

9-0-19

AN ORDINANCE

Granting a Special Use Permit and a Major Variation for a Medical Office Located at 524 Main Street in the C1a Commercial Mixed-Use District and the oDM Dempster-Main Overlay District (“North Shore University Health System”)

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on January 15, 2019, pursuant to proper notice, to consider case no. 18ZMJV-0106, an application filed by Jeremy Hall (the “Applicant”), lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 524 Main Street (the “Subject Property”) and located in the C1a Commercial Mixed-Use District and oDM Dempster-Main Overlay District on the ground floor of the North Shore University Health System, for a Special Use Permit to establish, pursuant to Subsection 6-15-17-5 of the Evanston City Code, 2015, as amended (“the Zoning Ordinance”), a ground floor office, and a Major Variation pursuant to Subsection 6-16-3-5, Table 16B of the Zoning Ordinance on the Subject Property; and

WHEREAS, the Applicant requests the following Major Variation:

- (A)** The Applicant requests an increase of zero (0) parking spaces where an increase of seven (7) parking spaces is required 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 a Medical Office and Major Variation met the standards for Special Uses in Section 6-3-5 and for the Major Variation in Section 6-3-8-12 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of January 28, 2019, 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. 18ZMJV-0106; and

WHEREAS, at its meeting of January 28, 2019, 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 approves the Special Use Permit for a Medical Office and the Major Variation on the Subject Property as applied for in case no. 18ZMJV-0106.

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

(A) Approval to have zero (0) parking spaces on the Subject Property. Table 16-B of Subsection 6-16-3-5 requires an increase of seven (7) parking spaces for a total of one hundred fifty-two (152) parking spaces is required 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 6-3-5 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. **Hours of Operation:** The Applicant may operate the Medical Office authorized by this ordinance only between the hours of 8:00 a.m. and 9:00 p.m. on any given day.
- C. **Signage:** The Applicant must provide additional signage in front of the Medical Office with the following information: (1) indication of where no drop-off parking is permitted; and (2) indication that free patient parking is located in the garage.
- D. **Employee Parking:** The Applicant must require employees of the Subject Property to only park in an off-site parking lot.
- E. **Patient Parking:** The Applicant must provide eight (8) dedicated parking stalls for patients within the parking garage.
- F. **Advertising:** No advertising or commercial signs are permitted on the window coverings of the Medical Office.
- G. **Access:** The Chicago Avenue parking access pedestrian door shall remain unlocked from the outside during operational hours of the Medical Office.
- H. **Deliveries and Pick-Ups:** Deliveries and pick-ups for medical supplies, lab specimens, or other equipment related to the use must be made through the rear of the Subject Property and is prohibited from use through the front entrance accessible by Main Street/Chicago Avenue.
- I. **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: January 23, 2019

Adopted: February 11, 2019

Approved:

March 18, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Devon Reid
Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Corporation Counsel

EXHIBIT A

LOT "A" IN THE MAIN CONSOLIDATION, BEING A CONSOLIDATION OF LOTS 1, 2, AND 3 IN BLOCK 11 IN WHITE'S ADDITION TO EVANSTON IN SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 5, 1977 AS DOCUMENT NUMBER 23769201, IN COOK COUNTY, ILLINOIS.

PIN: 11-19-401-024-0000

COMMONLY KNOWN AS: 524 Main Street, Evanston, Illinois.