

39-O-18

AN ORDINANCE

**Granting Three Major Variations Related to 1801 Main Street in the
OS Open Space District**

WHEREAS, Brian Foote (the “Applicant”), architect of the property commonly known as 1801 Main Street (the “Subject Property”), located within the OS Open Space Zoning District and legally described in Exhibit A, attached hereto and incorporated herein by reference, submitted an application seeking approval of three Major Variations to zoning requirements imposed by Subsection 6-8-1-9 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 to construct a two story community center with a floor area ratio (“FAR”) of 0.18 where a maximum FAR of 0.15 is permitted;
- (B) The Applicant requests to provide two hundred twenty-nine (229) off-street parking spaces where a minimum of three hundred thirty-four (334) off-street parking spaces are required;
- (C) The Applicant requests to provide zero (0) loading docks where a minimum of two (2) long loading docks are required; and

WHEREAS, on February 20, 2018, the Zoning Board of Appeals (“ZBA”), pursuant to proper notice, held a public hearing in case no. 17ZMJV-0110 to consider the submitted 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 March 12, 2018, 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. 17ZMJV-0110; and

WHEREAS, at its meetings of March 12, 2017 and April 9, 2018, 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. 17ZMJV-0110 and described hereinabove.

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

- (A)** Approval to allow construction of a two story community center with an FAR of 0.18 on the Subject Property. Subsection 6-15-9-6 requires a maximum FAR of 0.15.

- (B) Approval to allow two hundred twenty-nine (229) off-street parking spaces on the Subject Property. Table 16-B of Subsection 6-16-3-5 requires a minimum of three hundred thirty-four (334) off-street parking spaces.
- (C) Approval to allow zero (0) loading docks on the Subject Property. Table 16-E of Subsection 6-16-5 requires a minimum of two (2) loading docks.

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.

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: March 12, 2018

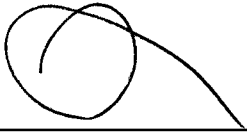
Approved:

Adopted: April 9, 2018

April 24, 2018

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Interim
Corporation Counsel

EXHIBIT A**Legal Description**

That part of Lots 1 through 13, both included, in Block 1, Lots 1 through 13, both included, in Block 2, Lots 1 through 13, both included, in Block 3, along with that part of Darrow Avenue, Dewey Avenue, and the 16 foot alleys in said Blocks 1, 2, and 3, except the West 7 feet of Block 3, all in Pitner and Sons Second Addition to Evanston, being a Subdivision of the North Half of the North Half of the Southeast Quarter and the South Half of the South Half of the Southwest Quarter of the Northeast Quarter of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian, AND ALSO part of Vacated Dunn's Subdivision, and Vacated Albert Pick's Subdivision, both in the Northeast Quarter of said Section 24, described as follows: Beginning at the Southeast corner of Lot 4 in Block 1 of said Pitner and Son's second Addition to Evanston; thence South 88 degrees 15 minutes 40 seconds West along the South line of said Subdivision, also being the North line of Main Street, 1,196.73 feet to a point on the South line of Lot 10, Block 3 in said Subdivision, 7.00 feet East of the West line of said Lot 10, said Point also being on the East line of Dodge Avenue as widened; thence North 00 degrees 23 minutes 28 seconds East along the East line of the West 7 feet of said Block 3, and the East line of said Dodge Avenue, 587.26 feet to the South line of Lee Street; thence North 88 degrees 14 minutes 45 seconds East 1,197.11 feet to the Southwest corner of said Lee Street and Florence Avenue; thence South 00 degrees 25 minutes 39 seconds West along the West line of said Florence Avenue and the East line of said Block 1, 587.59 feet to the Point of Beginning, all in Cook County, Illinois. Said Parcel containing 16.13 acres (702,600 sq. ft.), more or less.

PIN(s): 10-24-220-001-0000
 10-24-220-002-0000
 10-24-220-003-0000
 10-24-220-004-0000
 10-24-220-005-0000
 10-24-220-006-0000
 10-24-220-007-0000

Commonly Known As: 1801 Main Street, Evanston, Illinois.