

2/15/2007
2/5/2007
1/11/2007

7-0-07

AN ORDINANCE

**Granting a Special Use for a Mixed-Use
Residential and Retail Planned Development
at 1700-1722 Central Street
in the B2 Business Zoning District**

WHEREAS, Evanston Central I, LLC (the "Applicant"), with permission from One Seven Zero Zero Central LLC and from Lauren I. Kaplan as Trustee of the Julius R. Kaplan Trust, owners of the property located at 1700-1720 and 1722 Central Street, respectively (the "Subject Property"), submitted an application on May 16, 2006, pursuant to the Zoning Ordinance (the "Ordinance") provisions of Section 6-3-5, "Special Uses;" Section 6-3-6, "Planned Developments;" Section 6-9-3-3, "Special Uses in the Business District;" Section 6-9-1-9 (D), "Mandatory Planned Development Minimum Thresholds;" Section 6-9-3-6, "Floor Area Ratio;" Section 6-9-3-7, "Yard Requirements;" Section 6-9-3-8, "Building Height;" Section 6-16-2, "General Off-Street Parking Requirements;" and Section 6-16-4, "General Off-Street Loading Requirements;" for a special uses to permit construction and operation of a mixed-use residential and retail planned development at the Subject Property, that has a single use in excess of twenty thousand square feet (20,000 sq. ft.) located in the B2 Business Zoning District ("B2 Business District"); and

WHEREAS, the Applicant sought approval for: (i) a special use to permit a single use in the B2 Business Zoning District that exceeds twenty thousand square feet (20,000 sq. ft.); (ii) a special use for a planned development; and (iii) a maximum defined building height of fifty-seven feet (57'), approximately fifty-five (55) dwelling units, approximately nine thousand, two hundred twenty square feet (9,220 sq. ft.) of retail/commercial space, a defined gross floor area (excluding parking, loading, storage, mechanicals, and uses accessory to the building) of approximately ninety-nine thousand, nine hundred fifty-seven square feet (99,957 sq. ft.), resulting in a floor area ratio of approximately two and twenty-seven hundredths (2.27), approximately ninety-nine (99) enclosed off-street parking spaces, and one (1) off-street loading berth; and

WHEREAS, after the Plan Commission hearings of July 12, 2006, August 9, 2006, and September 13, 2006, the Applicant amended its application, with the following major changes: a reduction in maximum defined building height of fifty-seven feet (57') to forty-eight feet (48'); a reduction in dwelling units from approximately fifty-five (55) to forty-eight (48) dwelling units; an increase in retail/commercial space from approximately nine thousand, two hundred twenty square feet (9,220 sq. ft.) to eleven thousand, two hundred fifty square feet (11,250 sq. ft.); a reduction in defined gross floor area (excluding parking loading, storage, mechanicals, and uses accessory to the building) from approximately ninety-nine thousand, nine hundred fifty-seven square feet (99,957 sq. ft.), to ninety-nine thousand seven hundred fifty-five square feet (99,755 sq. ft.),

resulting in a floor area ratio of approximately two and twenty-seven hundredths (2.27); and an increase from approximately ninety-nine (99) to one hundred (100) enclosed off-street parking spaces; and

WHEREAS, the Plan Commission held public hearings on the application, case no. ZPC 06-06 PD, pursuant to proper notice on July 12, 2006, August 9, 2006, September 13, 2006, and on the amended application on October 11, 2006, November 8, 2006, and November 29, 2006, heard testimony and received other evidence, made *verbatim* transcripts and written findings, and recommended that the City Council deny the application, as amended; and

WHEREAS, construction of the Planned Development, as proposed in the application, as amended, requires exceptions from the strict application of the Ordinance pertaining to floor area ratio, maximum building height, rear yard setbacks, and loading berths; 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 floor area ratio, maximum building height, rear yard setbacks, loading berths, and other regulations established in the Zoning Ordinance, subject to approval of the City Council; and

WHEREAS, the Planning and Development Committee of the City Council considered the record and recommendation of the Plan Commission on the amended application at its December 11, 2006 and January 8, 2007 meetings; and

WHEREAS, the Planning and Development Committee of the City Council voted to reject the Plan Commission's recommendation to deny the amended application at its January 8, 2007 meeting; and

WHEREAS, after the Planning and Development Committee hearing of January 8, 2007, the Applicant amended its application, with the following major changes: an increase in dwelling units from forty-eight (48) to fifty-one (51); a change from one hundred (100) enclosed off-street parking spaces to eighty-one (81) enclosed off-street parking spaces and nineteen (19) open off-street parking spaces; a reduction in retail/commercial space from approximately eleven thousand, two hundred fifty square feet (11,250 sq. ft.) to approximately eleven thousand, one hundred thirty square feet (11,130 sq. ft.); and a shift of approximately fifty-five percent (55%) of the south elevation of the building approximately twenty-one and one-half feet (21.5') to the north creating a larger rear yard setback; and

WHEREAS, the Planning and Development Committee considered the amended application at its January 22, 2007 and February 12, 2007 meetings, made amendments thereto, and voted to recommend City Council approval of Ordinance 7-O-07; and

WHEREAS, the City Council considered the record of the Plan Commission and the record and recommendation of the Planning and Development Committee, and adopted the same at its February 12, 2007 meeting;

**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 facts and made a part hereof.

SECTION 2: That the City Council hereby finds that the special use to permit a single use in the B2 Business Zoning District in excess of twenty thousand square feet (20,000 sq. ft.) and a special use for a planned development for a mixed-use retail and multi-family residential development in the B2 Business District applied for in case no. ZPC 06-06 PD, as amended and approved, meets the standards for special uses in Section 6-3-5-10 and the standards for planned developments in the Business District in Section 6-9-1-9(A) in that, among other reasons:

- (A) Planned developments and single-uses in excess of twenty thousand square feet (20,000 sq. ft.) are listed special uses in the B2 Business District; and
- (B) The requested special uses are in keeping with purposes and polices of the Comprehensive General Plan ("CGP") and the Zoning Ordinance in that the CGP Plan classifies this location as a retail & mixed use area; and
- (C) They will not cause a negative cumulative effect on various special uses of all types in the immediate neighborhood and the City as a whole in that it will enhance the tax base and replace a movie theater and a house that have been vacant, respectively, for seven (7) years and two (2) years, is an appropriate location for mixed residential and retail uses and has adequate capacity for off-street parking and loading; and
- (D) They will not interfere with or diminish the value of property in the neighborhood in that it will develop two vacant sites and support existing businesses along the Central Street commercial corridor; and
- (E) They can be adequately served by public facilities and services; and
- (F) They will not cause undue traffic congestion to the extent that the Applicant proposes to widen the adjacent east-west alley.

- (G) They will comply with all other applicable requirements, except as modified by this Ordinance 7-O-07, in that this Ordinance is conditioned upon construction and operation of the subject planned development in accordance with all applicable requirements.

SECTION 3: That the City Council hereby grants the application in case no. ZPC 06-06 PD, as amended, for a single use in the B2 Business Zoning District in excess of twenty thousand square feet (20,000 sq. ft.) and a special use for planned development to allow construction and operation of a mixed-use retail and multi-family residential planned development with accessory parking at 1700-1722 Central Street, legally described in Exhibit A, attached hereto and made a part hereof, with a defined maximum building height of forty-eight feet (48'), a maximum of fifty-one (51) dwelling units, not less than eleven thousand, one hundred thirty square feet (11,130 sq. ft.) and not more than eleven thousand, two hundred and fifty square feet (11,250 sq. ft.) of retail/commercial space, a defined gross floor area (excluding parking, loading, storage, mechanicals, and uses accessory to the building) of approximately ninety-nine thousand seven hundred fifty-five square feet (99,755 sq. ft.), resulting in a floor area ratio of approximately two and twenty-seven hundredths (2.27), and eighty-one (81) enclosed off-street parking spaces and nineteen (19) open off-street parking spaces.

SECTION 4: That the Council hereby finds that the planned development will achieve one or more of the public benefits set forth in Section 6-3-6-3 in that it will eliminate blighted structures on the Subject Property that have been vacant for years, the addition of fifty-one (51) dwelling units and not less than eleven thousand, one hundred thirty square feet (11,130 sq. ft.) and not

more than eleven thousand, two hundred and fifty square feet (11,250 sq. ft.) of retail/commercial space to the Central Street corridor will further enhance the tax base and the local economy, and the Applicant's donation to the Affordable Housing Tax Fund, will, in accord with the policy of the CGP, elicit a proposal "from the private sector that will maintain the supply of moderately-priced housing, both rental and owner-occupied."

SECTION 5: Pursuant to the terms and conditions of this Ordinance, the following site development allowances are hereby granted:

- (A) To allow a floor area ratio of approximately two and twenty-seven hundredths (2.27). Section 6-9-3-6 establishes a maximum permitted floor area ratio in the B2 Business District of two and zero hundredths (2.0). Section 6-9-1-9 (C) 4 allows a maximum increase in floor area ratio of one and zero hundredths (1.0) to a total of three and zero hundredths (3.0).
- (B) To allow a rear yard setback of one and one-half feet (1.5'). Section 6-9-3-7 requires a rear yard setback of ten feet (10') for a building when not abutting a Residential Zoning District building and a rear yard setback of five feet (5') for open parking.
- (C) To allow a defined maximum building height of forty-eight feet (48'). Section 6-9-3-8 establishes a maximum height in the B2 Business District of forty-five feet (45'). The site development allowance in Section 6-9-1-9(C)1 allows a maximum height increase of twelve feet (12') to a total of fifty-seven feet (57').
- (D) To allow for only one (1) off-street loading berth. Section 6-16-5 requires three (3) off-street loading berths, one (1) for the multi-family residential use and two (2) for the retail/commercial uses.
- (E) To allow for the nineteen (19) open off-street parking spaces to be located less than two feet (2') from the south property line of the Subject Property. Section 6-16-2-7 requires that non-parallel parking stalls for which an abutting alley serves as a portion of an aisle need only be located with a minimum aisle (which may be partially comprised of driveways or public alleys) of thirteen feet (13'); provided that the application of said minimum aisle width shall not result in a minimum parking stall setback from the alley lot line across which access to the stall is obtained, of less than two feet (2').

SECTION 6: That, pursuant to Section 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the grant of the requested special use for a planned development:

- (A) Construction of the planned development approved hereby shall be in substantial conformance with the terms and conditions of this Ordinance, the development plans attached hereto and made a part hereof as Exhibit B (the "Plans"), all other applicable legislation and requirements, and in accordance with representations of the Applicant to the Site Plan and Appearance Committee, Plan Commission, Planning and Development Committee, and City Council. The exteriors of the building improvements shall substantially conform to the specifications identified on the Plans.
- (B) That the Applicant shall, by agreement, donate one thousand, three hundred dollars and zero cents (\$1,300.00) per dwelling unit built to the Affordable Housing Tax Fund, consistent with the policy of the Comprehensive General Plan to "encourage proposals from the private sector that will maintain the supply of moderately-priced housing, both rental and owner-occupied."
- (C) Lighting in the portion of the public alley identified on Exhibit C attached hereto (the "Alley") shall be of a type and design so as to prevent spillage of light off the Subject Property onto surrounding private property.
- (D) The Applicant agrees and commits to bind the Applicant's successors in title to the Subject Property to removing snow from the Alley from Eastwood Avenue to the west property line of the Subject Property, whenever there is a snowfall of at least four inches (4"). Such commitment shall be contained in the Declaration of Condominium for the Subject Property and shall not be subject to amendment or termination without the consent of the City.
- (E) The Applicant shall construct and/or install any streetscape, sidewalk, and/or landscaping in conformance with the Plans.
- (F) The nineteen (19) open off-street parking spaces shall be designated for the exclusive use of employees of the retail establishments located on the Subject Property. The Applicant and the proprietors of the retail establishments shall promulgate said designation with clear signage and shall enforce the same by retaining the services of an auto towing company for the removal of unauthorized vehicles.

- (G) Subject to the terms of this Section 6(G), the Applicant, at its sole cost and expense, shall install new wooden fencing (the "Fencing") along those portions of north property lines not improved with a garage, of the houses located at 1703, 1705, 1711, 1713, 1717 and 1721 Harrison Street (individually a "Residence" and, collectively, the "Residences") to help screen the Residences from the Alley and the Subject Property. The Applicant shall only be required to construct the Fencing at a Residence if the owner of the Residence desires that such Fencing be constructed. Within one (1) year of the effective date of this Ordinance, the Applicant shall coordinate with each owner to determine if the Fencing is desired. In the event an owner elects to have the Fencing constructed, such Fencing shall be installed prior to the issuance of a temporary certificate of occupancy for the Subject Property.

The Fencing shall comply with all applicable regulations of the Zoning Code and shall not require the Applicant to obtain any relief from the City in connection with the installation of such Fencing. The Applicant and the owner of the Residence shall reasonably cooperate with one another to determine the exact location of the Fencing and the timing of the installation of the same.

- (H) The Applicant, at its sole cost and expense, shall: (i) bury the existing overhead utility lines which serve the Subject Property and which are located in that portion of the Alley; and (ii) prior to the issuance of a temporary certificate of occupancy for the Subject Property, bury the overhead utility service lines serving each Residence which run from the Alley to the Residences (the "Utility Burial Work"). In connection with the Utility Burial Work, the Applicant shall restore any landscaping disrupted by such work to its condition prior to commencement of such work and the Applicant and the owner of the Residences shall reasonably cooperate with one another regarding the foregoing work.
- (I) The operation of any restaurants on the Subject Property shall comply with all applicable City requirements.
- (J) Any vehicle that shall use the loading berth identified in Exhibit B may not exceed thirty-five feet (35') in total length.

SECTION 7: When necessary to effectuate the terms, conditions and purposes of this Ordinance, "Applicant" shall read as "Applicant's agents, assign and successors in interest."

SECTION 8: That the Applicant is required to record a certified copy of this Ordinance, at its cost, including all Exhibits attached hereto, with the Cook County Recorder of Deeds, before any City permits may be obtained.

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.

Introduced: January 22, 2007

Approved:

Adopted: February 12, 2007

March 5, 2007

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris
Mary P. Morris, City Clerk

Approved as to form:

Herbert D. Hill
Herbert D. Hill
First Assistant Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION OF 1700-1722 CENTRAL STREET

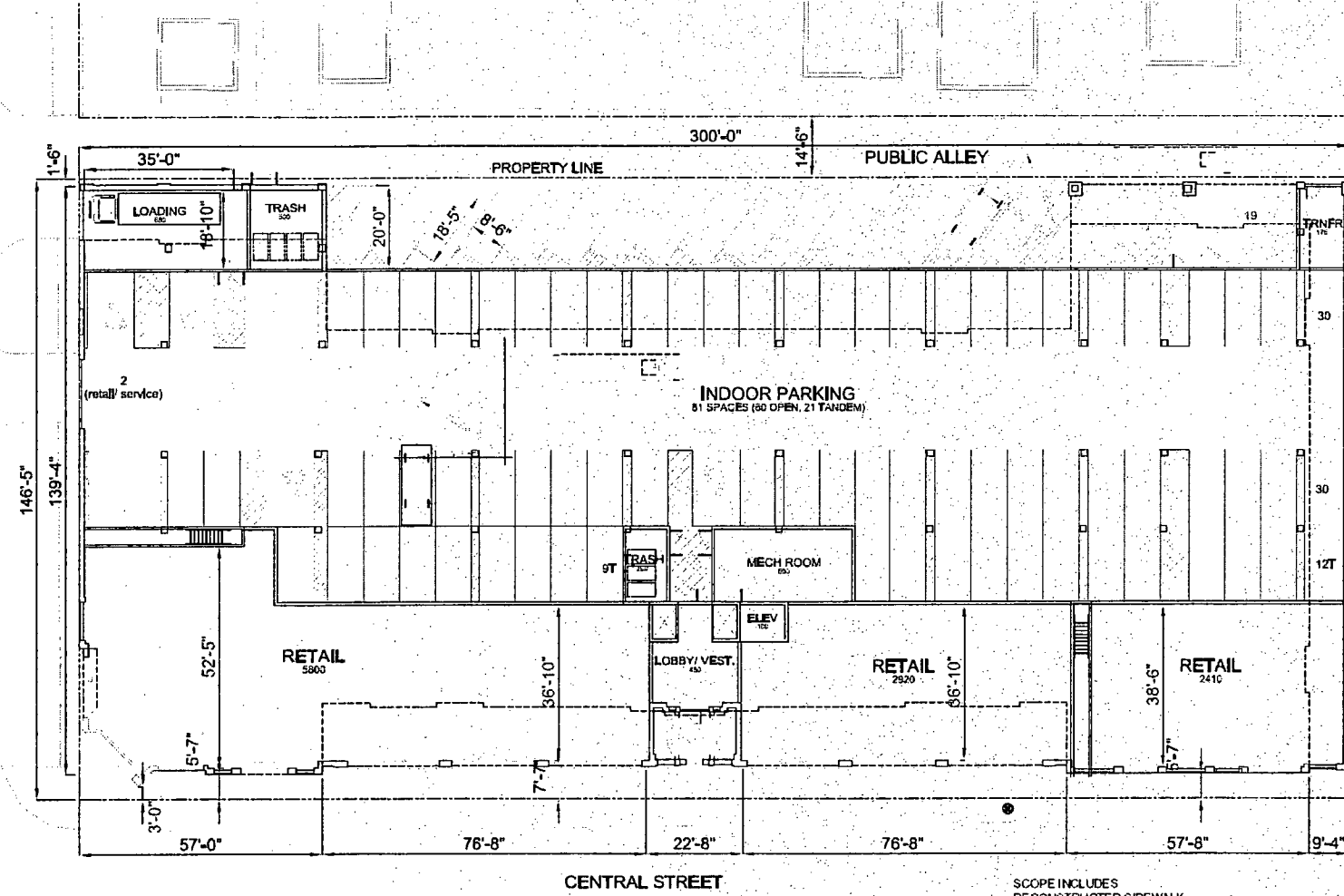
PARCEL 1:

LOT 5 IN BLOCK 9 IN NORTH EVANSTON IN SECTION 12, TOWNSHIP 41 NORTH; RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:

LOTS 6, 7, 8, 9 AND 10 IN BLOCK 9 IN NORTH EVANSTON, BEING A SUBDIVISION IN SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT B
DEVELOPMENT PLANS



GROUND FLOOR PLAN

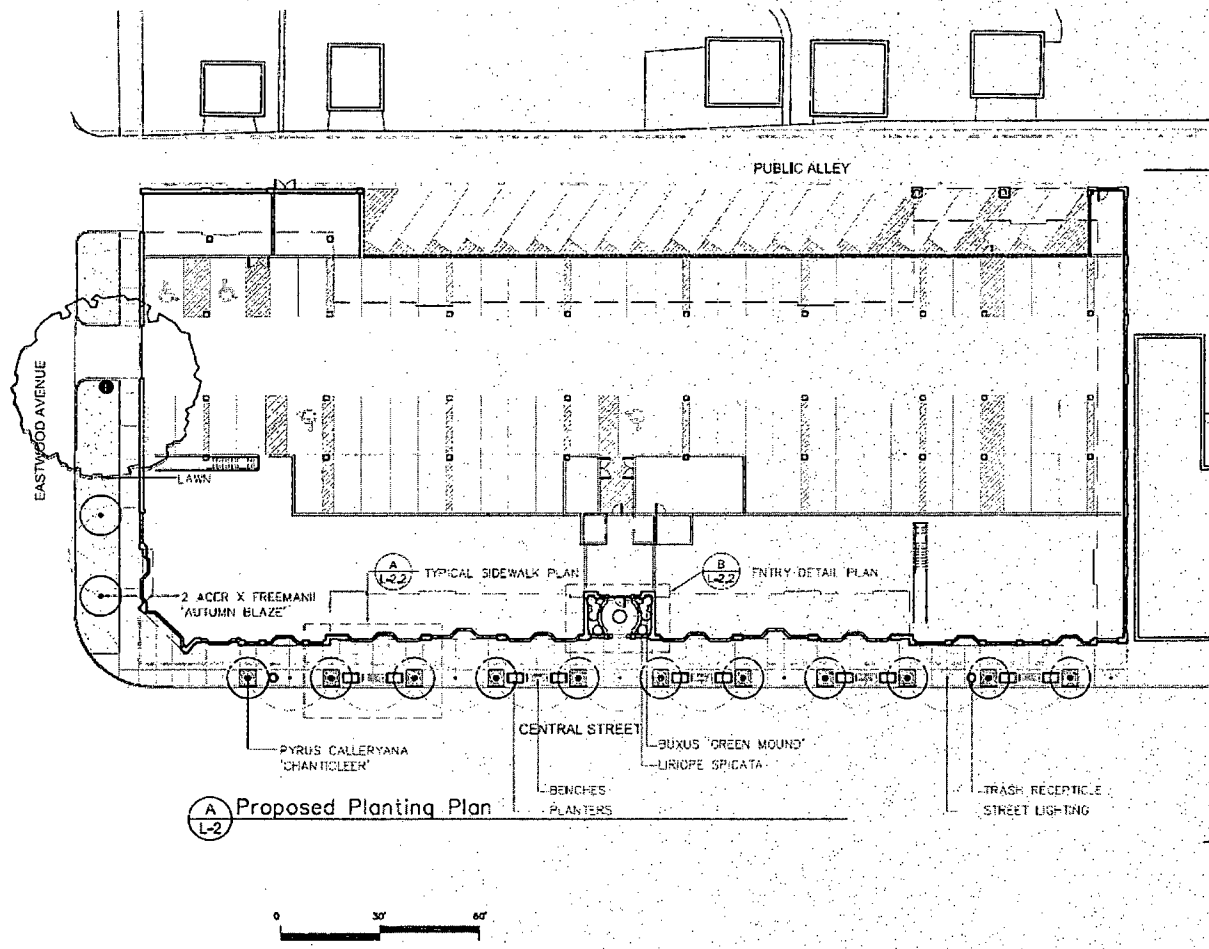
EXHIBIT B
 CENTRAL PLACE RESIDENCES
 EVANSTON, ILLINOIS

EVANSTON CENTRAL I, LLC

OKW Architects

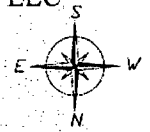
DATE: JANUARY 14, 2011

PROJECT NUMBER: 0532



EVANSTON
CENTRAL I, LLC

1700 - 1722 Central Street
Evanston, Illinois 60202



L - 2.1
Proposed Planting Plan

PLANT LIST

QTY.	BOTANICAL NAME	COMMON NAME	SIZE
SHADE TREES			
11	<i>Pinus strobus</i> 'Chanticleer'	Chanticleer Pine	3"
7	<i>Pinus strobus</i> 'Autumn Blaze'	Autumn Blaze Pine	3"
EVERGREEN SHRUBS			
8	<i>Buxus</i> 'Green Mound'	Green Mound	18"x6"
GROUNDCOVER & VINES			
60	<i>Liriodendron</i>	Creeching Laurel	1-2"

NOTES

REGRADE: ALL TURF & PLANTING AREAS TO RECEIVE AN AUTOMATIC SPRINKLER SYSTEM INCLUDING A DRIP LINE TO TREES ALONG NORTH PROPERTY LINE.

ALL PRIVATE BALCONIES & TERRACES TO BE PLANTED & MAINTAINED BY INDIVIDUAL CONDOMINIUM OWNERS.

ALL PARKWAY CONTAINER AND ALLEY PLANTINGS TO BE PLANTED AND MAINTAINED BY THE ASSOCIATION.

A
L-2
Proposed Planting Plan

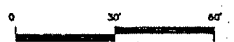


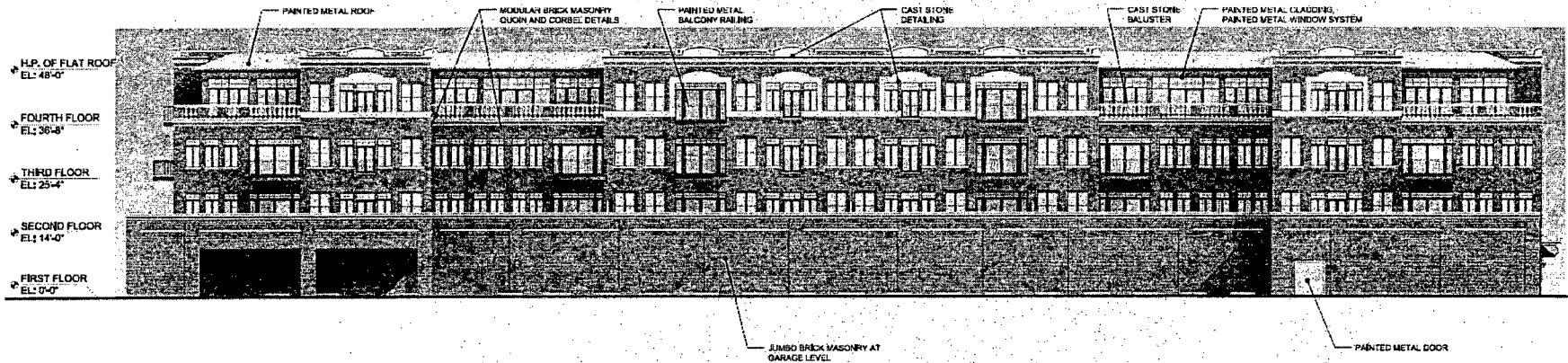
EXHIBIT B
CENTRAL PLACE RESIDENCES
EVANSTON, ILLINOIS

EVANSTON CENTRAL I, LLC

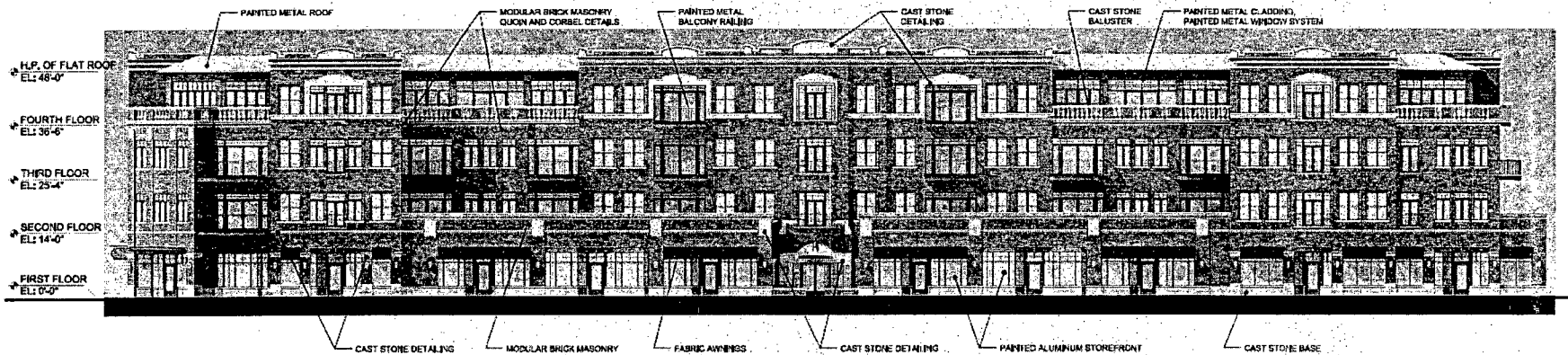


DATE: FEBRUARY 8, 2017

OKW Architects
PROJECT NUMBER: 05437



SOUTH ELEVATION (ALLEY)



NORTH ELEVATION (CENTRAL STREET)

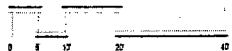


EXHIBIT B
CENTRAL PLACE RESIDENCES
EVANSTON, ILLINOIS

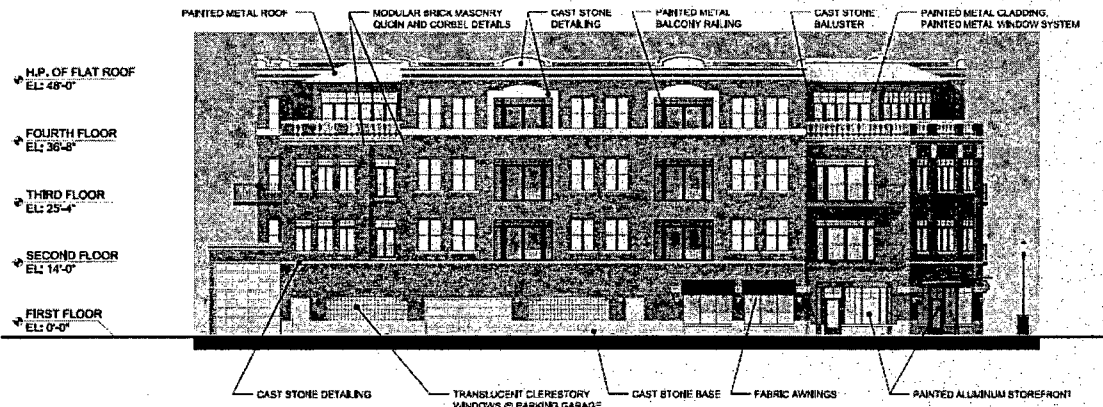
EVANSTON CENTRAL I, LLC



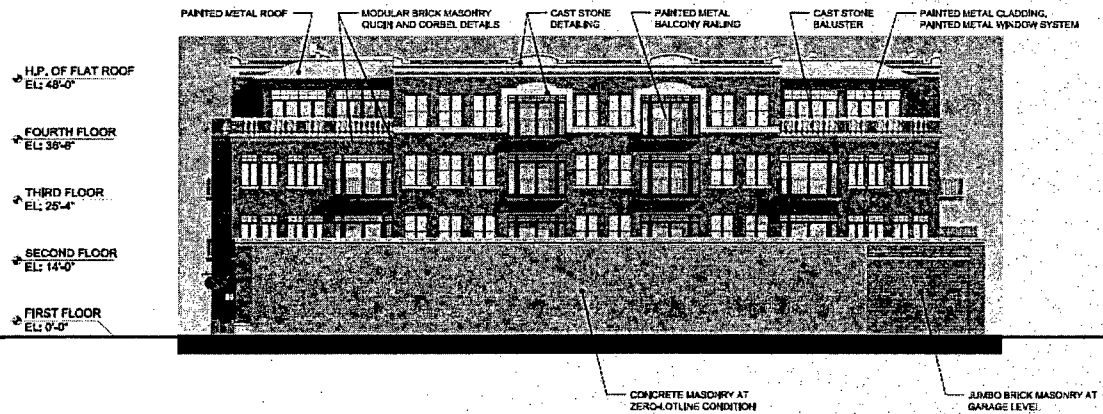
OKW Architects

DATE: FEBRUARY 6, 2007

PROJECT NUMBER: 05032



EAST ELEVATION (EASTWOOD AVENUE)



WEST ELEVATION



EXHIBIT B
CENTRAL PLACE RESIDENCES
EVANSTON, ILLINOIS

EVANSTON CENTRAL I, LLC

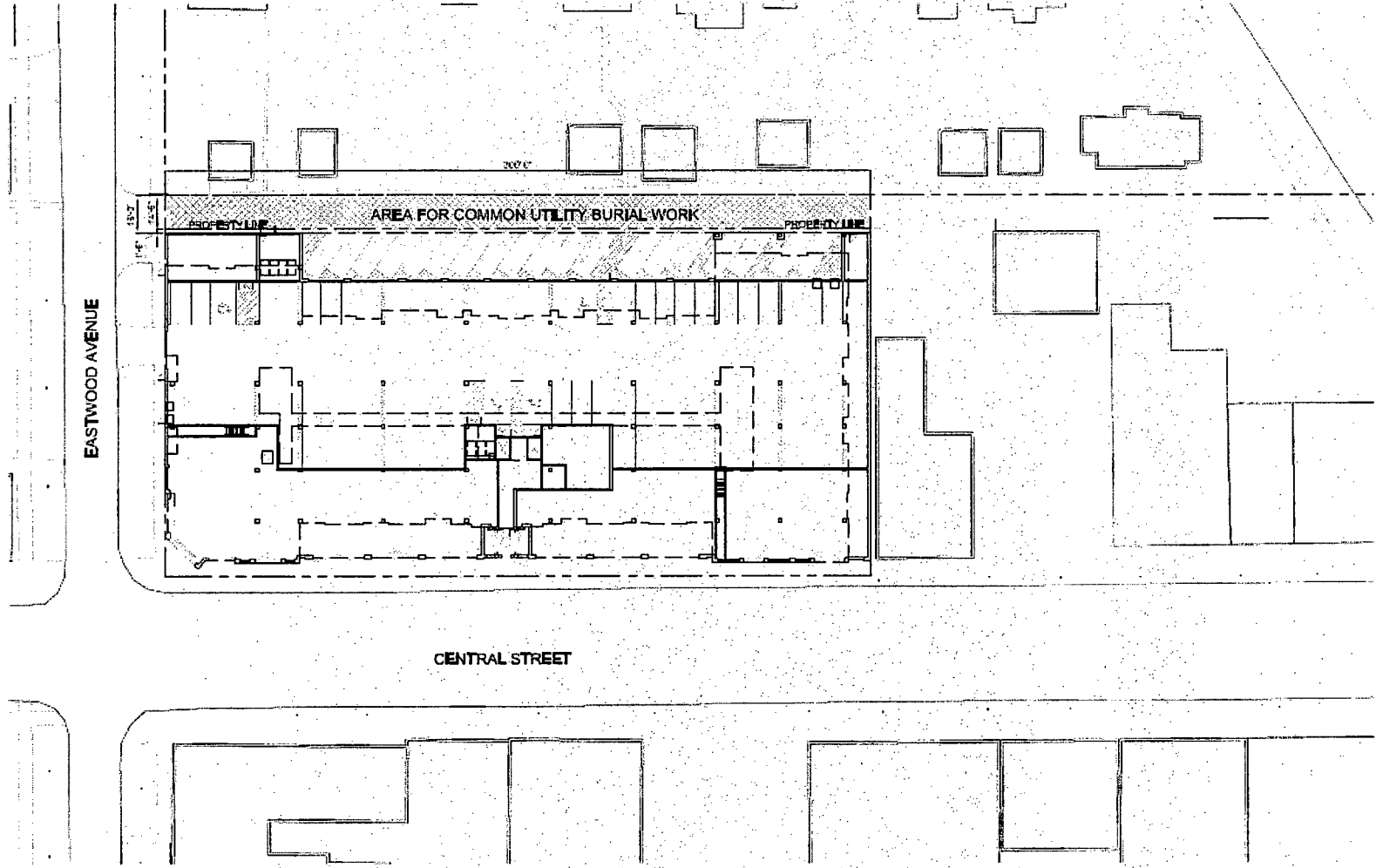


OKW Architects

DATE: FEBRUARY 8, 2021

PROJECT NUMBER: C6032

EXHIBIT C
ALLEY PLAN



~17~

EXHIBIT C
CENTRAL STREET RESIDENCES
EVANSTON, ILLINOIS

OKW Architects

DATE: FEBRUARY 2, 2007

PROJECT NUMBER: 05032

