

8/31/2017

91-O-17

AN ORDINANCE

**Granting a Special Use and Major Variations to Allow Expansion of a Retirement Home at 120 Dodge Avenue in an R4 General Residential Zoning District
(Dobson Plaza, Inc.)**

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on August 15, 2017, pursuant to proper notice, to consider case no. 17ZMJV-0063, an application filed by Dobson Plaza, Inc. (the “Applicant”), owner of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 120 Dodge Avenue (the “Subject Property”) and located in the R4 General Residential Zoning District, for a Special Use Permit to expand, pursuant to Subsection 6-10-3-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), an existing Retirement Home, “Dobson Plaza,” on the Subject Property and major variations for a one-story addition and patio; and

WHEREAS, the Applicant requests the following Major Variations:

- (A) The Applicant requests 46.8% building lot coverage where a maximum of 40% building lot coverage is allowed on the Subject Property;
- (B) The Applicant requests 85.4% impervious surface area coverage where a maximum 55% surface area coverage is allowed on the Subject Property; and
- (C) The Applicant requests a 1.2 foot front yard setback where a twenty seven foot front yard setback is required on the Subject Property;
- (D) The Applicant requests a .9 foot street side yard setback where a fifteen foot setback is required on the Subject Property; and

(E) The Applicant requests a patio in the front yard where patios are only permitted in the rear yard on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for the expansion of a Retirement Home and Major Variations met the standards for Special Uses in Section 6-3-5-10 and 6-3-8-12 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of September 11, 2017, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA's record and findings and recommended the City Council accept the ZBA's recommendation and approve the application in case no. 17ZMJV-0063; and

WHEREAS, at its meeting of September 11, 2017, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

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

SECTION 1: The foregoing recitals are 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 Special Use Permit for an extension of a Retirement Home and the Major Variations on the Subject Property as applied for in case no. 17ZMJV-0063.

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

- (A) Approval to permit a maximum 46.8% building lot coverage on the Subject Property. City Code Section 6-8-5-6 allows a maximum of 40% building lot coverage on the Subject Property;
- (B) Approval to permit a maximum 85.4% impervious surface area coverage on the Subject Property. City Code Section 6-8-5-9 allows a maximum 55% surface area coverage on the Subject Property;
- (C) Approval to permit a 1.2 foot front yard setback on the Subject Property. City Code Section 6-8-5-7(B)(1) requires a twenty seven foot front yard setback on the Subject Property;
- (D) Approval to permit a .9 foot street side yard setback on the Subject Property. City Code Section 6-8-5-7(B)(2) requires a fifteen foot setback on the Subject Property; and
- (E) Approval to have a patio in the front yard on the Subject Property. Table 4A-10 of City Code Section 6-4-6-3 only permits patios in the rear yard on the Subject Property.

SECTION 4: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit and Major Variations, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- A. Compliance with Applicable Requirements:** The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. Employee Parking:** The Applicant must dedicate and mark ten (10) parking spaces at the facility as employee parking only. The employees are required to use parking spaces provided by the Applicant and must not utilize street parking.
- C. Professional Engineering Opinion:** The Applicant must provide a professional engineering opinion regarding drainage prior to building permit issuance.
- D. Stormwater Drainage Review:** The Applicant agrees to allow the City Engineer to review stormwater drainage when the permit is submitted. Any additional water flow off of the property due to the additional impervious area must not impact neighbors.

- E. Storage Container:** The “POD” storage container must be removed prior to Final Certificate of Occupancy or within seven (7) months of building permit issuance, or within seven (7) months of the City Council approval date if a permit is not issued.
- F. Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

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

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

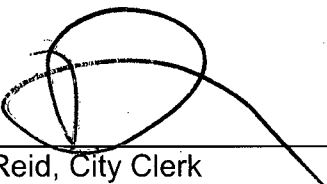
SECTION 8: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 9: 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.

Introduced: September 11, 2017

Adopted: September 11, 2017

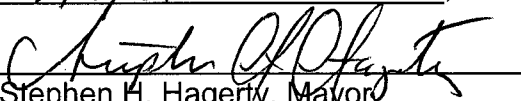
Attest:



Devon Reid, City Clerk

Approved:

August 30, 2017



Stephen H. Hagerly, Mayor

Approved as to form:



W. Grant Farrar, Corporation Counsel

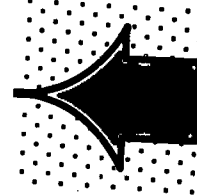


EXHIBIT A

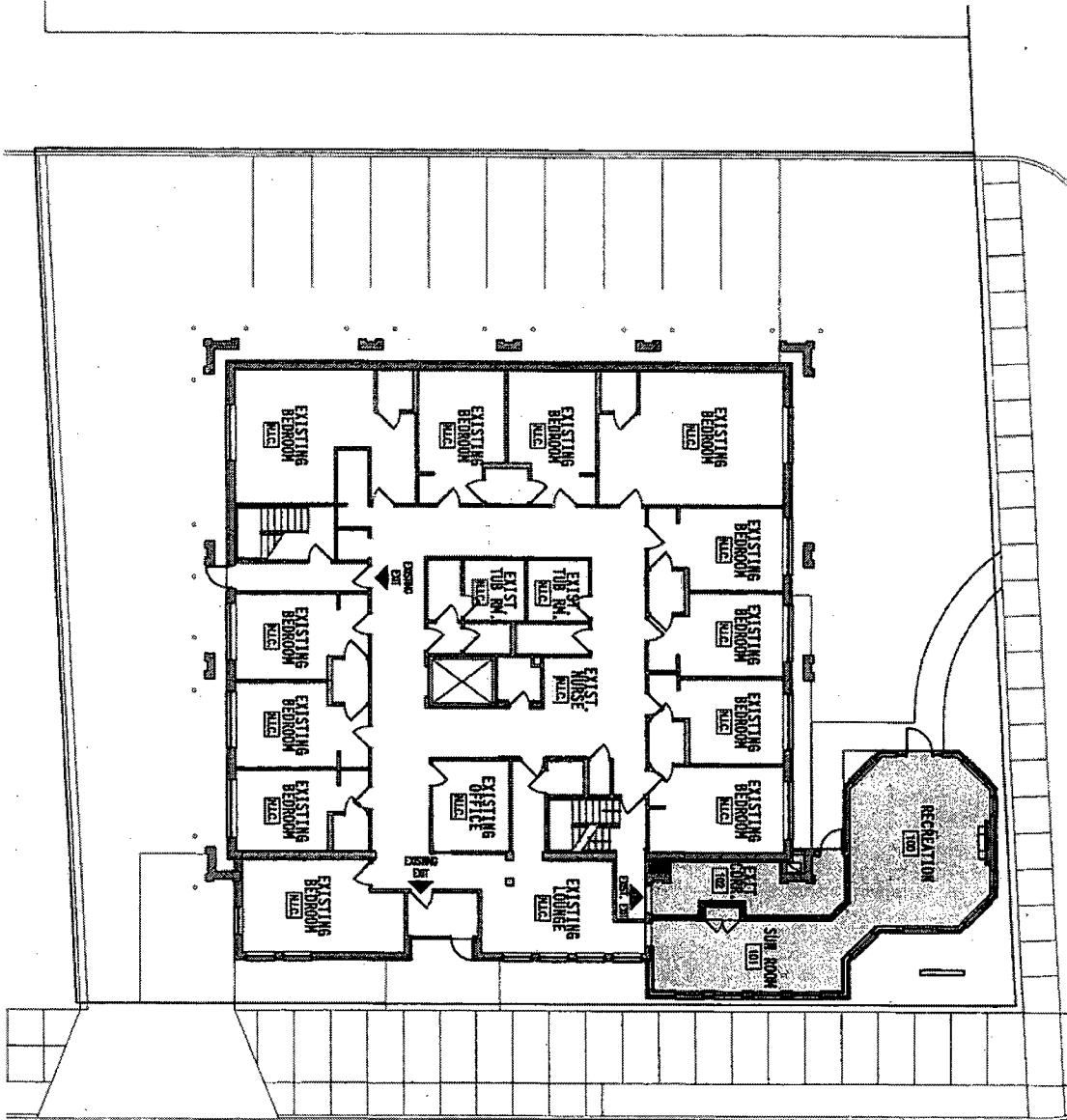
LEGAL DESCRIPTION

LOT A DOBSON PLAZA CONSOLIDATION OF LOTS 1, 2, 3, 4 AND 5 IN BLOCK 4 IN W. HAYDEN BELL'S HOWARD DODGE SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHWEST 1/4, EXCEPTING THE SOUTH 2.572 CHAINS THEREOF, OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 7 FEET THEREOF TAKEN FOR WIDENING OF DODGE AVENUE), IN COOK COUNTY, ILLINOIS.

PINs: 10-25-113-043-0000
10-25-220-015-0000

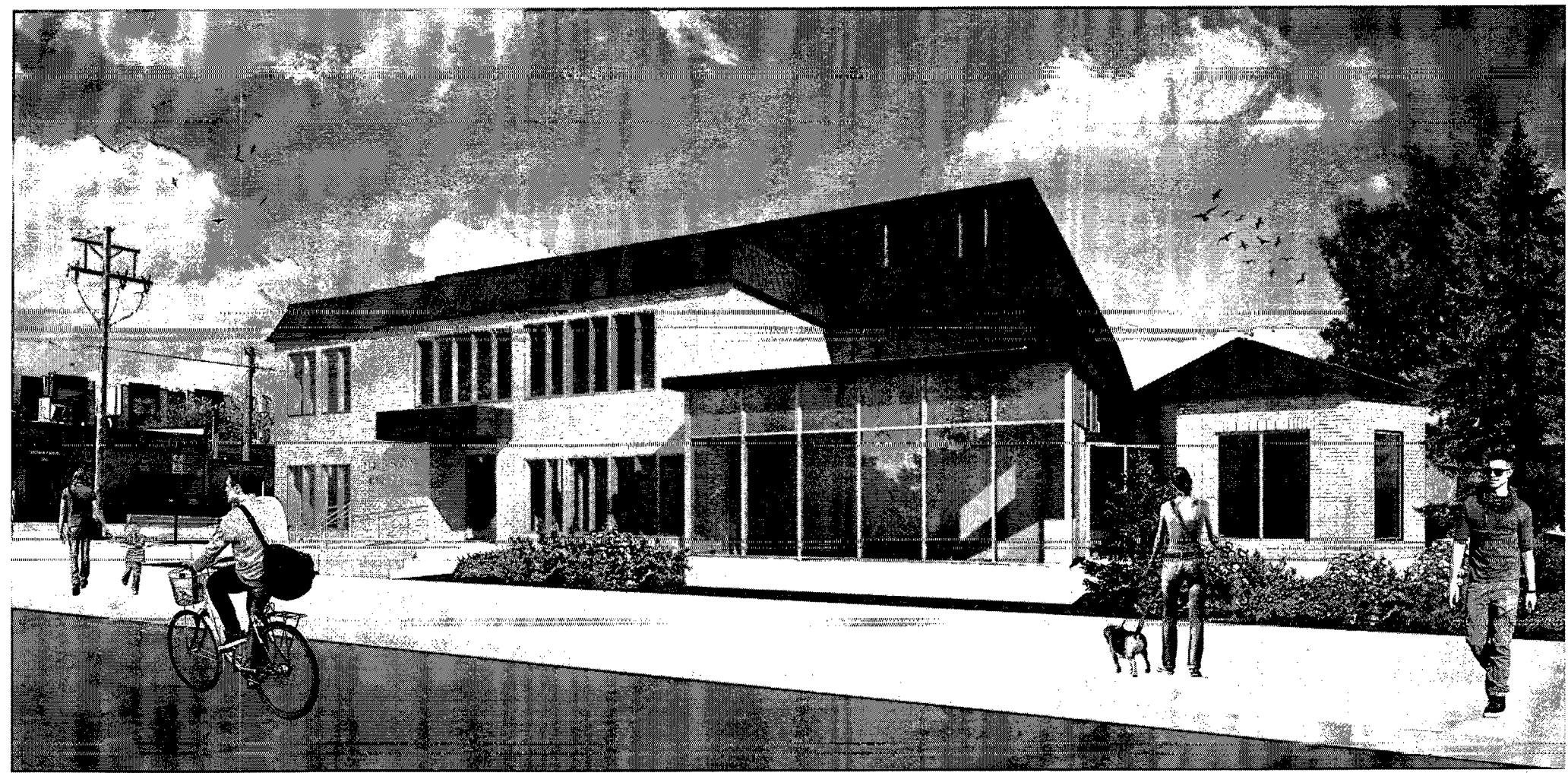
COMMONLY KNOWN As: 120 Dodge Avenue, Evanston, Illinois.

CS101 ADDITION KEY PLAN
 NTS

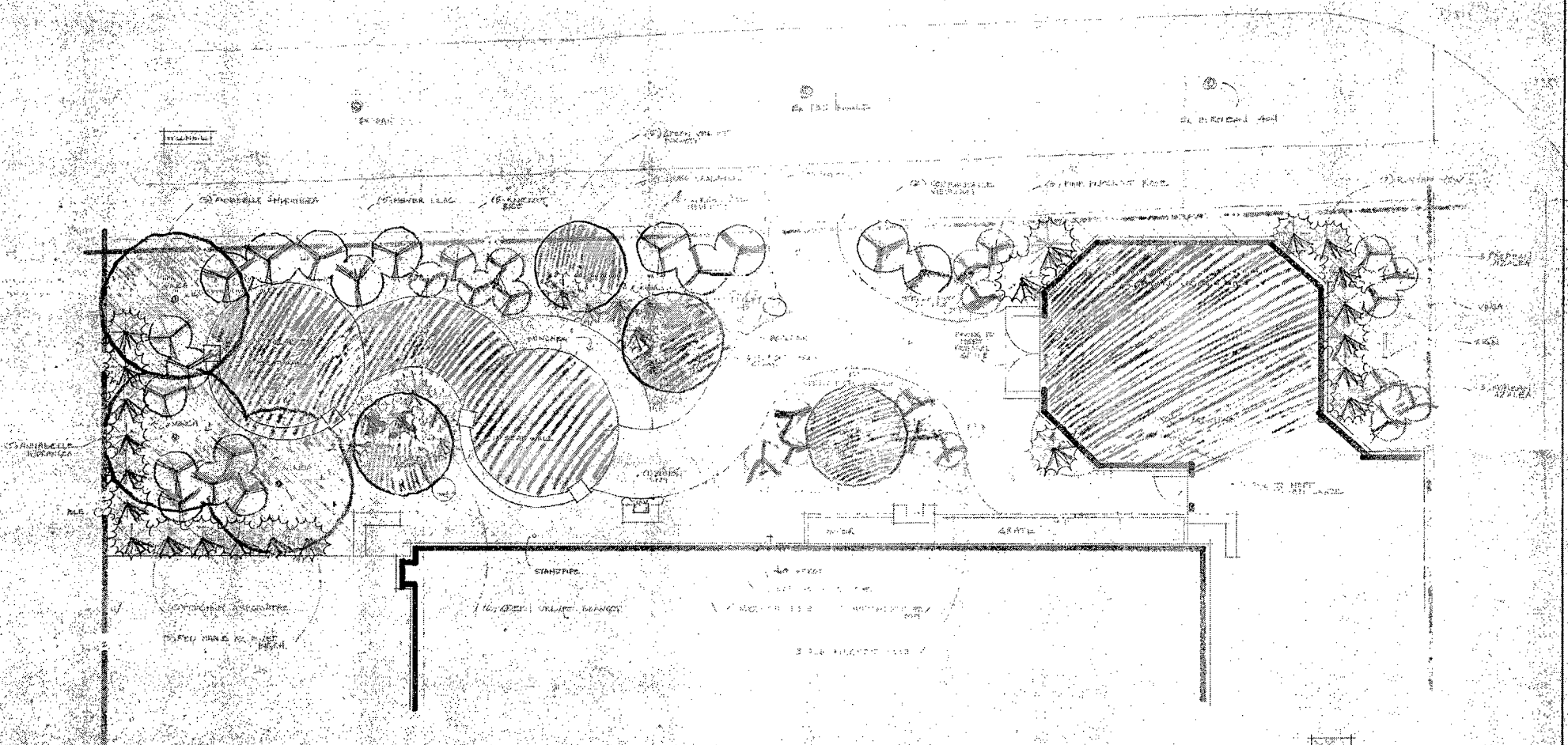


SHEET NUMBER: CS OF 19		PROJECT NUMBER: N6031	
		FILE NAME: DPAL-CS.DWG	
PROFESSIONAL SEAL:		DRAWN BY: SL	
		APPROVED:	
© 2007, BARBER NESTOR, INC. ALL RIGHTS RESERVED		DRAWING TITLE:	
		DRAWING SCALE: AS SHOWN	
		DATE ISSUED: AS SHOWN	

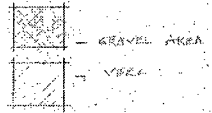
PROPOSED 1-STORY ADDITION FOR:
DOBSON PLAZA
 120 DODGE AVENUE
 EVANSTON, ILLINOIS 60202



1111



Dobson Plaza



120 EDGE, EVANSON, ILL.	
DATE: 12/12/25	PROJECT: NATURE'S PERSPECTIVE LANDSCAPING, INC.
DESIGNER: [Signature]	SCALE: 1" = 10'
3300 Greenway Street, Evanston, IL 60201	