) comprise the entire downtown area. There is no extra parking requirement since parking garages are available within the vicinity. In this area, ground-floor office uses should be allowed in certain circumstances (when the vacancy rate is high, when there are public health needs) but may change over time. By utilizing the Administrative Review Use process, ground-floor Office uses (including Medical Office) can be reviewed on a case by case basis and active storefronts can be encouraged. This regulation has worked well in the D2 District since it was enacted in May 2021.

D2 District – No changes proposed (existing Administrative Review Use; no parking requirement).

O1 District – The Office District is specifically intended for Office uses. Very few O1 properties exist, and many of them have redeveloped over time as large multi-family complexes (1717 Ridge Ave., 1620 Central St.). Those that remain with Office uses typically feature on-site parking. Since the intent of the O1 District is to provide office space, the use should remain permitted and the extra parking regulation should be eliminated.

M Districts – The MU, MUE, and MXE Districts are located in mixed-use areas that primarily consist of light industrial, office, and live-work units. The non-residential uses typically feature parking lots that can accommodate higher-demand parking uses such as Medical Offices (though the districts themselves are likely not ideal for Medical Offices so staff does not expect an influx of Medical Office requests – the areas are more industrial in nature). Since the intent of the M Districts is to remain flexible and expect a variety of uses that can coexist, ground-floor Office uses should remain permitted and the extra parking regulation should be eliminated.

I Districts – No change is proposed for the I1, I2, and I3 Districts (existing Permitted Use; no parking requirement). Since industrial districts are not intended to be walkable and generally have large parking lots, there is no need to add further zoning scrutiny.

Dempster-Main Overlay District – The overlay district itself exists only to regulate ground-floor uses (including Office and Medical Office) and already requires the Administrative Review Use process. No changes are proposed regarding use within the Overlay District, and since all ground-floor Office uses already require individual review on a case by case basis, there is no need for the extra parking requirement (which should be removed from the underlying zoning districts which are primarily B Districts). There is no specific parking requirement for an Overlay District.

Central Street Corridor Overlay District – This overlay district is a form-based code that includes significant development and design regulations. This overlay district also regulates use, and currently allows ground-floor Offices (including Medical) as a Permitted Use. However, this overlay also features a specific requirement that the first 50 feet of a commercial space closest to the street frontage must feature an active storefront. The Overlay should be updated to require the Administrative Review Use to agree with the underlying B zoning district that exists along Central St., and so that the extra parking requirement for Medical Offices can be eliminated. It is nearly impossible for any use along Central St. to secure extra parking since there is a high parking demand. The underlying C zoning district that exists along Green Bay should remain as a Permitted Use for ground-floor Office uses as explained in the C1/C2 District summary. Since the Central Street Corridor Overlay District is split into Sub-areas, it is possible to distinguish this difference in regulation proposed for the B vs. C areas.

Other Districts – No changes are proposed to Office uses, Medical Office uses, or parking regulations in any University or related district (U1, U1a, U2, U3, T1, T2). These districts are specifically intended for office uses, including at the ground floor.

Standards & Conditions

Administrative Review Uses are considered on a case by case basis and recommended by the Zoning Administrator based on Standards for Approval (Section 6-3-5-16-J) that state:

1. The Use shall not cause a negative cumulative effect on surrounding properties or the immediate neighborhood.
2. The Use shall not interfere with or diminish the value of properties in the area.
3. The Use shall not cause undue traffic, parking congestion or noise.
4. The Use shall comply with the purposes and policies of the adopted Comprehensive General Plan.
5. The Use shall be appropriate when considering the surrounding vacancy rate, public health concerns, and other nearby uses.

Standard three addresses potential parking issues. Standard five should be amended to include the wording “public health concerns” so that Covid-19 test sites can be appropriately approved throughout the city. Standard five is also considered in consultation with the Economic Development Manager to determine if ground-floor Office and/or lack of an active storefront is acceptable. Multiple Standards (2, 3, 4) address larger-scale or higher-impact ground-floor Office uses and will be interpreted by staff to Defer such uses (rather than Approve or Deny) from the Administrative Review Use process and into the full Special Use process. Such uses include multi-room urgent-care clinics and physical therapy offices that feature high occupant turnover and may impact the surrounding neighborhood.

Guiding Conditions (Section 6-3-5-16-H) for ground-floor Office uses include:

1. Hours of operation shall be appropriate for the surrounding neighborhood, typically not to exceed 8am – 9pm, 7 days a week.
2. Employees restricted from using on-street metered parking, and dedicated parking/drop off required for medical office patrons.
3. Active storefront required that may include a retail component, transparent windows to customer lobbies, and mural where window coverings are necessary.

These conditions may be modified in the Zoning Administrator’s recommendation for any given Administrative Review Use.

Prior to the pandemic, ground-floor Office Uses that required Special Use approval (Main-Dempster Overlay areas) were requested at a rate of roughly one per year. The pandemic and resulting vacant commercial spaces have changed that. From December 2021 to the end of January 2022, zoning staff received 23 serious inquiries regarding Medical Offices for COVID-19 test sites where potential lessees hoped to open as soon as possible. Four opened in 2021. The 19 remaining inquiries are in various stages of review, but most cannot be approved by zoning due to the Medical Office parking requirement. Applicants are scrambling to find available parking that zoning staff must review and confirm is “extra” parking, and those who do find available spaces are signing parking leases for spaces that logistically will never actually be used. Areas of the city that do not have parking available for lease do not have COVID-19 test sites, and areas of the city that do have parking available for lease and allow ground-floor offices as permitted uses are seeing a negative cumulative effect (ie. 1000 Foster St. and 1942 Maple Ave. are two of three storefronts all on one property, and are both in process for approval of COVID-19 test sites).

Standards of Approval

The proposed text amendment meets the Standards for Approval of amendments per Section 6-3-4-5 of the City Code. The proposed modification to ground-floor Office uses and Office use parking requirements is consistent with the goals, objectives, and policies of the Comprehensive General Plan through its promotion of increased efficiency related to application processing, cost to applicants, and review timeframe. The proposal will have no effect on the overall character of existing development, no presence of adverse effects on the value of adjacent properties, and adequacy of public facilities and services. The proposed text amendment will not have any adverse effects on the values of the properties in the area since a zoning review process will still occur to ensure uses are conditioned appropriately, including parking, for specific locations.

Recommendation

Staff supports the proposed text amendment to move ground-floor Office uses in the B1, B1a, B2, B3, C1a, D1, D3, D4 and RP Districts, and the oCSC Overlay District, to the Administrative Review Use process and eliminate the extra parking requirement that all Medical Office uses require a new parking calculation upon change of use in an existing building.

The Administrative Review Use process has proven quick and effective, and has produced appropriate results since its implementation one year ago. Staff has identified the ground-floor Office use as another zoning use that is beneficial to shift to the Administrative Review Use. Ground-floor Office uses should be considered on a case-by-case basis with a timely process that can consider a variety of concerns and values that may change over time such as public health and community needs, parking and drop-off areas, business area vacancy rates, and the need for active retail storefronts. With the Administrative Review Use process, smaller-scale proposals such as test centers and chiropractic offices could be approved by the Zoning Administrator, while larger-scale proposals or any requests that generate parking concerns would be deferred to the Land Use Commission for a Special Use public hearing and final

determination by the City Council.

Elimination of the extra parking requirement will reduce staff workload (staff is currently spending up to 20 hours a week on COVID-19 test site inquiries and recalculating parking at potential parking lease locations, and then explaining that to applicants) which will allow staff to focus on much needed Planning & Zoning activities such as the new Comprehensive Plan.

Attachments

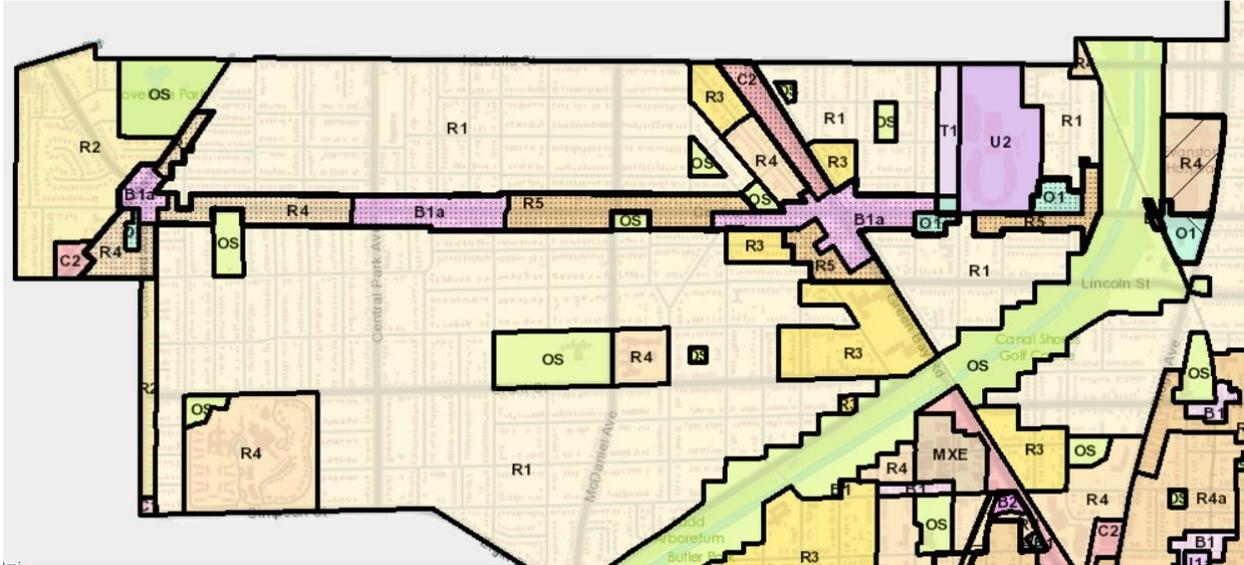
Zoning Maps

COVID-19 Test Site Inquiries (December 2021 to current)

Draft Ordinance Text

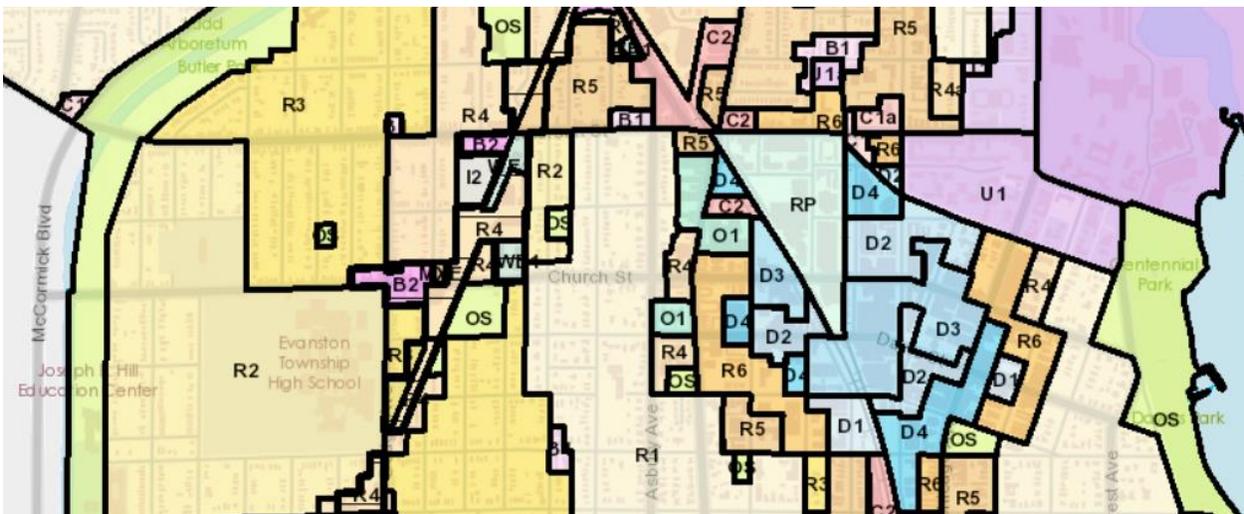
Full Zoning Map with zoom-in capabilities: [click here](#)

Central Street Corridor Zoning: B1a Business District, O1 Office District, C2 Commercial District, Central Street Corridor Overlay District



Downtown Area Zoning: D1 Downtown Fringe District, D2 Downtown Retail Core District, D3 Downtown Core Development District, D4 Downtown Transition District, O1 Office District

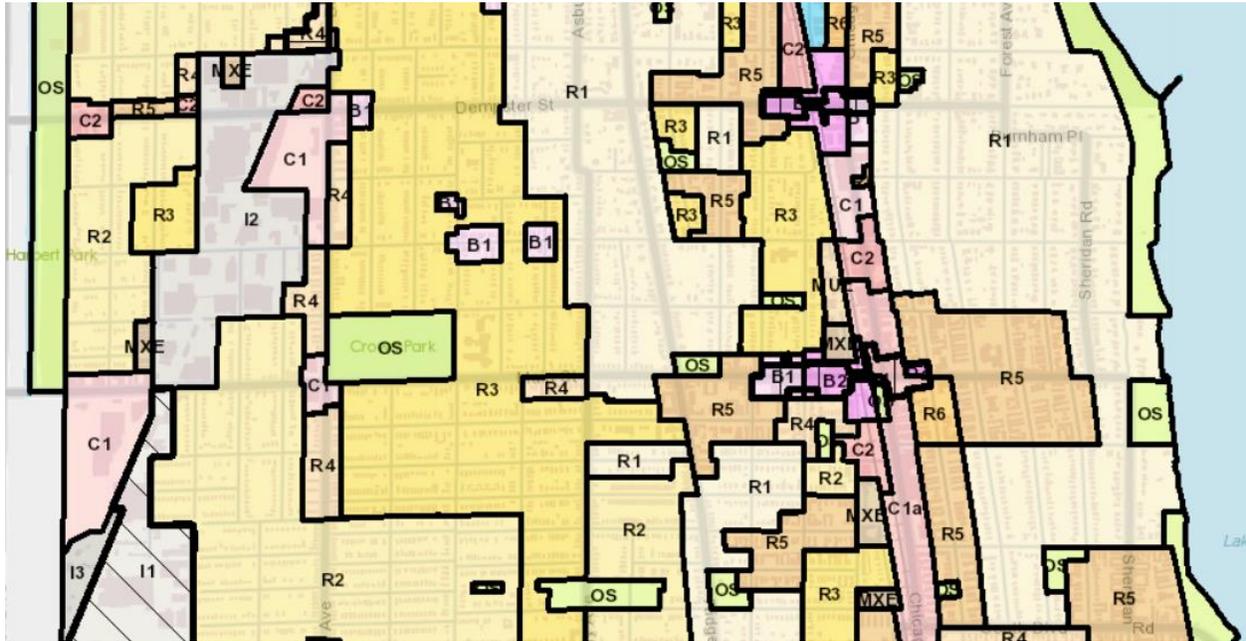
Small Neighborhood Commercial Area Zoning: B2 Business District, C1a Commercial Mixed-Use District



Main-Dempster Corridor Area Zoning: B1 Business District, B1a Business District, B2 Business District, C1a Commercial Mixed-Use District, Main-Dempster Overlay District

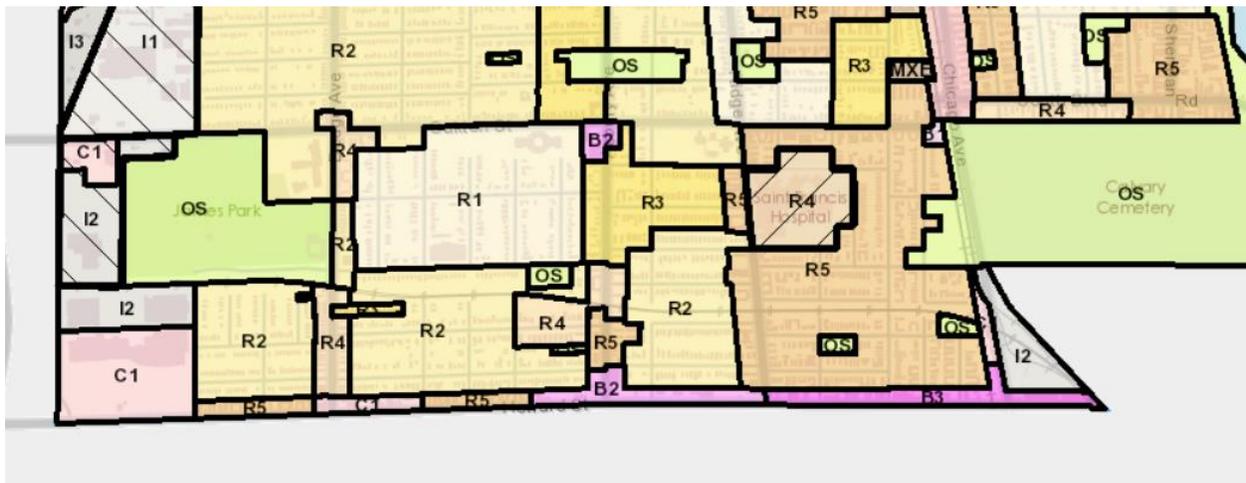
Small Neighborhood Commercial Area Zoning: B1 Business District

Larger Scale Commercial Area Zoning (Auto-Oriented): C1 Commercial District, C2 Commercial District, MXE Mixed-Use Employment District



Howard Street Corridor Area Zoning: B2 Business District, B3 Business District

Larger Scale Commercial Area Zoning (Auto-Oriented): C1 Commercial District



Covid Test Site Inquiries Dec 2021 - current

Address	Zoning Approval	Notes:	Status
717 Main St.	Yes - Admin Review Use	finalized parking lease with COE	never opened
717 Main St.	Yes - Admin Review Use	finalized parking lease with COE	never opened
1962 Dempster St.	Yes	compliant parking at Evanston Plaza	open
830 Davis St.	Yes		open
830 Davis St.	Yes	transferred to 1630 Maple location	closed
1630 Maple Ave.	Yes		closed
2515 Gross Point Rd.	Yes	has required parking lease with COE	open
1043 Chicago Ave.	Needs Parking	working on lease with Jewel	
908 Sherman Ave.	Yes	parking lease with COE at 811 Main	almost open
908 Sherman Ave.	Needs Parking	working on required parking lease	
2454 Oakton Ave.	Yes (accessory use)	for Quad Indoor Sports; not for the public	
1623 Simpson St.	Needs Parking		
900 Chicago Ave.	Needs Parking		
1801 Dempster St.	Needs Parking	finalizing parking lease with 1235 Dodge	
809 Chicago Ave.	Yes	has required parking lease with COE	
1016 Davis St.	needs zoning analysis - Admin Review Use		
Levy Center Fieldhouse	Yes (accessory use)		
1000 Foster St.	Yes	parking lease with 909 Foster and 2002 Maple	almost open
1717 Howard St.	Yes		
1633 Oak Ave.	Yes		
832 Dempster St.	needs zoning analysis and parking - Admin Review Use		
2914 Central St.	Yes	2nd floor - Changed from Mobile Concept	almost open
618 Davis St.	Yes - Admin Review Use		
1942 Maple Ave.	needs parking	working on parking lease with NU	
620 Grove St.	zoning analysis submitted - Admin Review Use	withdrawn	

Medical Office Parking & Ground-Floor Office Uses Text Amendment Language:

6-16-1-2. - EXEMPTION FROM OFF-STREET PARKING AND LOADING REQUIREMENTS FOR EXISTING BUILDINGS AND USES.

Changes in the use or intensity of use of a building and/or land area, which do not include construction of a new building, or building addition (i.e., increase in gross floor area), shall be exempt from the parking and loading requirements of this Chapter, except in the following cases:

~~(A) Changes in use or intensity of a use regarding medical or dental offices in the business, commercial, office or transitional manufacturing districts.~~

(B) Changes in use to religious institution in the business, commercial, or downtown districts.

(C) Increases in density of a residential use outside of the downtown or research park districts.

6-9-2-2. - PERMITTED USES.

The following uses, provided they are seven thousand five hundred (7,500) square feet or less in size, are permitted in the B1 district:

Office (when located above the ground floor)

(among others listed)

6-9-2-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the B1 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2.

6-9-3-2. - PERMITTED USES.

The following uses, provided they are twenty thousand (20,000) square feet or less in size, are permitted in the B2 district:

Office (when located above the ground floor)

(among others listed)

6-9-3-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the B2 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Commercial indoor recreation.

Office (at the ground floor)

Restaurant—Type 2

6-9-4-2. - PERMITTED USES.

The following uses are permitted in the B3 district:

Office (when located above the ground floor)

(among others listed)

6-9-4-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the B3 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2

6-9-5-2. - PERMITTED USES.

The following uses, provided they are twenty thousand (20,000) square feet or less in size, are permitted in the B1a district:

Office (when located above the ground floor)

(among others listed)

6-9-5-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the B1a district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Commercial indoor recreation.

Office (at the ground floor)

Restaurant—Type 2.

6-10-3-2. - PERMITTED USES.

The following uses are permitted in the C1a district:

Office (when located above the ground floor)

(among others listed)

6-10-3-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the C1a district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2

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

The following uses are permitted in the D1 district:

Office (when located above the ground floor)

(among others listed)

6-11-2-2.5 – ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the D1 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

6-11-4-2. - PERMITTED USES.

The following uses are permitted in the D3 district:

Office (when located above the ground floor)

(among others listed)

6-11-4-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the D3 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2

6-11-5-2. - PERMITTED USES.

The following uses are permitted in the D4 district:

Office (when located above the ground floor)

(among others listed)

6-11-5-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the D4 district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2

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

The following uses are permitted in the RP district:

Office (when located above the ground floor)

(among others listed)

6-12-2-2.5. - ADMINISTRATIVE REVIEW USES.

The following uses may be allowed in the RP district, subject to the provisions set forth in Section 6-3-5-16, "Administrative Review Uses," of this Title:

Office (at the ground floor)

Restaurant—Type 2

6-15-14-5. - ADDITIONAL USES.

(A) Uses listed under "additional permitted uses" in Table 1 of this Section shall be permitted in the oCSC district, in the indicated subarea. These uses are in addition to those permitted in the base zoning district.

(B) Uses listed under "additional special uses" in Table 1 of this Section may be allowed in the oCSC district in the indicated subarea subject to the general provisions set forth in Section 6-3-5 of this Title, and the special provisions contained herein.

(C) Uses listed under "additional administrative review uses" in Table 1 of this Section may be allowed in the oCSC district in the indicated subarea subject to the general provisions set forth in Section 6-3-5-16 of this Title, and the special provisions contained herein.

TABLE 1: ADDITIONAL USES

Subarea	Additional Permitted Uses	Additional Special Uses	Additional Administrative Review Uses
1	None	None	None
2	None	None	None

3	Retail goods establishment (on ground floor only) Retail services establishment (on ground floor only)	Specialty food store Cultural facility Dormitory Performance entertainment venue	Commercial indoor recreation
4	Specialty food store	Cultural facility Performance entertainment venue	None <u>Office (at the ground floor)</u>
5	Specialty food store	Cultural facility Performance entertainment venue	None <u>Office (at the ground floor)</u>
6	Automobile service station Specialty food store	Cultural facility Performance entertainment venue	None <u>Office (at the ground floor)</u>
7	Specialty food store	Cultural facility Performance entertainment venue	Commercial indoor recreation

6-3-5-16. - ADMINISTRATIVE REVIEW USES.

(J) Standards for Administrative Review Use. Any administrative review use proposed pursuant to this Section shall be required to meet the general standards for administrative review uses. In considering an administrative review use, the Zoning Administrator, Community Development Director, and City Manager or his/her/their designee may approve such administrative review use with conditions pursuant to Section 6-3-5-16(H) only upon finding that the application complies with the standards set forth below:

1. The use shall not cause a negative cumulative effect on surrounding properties or the immediate neighborhood.
2. The use shall not interfere with or diminish the value of properties in the area.
3. The use shall not cause undue traffic, parking congestion or noise.
4. The use shall comply with the purposes and policies of the adopted Comprehensive General Plan.
5. The use shall be appropriate when considering the surrounding vacancy rate, public health concerns, other and nearby uses.

(among others listed)