

**46-O-11**

**AN ORDINANCE**

**Granting a Special Use Permit for a  
Multi-Family Residential Planned Development  
Located at 1915-1919 Grey Avenue  
in the R3 Two-Family Residential Zoning District**

**WHEREAS**, BrinNSP, LLC (the "Applicant"), purchaser of the properties located at 1915-19 Grey Avenue, Evanston, Illinois (the "Subject Properties"), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of Title 6 of the Evanston City Code, 1979, as amended, ("the Zoning Ordinance"), specifically Section 6-3-5, "Special Uses", Section 6-3-6, "Planned Developments", and Section 6-8-1-10, "Planned Developments" in Residential Zoning Districts, to permit the construction and operation of a multi-family residential Planned Development located at the Subject Properties in the R3 Two-Family Residential Zoning District ("R3 District"); and

**WHEREAS**, the Applicant sought approval to rehabilitate the existing Two-Family Dwelling on the Subject Property and construct a four (4)-unit Multiple-Family Dwelling with a maximum building height of approximately twenty-seven feet (27'), yielding a combined total of six (6) dwelling units with a defined gross floor area of approximately seven thousand, nine hundred sixteen square feet (7,916 sq. ft.), with seven (7) open, off-street parking spaces;

**WHEREAS**, construction of the Planned Development, as proposed in the application, requires exceptions from the strict application of the Zoning Ordinance to lot size and the number of dwelling units, parking, and the distance between buildings; and

**WHEREAS**, pursuant to Sections 6-3-6-4, 6-3-6-5, and 6-3-6-6 of the Zoning Ordinance, the City Council may grant: Site Development Allowances that depart from and/or exceed the normal maximum regulations established in the Zoning Ordinance; and authority to exceed Site Development Allowances if the City Council makes written findings of fact that such authority is essential to achieve one or more of the public benefits set forth in Section 6-3-6-3 of the Zoning Ordinance; and

**WHEREAS**, on April 13, 2011, pursuant to proper notice, the Plan Commission held a public hearing on the application, case no. 11PLND-0024, heard testimony and received other evidence, and made written findings; and

**WHEREAS**, the Plan Commission's written findings state that the application for the proposed Planned Development meets the standards set forth in the Zoning Ordinance for: Special Uses in Section 6-3-5-10; Planned Developments in the R3 District, per Section 6-8-1-10; and public benefits in Section 6-3-6-3 necessary to exceed Site Development Allowances pursuant to Section 6-3-6-6; and

**WHEREAS**, the Plan Commission recommended the City Council approve the application for a Special Use for a Planned Development; and

**WHEREAS**, at its meeting of June 13, 2011, the Planning and Development Committee considered and adopted the findings and recommendations of the Plan Commission and recommended approval thereof by the City Council; and

**WHEREAS**, at its meeting of June 27, 2011, the City Council considered and adopted the 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 facts and incorporated herein by reference.

**SECTION 2:** That, pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit applied for in case no. 11PLND-0024, to permit the construction and operation of the Planned Development, described herein, on the Subject Properties.

**SECTION 3:** That the City Council hereby grants the following Site Development Allowances:

- (A) To allow for seven (7) open, off-street parking spaces pursuant to Section 6-3-6-5-(D) of the Zoning Ordinance. Table 16-B in Section 6-16-3-5 of the Zoning Ordinance establishes that the Planned Development, as proposed, would require no fewer than ten (10) off-street parking spaces.
- (B) To permit the proposed ninety-degree (90°) parking spaces to be eight feet (8') wide pursuant to Section 6-3-6-5-(D) of the Zoning Ordinance. Section 6-16-2-7-(B)-2 of the Zoning Ordinance requires such parking spaces be at least eight feet, six inches (8'6") wide.

**SECTION 4:** That the City Council hereby finds that exceptions to Site Development Allowances are necessary to achieve the following public benefits, set forth in Section 6-3-6-3 of the Zoning Ordinance:

- (A) **Use of design, landscape, or architectural features to create a pleasing environment or other special development features:** The design of the new residential building shall reflect that of the surrounding neighborhood structures.
- (B) **Provision of a variety of housing types in accordance with the City's housing goals:** The Applicant purchased the Subject Properties with grant funds from the U.S. Department of Housing and Urban Development's Neighborhood Stabilization Program 2 ("NSP2"). Pursuant to NSP2 guidelines, such funds must be used to purchase foreclosed or abandoned properties, renovate them, and then reoccupy them with tenants at affordable rates. All dwelling units in the

Planned Development authorized by the terms of this ordinance, four of which have three (3) bedrooms, two (2) of which have two (2) bedrooms, shall be offered at affordable rent prices to tenants who earn between fifty percent (50%) and one hundred twenty percent (120%) of the Area Median Income. The two (2) first-floor units in the new Multiple-Family Dwelling will be fully accessible pursuant to the Americans with Disabilities Act.

- (C) **Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation:** The Applicant proposes to rehabilitate the existing Two-Family Dwelling located on the Subject Properties.
- (D) **Efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities:** Infill development, such as the proposed construction of a new Multiple-Family Dwelling on the vacant portion of the Subject Properties, is an effective tool in providing neighborhood connectivity, access to existing infrastructure and efficient use of land within existing neighborhoods. The Subject Properties are within walking distance of Evanston Township High School, several public parks, the Fleetwood-Jourdain Community Center, and a Pace Bus route along Emerson that connects the Davis Street Transportation Center to the east and the Skokie Courthouse to the west.
- (E) **Substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (Leadership in Energy and Environmental Design) certification:** Construction of the new Multiple-Family Dwelling on the Subject Properties will include sustainable design elements such as low-VOC paints, recycled building materials, and passive lighting systems, which will make it easier heat and cool the residences, thereby reducing energy use and utility costs for the tenants.

**SECTION 5:** That the City Council hereby grants, by vote of at least two-thirds ( $\frac{2}{3}$ ) of the Aldermen, authority to exceed the following Site Development Allowances:

- (A) To allow for six (6) dwelling units. Section 6-8-4-4-(C) of the Zoning Ordinance requires three thousand, five hundred square feet (3,500 sq. ft.) per dwelling unit in the R3 District. The Subject Properties are approximately twelve thousand, seven hundred fifty-nine square feet (12,759 sq. ft.) in area, yielding a maximum of three (3) dwelling units. Section 6-8-1-10-(C)-2-(c) of the Zoning Ordinance establishes a Site Development Allowance that increases the maximum number of dwelling units for Planned Developments in the R3 District by zero (0).

- (B) To allow a distance between the buildings of nine feet, four and one-half inches (9'4½"). Section 6-8-1-10-(C)-3 of the Zoning Ordinance requires at least twelve feet (12') between any two (2) residential buildings in a Planned Development.

**SECTION 6:** That, pursuant to Section 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Special Use Permit granted hereby, violation of any of which shall constitute grounds for revocation thereof pursuant to Section 6-3-10-6 of the Zoning Ordinance:

- (A) **Compliance with Applicable Requirements:** The Applicant shall develop and operate the Special Use for a Planned Development authorized by the terms of this ordinance in substantial compliance with: the terms of this ordinance; the Development Plans in Exhibit B, which are attached hereto and made a part hereof; all applicable legislation; the Applicant's testimony and representations to the Plan Commission, the Planning and Development Committee, and the City Council; and the approved plans and documents on file in this case.
- (B) **Pedestrian Protective Barrier:** The Applicant shall construct a fence, forty-two inches (42") tall, along the southern edge of the Subject Properties, as depicted in the Development Plans in Exhibit B, in order to protect the residents of the Planned Development authorized hereby from vehicular traffic in the adjacent public alley.

**SECTION 7:** That, except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Properties and remain in full force and effect with respect to the use and development of the same.

**SECTION 8:** That the Applicant shall record, at its cost, a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, before the City may issue any permits related to the construction and/or operation of the Planned Development hereby authorized.

**SECTION 9:** That, when necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

**SECTION 10:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 11:** That if any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 12:** 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: May 23, 2011

Approved:

Adopted: June 13, 2011

June 15, 2011

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene  
Rodney Greene, City Clerk

W. Grant Farrar  
W. Grant Farrar, City Attorney

**EXHIBIT A**

**Legal Description**

LOTS 17, 18 AND 19 IN BLOCK 5 IN WHIPPLE'S ADDITION TO EVANSTON, IN SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

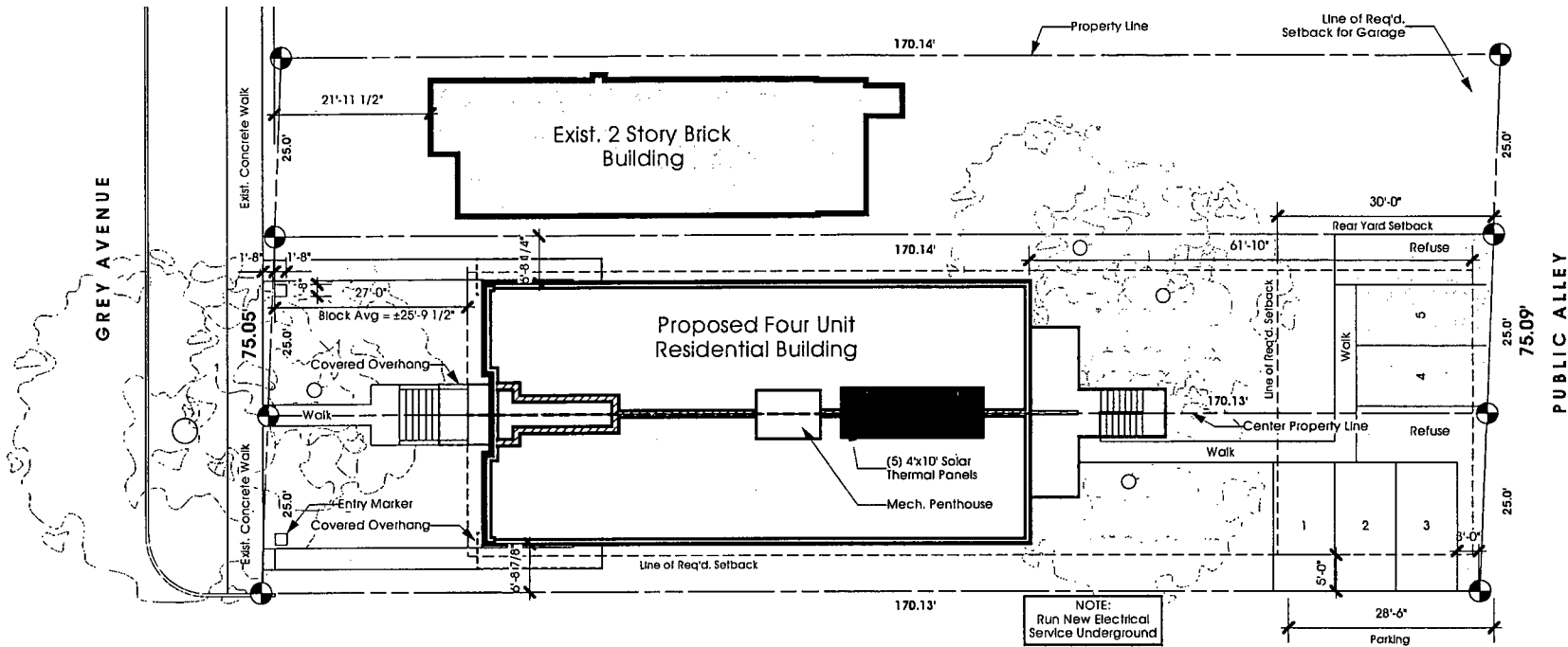
**PINs:** 10-13-109-014-0000  
10-13-109-015-0000  
10-13-109-016-0000

**COMMONLY KNOWN As:** 1915-19 Grey Avenue, Evanston, Illinois.

**EXHIBIT B**

**Development Plans**





### PUBLIC ALLEY Zoning Data

Zoning District	R3	Existing	Proposed
Min. Lot Area	Req'd/Allowed 3,500 per unit = 14,000 s.f. s.f.	4253.2 s.f. x 2 = 8506.4 s.f. s.f.	2126.6 s.f. per unit
Min. Lot Width	35'0"	25'0" x 2 = 50'0"	No Change
Min. Front Yard Setback	27'0"	N/A (vacant lot)	27'0"
Min. Side Yard Setback - Street Side	15'0"	N/A (vacant lot)	N/A
Min. Side Yard Setback - Center	5'0"	N/A (vacant lot)	0"
Min. Side Yard Setback - North/South Side	5'0"	N/A (vacant lot)	6'8 1/4"
Min. Rear Yard Setback	30'0"	N/A (vacant lot)	61'10"
Min. Garage Front Yard Setback	27'0"	N/A (vacant lot)	
Min. Garage Side Yard Setback	5'0"	N/A (vacant lot)	
Min. Garage Rear Yard Setback	3'0"	N/A (vacant lot)	
Max. Mean Bldg. Hgt.	lesser of 35' or 2 1/2 Stories	N/A (vacant lot)	24'2 3/8"
Max. Lot Coverage *	45%	45% of 8506 = 3827 s.f. max	2775.3 sq ft
Max. Impervious Surface Coverage **	60%	60% of 8506 = 5103 s.f. max	4790.9 sq ft
Required Parking Spaces	2 per unit (3+ bedrooms) 1.5 per unit (2 bedrooms)		5 spaces
* See Zoning Code for Exemptions.		** See Zoning Code for Exclusions.	

Proposed Four Unit Residence for  
Brinshore Development  
1915-1919 Grey Avenue  
Evanston, Illinois

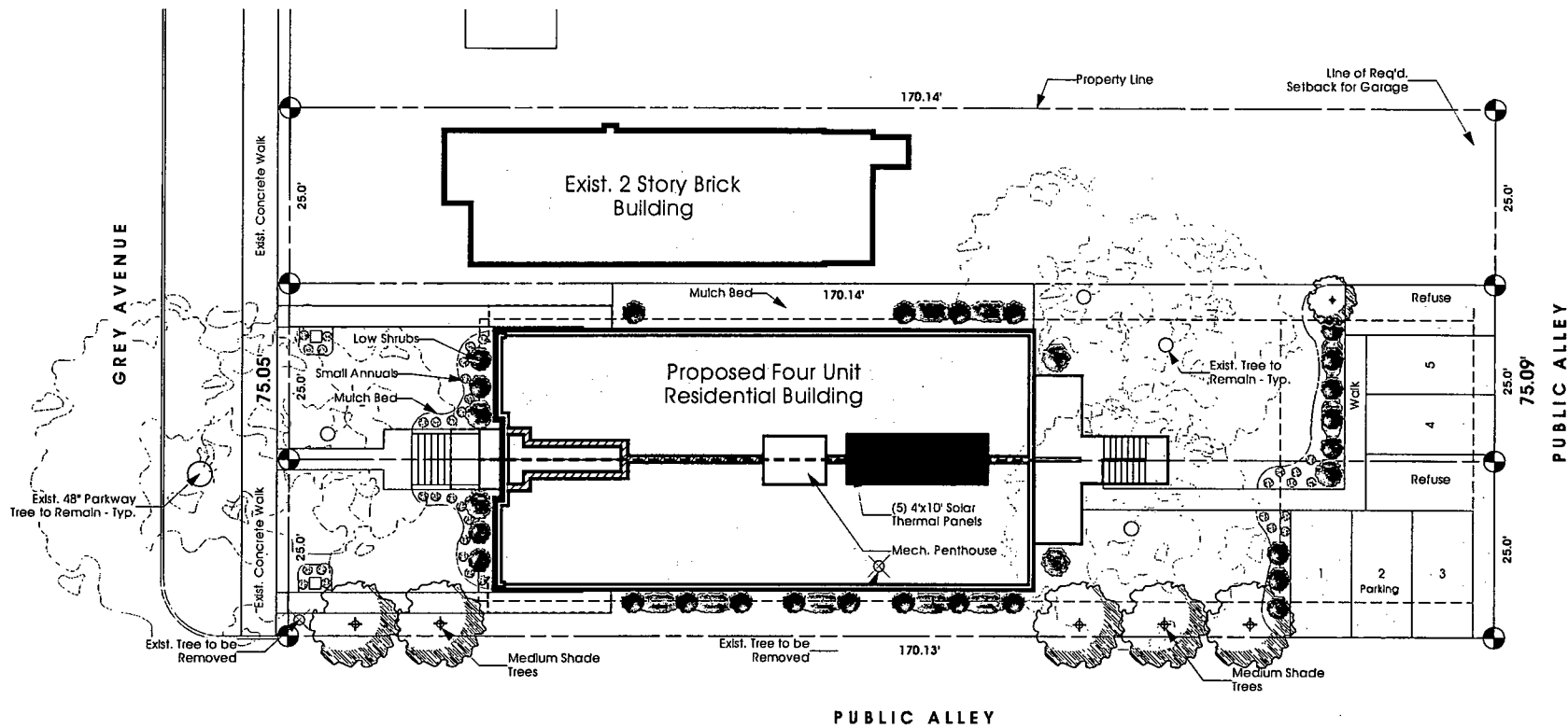
Site Plan  
Scale: 1/16" = 1'-0"  
Feb. 15, 2011



**NATHAN KIPNIS**

• ARCHITECTS INC. •

1642 Payne Street Evanston Illinois 60201  
847.864.9650 Fx 847.864.0956



Proposed Four Unit Residence for  
 Brinshore Development  
 1915-1919 Grey Avenue  
 Evanston, Illinois

Landscape Plan

Scale: 1/16" = 1'-0"

Feb. 15, 2011



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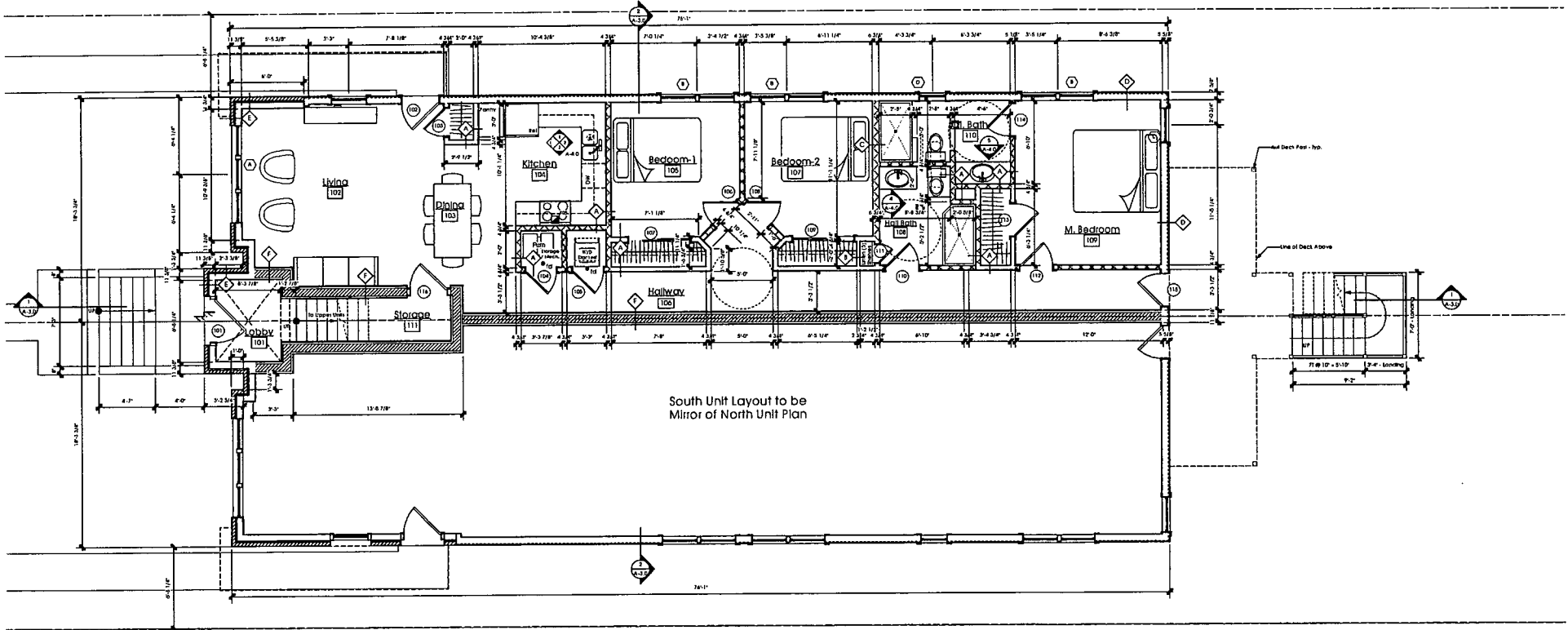
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**Floor Areas  
Per Dwelling Unit**

**North Unit**  
Gross  
1345.7 s.f.

**Common Space**  
87.1 s.f.



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**First Floor Plan**

Scale: 3/16" = 1'-0"

Feb. 15, 2011



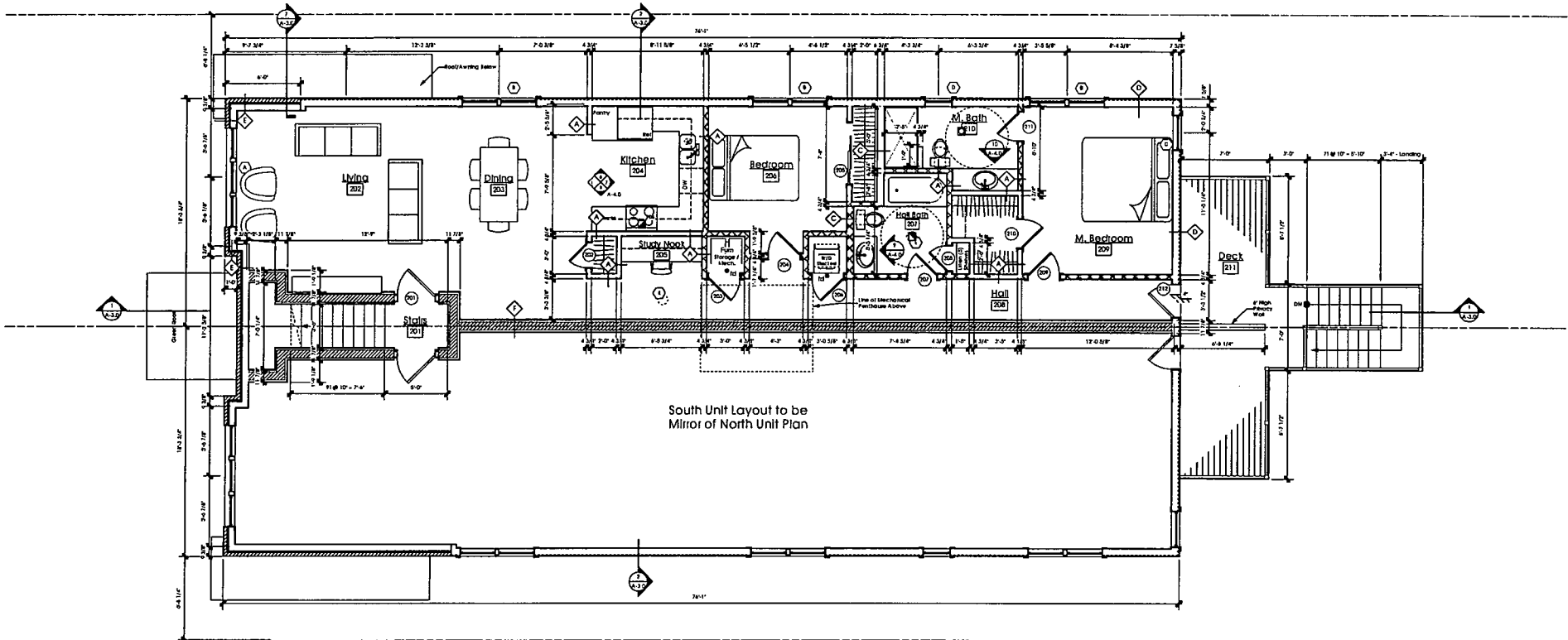
Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois

**Floor Areas**  
Per Dwelling Unit

**North Unit**  
Gross  
1346.6 s.f.

**Common Space**  
82.2 s.f.



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**Second Floor Plan**

Scale: 3/16" = 1'-0"

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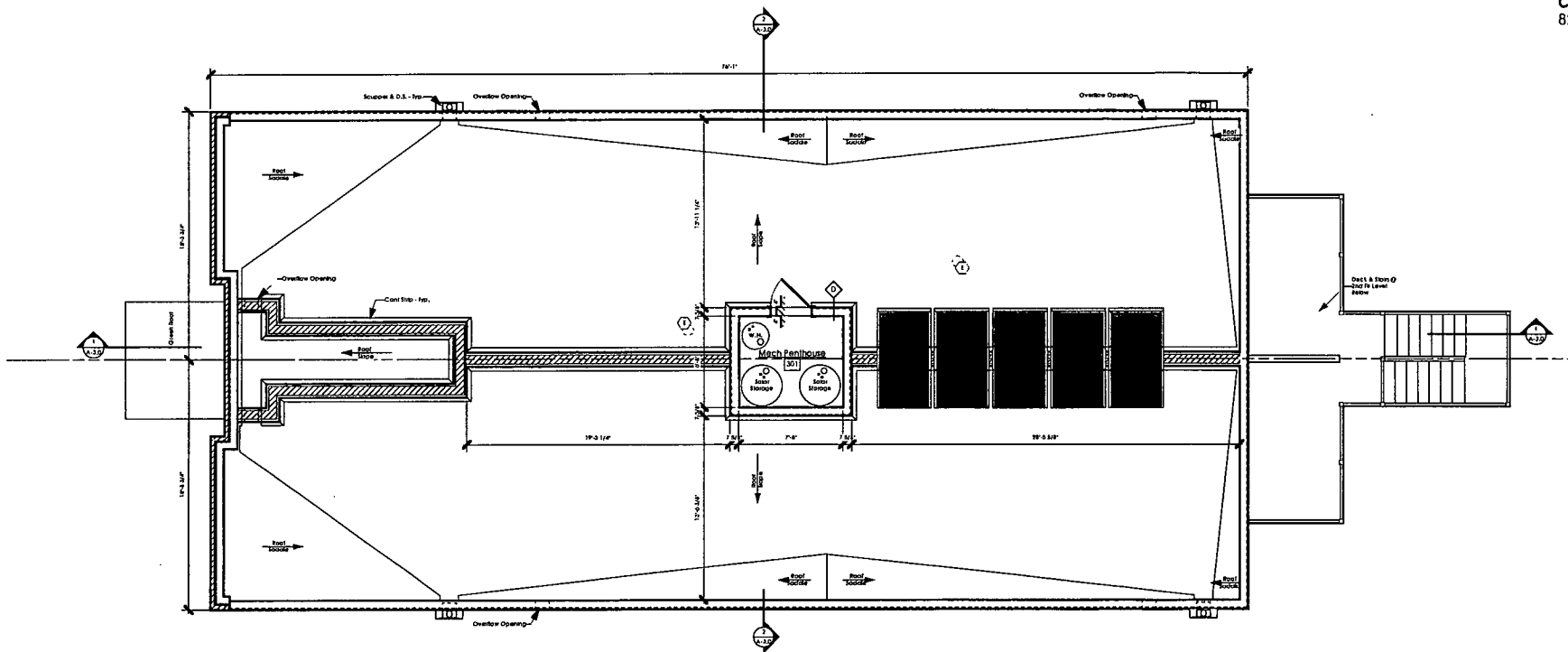
Proposed Four Unit Residence for  
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**Floor Areas**  
Per Dwelling Unit

**North Unit**  
Gross  
1227.9 s.f.

**Rear Deck Gross**  
118.6 s.f.

**Common Space**  
82.2 s.f.



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**Roof Floor Plan**

Scale: 1/8" = 1'-0"

Feb. 15, 2011



Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois

T.O. Penthouse  
27'0"

T.O. Peak  
23'6 1/8"

T.O. Roof  
19'0"

T.O. Green Roof  
13'9 1/4"

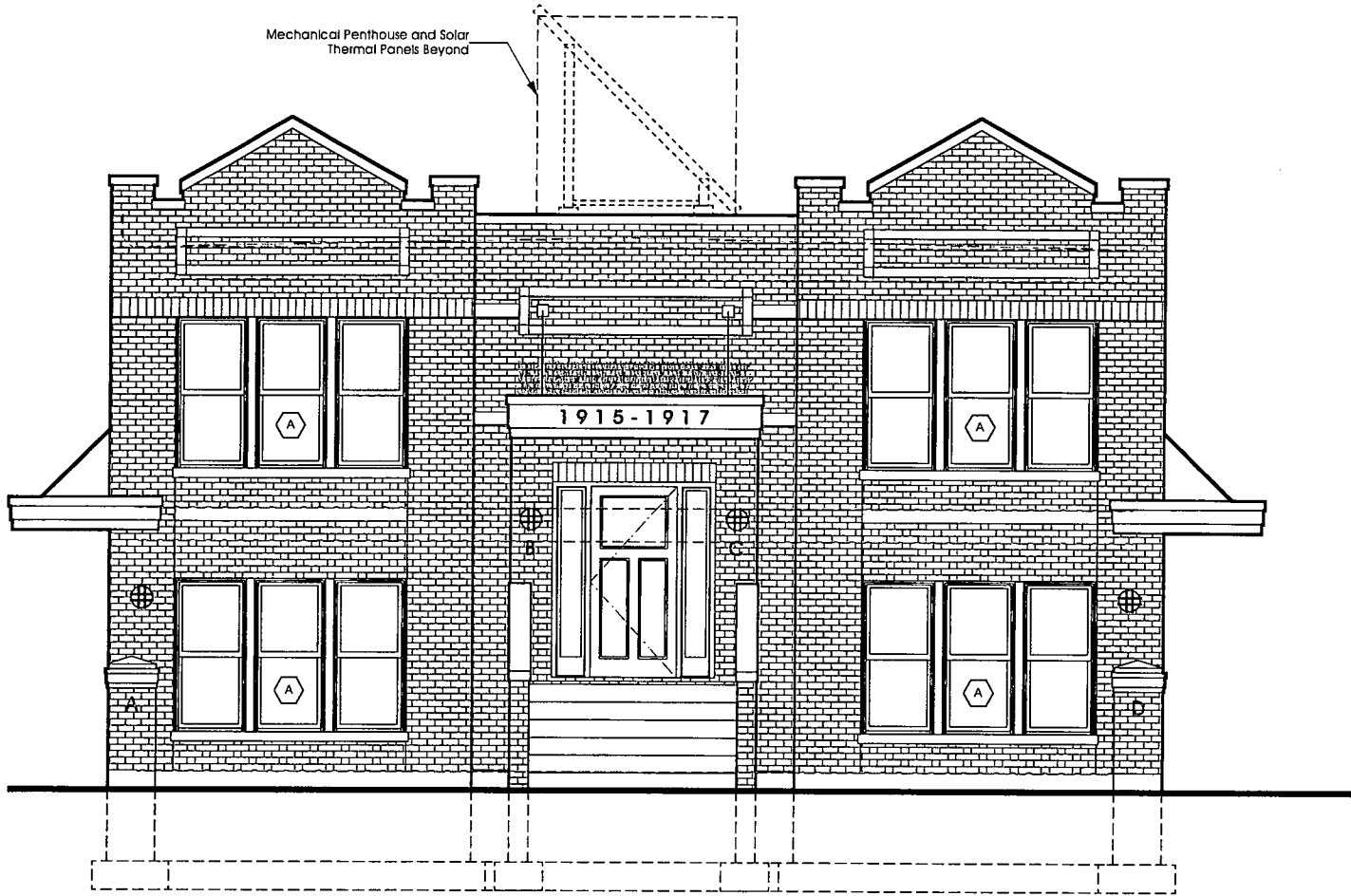
T.O. 2nd floor  
9'10"

T.O. 1st floor/Fnd  
8"

T.O. Grade  
0"

B.O. Flg  
-3'6"

Mechanical Penthouse and Solar  
Thermal Panels Beyond



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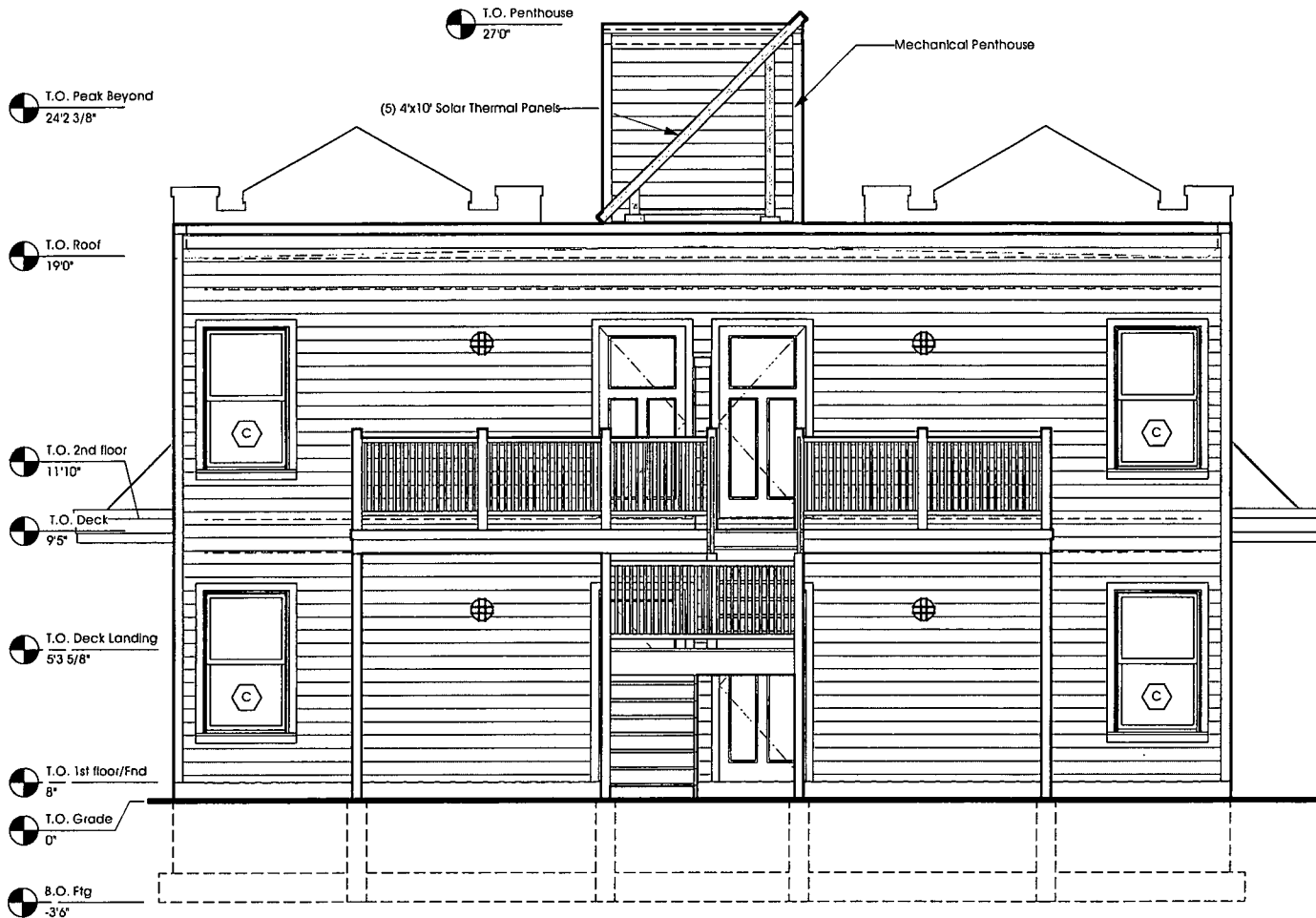
West Elevation

Scale: 1/4" = 1'-0"

Feb. 15, 2011

Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois



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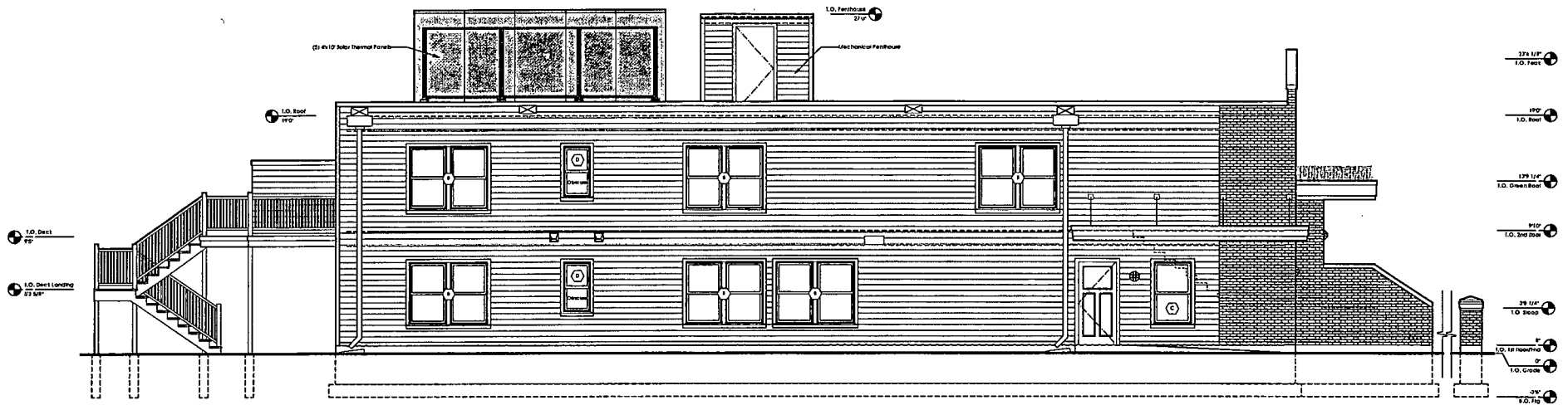
West Elevation

Scale: 1/4" = 1'-0"

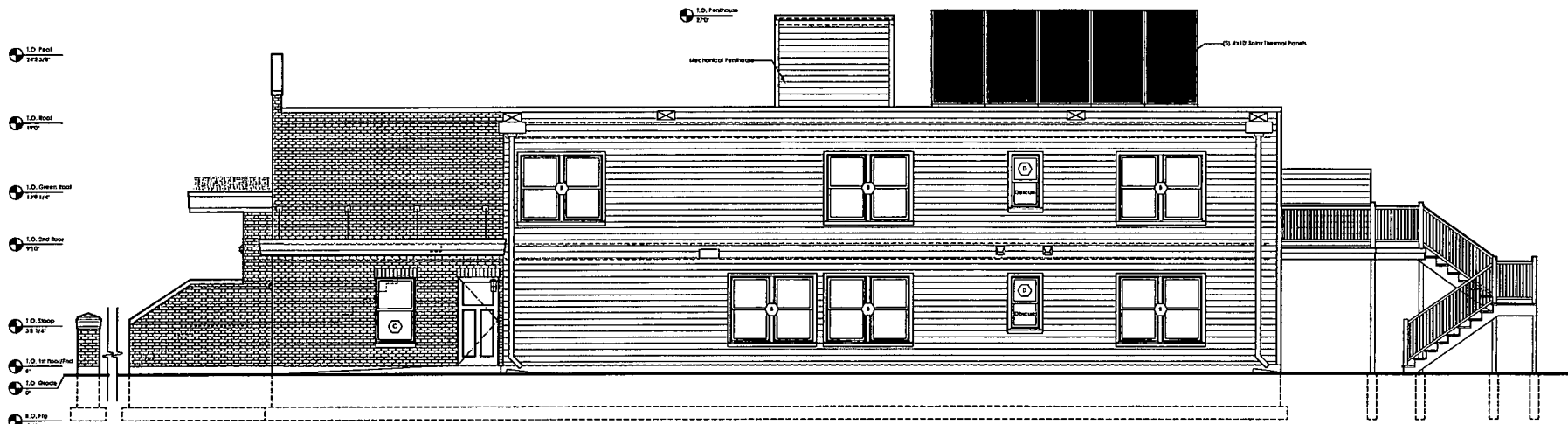
Feb. 15, 2011

Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois



North Elevation



South Elevation

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North/South Elevations

Scale 1/8" = 1'-0"

Feb. 15, 2011

Proposed Four Unit Residence for  
 Brinshore Development

1915-1919 Grey Avenue  
 Evanston, Illinois





Local Precedent

Feb. 15, 2011

Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois

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1040-44 Asbury



1919 Grey Ave.



1925 Grey Ave.



1923 Grey Ave.



1921 Grey Ave.



1919 Grey Ave.



1937 Grey Ave.



1935 Grey Ave.



1933 Grey Ave.



1929 Grey Ave.

## Neighboring Properties

Feb. 15, 2011

Proposed Four Unit Residence for  
Brinshore Development

1915-1919 Grey Avenue  
Evanston, Illinois

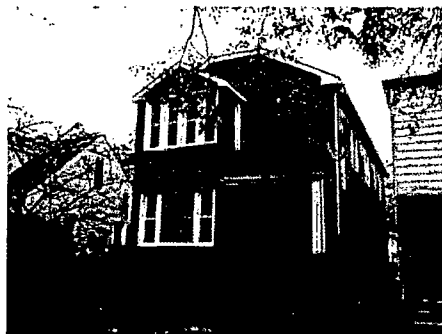
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1943 Grey Ave.



1941 Grey Ave.



1939 Grey Ave.



1924 Grey Ave.



1930-1932 Grey Ave.



1938 Grey Ave.



1944 Grey Ave.



2101 Emerson St.



1916 Grey Ave.



1918 Grey Ave.



1920 Grey Ave.

## Neighboring Properties

Feb. 15, 2011

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2027 Emerson St.



2027 Emerson St.



2101 Emerson St.



1919 Grey Ave - Front



1919 Grey Ave - Rear



Looking West from Alley



Looking West



Looking West from Alley



Looking East from Grey Ave.

## Existing Site Photos

Feb. 15, 2011

Proposed Four Unit Residence for  
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1915-1919 Grey Avenue  
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