

**42-O-16**

**AN ORDINANCE**

**Granting Major Variations Related to 2020 Greenwood Street in the  
I2 General Industrial District**

**WHEREAS**, John Cooper (the "Applicant"), owner of the property commonly known as 2020 Greenwood Street (the "Subject Property"), located within the I2 General Industrial Zoning District and legally described in Exhibit A, attached hereto and incorporated herein by reference, submitted an application seeking approval of Major Variations to zoning requirements imposed by Subsection 6-14-3-6(C) and Subsection 6-16-3-5 of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"); and

**WHEREAS**, the Applicant requests the following Major Variations:

- (A) The Applicant requests a two (2) foot east interior side yard setback for self-storage units where an eight (8) foot east interior side yard setback is required;
- (B) The Applicant requests a zero (0) foot south interior side yard setback for self-storage units where an eight (8) foot south interior side yard setback is required;
- (C) The Applicant requests to decrease the open parking by twenty-two (22) spaces where an increase of three (3) parking spaces is required and thirty-two (32) parking spaces currently exist, for a total of ten (10) parking spaces where eighty-two (82) parking spaces are required; and

**WHEREAS**, on March 30, 2016, the Applicant submitted an amended application with a revised site plan, requesting that the original request for a zero (0) foot south interior side yard setback for self-storage units be increased to a two (2) foot

south interior side yard setback where an eight (8) foot south interior side yard setback is required; and

**WHEREAS**, on April 5, 2016, the Zoning Board of Appeals (“ZBA”), pursuant to proper notice, held a public hearing in case no. 16ZMJV-0013 to consider the amended application, received testimony, and made written records and findings that the application did meet the standards for Major Variations set forth in Subsection 6-3-8-12-(E) of the Zoning Ordinance and recommended City Council grant the Major Variations; and

**WHEREAS**, at its meeting of July 25, 2016, the Planning and Development (“P&D”) Committee of the City Council received input from the public, carefully considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the Major Variations in case no. 16ZMJV-0013; and

**WHEREAS**, at its meetings of July 25, 2016 and August 15, 2016, 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 Variations on the Subject Property applied for in case no. 16ZMJV-0013 and described hereinabove.

**SECTION 3:** The Major Variations approved hereby are as follows:

- (A) Approval to allow a two (2) foot east interior side yard setback on the Subject Property. Subsection 6-14-3-6(C) requires a minimum eight (8) foot east interior side yard setback on the Subject Property.
- (B) Approval to allow a two (2) foot south interior side yard setback on the Subject Property. Subsection 6-14-3-6(C) requires a minimum eight (8) foot south interior side yard setback on the Subject Property.
- (C) Approval to allow ten (10) parking spaces on the Subject Property. Subsection 6-16-3-5 requires a minimum of eighty-two (82) parking spaces on the Subject Property.

**SECTION 4:** Pursuant to Subsection 6-3-8-14 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Major Variations 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) **Front Sidewalk:** The Applicant must extend the front sidewalk near the gated entry, subject to the relocation of the poles by Commonwealth Edison ("ComEd") that are deemed obstructions.
- (C) **Landscaping:** The Applicant must add a landscaping buffer on the east and west sides of the gated entry.
- (D) **Design and Project Review Committee:** The Applicant agrees that if the City of Evanston receives any complaints arising from the Applicant's twenty-four (24) hours of operation, the Applicant must appear before the City's Design and Project Review Committee ("DAPR"), where DAPR is authorized to modify the Applicant's hours of operation.
- (E) **Storage Units:** The Applicant agrees that all storage units must remain portable and will not be affixed to the ground.

**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: July 25, 2016

Adopted: August 15, 2016

Approved:

August 22, 2016

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene  
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

**Legal Description**

Lot 1 in E.N. Scully and Son's Consolidation, a Subdivision of various parts of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 13, Township 41 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded December 11, 1987 as Document 87656561, in Cook County, Illinois.

**PIN(s):** 10-13-322-040-0000

**Commonly Known As:** 2020 Greenwood Street, Evanston, Illinois.