

2/17/97
3/25/97

27-0-97

AN ORDINANCE

Granting a Special Use to
Ebenezer A.M.E. Church
For an Independent Living Facility at
1609-25 Emerson Street

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on February 3, 1997 and February 6, 1997 pursuant to proper notice in case no. ZBA 97-2-SU-V(R) on the petition of the Ebenezer A.M.E. Church, as contract purchaser, for a special use and certain variations to permit establishment of an independent living facility at 1609-25 Emerson Street on property in an R4 General Residential District; and

WHEREAS, the ZBA heard the subject case pursuant to section 6-3-4-8 of the Zoning Ordinance as part of a joint hearing with the Plan Commission in case number ZPC 96-16-M(R), whereby rezoning of the subject parcel from B1 Business District to R4 General Residential District was sought; and

WHEREAS, the said rezoning is the subject of Ordinance 26-0-97; and

WHEREAS, the ZBA made findings based upon the record, and pursuant to sections 6-3-5-10 and 6-3-8-12(E) respectively, of the Zoning Ordinance, recommended that the City Council grant the requested special use and variations,

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

SECTION 1: That the aforesaid petition of Ebenezer A.M.E. Church for a special use and the below-described variations to permit an independent living facility at 1609-25 Emerson Street is hereby granted on property legally described as:

The South 125 feet of West 2 ½ feet of Lot 18 and the South 125 feet of Lot 17 in Block 6 in McNeil's Addition to Evanston, a Subdivision in the Northwest ¼ of the Northeast ¼ of section 13, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Also

The East ½ of Lot 20 and all of Lot 21 in Block 6 in McNeil's Addition to Evanston, said Addition being a Subdivision of the Northwest ¼ of the Northeast ¼ of Section 13, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County Illinois.

Also

The East 37½ of Lot 19 and the West ½ of Lot 20 in Block 6 in McNeil's Addition to Evanston, a Subdivision in the Northeast ¼ of Section 13, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

And

Lots 17 and 18 and the West 12.5 feet of Lot 19 (except the south 125 feet of Lot 17 and the South 125 feet of the West 2½ feet of Lot 18, and except that part conveyed by Document 3946616, which conveys the North 28.25 feet of Lots 17 and 18 and of the West 4.6 feet of Lot 19 in Block 6 in McNeil's Addition to Evanston, a Subdivision of the Northwest ¼ of the Northeast ¼ of Section 13 Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois."

SECTION 2: That variations are granted from these sections of the Zoning Ordinance:

- a. From section 6-8-5-4 (C) to reduce the required minimum lot area for a property improved with 76 dwellings units from 190,000 square feet to 39,173 square feet;
- b. From section 6-8-5-8 to increase the maximum building height from 35 feet or 2½ stories, whichever is less, to allow construction of a 5½ story structure with a building height of 53 feet;

- c. From section 6-4-1-9(B)1 to allow erection of a canopy as a yard obstruction extending more than 10% into the required front yard of the subject property;
- d. From 6-4-6-7(I)3 to allow a fence within the required side yard abutting a street and the required front yard; and
- e. From section 6-4-6-3(B)18 to allow open parking spaces more than 30 feet from the rear lot line of the subject property.

SECTION 3: Pursuant to sections 6-3-5-12 and 6-3-8-14 which respectively provide for the imposition of conditions on grants of special uses and variations, the following conditions are hereby imposed:

1. The operation of the said independent living facility shall conform a) to the testimony and exhibits presented in connection with this case and at the hearing, and b) to all applicable legislation.
2. Prior to issuance of a building permit for construction of the subject independent living facility, the applicant shall obtain approval of the Site Plan and Appearance Review Committee for those aspects of the plans for this construction which relate to site and appearance matters.
3. The petitioner and/or the developer of the subject independent living facility shall institute a training program for eight to ten individuals relating to the construction of the independent living facility. The petitioner and/or the developer agrees to cooperate with the City's MBE/WBE/EBE program in the development of this training program. No less than two individuals of the eight to ten so trained will be employed in the construction of the project.
4. The petitioner and/or the operator of the subject independent living facility shall establish a fund for the maintenance of the independent living facility building. Use of monies from this fund shall be initiated by suggestions from the tenants of the independent living facility.
5. The petitioner and/or the operator of the subject independent living facility shall cause to be constructed at their own expense two shelters for persons waiting for a bus, subject to the review and approval of CTA, METRA, PACE, and the City Traffic Engineer.

6. The petitioner and/or the operator of the subject independent living facility shall provide space for an Evanston Foot Patrol officer's station, and a bulletin board for announcements.
7. The petitioner and/or the operator of the subject independent living facility agrees to make a payment in lieu of taxes in the amount of \$18,400 annually commencing on September 1 of the year following the year the property becomes exempt from the payment of real estate property tax. Said payment shall increase by 2.5% each year thereafter. The City shall allocate each year for the first 20 years of such payments a payment of \$1,000 per year to a neighborhood fund for the Fifth Ward.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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.

Introduced: February 10, 1997

Adopted: February 27, 1997

Approved: April 14, 1997
Lorraine H. Merton
Mayor

ATTEST:
Duska Davis
City Clerk

Approved as to form:
[Signature]
Corporation Counsel