

1/14/2016

11-O-16

AN ORDINANCE

**Amending Ordinance 119-O-15, Granting a Major Variation Related to
2525 Oakton Street in the I3 General Industrial Zoning District**

WHEREAS, on September 21, 2015, the City Council enacted Ordinance 119-O-15, attached hereto as Exhibit A, which, pursuant to Subsection 6-9-4-3 of the Evanston City Code, 2012, as amended (the "City Code"), granted a Major Variation related to 2525 Oakton Street in the I3 General Industrial Zoning District (the "Subject Property"); and

WHEREAS, Richard Slager (the "Applicant"), property manager of the Subject Property, has submitted a revised site plan, attached hereto as Exhibit B, and has requested the approval of said revised site plan such that the location of the seventy-foot (70') tall structure is relocated to the north of the Subject Property; and

WHEREAS, at its meeting of January 25, 2016, the Planning and Development ("P&D") Committee of the City Council considered the Applicant's request and recommended that the City Council approve the revised site plan to replace the original site plan for Ordinance 119-O-15; and

WHEREAS, at its meeting of January 25, 2016 and February 8, 2016, the City Council considered and adopted the records and recommendations of the P&D Committee,

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

SECTION 1: The foregoing recitals are hereby found as fact and

incorporated herein by reference.

SECTION 2: The City Council hereby approves the revised site plan in connection with the Major Variation granted under Ordinance 119-O-15 at the Subject Property, the revised site plan to substitute the original site plan for Ordinance 119-O-15.

SECTION 3: Except as otherwise provided for herein, all applicable regulations of Ordinance 119-O-15 and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same. To the extent that the provisions of any of said documents conflict with the terms of this ordinance, this ordinance shall govern and control.

SECTION 4: The Applicant, at its cost, shall record a certified copy of this ordinance, including any Exhibits attached hereto, with the Cook County Recorder of Deeds.

SECTION 5: Violation of any of the terms of this ordinance or Ordinance 119-O-15 shall constitute grounds for penalties pursuant to City Code Subsection 6-3-10-5, and/or revocation, pursuant to City Code Subsection 6-3-10-6, of the Major Variation related to 2525 Oakton Street on the Subject Property.

SECTION 6: 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 7: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

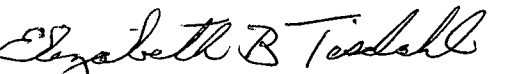
SECTION 8: All ordinances or parts of ordinances in conflict herewith are

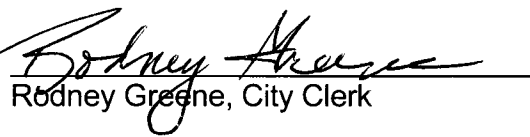
hereby repealed.

SECTION 9: 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 10: 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 25, 2016
Adopted: February 8, 2016

Approved:
February 22, 2016

Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar, Corporation Counsel

EXHIBIT 1

Ordinance 119-O-15

9/2/2015
9/18/2015

119-O-15

AN ORDINANCE

**Granting A Major Variation Related to 2525 Oakton Street in the I3
General Industrial Zoning District**

WHEREAS, Richard Slager (the "Applicant"), property manager of the property commonly known as 2525 Oakton Street (the "Subject Property"), located within the I3 General Industrial zoning district and legally described in Exhibit A, attached hereto and incorporated herein by reference, submitted an application seeking approval of a Major Variation to the zoning requirement imposed by Subsection 6-14-4-7 of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"); and

WHEREAS, the Applicant requests the following Major Variation:

- (A)** The Applicant requests a building height of seventy (70) feet where a maximum building height of sixty (60) feet or four (4) stories, whichever is less, is permitted; and

WHEREAS, on August 18, 2015, the Zoning Board of Appeals ("ZBA"), pursuant to proper notice, held a public hearing in case no. 15ZMJV-0063 to consider the application, received testimony, and made written records and findings that the application did meet the standards for a Major Variation set forth in Subsection 6-3-8-12-(E) of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of September 15, 2015, the Planning and Development ("P&D") Committee of the City Council considered and accepted the

ZBA's recommendation, and recommended City Council approve the Major Variation, as requested; and

WHEREAS, at its meetings of September 15, 2015 and September 21, 2015, the City Council considered and adopted the recommendation of the P&D Committee,

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

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby adopts the P&D Committee's records, findings, and recommendations, and hereby approves, pursuant to Subsection 6-3-8-10-(D) of the Zoning Ordinance, the Major Variation on the Subject Property applied for in case no. 15ZMJV-0063 and described hereinabove.

SECTION 3: The Major Variation approved hereby is as follows:

- (A) Approval to allow a building height of seventy (70) feet. Subsection 6-14-4-7 permits a maximum building height of sixty (60) feet or four (4) stories, whichever is less.

SECTION 4: Pursuant to Subsection 6-3-8-14 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Major Variation granted hereby, violation of any of which shall constitute grounds for penalties or revocation thereof pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (A) **Compliance with Requirements:** 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, the P&D Committee, and the City Council, and the approved plans and documents on file in this case.

(B) Landscaping: The Applicant shall fund landscaping on the adjacent property at 2450 Main Street (“Sam’s Club”) to further screen the block wall at the north end of the Subject Property.

SECTION 5: 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 6: 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 Property and remain in full force and effect with respect to the use and development of the same.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

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

SECTION 9: 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.

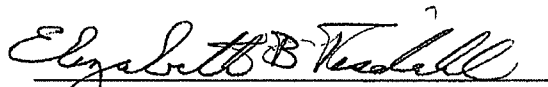
SECTION 10: The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: September 15, 2015


Adopted: September 21, 2015

Approved:

September 25, 2015


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

EXHIBIT A**Legal Description**

LOT 1 IN ZERA SUBDIVISION NUMBER 1 AND LOT 1 IN ZERA SUBDIVISION THREE OF PARTS OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 24 AND THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

LOT 2 IN HARTREY-KEENEY CORP. RESUBDIVISION OF PART OF THE NORTH 5 FEET OF LOT A IN OAKTON CONSOLIDATION (IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1949 AS DOCUMENT No. 14585303) AND ALL OF LOT 2 IN HESS' SUBDIVISION (OF PART OF THE NORTH 300 FEET OF THE WEST $\frac{2}{3}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 24, TOWNSHIP 41, RANGE 13 EAST OF THE PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 21, 1957 AS DOCUMENT No. 16831789 AND CERTIFICATE OF CORRECTION RECORDED APRIL 22, 1957 AS DOCUMENT No. 16883249) ACCORDING TO THE PLAT THEREOF RECEIVED JANUARY 28, 1964 AS DOCUMENT No. 19032512.

LESS AND EXCEPT: THE SOUTHERLY 339.95 FEET AS MEASURED ALONG THE WESTERLY LINE OF LOT 1 IN ZERA SUBDIVISION THREE, OF PARTS OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 24 AND THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 41 NORTH, RANGE 13, OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PINs: 10-24-300-023-0000
10-24-300-034-0000
10-24-300-044-0000

Commonly Known As: 2525 Oakton Street, Evanston, Illinois

EXHIBIT 2

Revised Site Plan

Ozinga Ready Mix Plant Improvements 2525 Oakton Street Evanston, 60202

Current Site

OZINGA[®]

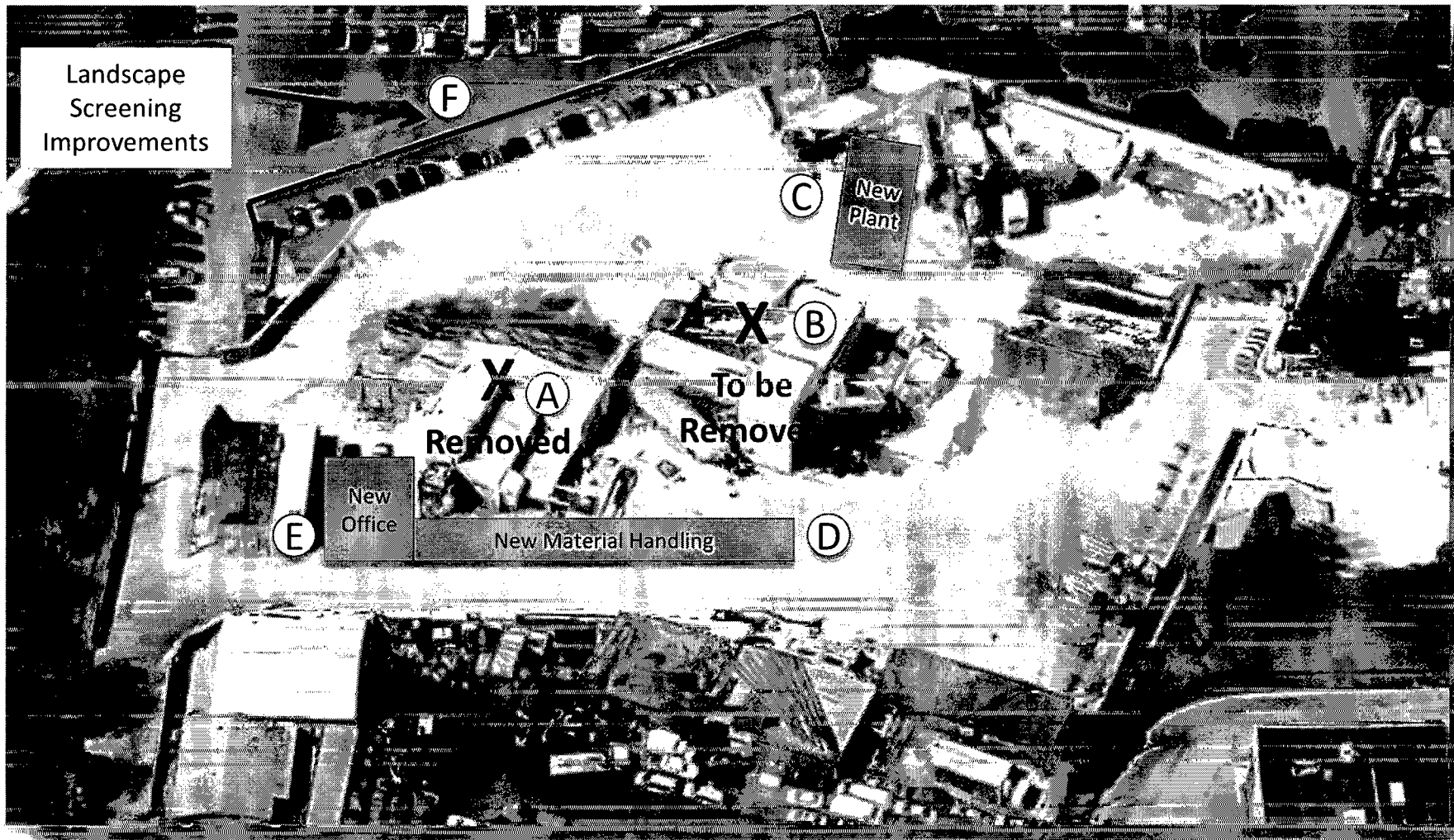


Ozinga Ready Mix Evanston Plant Improvements

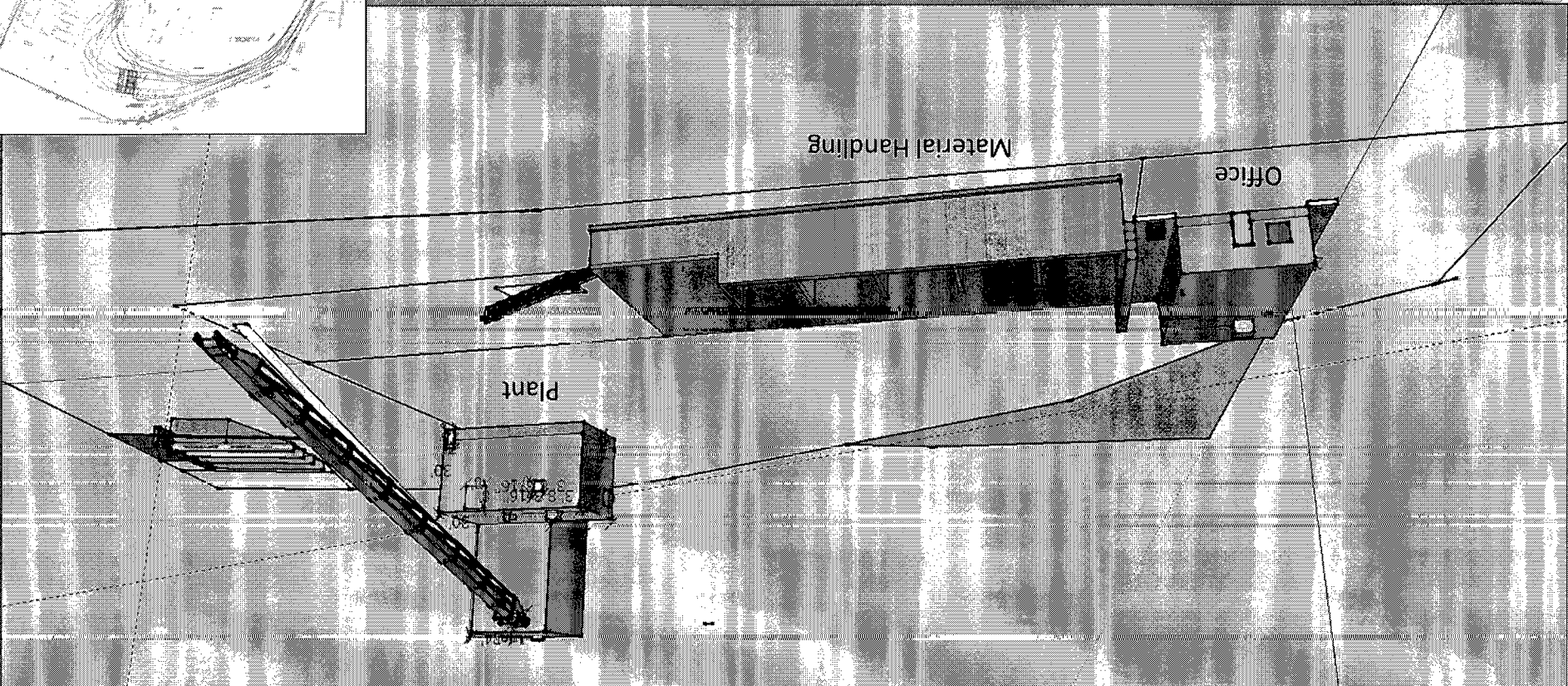
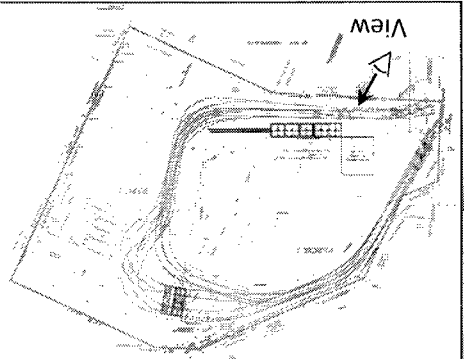
Scope:

- Ⓐ Decommission and remove of original plant. – *Complete*
- Ⓑ Decommission and remove of portable plant .
- Ⓒ Erect new concrete plant and construction of supporting facility.
 - State of the art permanent plant with increased capacity.
 - Architectural Steel Enclosure (see illustration) for plant and supporting equipment & materials.
 - Concrete batch operation room.
- Ⓓ Installation of new Material Handling System .
 - Aggregate & Sand hopper storage.
 - Material handling conveying system to concrete plant.
- Ⓔ New 1,600sqft office adjacent to material handling storage.
 - Construction to be in accordance to local codes and ordinances.
- Ⓕ Installation of new landscape screening on northern property line, contiguous to Sam's Club.

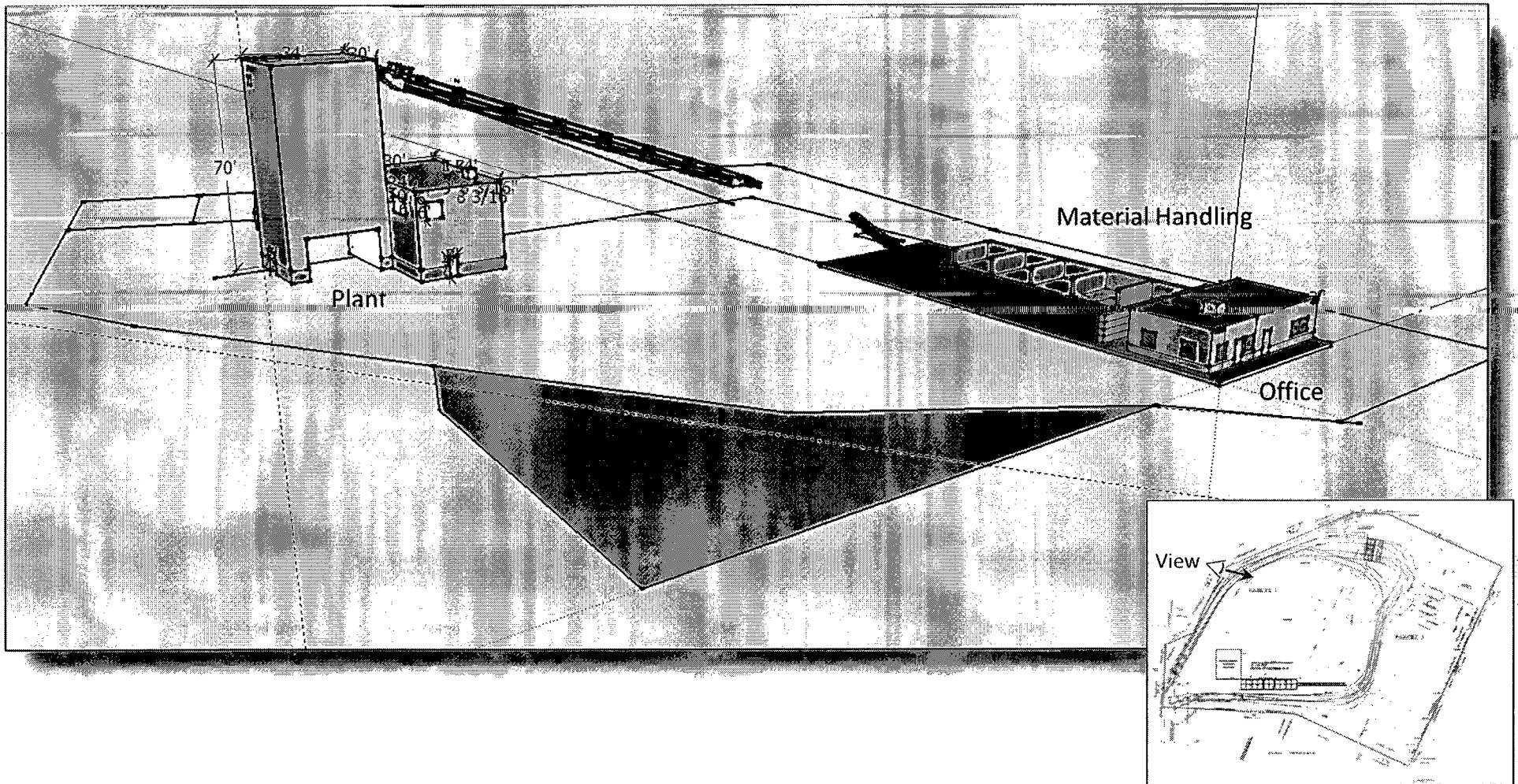
Ozinga Ready Mix Evanston Plant Improvements



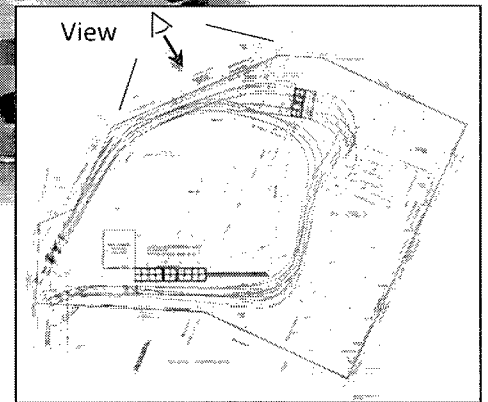
Evanston Plant Improvements Southwest Elevation



Evanston Plant Improvements Northwest Elevation



Evanston Plant Improvements Landscape Screening – Northern Elevation

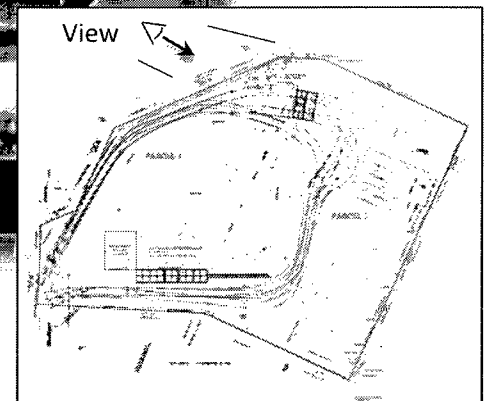


North Elevation Contiguous to Sam's Club

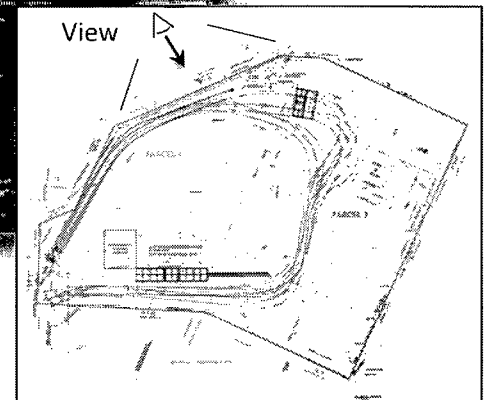
Evanston Plant Improvements Landscape Screening – Northern Elevation



North Elevation Contiguous to Sam's Club

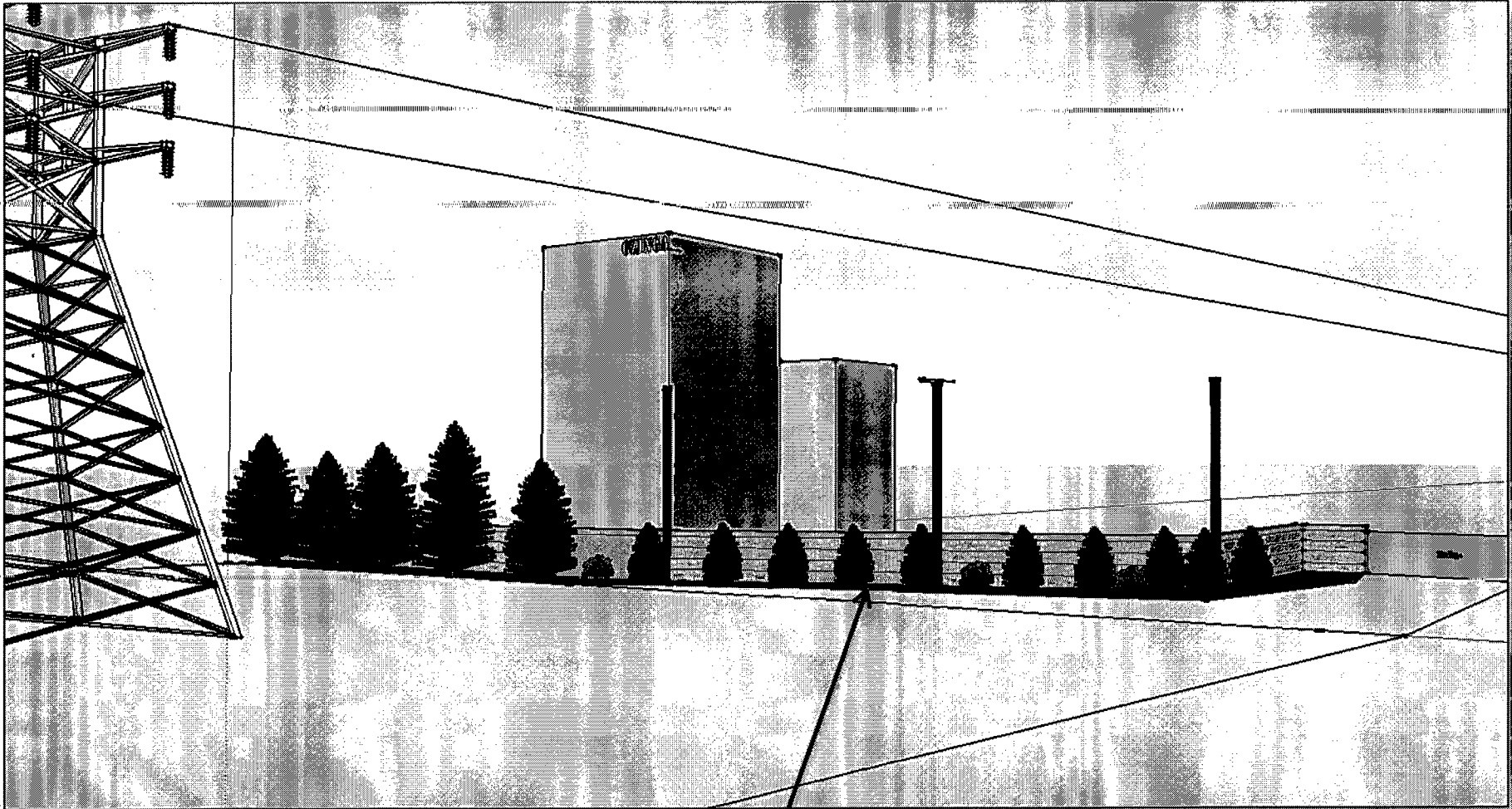


Evanston Plant Improvements Landscape Screening – Northern Elevation



Contiguous to Sam's Club

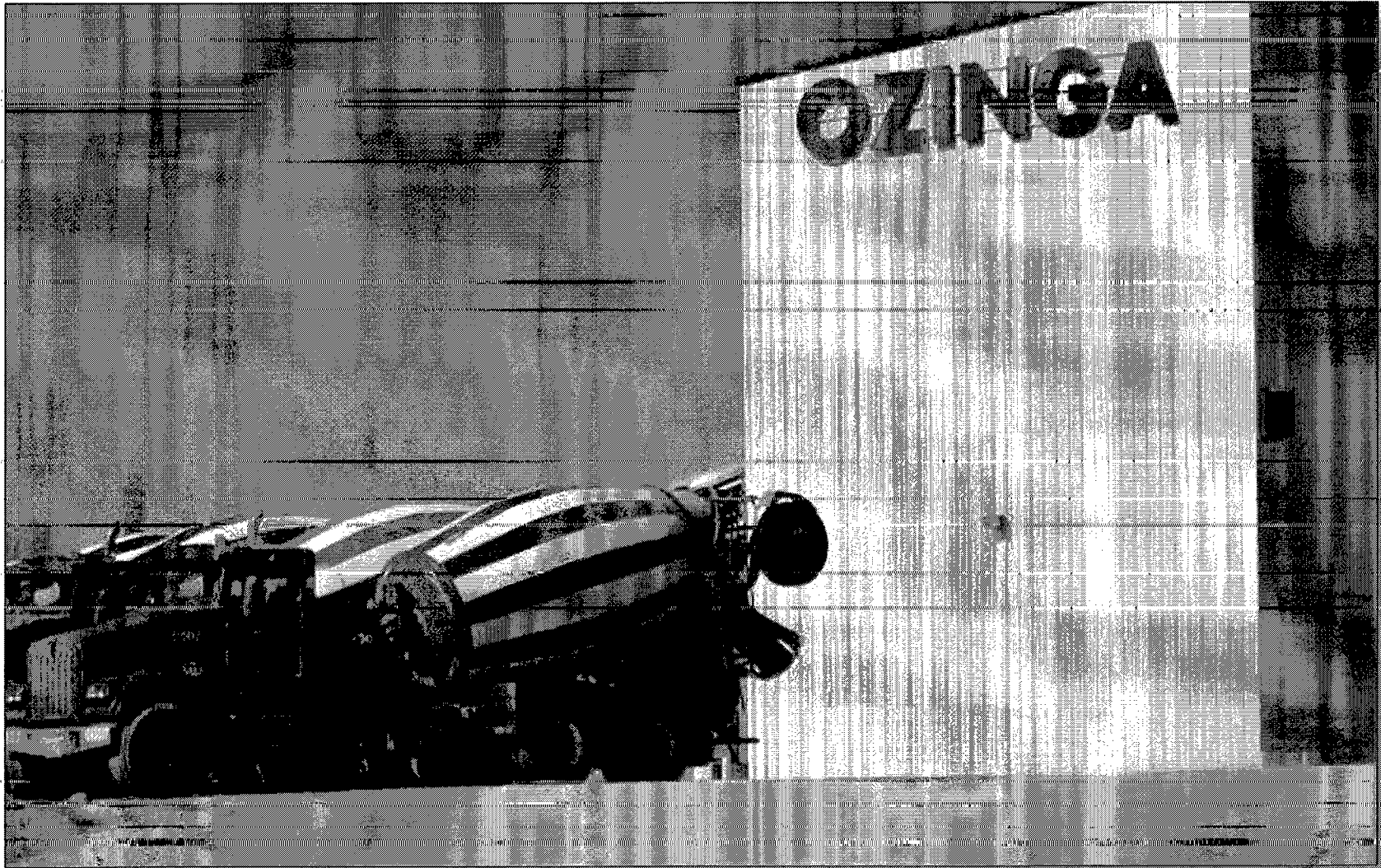
Evanston Plant Improvements Landscape Screening – Northern Elevation



Landscape Screening Improvements

Evanston Plant Improvements

Illustration of Architectural Steel Enclosure



OZINGA®

