

11/21/96  
12/5/96

135-0-96

AN ORDINANCE

Granting a Special Use For a  
Planned Unit Development and Other Zoning  
Relief for COS, III, a Limited Partnership,  
at 2440 to 2500 Ridge Avenue

WHEREAS, COS III, a Limited Partnership, as beneficiary of Bank One Trust no. TWB-0923 ("applicant") sought certain zoning relief for its property at 2440 to 2500 Ridge Avenue ("subject property") in its petition filed as case no. 95-0009-PD/M, and

WHEREAS, among the relief sought in said petition were a planned unit development ("PUD") for the redesign and expansion of the parking area on the subject property, vacation of a public access easement which serves the building and adjoining properties located on the subject property, dedication of new public easements to replace those vacated, and relief from setback requirements imposed on the subject property by Ordinance 37-0-65; and

WHEREAS, the subject property is improved with a medical office building (the COS Building) and associated parking; and

WHEREAS, the applicant is desirous of constructing improvements to the subject property so as to increase the number of available off-street parking spaces on the subject property and to control non-patron parking; and

WHEREAS, the Plan Commission held a public hearing on the petition on August 14, 1996 and on September 11, 1996 pursuant to proper notice; and

WHEREAS, after receiving testimony and other evidence, the Plan Commission made findings and voted to recommend approval of the petition, and

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

SECTION 1: That the City Council hereby approves the applicant's plat of consolidation for the parcels at 2440 Ridge Avenue and 2500 Ridge Avenue. Said plat was prepared by B.H. Suhr and Company on March 13, 1995, order no. 95-158A, the consolidated property (the aforesaid "subject property") having this legal description:

PARCEL 1: Lots 14, 15, 16, 17, 18, 19, 20 and 21 in Frank F. Holmes' Subdivision of that part of the Northwest fractional quarter of Section 7, Township 41 North, Range 14, East of the Third Principal Meridian, lying West of the center of Ridge Road (now avenue) and East of the right of way of Chicago, Evanston and Lake Superior Railroad.

ALSO:

PARCEL 2: That part of the north 6 rods of the Southwest quarter of Section 7, Township 41 North, Range 14, East of the Third Principal Meridian, lying between Ridge Road, now Ridge Avenue, and the Easterly line of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Corporation;

ALSO:

PARCEL 3: Lot "B" in Frank F. Holmes' Subdivision of that part of the Northwest fractional quarter of fractional Section 7, Township 41 North, Range 14, east of the Third Principal Meridian, lying West of the center line of Ridge Road and East of the right of way of the Chicago, Evanston and Lake Superior Railroad, (except from said Block "B" the following described Parcels):

A) The West 30 ft. Easterly of and adjoining the right of way, the Easterly line of said 30 ft. strip, being a line drawn parallel to and 30 ft. from the Westerly line of said Lot "B".

B) That part of said lot "B" described as follows: Beginning at a point in the North line of said Lot "B", 50 ft. West of that point in said North line extended East at which it intersects the Southeasterly line of said Block "B" extended Northeasterly; thence Southerly parallel with the Southeasterly line of said Lot "B" to a point 10 ft. South of and measured at right angles to the North line of said lot "B" to the West line produced South of Lot 7 in Frank F. Holmes' Subdivision, aforesaid; thence North along said produced West line of Lot 7, a distance of 10 ft. to the North line of said Lot "B"; thence east along the North line of said Lot "B" to the point of beginning.

(C) The Easterly 16 ft. of the Easterly 46 ft. of said Lot "B" measured at right

angles to the Westerly line thereof of said Lot "B".

ALSO:

PARCEL 4: All of the North-South vacated alley lying East of and adjoining Lot "B" in Frank F. Holmes' Subdivision lying South of the North line of said Lot "B" extended easterly to the East line of Lot 11 extended Southerly in said Frank F. Holmes' Subdivision along with the East-West vacated alley lying South of Lot 21 extended westerly in said Frank F. Holmes' subdivision lying between the easterly line of Ridge Ave and the West line of Lot "B" in Frank F. Holmes' Subdivision all in the Northwest fractional quarter of Section 7, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

SECTION 2: That the City Council hereby finds that the proposed PUD meets the standards set forth in section 6-3-5-10(A) through 6-3-5-10(I) of the Zoning Ordinance for special uses:

- A. "Parking facilities", as a form of open-off-street parking, are specifically listed uses in the Zoning Ordinance.
- B. The proposed PUD is in keeping with the Comprehensive General Plan which designates this area as an "Office Working Area".
- C. The proposed PUD will not cause a negative cumulative effect upon the immediate neighborhood or upon the City as a whole, due to the desirability of the additional off-street parking and the requirement that any structural change to properties in the 01/ORD Overlay District must be accomplished by means of a PUD, pursuant to the Zoning Ordinance.
- D. All properties which can be developed in the neighborhood have been zoned 01. Therefore, the proposed PUD will not diminish or interfere with neighborhood property values.
- E. No new public services or infrastructure will be required.
- F. The creation of additional off-street parking spaces will not cause traffic congestion. Congestion on the public streets is likely to be reduced by the provision of such spaces.
- G. Historical and architectural resources are not affected.
- H. The construction of parking facilities on land now improved with a parking area will not interfere with the preservation of any natural or environmental

features. Plantings and a berm added for screening purposes will enhance the environment.

- I. All other applicable regulations and ordinances are met.

SECTION 3: That the City Council hereby finds that the proposed PUD meets the standards for planned developments set forth in section 6-15-1-9 of the Zoning Ordinance, in that:

- A. The proposed PUD is compatible with surrounding medical office uses in the area and does not increase the bulk, height, or scale of existing buildings located on the subject property.
- B. The Comprehensive General Plan designates this property as "Office Working Area." The subject proposal is for an enlarged parking area that serves an office building.
- C. The proposed PUD will be completed within two years of City Council approval of the PUD Ordinance.
- D. The applicant will obtain the requisite building permits within one year after the adoption of the Planned Unit Development Ordinance.
- E. The proposed landscaping plan meets applicable requirements.
- F. All site control requirements have been met in the proposed plan.
- G. No development allowances are requested.

SECTION 4: That the City Council adopts the foregoing recitals and findings and hereby grants the subject PUD.

SECTION 5: A portion of the subject property was granted a special use by Ordinance 37-0-65. The thirty-eight (38) foot setback requirement imposed by section 1A of that Ordinance is hereby vacated and nullified. All other provisions of Ordinance 37-0-65 remain in effect.

SECTION 6: A portion of the subject property was the subject of a grant of variation

by Ordinances 58-0-65 to permit the installation of an access driveway. Section 2.B. of that Ordinance imposed certain requirements relating to construction of a median strip on the access driveway. These requirements are hereby vacated and nullified.

SECTION 7: Section 2.D. of Ordinance 58-0-65 required the grant to the City of a perpetual easement in said access driveway for the use of the public. The City Council hereby vacates that grant of easement, dated October 11, 1965, and recorded as document no. 19704378. The applicant, at its own expense, will record this vacation with the Office of the Cook County Recorder, and any other documents appropriate to the Recorder's records, and will provide copies of same to the City's Law Department within sixty days of the adoption of this Ordinance 135-0-96.

SECTION 8: The effectiveness of this Ordinance 135-0-96 is hereby additionally conditioned upon the following:

- A. The applicant will dedicate two ingress/egress easements on the subject property to the City. The easement property in the northwest corner of the subject property is triangular in shape, the sides each 27.42 feet (twenty-seven and forty-two hundredths) in length. The easement property abutting the south and southwest perimeters of the subject property is "L"-shaped, with an approximately outside length of 233 feet (two hundred and thirty-three) a width of approximately 25 feet (twenty-five) at the easterly end. The dedicated easements shall conform to their descriptions in Exhibit A attached hereto and made a part hereof. The applicant will prepare the easement dedications described in this Section 8.A. in recordable form and will submit a recorded copy thereof to the City's Law Department within sixty days of the adoption of this Ordinance.
- B. The applicant will comply with the requirements of section 6-3-6-10 of the Zoning Ordinance, in particular that which requires recordation of this Ordinance, along with the development plan, with the Office of the Cook County Recorder, before any permits may be obtained.
- C. Development of the parking area shall be in substantial compliance with the plans, documents and testimony presented in connection with this case.

- D. The applicant shall install a three (3)-foot high undulating landscaping berm. sixty (60) percent of the plantings thereon shall be evergreens that have a minimum height of nine (9) feet.
- E. The landscaping required by subsection D. hereof shall be installed within forty-five days after completion of the alterations to the parking lot, provided however, that in the event plant requirements, climatic conditions or change of seasons dictate that transplanting be deferred to a more favorable season, as determined by the City Arborist, then such planting and improvements shall be completed within forty-five days after the inception of the preferred planting season, designated by the City Arborist.
- F. The requisite building permits shall be obtained by the applicant within one year after the adoption of this Ordinance and construction shall be completed within two years from the adoption date.

SECTION 9: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

AYES: Guthrie, Heydemann, Kent, Moran, Engelman, Jacobi, Feldman, Newman, Drummer

NAYS: None

Introduced November 25, 1996

Adopted: December 16, 1996

Approved: December 20, 1996

Lorraine A. Switzer  
Mayor

ATTEST: Gustin Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

That part of the North 6 rods of the Southwest quarter of Section 7, Township 41 North, Range 14, E of the 3rd Principal Meridian, in Cook County, Illinois, lying between Ridge Road (Avenue) and the Easterly line of the right of way of The Chicago, Milwaukee, St. Paul and Pacific Railroad (now Chicago Transit Authority Railroad) described as follows: Commencing at a point on the West line of said Ridge Avenue One (1) foot North of the South line of said North 6 rods as measured at right angles to the South line of said North 6 rods; thence West on a line one foot North of and parallel to the South line of said North 6 rods, a distance of 99.75 feet to a point of curve; thence Northwesterly on a curve concave Northeasterly with a radius of 42.0 feet, a distance of 48.80 feet to a point on said Easterly Railroad right of way 28.66 feet Northerly of the South line of said North 6 rods, as measured on said Easterly Railroad right of way; thence Northwesterly 79.22 feet on said Easterly Railroad right of way line to the North line of said North 6 rods; thence East on the North line of said North 6 rods, 17.44 feet; thence Southerly on a line parallel to said Easterly Railroad right of way line, a distance of 66.19 feet to a point of curve; thence Southeasterly on a curve with a radius of 22 feet and concave Northeasterly, a distance of 25.56 feet to a point 25 feet North of the South line of said North 6 rods; thence East on a line parallel to the South line of said North 6 rods, a distance of 112.78 feet to the West line of said Ridge Avenue; thence Southwesterly on the West line of said Ridge Avenue, 24.98 feet to the place of beginning.

That part of Lot "B" in Frank F. Holmes' Subdivision of that part of the Northwest fractional quarter of Section 7, Township 41 North, Range 14, East of the Third Principal Meridian, lying West of the center line of Ridge Road (Avenue) and East of the Right of way of the Chicago, Evanston, and Lake Superior Railroad (now Chicago Transit Authority Railroad) described as follows: Commencing at a point on the North line of said Lot "B" at its intersection with the Easterly line of a 16 foot alley being the Easterly 16 feet of the Easterly 46 feet of said Lot "B", measured at right angles to the Westerly line thereof of said Lot "B", said 16 foot alley heretofore dedicated by Document No. 10740031; thence Southeasterly on the Easterly line of said alley, a distance of 27.42 feet to a point of curve; thence Northeasterly on a curve with a radius of 18.0 feet and concave to the Southeast, a distance of 35.63 feet to a point on the North line of said Lot "B" distant 27.42 feet East of the place of beginning; thence West on the North line of said Lot "B", 27.42 feet to the place of beginning.

