

2/5/97

21-0-97

AN ORDINANCE

Granting a Special Use and  
Variations for a Student  
Religious Meeting House  
at 629 Foster Street

WHEREAS, the Zoning Board of Appeals ("ZBA"), as part of the joint ZBA-Plan Commission hearing process provided for in section 6-3-4-8 of the Zoning Ordinance held public hearings on September 17, 1996, November 19, 1996, and January 7, 1997 pursuant to proper notice in case no. ZBA 96-23-SU-V(R), wherein the applicant, JFMC Facilities Corporation, applied for a special use and certain variations to permit the establishment of a student religious organization meeting house at 629 Foster Street; and

WHEREAS, a text amendment to allow the listing of "student religious organization meeting house" as a special use in the T1 Transitional University District, Plan Commission case, no. ZPC 96-10 T(R), is the subject of Ordinance 20-0-97; and

WHEREAS, the ZBA made findings based upon the record and recommended that the City Council grant the special use and variations sought by the applicant,

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

SECTION 1: That based upon the record before the ZBA and upon the ZBA's findings, all of which are hereby adopted, the City Council grants the special use and variations sought by JFMC Facilities Corporation, as particularly described below in this Ordinance, on the property at 629 Foster Street, legally described as:

LOT 11 IN BLOCK 3 IN THE SUBDIVISION BY NORTHWESTERN UNIVERSITY OF PART OF FRACTIONAL SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SECTION 2: That a special use to establish a student religious organization meeting house at 629 Foster Street is granted, the special use standards set forth in section 6-3-5-10 having been met.

SECTION 3: That variations from these sections are hereby granted, all in connection with the aforesaid student religious organization meeting house, the major variation standards in section 6-3-8-12 having been met:

- a. From Section 6-15-3-7(B)(1), reducing the required front yard from 27 feet to allow the erection of a non-residential structure, the wall of which will be 18 feet set back from the front lot line and the eave of which will be 16 feet set back from the front lot line;
- b. Section 6-15-3-7(B)(3), reducing the required side yard along the west lot line of the subject property from 15 feet to allow the erection of a non-residential structure, the wall of which will be 7 feet set back from the west lot line and the eave of which will be 4.5 feet set back from the west lot line;
- c. Section 6-15-3-7(B)(3), reducing the required side yard along the east lot line of the subject property from 15 feet to allow the erection of a non-residential structure, the wall of which will be 4 feet set back from the east lot line and the eave of which will be 1.5 feet set back from the east lot line;
- d. Section 6-15-3-7(C)(4), reducing the required rear yard for accessory uses and structures from 3 feet to 0 feet solely to allow the placement and use of parking stalls in what otherwise would be the required rear yard;
- e. Section 6-15-3-7(C)(4), increasing the maximum building lot coverage from 40% to 42%; and from
- f. Section 6-4-1-9(B)(1), to allow the placement of gutters which extend more than 10% of the depth of a required yard.

SECTION 4: Pursuant to section 6-3-5-12 and section 6-3-8-14 of the Zoning Ordinance, which provide that the City Council may impose conditions and limitations on

the grant of a special use and on the grant of variations, respectively, these conditions are hereby imposed:

- a. The operation of the said student religious organization meeting house shall conform to the testimony and exhibits presented in connection with this case and at the hearing.
- b. The operation of the said student religious organization meeting house shall conform to the Stipulated Special Use Conditions, which conditions the applicant presented at the public hearing, made a part of the record as Petitioner's Exhibit #2 of January 7, 1997 and Petitioner's Exhibit #6 of January 7, 1997, attached as Attachments 1 and 2, respectively, and incorporated herein.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: February 10, 1997

Adopted: February 24, 1997

Approved: February 27, 1997

Lorraine H. Morton  
Mayor

ATTEST:

Krista Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

**STIPULATED SPECIAL USE CONDITIONS 629 FOSTER**

1. Except during new student orientation week, no more than 100 persons may be in attendance at any one time in or on the subject property.
2. Except during new student orientation week, Hillel shall not hold any program, service, function or activity in or on the subject property which Hillel reasonably believes is likely to attract in excess of 70 persons.
3. Hillel shall not use or operate the premises for any purpose other than as a student religious organization meeting house and shall not lease or sublease the premises for any purpose. Further, Hillel shall not otherwise permit the premises or any portions thereof to be used by any other organization, group or person for private parties, functions and activities which are not under Hillel's direct control or supervision.
4. Amplified music is prohibited on the property after 10:30 p.m. on week nights and 11:30 p.m. on weekends. Notwithstanding the language of this condition, Hillel will not sponsor any activity or program which will create any undue disturbance to neighbors. Also, after these times, no sound shall be permitted on the property which is audible outside the boundaries of the subject property.
5. Delivery agents and contractors shall be instructed by Hillel that trucks making deliveries and construction vehicles shall unload or locate as the case may be on the north end of the property and shall not block the adjoining alley on the west side of the property. Further, Hillel shall post signs stating that there shall be no standing, stopping or parking in the adjoining alley on the west side of the property and that alley towing regulations shall be strictly enforced.
  - 5(a). Given the restriction in ¶5 hereinabove on deliveries, and the reduction in gross floor area in square feet of the proposed facility to less than 10,000 square feet, the Applicant and the Neighbors agree to support a determination by the Zoning Administrator in interpretation of the Zoning Ordinance that no loading berth is required to service the proposed facility.
6. The special use granted to JFMC shall be revoked in the event JFMC or its nominee no longer continues to hold title to the property and/or Hillel ceases to operate the property as a student religious organization meeting house.
7. Hillel shall hold at least one regular meeting per year with its residential neighbors for the purpose of discussing and resolving complaints, if any, regarding the operations of the proposed facility and/or compliance with the conditions of the special use; in this connection, Hillel shall, at least 30 days prior to such meeting, send by U.S. mail a notice of the date, time and place of the meeting to all property owners residing on the same

square block as the subject property and to the duly elected Alderman of the First Ward. Notwithstanding this requirement, Hillel shall also be prepared to meet and discuss in good faith any complaints received from any residential home owners regarding Hillel's use and operation of its facility.

8. All landscaping shall be maintained by JFMC Facilities Corporation.
9. For events which are reasonably likely to attract in excess of 50 persons, Hillel shall have access to the Family Institute Parking Lot or the event shall not be held. In the event that the Family Institute Parking License Agreement shall be terminated and Hillel shall no longer have access to the Family Institute Parking Lot, the JFMC Facilities Corporation shall, within 120 days of such termination, submit an alternative parking arrangement to the Zoning Board of Appeals for its approval. In the event that such an alternative parking arrangement is either not submitted or approved, then in such event, no events which are likely to attract in excess of 50 persons shall be held.
10. There shall be located, consistent with the landscape plans and drawing, two "three-yard" dumpsters on the premises.

## **ATTACHMENT 2**

Ordinance 21-0-97  
629 Foster Street

### **ADDITIONAL STIPULATED SPECIAL USE CONDITION 629 FOSTER**

11. JFMC or its nominee shall include, in all construction contracts it shall enter into with contractors relating to the demolition of the existing building and/or construction of a new building on the subject property, a provision substantially identical in language to the following:

Contractor shall require all personnel working on the Project, including Trade Contractors, their employees and agents, to park their vehicles in only those areas designated by Owner. Any personnel working on the Project who continues to violate the parking restrictions after warning thereof shall be subject to termination from the Project.