

4/12/2005
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33-O-05

AN ORDINANCE

**Granting a Special Use for a
Planned Development in the
R4 General Residential District at
2320 Pioneer Road**

WHEREAS, Three Crowns Park (the "Applicant"), owner of the property commonly known as 2320 Pioneer Road (the "Property"), submitted an application seeking approval for a Zoning Map amendment rezoning the Property from a R4 General Residential District to a R5 General Residential District and seeking approval for a special use for a proposed planned development (the "Planned Development") pursuant to the provisions of Sections 6-3-5 "Special Uses", 6-3-6 "Planned Developments", 6-8-1-10 "Planned Developments" (within Residential Districts), and 6-8-6-3 "Special Uses" (within a R5 General Residential District) of the Zoning Ordinance to permit construction expanding an existing retirement community to accommodate 224 units in multistory buildings with a maximum height of four and one-half (4½) stories and thirty-three (33) open and one hundred five (105) enclosed off-street parking spaces; and

WHEREAS, the Plan Commission held public hearings on the proposed Planned Development (Case No. ZPC 04-10-PD&M) pursuant to proper notice on November 10, 2004, January 12, 2005, and February 9, 2005, hearing testimony and receiving other evidence, making written findings and a verbatim transcript; and

WHEREAS, at the Plan Commission's February 9, 2005 public hearing on the proposed Planned Development the Applicant last amended its application, revising proposed construction expanding the existing retirement community to instead accommodate two hundred twenty-nine (229) units in multistory buildings with a maximum roof height of forty-four and four hundredths feet (44.4') and forty (40) open and one hundred seven (107) enclosed off-street parking spaces, also withdrawing that portion of the application seeking approval for a Zoning Map amendment rezoning the Property from a R4 General Residential District to a R5 General Residential District; and

WHEREAS, construction of the proposed Planned Development, as amended by the Applicant, requires development allowances from the strict application of height, location and placement of buildings, and off-street parking and loading standards otherwise required by the Zoning Ordinance; and

WHEREAS, pursuant to Sections 6-3-6-4 and 6-3-6-5 of the Zoning Ordinance, a planned development may provide for site development allowances that depart from the strict application of height, location and placement of buildings, and off-street parking and loading standards otherwise required by the Zoning Ordinance, subject to approval of the City Council; and

WHEREAS, the Plan Commission found that the proposed Planned Development, as amended by the Applicant and with certain conditions upon the application, meets the standards for special uses indicated in Section 6-3-5-10 of the Zoning Ordinance; achieves the public benefits of a planned development indicated in Section 6-3-6-3 of the Zoning Ordinance; addresses the general conditions for planned developments in a R4 General Residential District indicated Section 6-8-1-10(A) of the

Zoning Ordinance, the site controls and standards for a R4 General Residential District indicated in Section 6-8-1-10(B) of the Zoning Ordinance, and the development allowances for a R4 General Residential District indicated in Section 6-8-1-10(C) of the Zoning Ordinance; and

WHEREAS, the Plan Commission recommended approval of the proposed Planned Development, as amended by the Applicant and with certain conditions upon the application; and

WHEREAS, the Planning and Development Committee of the City Council at its March 14, 2005, March 21, 2005, and April 11, 2005 meetings considered the record in this Case No. ZPC 04-10-PD&M and adopted the findings and recommendations of the Plan Commission with modifications; and

WHEREAS, the City Council at its March 14, 2005, March 28, 2005, and April 12, 2005 meetings considered and adopted the respective records, findings, and recommendations of the Plan Commission and the Planning and Development Committee,

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

SECTION 1: That the foregoing recitals are found as fact and made a part hereof.

SECTION 2: That the City Council hereby adopts the findings and recommendations of the Plan Commission and the Planning and Development Committee and approves a special use for a planned development permitting the construction and operation on the property commonly known as 2320 Pioneer Road,

and legally described in Exhibit 1 attached hereto and made a part hereof, of an expansion of the existing retirement community to accommodate a maximum of 122 residential units in multistory buildings with a maximum roof height of forty-four and four hundredths feet (44.4') and a minimum of one hundred twenty (120) off-street parking spaces in conformance with the R4 General Residential District in which the Property is located, the approved Planned Development Plan (with such revisions made during final design as may be required for construction and City Code compliance), attached hereto as Exhibit 2 hereby made a part hereof, and the terms and conditions of this Ordinance.

SECTION 3: That pursuant to Sections 6-3-6-4 and 6-3-6-5 of the Zoning Ordinance and the terms and conditions of this Ordinance, the following site development allowances are hereby granted to the Planned Development:

A. A site development allowance allowing construction heights of thirty-four and four one-hundredths feet (34.4') to the top of the roof, and thirty-nine and two one-hundredths feet (39.2') to the top of the accent parapet, for the three- (3-) story portion of new construction nearest Colfax Avenue; forty-four and four one-hundredths feet (44.4') to the top of the roof, and forty-nine and five one-hundredths feet (49.5') to the top of the accent parapet, for the four- (4-) story portion of new construction nearest McDaniel Avenue; and thirty-five feet (35') to the top of the roof, and thirty-nine and six one hundredth feet (39.6') to the top of the accent parapet, for the three- (3-) story portion of new construction nearest Grant Street; whereas Section 6-8-5-8 of the Zoning Ordinance otherwise allows a construction height of thirty-five feet (35') or two and one-half (2½) stories, whichever is less, in a R4 General Residential District;

B. A site development allowance allowing open off-street parking approximately twelve feet (12') from the front property line along McDaniel Avenue, whereas Section 6-8-5-7 of the Zoning Ordinance otherwise requires a twenty-seven foot (27') front yard in a R4 General Residential District;

C. A site development allowance allowing open off-street parking approximately twelve feet (12') from the front property line along McDaniel Avenue, whereas Section 6-4-6-3 of the Zoning Ordinance otherwise allows open off-street parking within thirty feet (30') of the rear lot line or alley in a R4 General Residential District; and

D. A site development allowance allowing open off-street parking approximately twelve feet (12') from the front property line along McDaniel Avenue, whereas Section

6-16-2-1 of the Zoning Ordinance otherwise allows open off-street parking no closer than the established building plan for the front and side yard abutting a street when a building is established with a greater setback than required in a R4 General Residential District, with open off-street parking prohibited in front and side yards abutting a street in the District; and

SECTION 4: That pursuant to Section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions on the grant of a special use, the following conditions are hereby imposed:

A. Development and use of the Property shall be in substantial compliance with all applicable legislation and City Ordinances, with the testimony and representations of the Applicant to the Plan Commission, the Planning and Development Committee, and the City Council, and with all approved plans and documents on file in this Case No. ZPC 04-10-PD&M.

B. The site development plan shall indicate a single driveway entrance and single driveway exit to the west side of the facility, each onto McDaniel Street, such that the entrance shall be to the south and the exit shall be to the north, allowing one-way traffic to access the facility.

C. The underground parking on the site shall have an access point (entrance/exit) on Grant Street, and a second access point (entrance/exit) on Pioneer Street. All such entrances and exits shall comply with all applicable legislation and regulations.

D. The Applicant shall enter into a Payment in Lieu of Taxes ("PILOT") program with the City of Evanston pursuant to which the Applicant shall pay to the City of Evanston General Fund a fee of \$60,000.00 (sixty thousand and no/100 dollars) per year in twelve (12) monthly installments pursuant to the terms set forth in a PILOT Agreement between the Applicant and the City of Evanston for a period not to exceed thirty (30) years, beginning on the date of issuance of a final Certificate of Occupancy by the City of Evanston for the completed Planned Development.

E. The Applicant shall comply with the Evanston Zoning Ordinance and Evanston Preservation Ordinance and shall not undertake any additional new construction for its facility which would encroach on the open green space as set forth on the Site Plan without the explicit approval of the Evanston City Council.

F. When necessary to effectuate the purposes of this Ordinance, "Applicant" shall be read as "Applicant's assigns and successors in interest".

SECTION 5: That the Applicant is required to record a certified copy of this Ordinance, including all Exhibits attached hereto, at its cost with the Cook County, Illinois Recorder of Deeds before any City permits may be obtained.

SECTION 6: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: 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: 6

Nays: 0

Introduced: March 28, 2005

Adopted: April 12, 2005

Approved:

April 14, 2005
Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary R. Morris
Mary R. Morris, City Clerk

Approved as to form
[Signature]
Corporation Counsel

EXHIBIT 1

PARCEL 1: THE NORTH 150 FEET (EXCEPT THE EAST 240 FEET THEREOF) OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-001-0000)

PARCEL 2: THAT PART LYING 50 FEET WEST OF AND ADJOINING THE EAST 190 FEET OF THE NORTH 150 FEET OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-002-0000)

PARCEL 3: LOT 5 IN LION'S SUBDIVISION OF THE NORTH 129 FEET OF THE EAST 190 FEET OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-003-0000)

PARCEL 4: LOT 4 IN LION'S SUBDIVISION OF THE NORTH 129 FEET OF THE EAST 190 FEET OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-004-0000)

PARCEL 5: LOTS 1, 2, AND 3 IN LION'S SUBDIVISION OF THE NORTH 129 FEET OF THE EAST 190 FEET OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-011-0000)

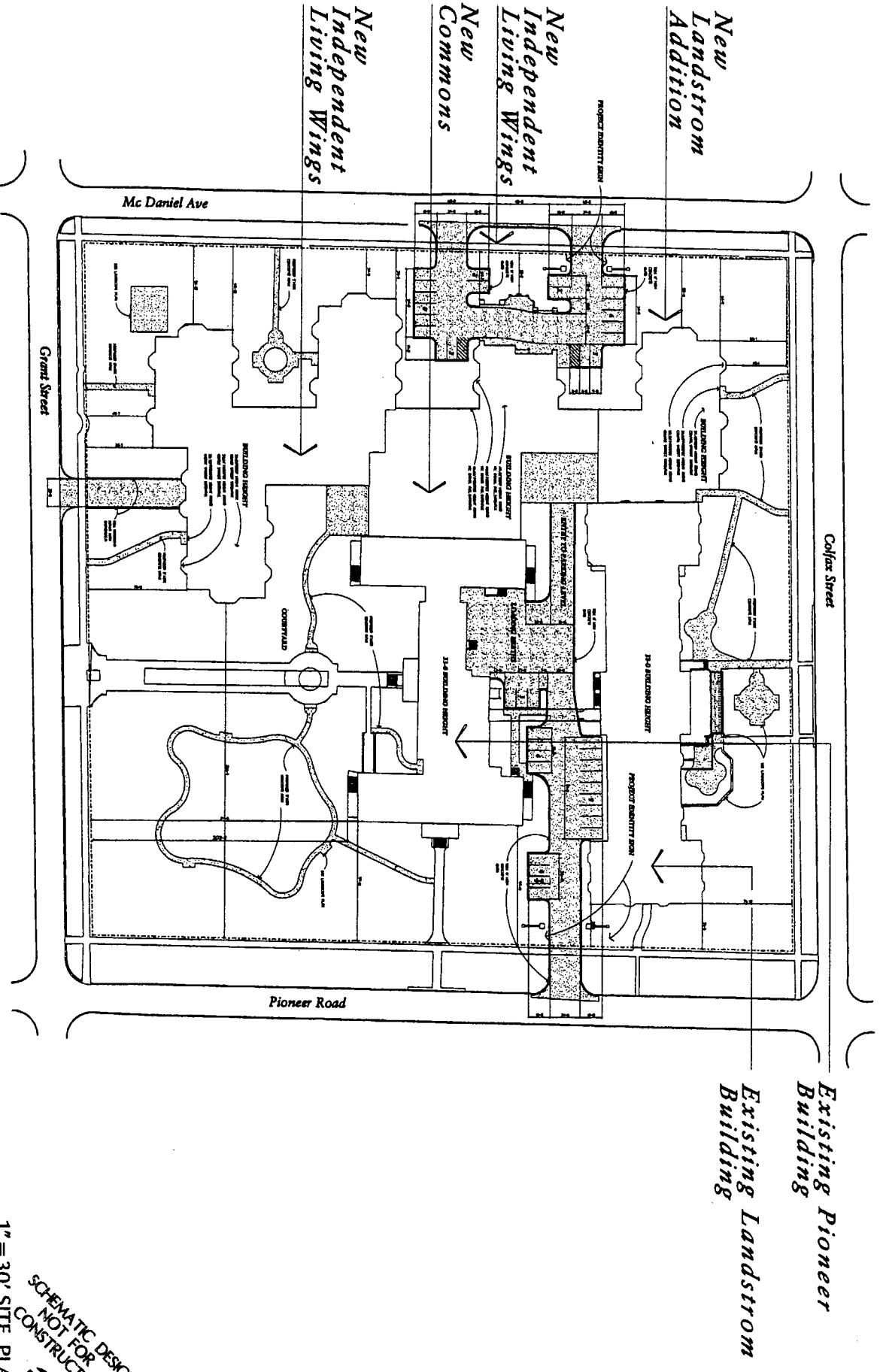
PARCEL 6: LOT 1 IN BROOMELL'S SUBDIVISION OF BLOCK 7 (EXCEPT THE EAST 190 FEET AND EXCEPT THE NORTH 150 FEET THEREOF) OF JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-008-0000)

PARCEL 7: LOT 2 IN BROOMELL'S SUBDIVISION OF BLOCK 7 (EXCEPT THE EAST 190 FEET AND EXCEPT THE NORTH 150 FEET THEREOF) OF JOHN CULVER'S SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-007-0000)

PARCEL 8: LOTS 9, 10, AND 11 IN BROOMELL'S SUBDIVISION OF BLOCK 7 (EXCEPT THE EAST 190 FEET AND EXCEPT THE NORTH 150 FEET THEREOF) OF JOHN CULVER'S SUBDIVISION OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (10-12-305-009-0000)

PARCEL 9: THE SOUTH 128 FEET OF THE EAST 190 FEET AND THE SOUTH 300 FEET OF THE NORTH 429 FEET OF THE EAST 190 FEET OF BLOCK 7 IN JOHN CULVER'S SUBDIVISION OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS. (12-12-305-010-0000)

EXHIBIT 2



1" = 30' SITE PLAN SD-1

SCHEMATIC DESIGN
NOT FOR
CONSTRUCTION

7/14/10
7/14/10
7/14/10



Three Crowns Park
ADDITIONS AND RENOVATIONS

Evanston

Illinois