

36-O-07

AN ORDINANCE

**Granting a Special Use and Major Variations
for a Cultural Facility with Accessory Parking at
1560 Oak Avenue in the R6 Residential District**

WHEREAS, Cameel Halim (the "Applicant"), contract purchaser of the property at 1560 Oak Avenue (the "Subject Property"), an Evanston landmark located within the R6 Residential and Ridge Historic Districts, submitted an application, case no. ZBA 07-05-SU & V(R), to seek approval for a special use pursuant to Section 6-8-8-3 of the Zoning Ordinance (the "Ordinance"), and for major variations pursuant to Sections 6-16-2-7, 6-16-3-5, and 6-16-5 of the Ordinance, for a cultural facility with accessory parking on the Subject Property; and

WHEREAS, the Preservation Commission held public hearings on February 20, 2007, and March 6, 2007, pursuant to proper notice, to review the proposed restoration and construction, took testimony and received other evidence, and made a *verbatim* record and written findings that the application met the standards for a Certificate of Appropriateness set forth in Section 2-9-9 of the Evanston City Code of 1979, as amended; and

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on March 6, 2007, pursuant to proper notice, to consider the application, took testimony and received other evidence, and made a *verbatim* record and written findings that the application met the standards for special uses set forth in Section 6-3-5 of the Ordinance and the standards for major variations set forth in Section 6-3-8-12(E) of the Ordinance, and recommended City Council approval thereof; and



WHEREAS, the Planning and Development Committee of the City Council considered the ZBA's findings and recommendation at its April 10, 2007 meeting and recommended City Council approval thereof; and

WHEREAS, the City Council considered and adopted the respective records and recommendations of the ZBA and the Planning and Development Committee at its April 23, 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 fact and made a part hereof.

SECTION 2: That the City Council hereby adopts the ZBA's record, findings, and recommendation, and the Planning and Development Committee's record, findings, and recommendation, and hereby approves the special use and major variations applied for in case no. ZBA 07-05-SU & V(R), on the Subject Property, legally described in Exhibit A, attached hereto and made a part hereof.

SECTION 3: That the specific major variations approved hereby are:

- A.** to allow a twenty and eight-tenths feet (20.8') -wide drive aisle and a fifty-six and eight tenths feet (56.8') -wide module whereas Section 6-16-2-7 of the Ordinance requires a twenty-four feet (24') -wide drive aisle and a sixty feet (60') -wide module for ninety degree (90°) parking;
- B.** to allow a total of nine (9) off-street parking spaces whereas Section 6-16-3-5 of the Ordinance requires fourteen (14) spaces;
- C.** to allow for zero (0) loading berths on the Subject Property whereas Section 6-16-5 of the Ordinance requires a single short loading berth.



SECTION 4: That, as permitted by Sections 6-3-5-12 and 6-3-8-14 of the Ordinance, the City Council hereby imposes the following conditions upon the special use and major variations granted by this ordinance, 36-O-07:

- A. The Applicant shall develop and use the Subject Property in substantial compliance with all applicable legislation, with the testimony and representations of the applicant to the ZBA, Planning and Development Committee, and City Council, and with the approved plans and documents on file in this case.
- B. The Applicant shall provide valet parking for patrons during times of peak operation and for special events.

SECTION 5: That, when necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall read as "Applicant's agents, assigns, and successors in interest."

SECTION 6: That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications thereof.

SECTION 7: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

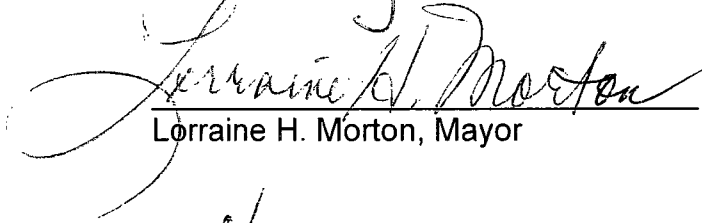


Introduced: April 10, 2007

Approved:

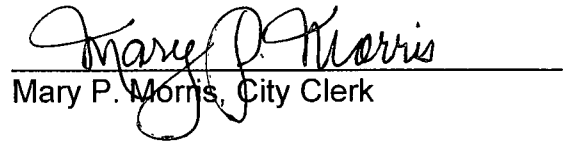
Adopted: April 23, 2007

May 1, 2007



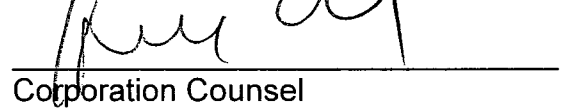
Lorraine H. Morton, Mayor

Attest:



Mary P. Morris, City Clerk

Approved as to form:



Corporation Counsel



EXHIBIT A

LEGAL DESCRIPTION

THE NORTH 50.00 FEET OF LOT 2 AND THE SOUTH 16 2/3 FEET OF LOT 3 IN BLOCK 61 IN EVANSTON, IN THE SOUTHWEST ¼ OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN As: 1560 Oak Avenue, Evanston, Illinois.

