

**18-O-22**

**AN ORDINANCE**

**Approving a Major Variation Pursuant to City Code 6-3-8-10(D) for the Property Located at 1706-10 Sherman Avenue**

**WHEREAS**, Steven Rogin of The Varsity, LLC, owner of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1706-10 Sherman Avenue (the “Subject Property”) and located in the D2 Downtown Retail Core District, with Chris Dillion of Campbell Coyle (hereinafter referred to collectively as “Applicant”), filed an application, case no. 21ZMJV-0095, seeking approval of a Major Variation from Table 16-B of Section 6-16-3-5 of the Evanston City Code, 2012, as amended (“the Zoning Code”), to permit two (2) on-site parking stalls and sixteen (16) off-site parking stalls where twenty-eight (28) are required on the Subject Property, which was considered by the Land Use Commission (“LUC”) on February 23, 2022, pursuant to proper notice; and

**WHEREAS**, the LUC, after hearing testimony and receiving other evidence, made a written record and written findings that the application met the standards for Major Variations set forth in Subsection 6-3-8-12(E) of the Zoning Code and recommended City Council approval thereof; and

**WHEREAS**, at its meeting on March 14, 2022, the Planning and Development Committee of the City Council (“P&D Committee”) received input from the

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public, carefully considered the LUC's record and findings and recommended the City Council approve the Major Variation, as requested; and

**WHEREAS**, at its meetings of March 14, 2022 and March 28, 2022, the City Council considered the LUC's and P&D Committee's records, findings, and recommendations, and adopted the recommendation of the P&D Committee,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** The foregoing recitals are found as fact and incorporated herein by reference.

**SECTION 2:** The City Council hereby adopts the P&D Committee's records, findings, and recommendations, and hereby approves, pursuant to Subsection 6-3-8-10(D) of the Zoning Code, the Major Variation on the Subject Property applied for in case no. 21ZMJV-0095 and described hereinabove.

**SECTION 3:** The Major Variation approved hereby is as follows:

- A.** To permit the property owner to provide two (2) on-site parking spaces and sixteen (16) off-site parking spaces where twenty-eight (28) parking spaces are required by Table 16-B of Section 6-16-3-5 of the Zoning Code.

**SECTION 4:** Pursuant to Subsection 6-3-8-14 of the Code, the City Council hereby imposes the following conditions on the Major Variation granted hereby, violation of any of which shall constitute grounds for penalties or revocation thereof pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Code:

- (A) Off-Site Parking:** The Applicant shall lease sixteen (16) parking stalls off-site for a total of eighteen (18) where twenty-eight (28) is required.

**(B) Recordation:** The Applicant shall, at their cost, record a certified copy of this ordinance, including all Exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City.

**SECTION 5:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 6:** Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Code and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same.

**SECTION 7:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 8:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 9:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 10:** The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: March 24, 2022

Approved:

Adopted: April 25, 2022

April 27, 2022

*Daniel Biss*

Daniel Biss, Mayor

Attest:

*Stephanie Mendoza*

Stephanie Mendoza, City Clerk

Approved as to form:

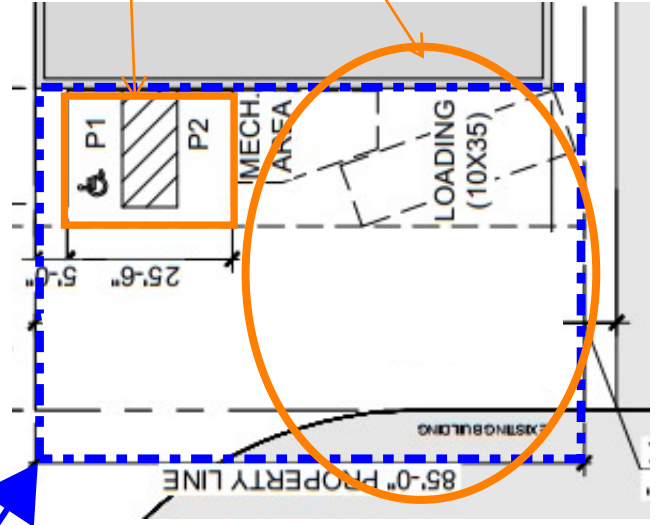
*Nicholas E. Cummings*

Nicholas E. Cummings,  
Corporation Counsel

1706-10 Sherman Avenue  
Loading Exhibit

+/-50 ft

85 ft



2 on-site parking stalls

Loading area

**EXHIBIT A****LEGAL DESCRIPTION**

THAT PART OF LOTS 7, 8, 9, 10, 11, 12 AND 13 IN THE RESUBDIVISION OF BLOCK 17 IN EVANSTON IN THE NORTHWEST 1/4 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.

**PIN: 11-18-126-014-0000**

**COMMONLY KNOWN AS:** 1706-10 Sherman Avenue, Evanston, Illinois.