

1/12/2006
1/11/2006

9-O-06

AN ORDINANCE

**Approving an Amendment to the Zoning Map to
Rezone 2100 Greenwood Street from I2 Industrial District to
MU Transitional Manufacturing District and
Granting a Special Use for a Planned
Development at 2100 Greenwood Street**

WHEREAS, 2100 Greenwood Lofts (the "Applicant"), submitted an application to the City of Evanston seeking approval of 2100 Greenwood Street (the "Property") for a Zoning Map amendment to rezone the Property from an I2 Industrial District to an MU Transitional Manufacturing District, and seeking approval of a special use for a planned development pursuant to the provisions of Sections 6-3-5 "Special Uses", 6-3-6 "Planned Developments", 6-13-2-3 "Planned Developments" (within MU Transitional Manufacturing Districts) of the Zoning Ordinance to permit construction of twenty-six (26) live-work loft condominium units, a defined gross floor area of forty-six thousand one hundred thirty-one (46,131) square feet, a floor area ratio of about 0.84, a maximum defined building height of forty-five feet (45'), and thirty-two (32) off-street enclosed parking spaces, and one (1) open off-street parking space; and

WHEREAS, the Plan Commission held public hearings on the application (Case No. ZPC 05-09 PD&M), pursuant to proper notice, on December 7, 2005 and December 14, 2005, hearing testimony and receiving other evidence, and making written findings and a *verbatim* transcript; and

WHEREAS, construction of the planned development proposed by the applicant, as modified by the applicant during public hearings, (the "Planned Development") requires development allowances from the strict application of the floor area ratio, usable floor area, and building height regulations otherwise required by the applicable zoning regulations of the Zoning Ordinance; and

WHEREAS, pursuant to Sections 6-3-6-4, 6-3-6-5 and 6-3-6-6 of the Zoning Ordinance, a planned development may provide for development allowances and modifications to site development allowances that depart from the lot coverage, impervious surface, height, yard, parking location and other regulations established in the Zoning Ordinance, subject to approval of the City Council; and

WHEREAS, the Plan Commission's written findings indicate that the application for amendment of the Zoning Map from the I2 Industrial District to the MU Transitional Manufacturing District meets the standards for amendments to the Zoning Map indicated in Section 6-3-4-5 of the Zoning Ordinance and achieves the public benefits indicated in Section 6-3-6-3 of the Zoning Ordinance; and

WHEREAS, the Plan Commission's written findings indicate that the application for planned development meets the standards for special uses indicated in Section 6-3-5-10 of the Zoning Ordinance; addresses the general conditions for planned developments in Transitional Manufacturing Districts indicated in Section 6-13-1-10(A) of the Zoning Ordinance and adequately

addresses the site controls and standards of Section 6-13-1-10(B) and the development allowances of Section 6-13-1-10(C) of the Zoning Ordinance; and

WHEREAS, the Plan Commission recommended approval of the application for Zoning Map amendment; and

WHEREAS, the Planning and Development Committee of the City Council at its January 23, 2006 and February 13, 2006 meetings considered the record in this Case No. ZPC 05-09 PD&M, adopted the findings and recommendations of the Plan Commission, and recommended City Council approval; and

WHEREAS, the City Council, at its January 23, 2006 and February 13, 2006 meetings, considered the respective records 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 an amendment to the Zoning Map cited in Section 6-7-2 of the Zoning Ordinance to rezone the property commonly known as 2100 Greenwood Street, and legally described in Exhibit 1 attached hereto and made a part hereof, from an I2 Industrial District to an MU Transitional

Manufacturing District. The City Council's adoption of the Plan Commission's findings pursuant to the requirements of Section 6-3-6-6 of the Zoning Ordinance constitute its written finding of fact that the site development allowances granted by this Ordinance are essential to achieve one or more public benefits described in Section 6-3-6-3.

SECTION 3: That the City Council hereby adopts the respective records and 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 of a twenty-six (26) unit residential development with a defined building height of forty-five feet (45'), the Planned Development Plan approved by the City (with such revisions made during final design as may be required for construction and Code compliance), attached hereto as Exhibit 2 and made a part hereof, and the terms of this Ordinance.

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

- A. A site development allowance allowing a building height of forty-five feet (45'), whereas Section 6-13-2-7 of the Zoning Ordinance otherwise allows a maximum building height of forty-one feet (41'), or three (3) stories;
- B. A modification to a site development allowance allowing no transitional landscape strip along the east, west, and south lot lines of the Property, whereas Section 6-13-1-10(B)(3) of the Zoning Ordinance otherwise requires a transition

landscaped strip of at least five percent (5%) of the average depth of the lot or twenty-five feet (25'), whichever is greater; and

C. A modification to a site development allowance allowing a usable open space of approximately 41.5% or twenty-two thousand seven hundred thirty-three square feet (22,733 sq. ft.), whereas Section 6-13-1-10(B)(1) of the Zoning Ordinance otherwise requires a minimum of forty-five percent (45%) of the total gross area of the planned development be devoted to usable open space, or approximately twenty-four thousand six hundred thirty-three square feet (24,633 sq. ft.) for this fifty-four thousand seven hundred forty square foot (54,740 sq. ft.) lot.

SECTION 5: That pursuant to Sections 6-3-6-5 and 6-3-6-6 of the Zoning Ordinance and in substantial conformance with the terms of this Ordinance and the Development Plan, a site development allowance is hereby granted to exceed the requirements set forth in Section 6-13-2-8 and Section 6-13-1-10(C) of the Zoning Ordinance to permit:

A. A floor area ratio of approximately 0.84 or approximately forty-six thousand one hundred thirty-one square feet (46,131 sq. ft.), whereas Section 6-13-2-8 otherwise permits a maximum of 0.45 or twenty-four thousand six hundred thirty-three square feet (24,633 sq. ft.), and Section 6-13-1-10(C) provides for a maximum floor area ratio of 0.55 or thirty thousand one hundred seven square feet (30,107 sq. ft.).

SECTION 6: 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, these 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 Case No. ZPC 05-09 PD&M.

B. When necessary to effectuate the terms and conditions and purposes of this Ordinance, "Applicant" shall read as "Applicant's agents, assigns and successors in interest".

SECTION 7: That the Applicant is required to record a certified copy of this Ordinance, including all Exhibits hereto, at its cost with the Cook County, Illinois Recorder of Deeds before any City permits may be obtained.

SECTION 8: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: That this Ordinance shall be in full force and effect from and after its publication, approval, and publication in the manner provided by law.

Ayes: 8

Nays: 0

Introduced: January 23, 2006

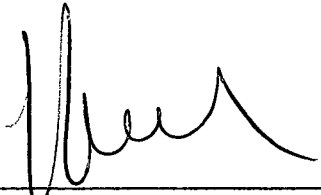
Adopted: February 13, 2006

Approved: February 14, 2006

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:
Mary R. Morris
Mary R. Morris, City Clerk

Approved as to form:

A handwritten signature in black ink, appearing to be 'H. M.', written over a horizontal line.

Corporation Counsel

EXHIBIT 1

LEGAL DESCRIPTION

THAT PART OF THE SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ (EXCEPT THE NORTH **71.5** FEET THEREOF AND EXCEPT THE SOUTH 33 FEET THEREOF RESERVED FOR STREET) IN SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDAN (LYING WESTERNLY OF RIGHT OF WAY OF JUNCTION RAILWAY COMPANY) DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTH LINE OF GREENWOOD STREET; 233 FEET EAST OF THE CENTER LINE OF HARTREY AVENUE, THENCE SOUTHERLY PARALLEL WITH THE CENTER LINE OF HARTREY AVENUE, 297.55 FEET TO CENTER LINE OF A SWITCH TRACK, THENCE EASTERLY ALONG CENTER LINE OF SAID SWITCH TRACK, 200 FEET, THENCE NORTH PARALLEL WITH THE CENTER LINE OF HARTREY AVENUE, TO A POINT 260 FEET SOUTH THE SOUTH LINE OF GREENWOOD STREET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF GREENWOOD STREET 10 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF HARTREY AVENUE, 260 FEET TO THE SOUTH LINE OF GREENWOOD STREET; THENCE WEST 190 FEET ALONG THE SOUTH LINE OF GREENWOOD STREET, TO A POINT BEGINNING, IN COOK COUNTY, ILLINOIS.