

**77-O-19**

**AN ORDINANCE**

**Granting An Amendment to the Approved Planned Developments  
Located at 100 and 128-132 Chicago Avenue**

**WHEREAS**, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

**WHEREAS**, Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (*Scadron v. City of Des Plaines*, 153 Ill.2d 164); and

**WHEREAS**, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

**WHEREAS**, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

**WHEREAS**, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, (“the Zoning Ordinance”); and

**WHEREAS**, on June 26, 2018, the City approved Ordinance 61-O-18, attached hereto as Exhibit 1 and incorporated herein by reference, which granted a

Special Use Permit for a Planned Development (the “Planned Development”) at 100 and 128-132 Chicago Avenue (the “Subject Property”), which is legally described in Exhibit 1; and

**WHEREAS**, on June 24, 2019, the City approved Ordinance 65-O-19, attached hereto as Exhibit 2 and incorporated herein by reference, which extended the period for the applicant to obtain a building permit; and

**WHEREAS**, Ordinance 61-O-18 approved the construction of a new five (5) story seventy-two (72) foot tall multi-family development consisting of twenty-six (26) dwelling units, approximately four thousand nine hundred ninety-nine (4,999) square feet of ground indoor floor commercial space, approximately two thousand three hundred seventy-four (2,374) square feet of commercial space on the second floor, approximately seven thousand (7,000) square feet of outdoor garden/open sales lot, and thirty (30) parking spaces at the Subject Property (the “Project”), which is detailed at length in Exhibit 1; and

**WHEREAS**, the Developer and Applicant, Evanston Gateway, LLC (the “Applicant”) requested a major adjustment by adding the number of dwelling units from twenty (26) to twenty-eight (28), where office space was originally proposed in the mixed-use building approved by Ordinance 61-O-18 and 65-O-19 (revised plans depicting this major adjustment are attached hereto as Exhibit 3); and

**WHEREAS**, in order to approve the major adjustment requested, the Applicants request amendments to Ordinances 61-O-18 and 65-O-19 (the “Previously Approved Ordinances”); and

**WHEREAS**, the Previously Approved Ordinances are pieces of legislation enacted by the City Council of the City of Evanston, subject to revision only by said City Council; and

**WHEREAS**, on July 22, 2019, the Planning and Development Committee (“P&D Committee”) held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq*), during which it considered the Applicants’ request and voted to retain jurisdiction over said request; and

**WHEREAS**, during said meeting, the P&D Committee received input from the public, carefully deliberated on the major adjustment, and recommended approval thereof by the City Council; and

**WHEREAS**, at its meeting of July 22, 2019, held in compliance with the provisions of the Illinois Open Meetings Act, the City Council considered the P&D Committee’s recommendation, heard public comment, made findings, and adopted said recommendation; and

**WHEREAS**, it is well-settled law in Illinois that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of Deerfield*, 213 Ill.App.3d 747) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass’n v. City of Chicago*, 45 F.3d 1124),

**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 accepts the major adjustment for the Planned Development on the Subject Properties in conformance therewith, pursuant to the Previously Approved Ordinances, as revised by this ordinance.

**SECTION 3:** Pursuant to Subsection 6-3-6-12-(C) of the Zoning Ordinance, the City Council hereby grants the following Major Adjustment to the Planned Developments approved by the Previously Approved Ordinances:

- (A) To add two dwelling units, for a total of 28 dwelling units, where office space was originally proposed in the mixed-use building approved by Ordinance 61-O-18 and extended by Ordinance 65-O-19.

**SECTION 4:** Except as otherwise provided for in this Ordinance 77-O-19, all applicable regulations of the Previously Approved Ordinances, the Zoning Ordinance, and the entire City Code shall apply to the Subject Properties and remain in full force and effect with respect to the use and development of the same. To the extent that the terms and/or provisions of any of said documents conflict with any of the terms herein, this Ordinance 77-O-19 shall govern and control.

**SECTION 5:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicants" shall be read as "Applicants' agents, assigns, and successors in interest."

**SECTION 6:** 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.

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

**SECTION 8:** This Ordinance 77-O-19 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: July 22, 2019


Adopted: July 22, 2019

Approved:

July 31, 2019

Stephen H. Hagerty  
Stephen H. Hagerty, Mayor

Attest:

  
Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup  
Michelle L. Masoncup,  
Corporation Counsel

**EXHIBIT 1**

**Ordinance 61-O-18**

4/19/2018  
5/7/2018  
5/21/2018

**61-O-18**

**AN ORDINANCE**

**Granting a Special Use Permit for a Planned Development and  
Special Use Approval for an Open Sales Lot at 100 and 128-132  
Chicago Avenue and Amending the Zoning Map to Re-Zone Certain  
Properties from the C1 Commercial Zoning District to the B3 Business  
District**

WHEREAS, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

WHEREAS, Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the "powers and functions of home rule units shall be construed liberally," was written "with the intention that home rule units be given the broadest powers possible" (*Scadron v. City of Des Plaines*, 153 Ill.2d 164); and

WHEREAS, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

WHEREAS, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and





**WHEREAS**, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 1979, as amended, ("the Zoning Ordinance"); and

**WHEREAS**, Evanston Gateway, LLC (the "Applicant,"), developer of the property located at 100 and 128-132 Chicago Avenue, Evanston, Illinois (the "Subject Property"), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of the Zoning Ordinance, specifically Section 6-7-2 "Zoning Map", Section 6-3-4 "Amendments", Section 6-3-5, "Special Uses", Section 6-3-6, "Planned Developments", and Subsection 6-9-1-9, "Planned Developments" in Business Zoning Districts, to permit the construction and operation of a Planned Development with accessory parking located at the Subject Property in the B3 Business Zoning District ("B3 District"); and

**WHEREAS**, the Applicant sought approval to re-zone the Subject Property from the current C1 Commercial and B3 Business Zoning Districts entirely to the proposed B3 Business Zoning District; and

**WHEREAS**, the Applicant sought approval to construct a new five (5) story seventy-two (72) foot tall multi-family development consisting of twenty-six (26) dwelling units, approximately four thousand nine hundred ninety-nine (4,999) square feet of ground indoor floor commercial space, approximately two thousand three hundred seventy-four (2,374) square feet of commercial space on the second floor, approximately seven thousand (7,000) square feet of outdoor garden/open sales lot, and thirty (30) parking spaces; and



**WHEREAS**, construction of the Planned Development, as proposed in the application, requires exception from the strict application of the Zoning Ordinance with regards to number of required parking spaces, fence location, and parking setbacks from the north and west property line; and

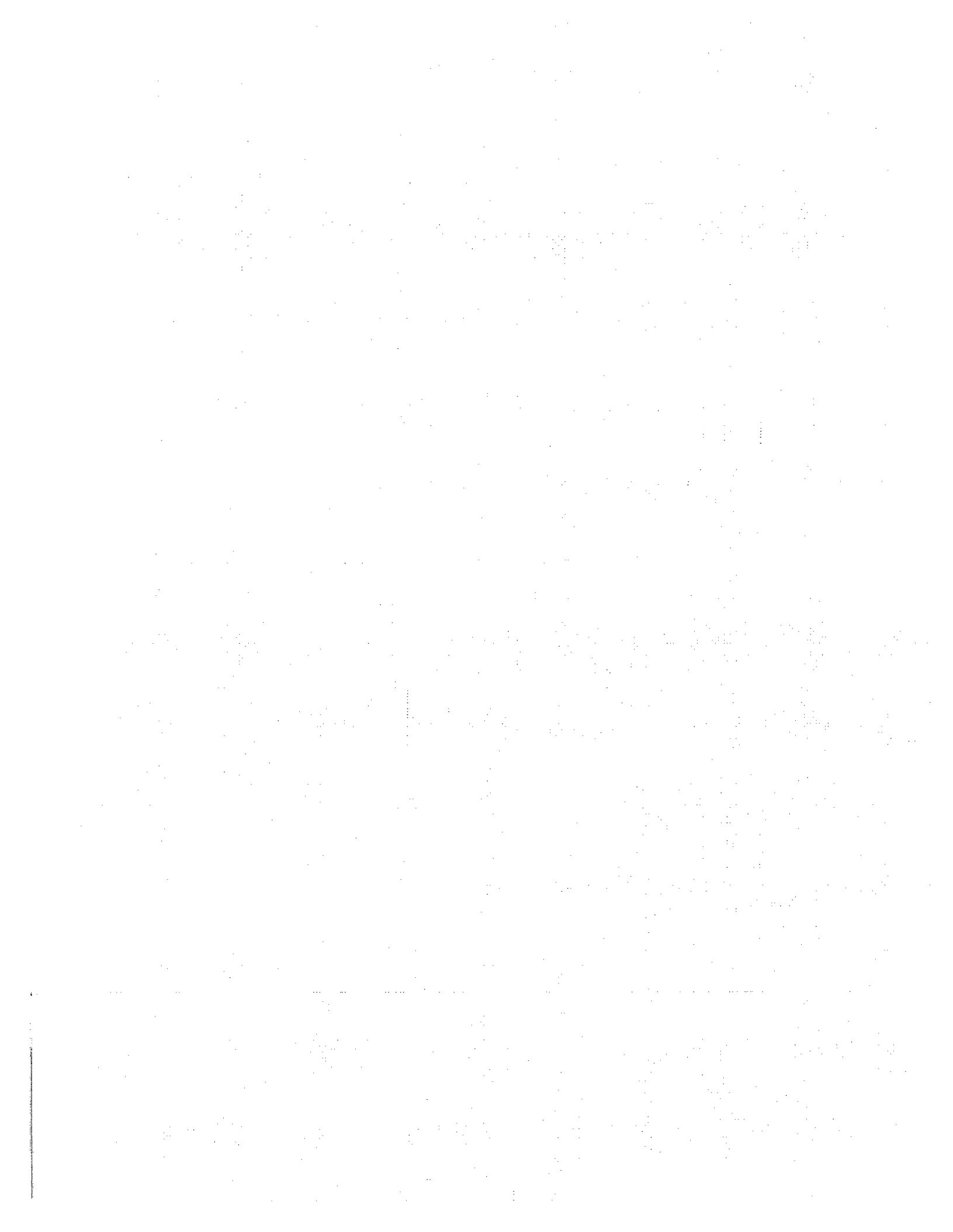
**WHEREAS**, pursuant to Subsection 6-3-6-5 of the Zoning Ordinance, the City Council may grant Site Development Allowances to the normal district regulations established in the Zoning Ordinance; and

**WHEREAS**, on April 18, 2018, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*) and the Zoning Ordinance, the Plan Commission held a public hearing on the application for a Special Use Permit for a Planned Development with Open Sales Lot and Rezoning from C1 Zoning District to B3 Zoning District, case no. 17PLND-0112, heard extensive testimony and public comment, received other evidence, and made written minutes, findings, and recommendations; and

**WHEREAS**, the Plan Commission's written findings state that the application for the proposed Planned Development meets applicable standards set forth for Special Uses in Subsection 6-3-5-10 of the Zoning Ordinance and Planned Developments in the B3 Zoning District per Subsection 6-9-1-9 of the Zoning Ordinance and Map Amendments per Subsection 6-3-4-5; and

**WHEREAS**, the Plan Commission recommended the City Council approve the application with conditions; and

**WHEREAS**, on May 14, 2018, the Planning and Development ("P&D") Committee of the City Council held a meeting, in compliance with the provisions of the



Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered and adopted the findings and recommendations of the Plan Commission with an amendment, and recommended approval thereof by the City Council; and

**WHEREAS**, at its meetings of May 14, 2018 and May 29, 2018, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council considered the recommendation of the P&D Committee, the Applicant application, received additional public comment, made certain findings, and adopted said recommendation; and

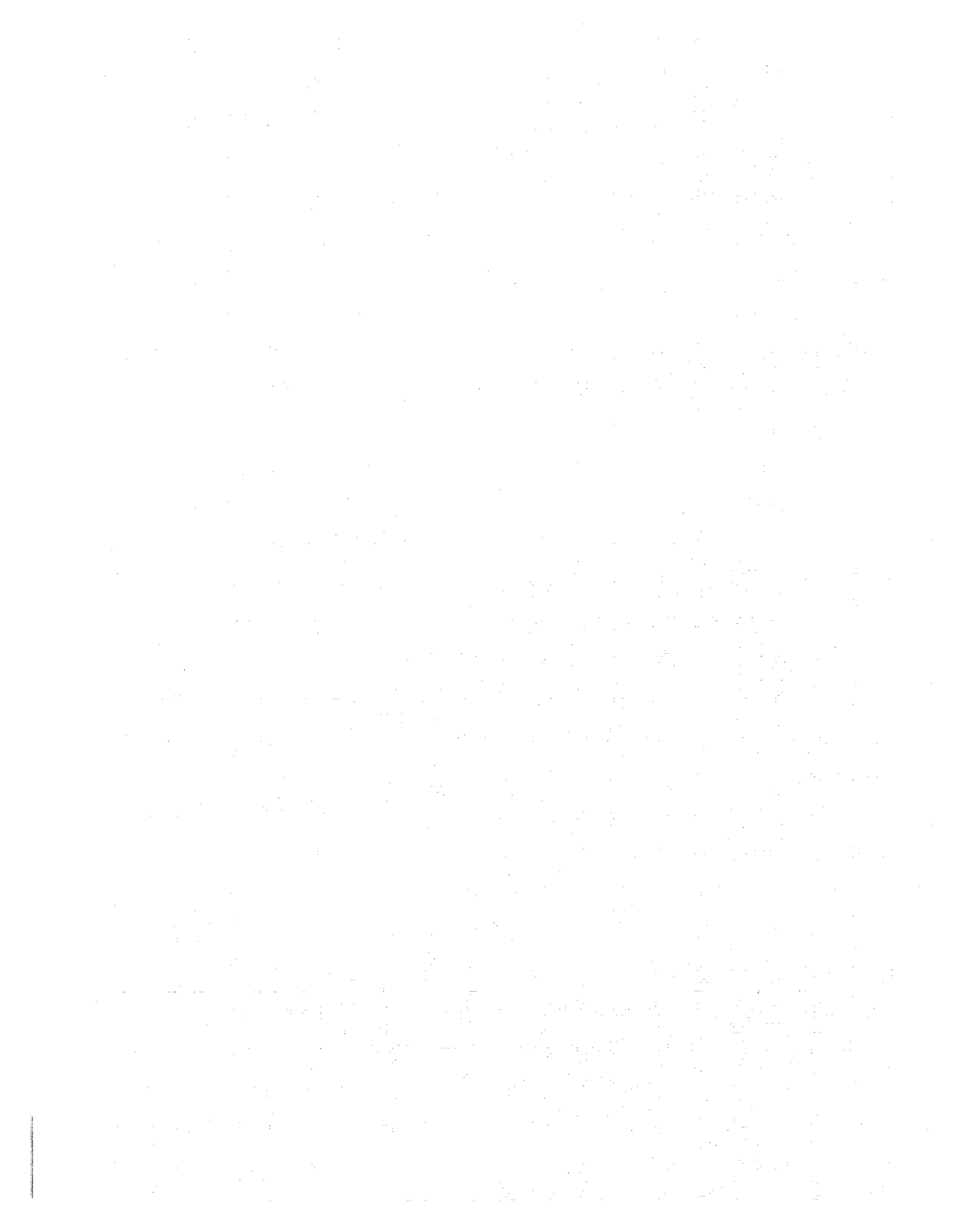
**WHEREAS**, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of Deerfield*, 213 Ill.App.3d 747 (1991)) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124 (7<sup>th</sup> Cir. 1995)),

**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 facts and incorporated herein by reference.

**SECTION 2:** The City Council hereby amends the Zoning Map to remove those properties with the addresses and PINs listed in Exhibit B and identified in Exhibit C, both attached hereto and incorporated herein by reference, from the C1 Commercial District and place them within the B3 Business District.

**SECTION 3:** Pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit applied for in case no. 17PLND-



0112, to allow construction and operation of the Planned Development described herein.

**SECTION 4:** The City Council hereby grants the following Site Development Allowances:

- (A) **Number of Required Parking Spaces:** A Site Development Allowance is hereby granted for thirty (30) parking spaces, whereas Table 16-B of the Zoning Ordinance requires a minimum of thirty-seven (37) parking spaces based on the proposed combination of uses in the B3 District.
- (B) **Fence Location:** A Site Development Allowance is hereby granted to place a fence with a zero (0) foot setback from the street side Subject Property line, whereas subsection 6-4-6-7(F)2(b)(1) of the Zoning Ordinance requires a two (2) foot setback from the street side Subject Property line in the B3 District.
- (C) **Parking Setbacks:** A Site Development Allowance is hereby granted permitting a zero (0) foot parking setback from the north and west Subject Property lines, whereas subsection 6-9-4-7 of the Zoning Ordinance requires a minimum of a five foot parking setback from the north and west Subject Property lines in the B3 District.

**SECTION 5:** Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted hereby, which may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

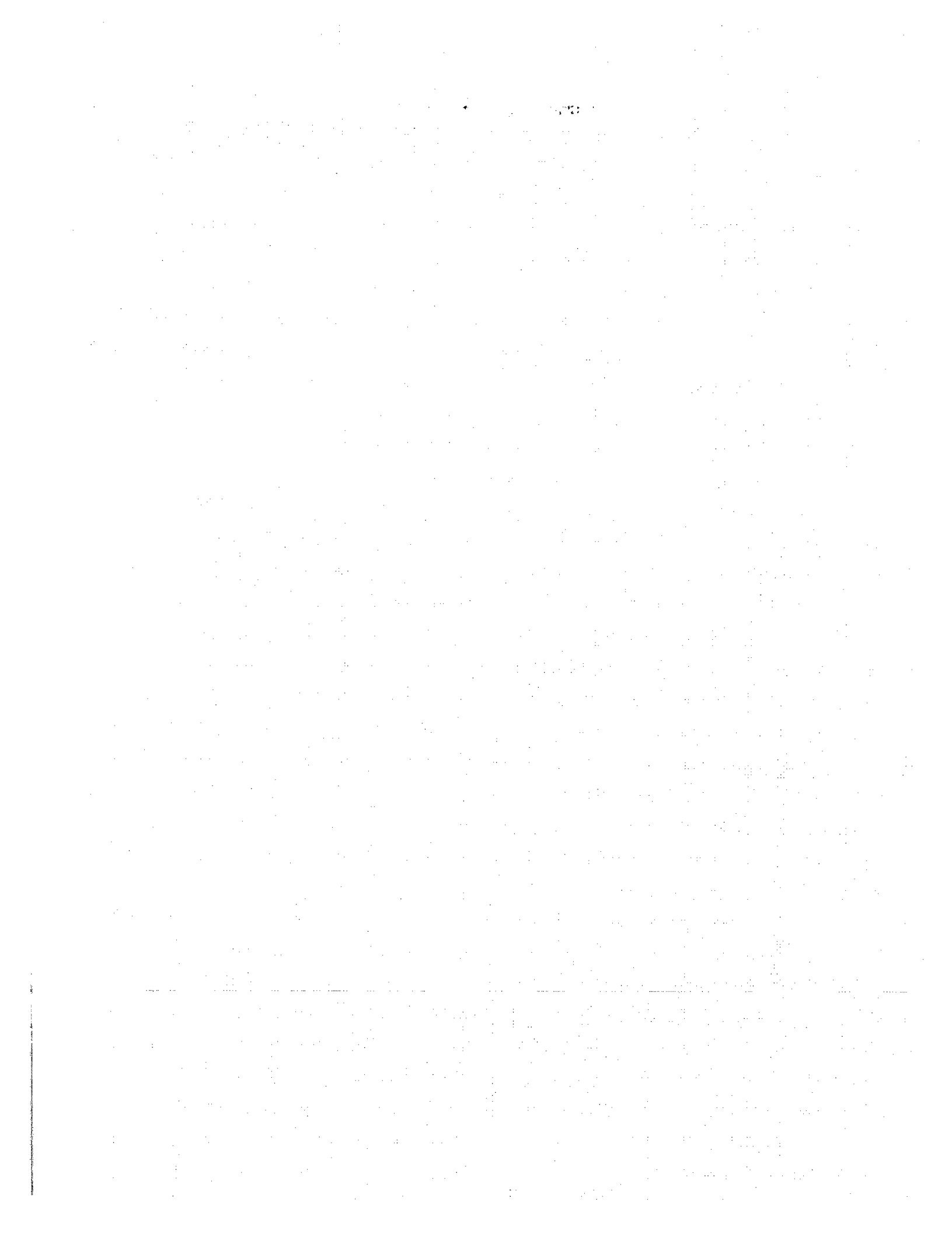
- (A) **Compliance with Applicable Requirements:** The Applicant shall develop and operate the Planned Development authorized by the terms of this ordinance in substantial compliance with: the terms of this ordinance; the Site and Landscape Plans in Exhibits D and E, attached hereto and incorporated herein by reference; all applicable legislation; the Applicant's testimony and representations to the Design and Project Review Committee, the Plan Commission, the P&D Committee, and the City Council; and the approved documents on file in this case.
- (B) **Construction Management Plan:** The Applicant shall sign and agree to a Construction Management Plan (CMP) with the City of Evanston prior to issuance of the Building Permit. The CMP shall include but is not limited to the following: construction phasing/staging plans; construction hours; site access including traffic and pedestrian safety plans; contractor parking; damage control





and vibration monitoring; construction exhibits; project communication and signage.

- (C) **Metal Fence:** The Applicant must provide to the City the metal fence detail for the six (6) foot tall metal fence surrounding the garden yard/open sales area on the Subject Property indicating the fence material, finish, and design to the Design and Project Review (DAPR) Committee prior to issuance of building permit.
- (D) **Landscaping:** Applicant must install and maintain the landscaping improvements as depicted in Exhibit E.
- (E) **Street Improvements:** The Applicant must install all improvements to the streets, including grinding of existing pavement markings, restriping, and asphalt patching at new water/sewer services within the Howard Street and Chicago Avenue Right of Ways.
- (F) **Sidewalk Replacement:** The Applicant must replace all sidewalks adjacent to the Subject Property along the full length of the property on both Howard Street and Chicago Avenue.
- (G) **METRA Embankment Improvements:** The Applicant agrees to continue working with METRA and/or Union Pacific Railroad regarding obtaining written permission for the installation and maintenance of landscaped embankment improvements adjacent to the Subject Property for the life of the development.
- (H) **Color Accents:** The Applicant agrees to incorporate color accents on all facades, as incorporated in the Development Plans, as revised pursuant to recommendation from the Design and Project Review (DAPR) Committee.
- (I) **Harm Mitigation for Birds:** The Applicant will implement the following strategies to improve and incorporate bird friendly measures:
  - a. Install low reflective glass windows;
  - b. Install metal balcony railings rather than glass doors and balconies;
  - c. Minimize any external lighting from 12:00 a.m. until dawn during Spring and Fall bird migration; and
  - d. Avoid guy wires and roof lighting that pose a bird hazard.
- (J) **Affordable Housing Units:** The Applicant shall provide five (5) units of on-site affordable housing for the following twenty-five (25) years in accordance with the approved equivalent alternative inclusionary housing proposal. The affordable units shall be affordable to households earning no more than the following area median income (AMI): three (3) 1-bedroom units must be affordable at eighty percent (80%) AMI and two (2) 2-bedroom units must be affordable at eighty percent (80%) AMI.



- (K) **Changes in Building Use:** Any material changes in the use of the building on the Subject Property must be approved as an amendment to this Planned Development in accordance with Subsection 6-3-6-12 of the Zoning Ordinance.
- (L) **Recordation:** Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

**SECTION 6:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's tenants, agents, assigns, and successors in interest."

**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:** 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. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

**SECTION 9:** All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

**SECTION 10:** 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 11:** The findings and recitals herein are hereby 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: May 14, 2018

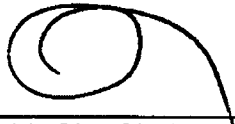
Adopted: May 29, 2018

Approved:

June 26, 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****PARCEL 1:**

THAT PART LYING WEST OF THE WEST LINE OF CHICAGO AVENUE (NOW CLARK STREET) AND EAST OF THE EAST LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY (FORMERLY CHICAGO AND MILWAUKEE RAILROAD COMPANY) OF THE SOUTH 6.25 CHAINS OF THE NORTHEAST 1/4 SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND NORTH OF A LINE 150.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF HOWARD STREET, MEASURED ALONG THE WEST LINE OF CHICAGO AVENUE, IN COOK COUNTY, ILLINOIS.

**PARCEL 2:**

THE NORTH 50 FEET OF THE SOUTH 150 FEET OF THAT PART OF THE SOUTH 6.25 CHAINS, LYING WEST OF THE WEST LINE OF CHICAGO AVENUE, EAST OF THE EAST LINE OF CHICAGO AND NORTHWESTERN RAILROAD AND NORTH OF THE NORTH LINE OF HOWARD STREET OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 3:**

THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD MERIDIAN, DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF HOWARD STREET, WITH THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD RUNNING; THENCE EAST ALONG THE NORTH LINE OF HOWARD STREET TO ITS INTERSECTION WITH THE WEST LINE OF NORTH CLARK STREET (FORMERLY CHICAGO AVENUE); THENCE NORTHERLY ALONG THE WEST LINE OF SAID NORTH CLARK STREET 100 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF HOWARD AVENUE TO THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY, MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PINs:** 11-30-212-004-0000  
11-30-212-005-0000  
11-30-212-006-0000  
11-30-212-007-0000  
11-30-212-008-0000

**COMMONLY KNOWN As:** 100 and 128-132 Chicago Avenue, Evanston, IL (approx. 25,412 sq. ft.)





**EXHIBIT B**

**Addresses and PINs of Properties Removed from the C1 Commercial District and  
Placed Within the B3 Business District**

**Commonly Known As:** 128-132 Chicago Avenue, Evanston, IL

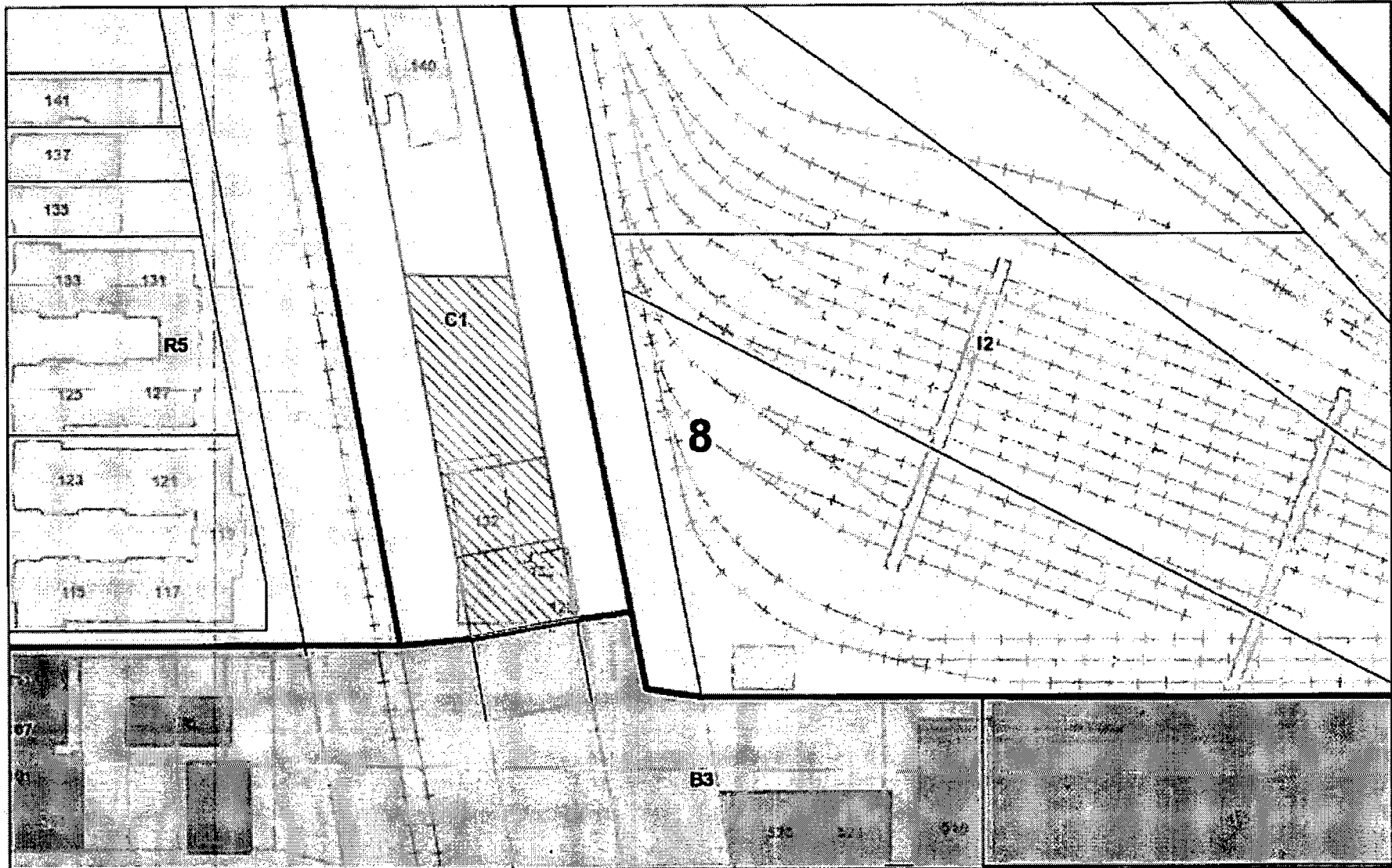
**PINs:** 11-30-212-004-0000  
11-30-212-005-0000  
11-30-212-006-0000



**EXHIBIT C**

**Map of Properties Removed from the C1 Commercial District and Placed Within  
the B3 Business District**

# Properties Removed from the C1 Commercial District and Placed Within the B3 Business District



May 3, 2018

drawGraphics\_poly

- User drawn polygons
- Zoning Boundaries & Labels

**Zoning Overlay Districts**

- oCSC - Central Street Corridor
- oDM - Dempster-Main Overlay
- oH - Hospital Overlay

oRD - Redevelopment Overlay

oWE - West Evanston Overlay

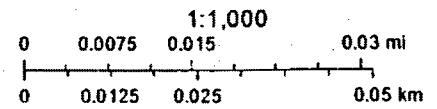
**Federal Historic Districts**

Northeast

Ridge

Lakeshore

Oakton



Copyright 2018 City of Evanston

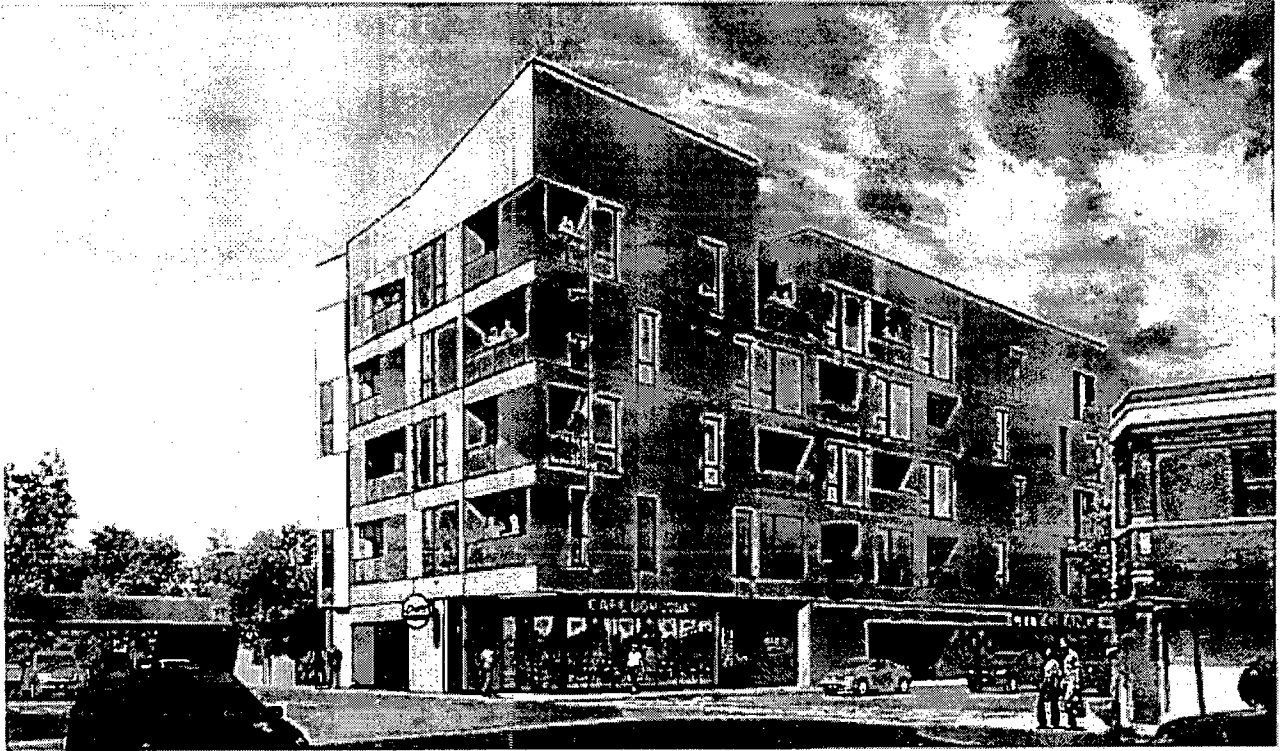
This map is not a plat of survey. This map is provided "as is" without warranties of any kind. See [www.cityofevanston.org/naadisclaimers.html](http://www.cityofevanston.org/naadisclaimers.html) for more information.

**EXHIBIT D**

**Development Plans**

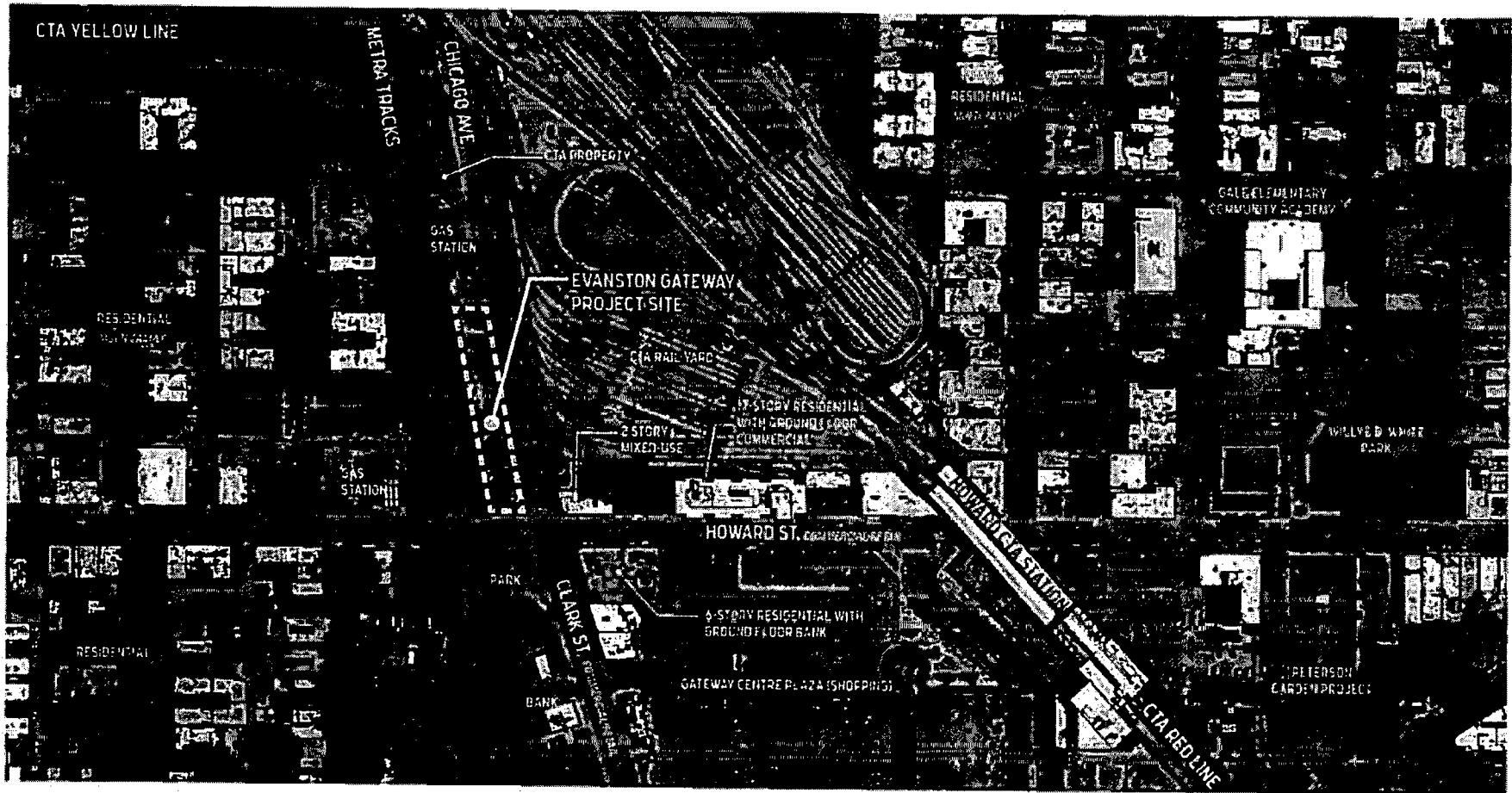
# EVANSTON GATEWAY, LLC

*Future home of CITY GRANGE - Education-based urban garden and lifestyle center*



## RE-ZONING, SPECIAL USE AND PLANNED DEVELOPMENT APPLICATION

*100 Chicago Avenue, Evanston, IL*



AERIAL IMAGE

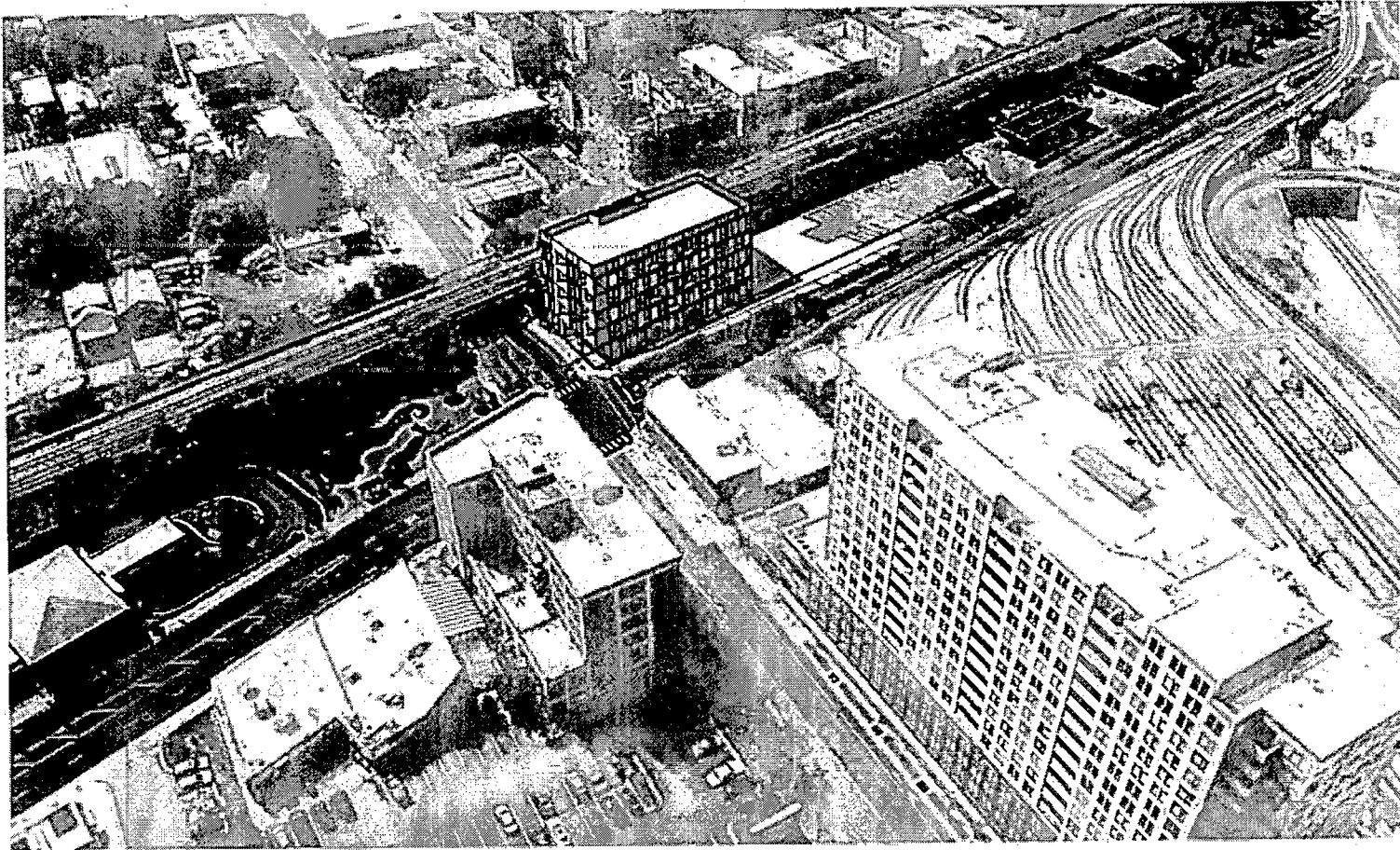
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | November 10, 2017

*photographs of site and surrounding properties*

**LEVEL**

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AERIAL VIEW OF SITE AND SURROUNDING CONTEXT

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

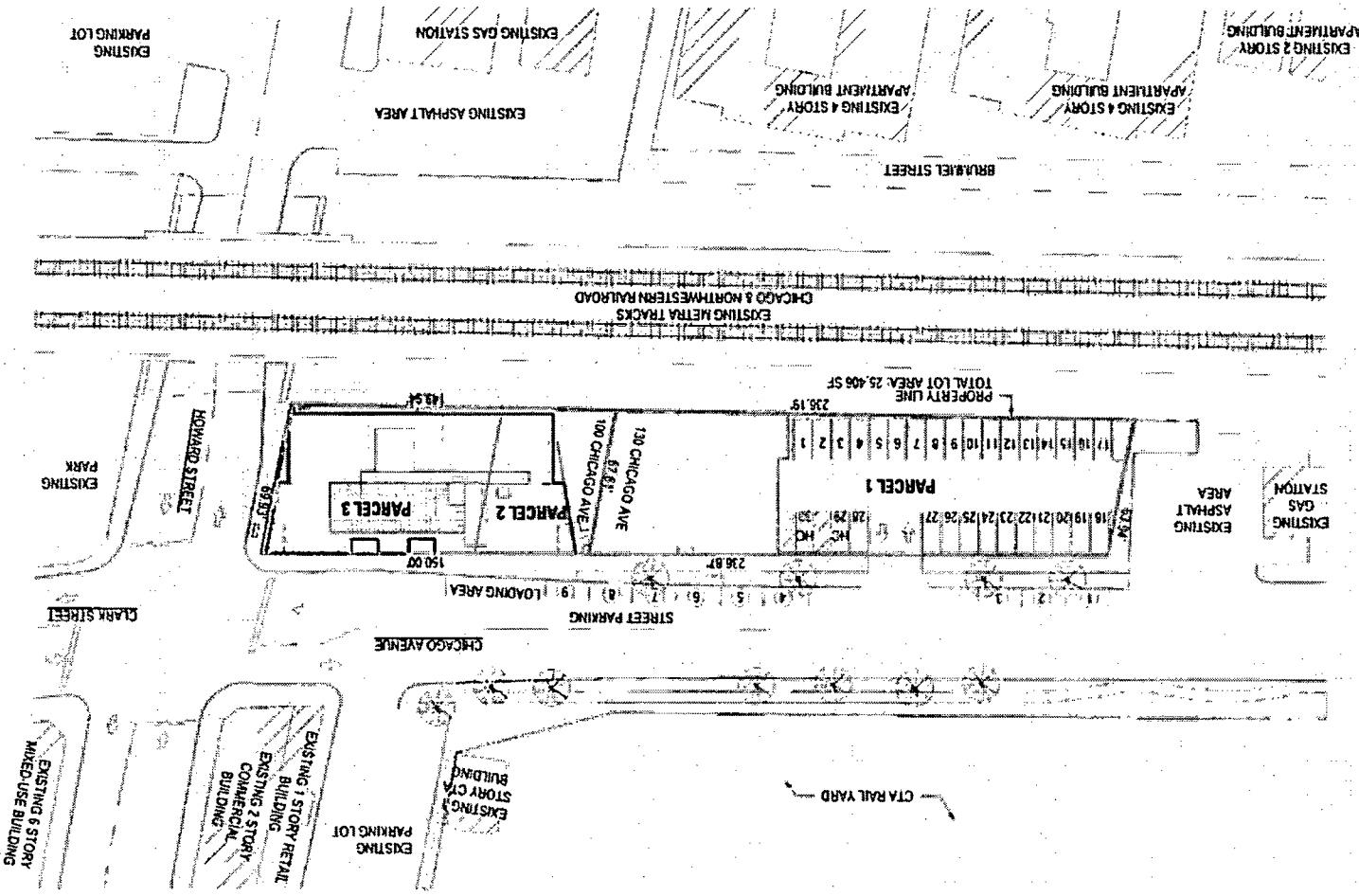
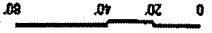
*renderings of proposed project*

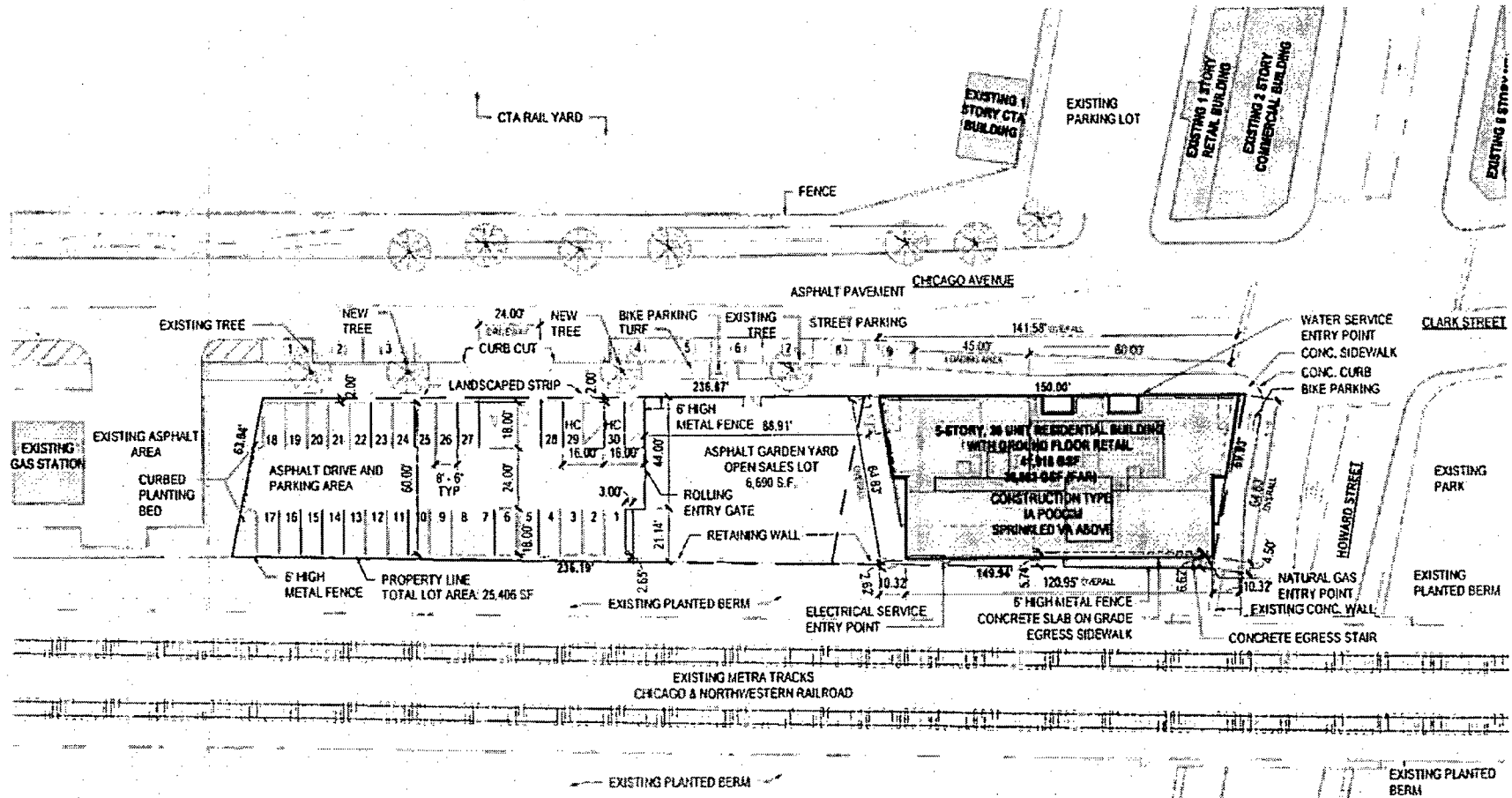
**LEVEL**

LEVEL ARCHITECTURE INCORPORATED | CHICAGO, IL 60611



EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 13, 2018 site diagram

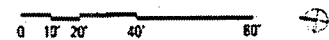


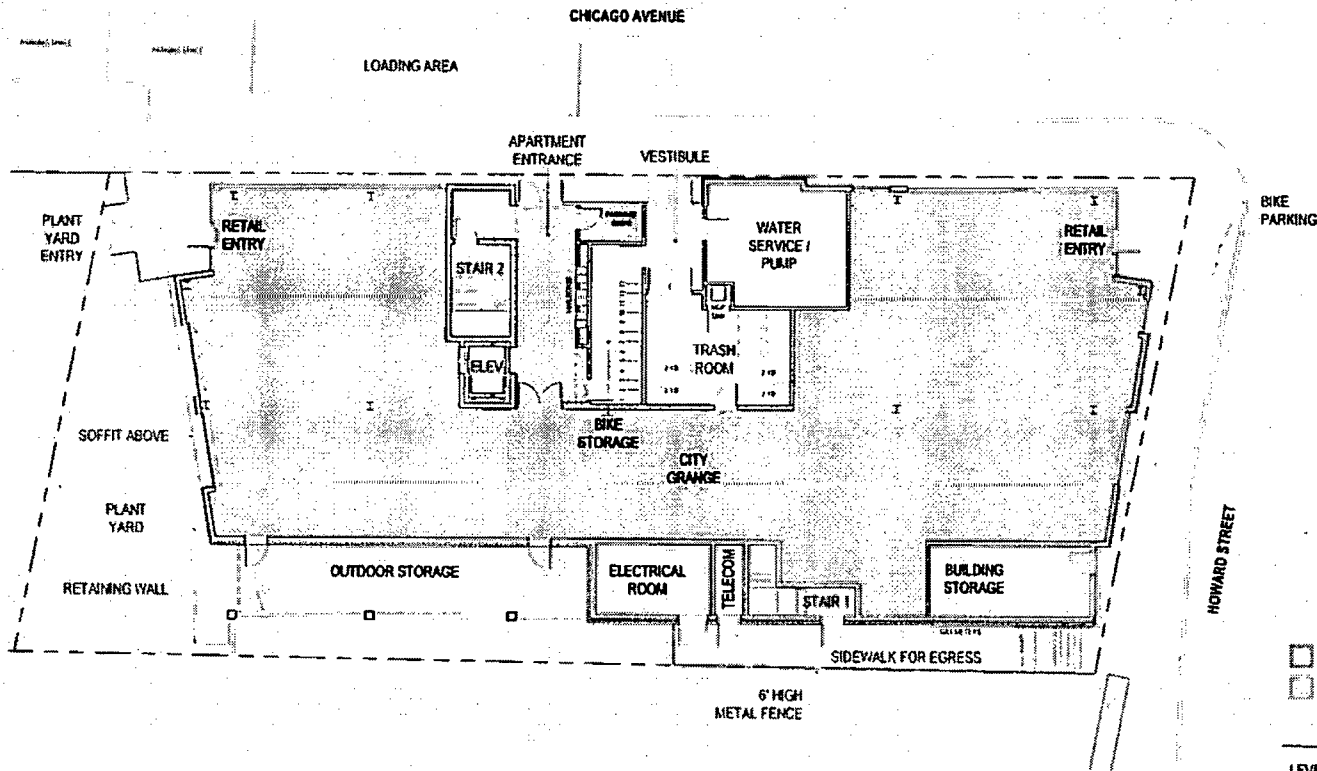


EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 27, 2018

**LEVEL**

site plan





	CITY GRANGE	4,999 SF
	APARTMENT ENTRY	420 SF
	CORE/STORAGE	2,262 SF
<b>LEVEL 01 TOTAL AREA:</b>		<b>7,681 GSF</b>

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

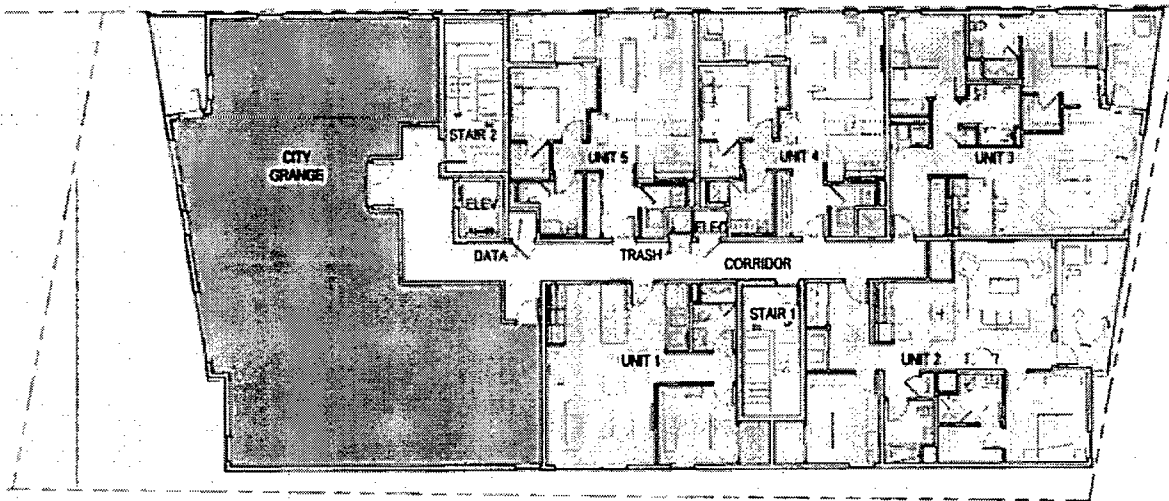
level 01

**LEVEL**

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0 4 8 16 32





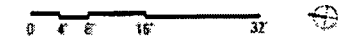
	CITY GRANGE	2,374 SF
	UNIT 1 - 1 BED / 1 BATH	765 SF
	UNIT 2 - 2 BED / 2 BATH	1,125 SF
	UNIT 3 - 2 BED / 2 BATH	1,076 SF
	UNIT 4 - 1 BED / 1 BATH	732 SF
	UNIT 5 - 1 BED / 1 BATH	741 SF
	COVERED BALCONIES	511 SF
	CORRIDOR	540 SF
	CORE	518 SF
<b>LEVEL 02 TOTAL AREA:</b>		<b>8,382 GSF</b>

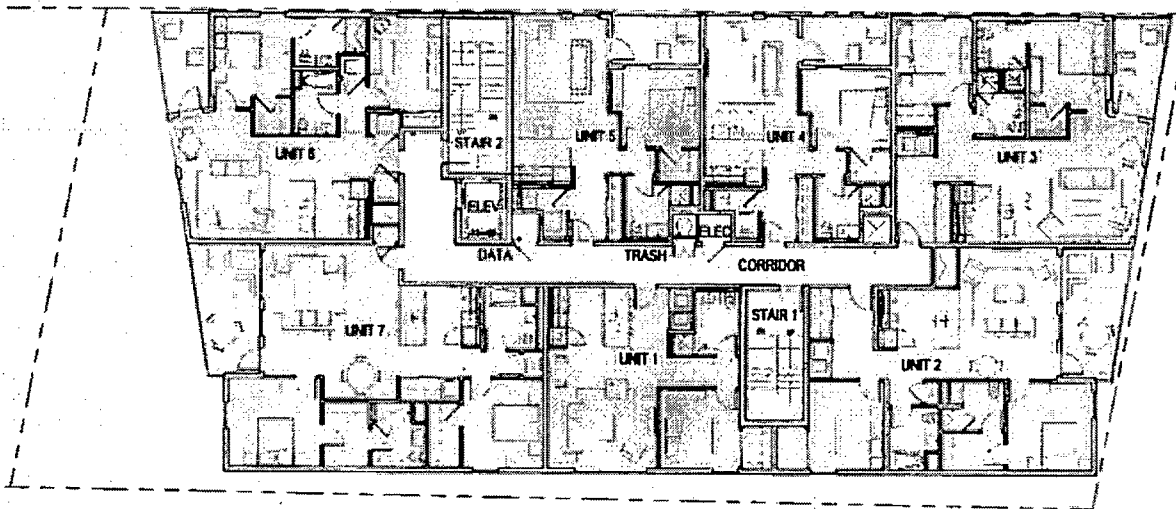
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

Level 02

**LEVEL**

OUR LEVEL KNOWS WHERE IT'S GOING. PROGRAM ALLIANCE





	UNIT 1 - 1 BED / 1 BATH	765 SF
	UNIT 2 - 2 BED / 2 BATH	1,125 SF
	UNIT 3 - 2 BED / 2 BATH	1,076 SF
	UNIT 4 - 1 BED / 1 BATH	732 SF
	UNIT 5 - 1 BED / 1 BATH	741 SF
	UNIT 6 - 2 BED / 2 BATH	1,034 SF
	UNIT 7 - 2 BED / 2 BATH	1,238 SF
	COVERED BALCONIES	669 SF
	CORRIDOR	479 SF
	CORE	523 SF

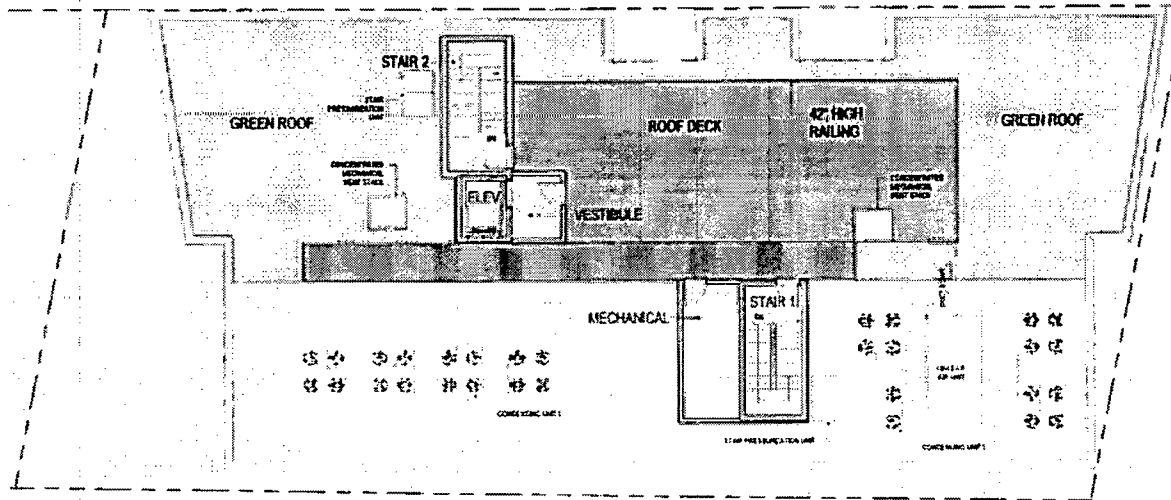
LEVEL 03-05, TYP AREA: 8,382 GSF

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

**LEVEL**

*level 03-05, typical*





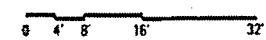
	ROOF DECK	1,733 SF
	GREEN ROOF	2,562 SF
	CORE + VESTIBULE	709 GSF

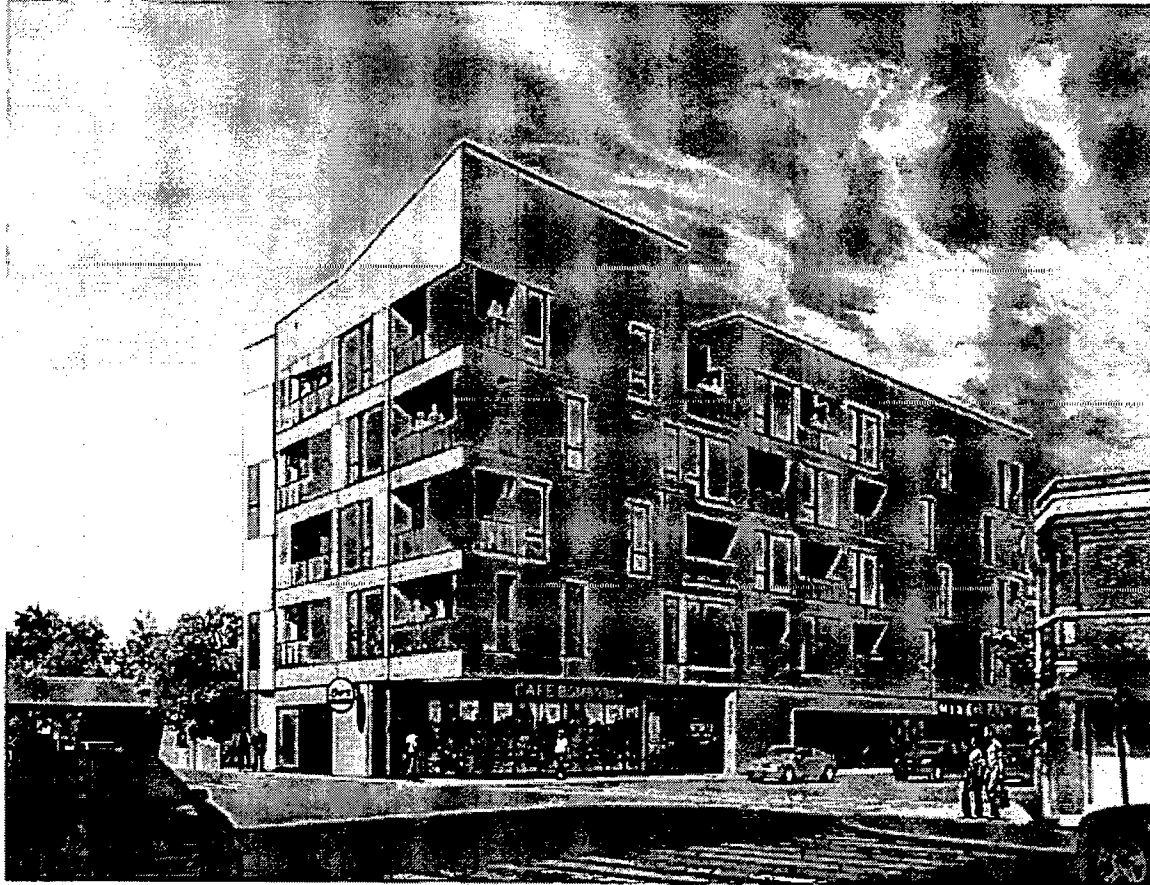
TOTAL ROOF AREA  
OPEN TO SKY: 7,374 GSF

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE | 17.03 | March 28, 2018

**LEVEL**

roof





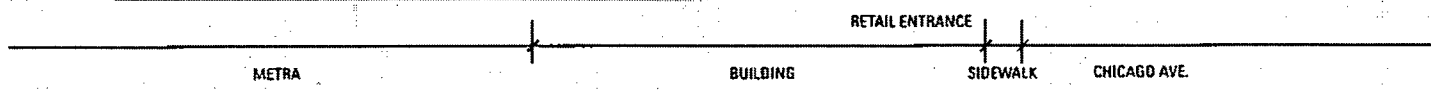
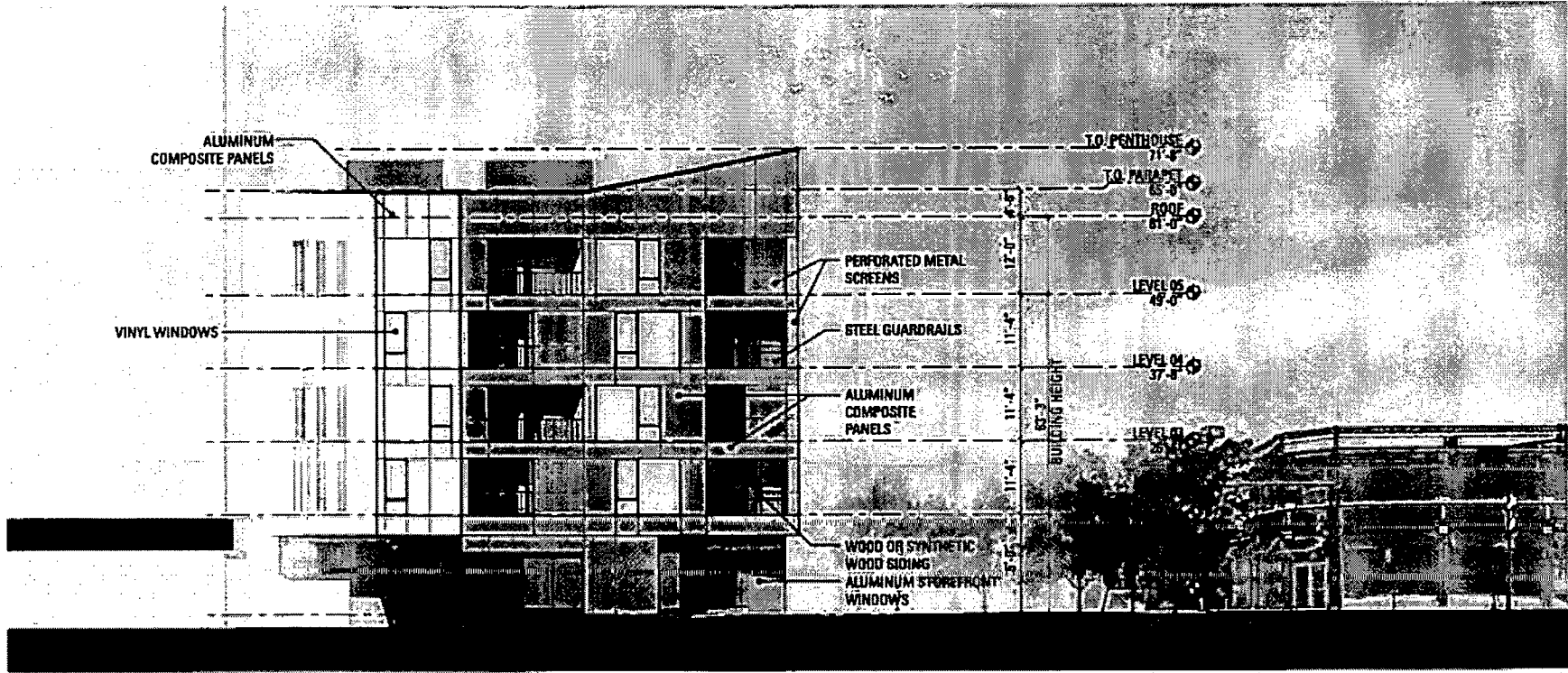
VIEW LOOKING WEST AT HOWARD/CHICAGO INTERSECTION

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

*renderings of proposed project*

**LEVEL**

ARCHITECTURE INTERIORS EXTERIORS | CHICAGO ILL. 60611

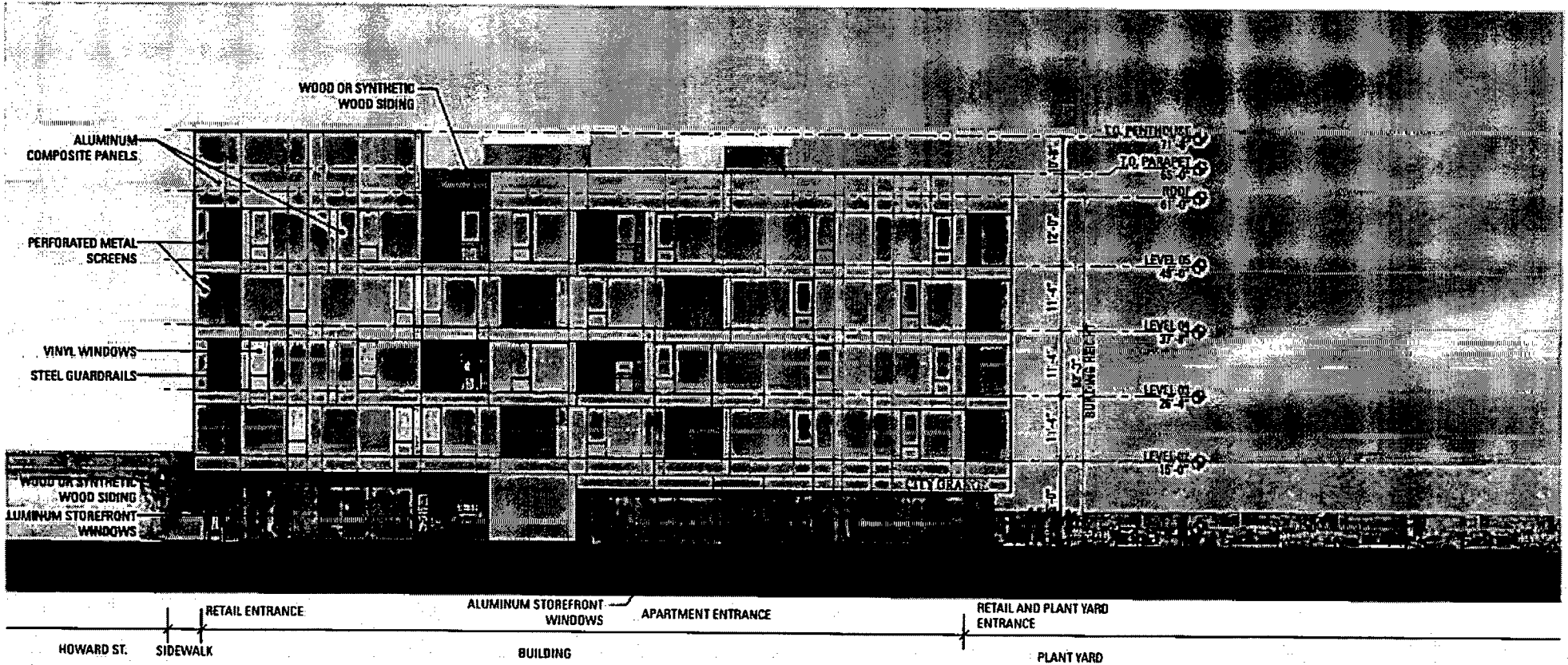


EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018  
 exterior elevation - south

**LEVEL**

WWW.LEVELARCHITECTURE.COM | 847.438.8800



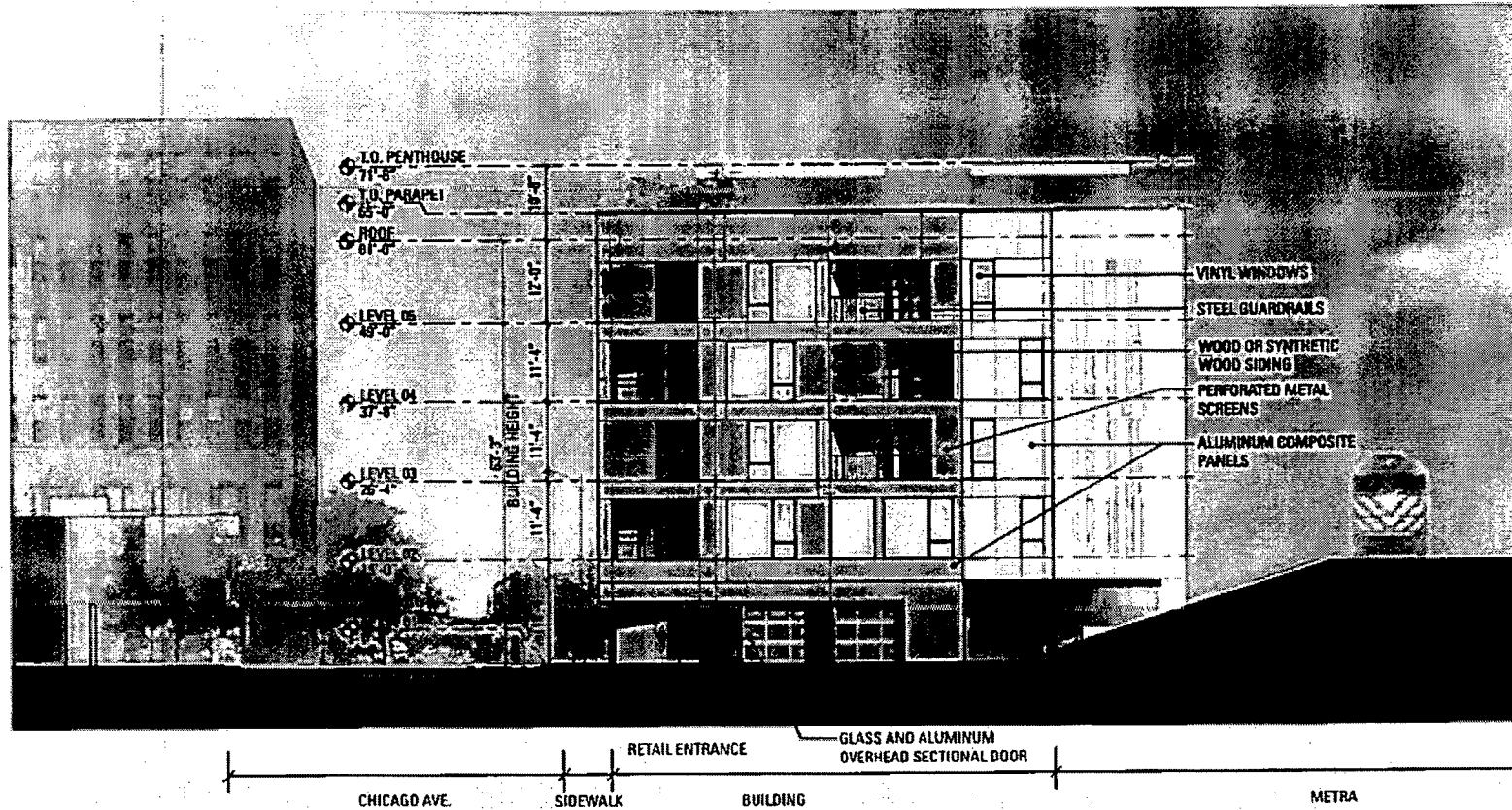


EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

*exterior elevation - east*

**LEVEL**

474 N. LAUREL AND CHICAGO ST. EVANSTON, IL 60120



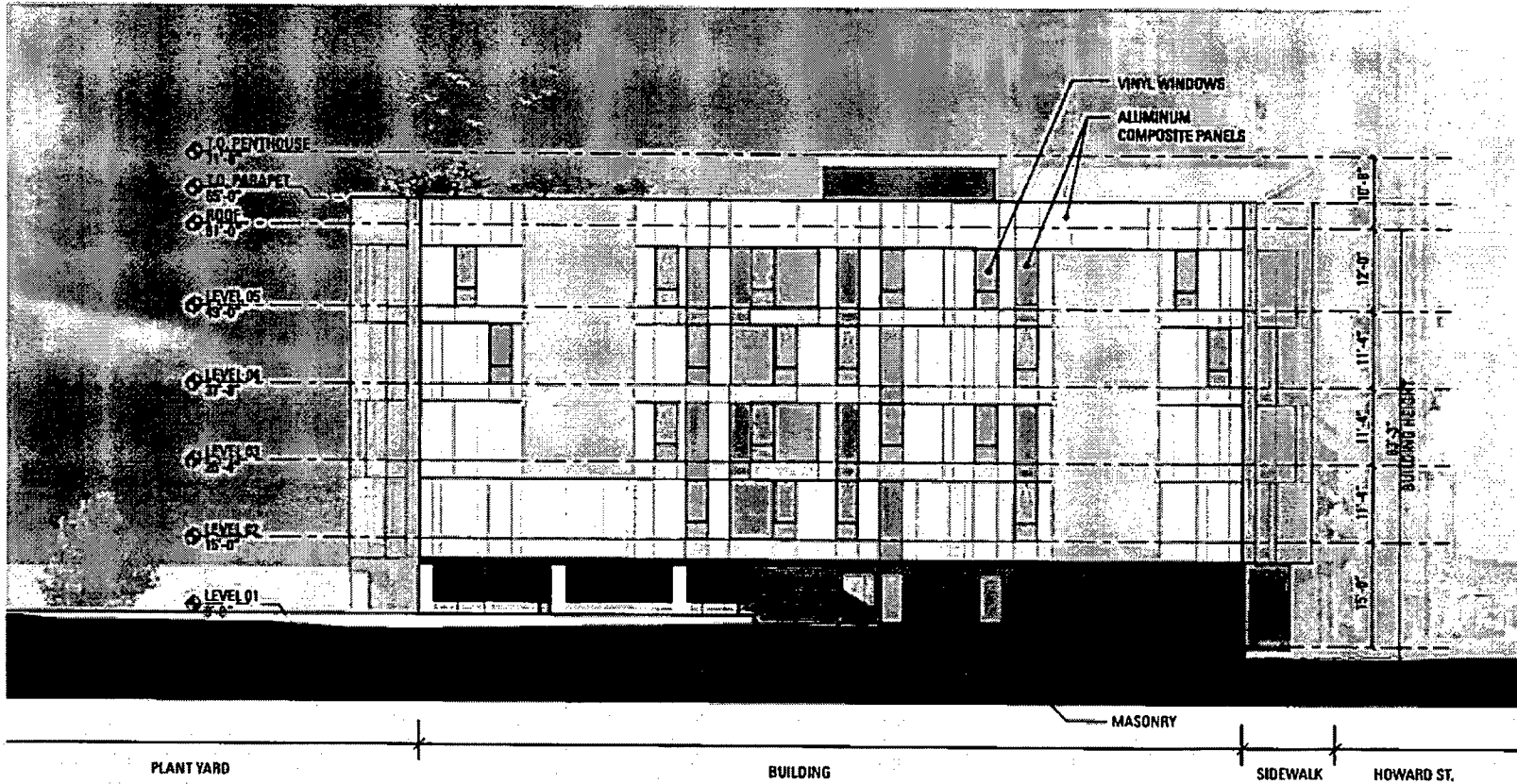
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE

#17.03 | April 11, 2018

exterior elevation - north

**LEVEL**

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EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

*exterior elevation - west*

**LEVEL**

1007 JEFFERSON AVENUE, CHICAGO, ILLINOIS 60614 | TEL: 312.555.1234

Project Name: **Evanston Gateway**  
 Project Location: **100 North Chicago Avenue, Evanston, IL**  
 Project Number: **17.030**  
 Date: **Apr. 11, 2018**

Based on 2017 City of Evanston B1-B3 Regulations  
 Lot Area: **25,406**  
 Total FAR: **3.00**

Included in FAR

Building GSF		Total Leasable Residential								Total Leasable Residential	Corridors	Retail/office	
Enclosed Area	Total GSF	Units							Enclosed Balconies GSF	GSF	GSF	GSF	GSF
		1B 1BA nsf "1"	2B 2BA nsf "2"	2B 2BA nsf "3"	1B 1BA nsf "4"	1B 1BA nsf "5"	2B 2BA nsf "6"	2B 2BA nsf "7"					
penthouse	709											82	
05 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380		479	
04 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380		479	
03 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380		479	
02 residential	8,382	765	1,125	1,076	732	741	0	0	511	4,950		540	2,374
01 ground floor	7,681											345	4,999
<b>Subtotals</b>	<b>41,918</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>2,518</b>	<b>27,090</b>	<b>2,404</b>	<b>7,373</b>	

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE | #17.03 | April 11, 2018  
 area calculation



LEVEL INTERIORS AND EXTERIORS | CHICAGO, IL

**Not Included in FAR**

	Loading	Bike Parking	Mech, elec, data, water	Trash	Storage + BOH	Stairs, elev, and shafts
	GSF	GSF	GSF	GSF	GSF	GSF
penthouse			185			442
05 residential			45	17		461
04 residential			45	17		461
03 residential			45	17		461
02 residential			45	17		456
01 ground floor		172	589	301	962	313
<b>Subtotals</b>	<b>0</b>	<b>172</b>	<b>954</b>	<b>369</b>	<b>962</b>	<b>2,594</b>

**Summary**

	Total GSF	Subtotal attributable to FAR	Fir.
<b>SUBTOTAL: NON-FAR</b>	<b>627</b>	<b>82</b>	
penthouse	709	82	penthouse
05 residential	8,382	7,859	05 residential
04 residential	8,382	7,859	04 residential
03 residential	8,382	7,859	03 residential
02 residential	8,382	7,864	02 residential
01 ground floor	7,681	5,344	01 ground floor
<b>Subtotals</b>	<b>41,918</b>	<b>36,867</b>	<b>Subtotals</b>

**TOTAL GSF 41,918**

FAR	3.00
allowable FAR area	76,220
proposed FAR area	36,867
proposed FAR	1.45

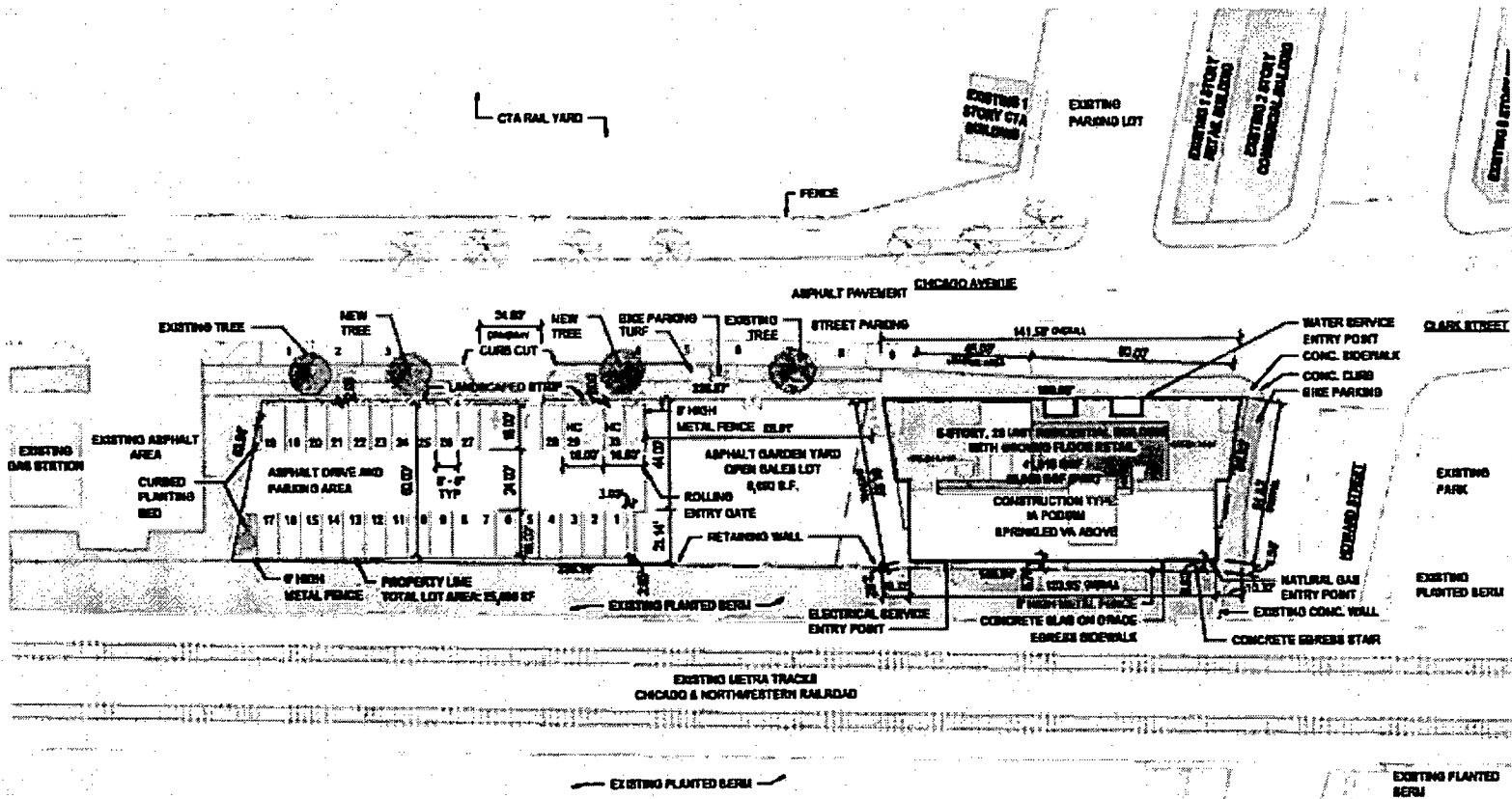
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

area calculation



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**EXHIBIT E**  
**Landscape Plans**



EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 27, 2018

**LEVEL**

landscape plan

ARCHITECTURAL & LANDSCAPE ARCHITECTURE







**EXHIBIT 2**

**Ordinance 65-O-19**

6/17/2019

**65-O-19**

**AN ORDINANCE**

**Extending the Time for the Applicant to Obtain a Building Permit to Construct the Planned Development at 100 and 128-132 Chicago Avenue Authorized by Ordinance 61-O-18**

**WHEREAS**, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of government, the City has the authority to adopt legislation and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

**WHEREAS**, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

**WHEREAS**, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

**WHEREAS**, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 2012, as amended, (“the Zoning Ordinance”); and

**WHEREAS**, on June 26, 2018, the City approved Ordinance 61-O-18, attached hereto as Exhibit 1 and incorporated herein by reference, which granted a Special Use Permit for a Planned Development (the “Planned Development”) at 100 and 128-132 Chicago Avenue (the “Subject Property”), which is legally described in Exhibit 1; and

**WHEREAS**, Ordinance 61-O-18 approved the construction of a new five (5) story seventy-two (72) foot tall multi-family development consisting of twenty-six (26) dwelling units, approximately four thousand nine hundred ninety-nine (4,999) square feet of ground indoor floor commercial space, approximately two thousand three hundred seventy-four (2,374) square feet of commercial space on the second floor, approximately seven thousand (7,000) square feet of outdoor garden/open sales lot, and thirty (30) parking spaces at the Subject Property (the "Project"), which is detailed at length in Exhibit 1; and

**WHEREAS**, City Council amended the Zoning Map to remove those properties with the addresses and PINs listed in Exhibit B and identified in Exhibit C of Ordinance 61-O-18, both attached hereto and incorporated herein by reference, from the C1 Commercial District and place them within the B3 Business District; and

**WHEREAS**, by letter to the City dated June 16, 2019, the Developer and Applicant, Evanston Gateway, LLC (the "Applicant") requested an extension of the one-year time period to obtain a building permit and start construction for the Planned Development (the "Amendment"); and

**WHEREAS**, Section 6-10-1-9(A)(4) of the City Code provides that the Applicant must obtain a building permit and start construction within one year of approval of the planned development and the Applicant has not obtained a building permit to date; and

**WHEREAS**, in order to remain in compliance with the terms of Ordinance 61-O-18 and provide for Applicant to obtain a building permit and start construction, the Applicant requests an amendment to the Planned Development; and

**WHEREAS**, on June 24, 2019, the Planning and Development Committee (“P&D Committee”) held a meeting, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq*), during which it retained jurisdiction over the Planned Development Amendment request; and

**WHEREAS**, during said meetings, the P&D Committee received input from the public, and carefully deliberated on the Extension request and the Applicant was given notice and the opportunity to be heard at the P&D and City Council meetings; and

**WHEREAS**, at its meetings of June 24, 2018 and July 8, 2019 held in compliance with the provisions of the Illinois Open Meetings Act, the City Council considered the P&D Committee’s deliberations and recommendations, heard public comment, made findings and considered this Ordinance 65-O-19,

**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:** Pursuant to the terms and conditions of this ordinance, the City Council hereby grants an amendment to the Special Use Permit previously authorized by Ordinance 61-O-18 to allow for the construction and operation of the Planned Development described herein.

**SECTION 3:** Section 6-10-1-9(A)(4) of the City Code applies to the extension granted by this ordinance. This extension expires one (1) year from the date of adoption.

**SECTION 4:** Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted for the Planned Development, may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use 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 operate the Planned Development authorized by the terms of this ordinance in substantial compliance with: the terms of this ordinance; the Site and Landscape Plans in Exhibits D and E, attached hereto and incorporated herein by reference; all applicable legislation; the Applicant's testimony and representations to the Design and Project Review Committee, the Plan Commission, the P&D Committee, and the City Council; and the approved documents on file in this case.
- (B) **Construction Management Plan:** The Applicant shall sign and agree to a Construction Management Plan (CMP) with the City of Evanston prior to issuance of the Building Permit. The CMP shall include but is not limited to the following: construction phasing/staging plans; construction hours; site access including traffic and pedestrian safety plans; contractor parking; damage control and vibration monitoring; construction exhibits; project communication and signage.
- (C) **Metal Fence:** The Applicant must provide to the City the metal fence detail for the six (6) foot tall metal fence surrounding the garden yard/open sales area on the Subject Property indicating the fence material, finish, and design to the Design and Project Review (DAPR) Committee prior to issuance of building permit.
- (D) **Landscaping:** Applicant must install and maintain the landscaping improvements as depicted in Exhibit E.
- (E) **Street Improvements:** The Applicant must install all improvements to the streets, including grinding of existing pavement markings, restriping, and asphalt patching at new water/sewer services within the Howard Street and Chicago Avenue Right of Ways.
- (F) **Sidewalk Replacement:** The Applicant must replace all sidewalks adjacent to the Subject Property along the full length of the property on both Howard Street and Chicago Avenue.
- (G) **METRA Embankment Improvements:** The Applicant agrees to continue working with METRA and/or Union Pacific Railroad regarding obtaining written permission for the installation and maintenance of landscaped embankment

improvements adjacent to the Subject Property for the life of the development.

- (H) **Color Accents:** The Applicant agrees to incorporate color accents on all facades, as incorporated in the Development Plans, as revised pursuant to recommendation from the Design and Project Review (DAPR) Committee.
- (I) **Harm Mitigation for Birds:** The Applicant will implement the following strategies to improve and incorporate bird friendly measures:
  - a. Install low reflective glass windows;
  - b. Install metal balcony railings rather than glass doors and balconies;
  - c. Minimize any external lighting from 12:00 a.m. until dawn during Spring and Fall bird migration; and
  - d. Avoid guy wires and roof lighting that pose a bird hazard.
- (J) **Affordable Housing Units:** The Applicant shall provide five (5) units of on-site affordable housing for the following twenty-five (25) years in accordance with the approved equivalent alternative inclusionary housing proposal. The affordable units shall be affordable to households earning no more than the following area median income (AMI): three (3) 1-bedroom units must be affordable at eighty percent (80%) AMI and two (2) 2-bedroom units must be affordable at eighty percent (80%) AMI.
- (K) **Changes in Building Use:** Any material changes in the use of the building on the Subject Property must be approved as an amendment to this Planned Development in accordance with Subsection 6-3-6-12 of the Zoning Ordinance.
- (L) **Recordation:** Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

**SECTION 5:** Except as otherwise provided for in this Ordinance 65-O-19, all applicable regulations of the Ordinance 61-O-18, 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. To the extent that the terms and/or provisions of any of said documents conflict with any of the terms herein, this Ordinance 65-O-19 shall govern and control.

**SECTION 6:** When necessary to effectuate the terms, conditions, and

purposes of this ordinance, "Applicant" shall be read as "Applicant and its agents, assigns, and successors in interest" and shall mean Evanston Gateway, LLC, and any and all successors, owners, and operators of the Subject Property.

**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:** 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. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

**SECTION 9:** All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

**SECTION 10:** 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 11:** The findings and recitals herein are hereby 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: \_\_\_\_\_, 2019

Approved:

Adopted: \_\_\_\_\_, 2019

\_\_\_\_\_, 2019

\_\_\_\_\_  
Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Devon Reid, City Clerk

\_\_\_\_\_  
Michelle L. Masoncup,  
Corporation Counsel



**EXHIBIT 1**

**ORDINANCE 61-O-18**

4/19/2018  
5/7/2018  
5/21/2018

**61-O-18**

**AN ORDINANCE**

**Granting a Special Use Permit for a Planned Development and  
Special Use Approval for an Open Sales Lot at 100 and 128-132  
Chicago Avenue and Amending the Zoning Map to Re-Zone Certain  
Properties from the C1 Commercial Zoning District to the B3 Business  
District**

**WHEREAS**, the City of Evanston is a home-rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of government, the City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its residents; and

**WHEREAS**, Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the "powers and functions of home rule units shall be construed liberally," was written "with the intention that home rule units be given the broadest powers possible" (*Scadron v. City of Des Plaines*, 153 Ill.2d 164); and

**WHEREAS**, it is a well-established proposition under all applicable case law that the power to regulate land use through zoning regulations is a legitimate means of promoting the public health, safety, and welfare; and

**WHEREAS**, Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) grants each municipality the power to establish zoning regulations; and

**WHEREAS**, pursuant to its home rule authority and the Illinois Municipal Code, the City has adopted a set of zoning regulations, set forth in Title 6 of the Evanston City Code of 1979, as amended, ("the Zoning Ordinance"); and

**WHEREAS**, Evanston Gateway, LLC (the "Applicant,"), developer of the property located at 100 and 128-132 Chicago Avenue, Evanston, Illinois (the "Subject Property"), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of the Zoning Ordinance, specifically Section 6-7-2 "Zoning Map", Section 6-3-4 "Amendments", Section 6-3-5, "Special Uses", Section 6-3-6, "Planned Developments", and Subsection 6-9-1-9, "Planned Developments" in Business Zoning Districts, to permit the construction and operation of a Planned Development with accessory parking located at the Subject Property in the B3 Business Zoning District ("B3 District"); and

**WHEREAS**, the Applicant sought approval to re-zone the Subject Property from the current C1 Commercial and B3 Business Zoning Districts entirely to the proposed B3 Business Zoning District; and

**WHEREAS**, the Applicant sought approval to construct a new five (5) story seventy-two (72) foot tall multi-family development consisting of twenty-six (26) dwelling units, approximately four thousand nine hundred ninety-nine (4,999) square feet of ground indoor floor commercial space, approximately two thousand three hundred seventy-four (2,374) square feet of commercial space on the second floor, approximately seven thousand (7,000) square feet of outdoor garden/open sales lot, and thirty (30) parking spaces; and

**WHEREAS**, construction of the Planned Development, as proposed in the application, requires exception from the strict application of the Zoning Ordinance with regards to number of required parking spaces, fence location, and parking setbacks from the north and west property line; and

**WHEREAS**, pursuant to Subsection 6-3-6-5 of the Zoning Ordinance, the City Council may grant Site Development Allowances to the normal district regulations established in the Zoning Ordinance; and

**WHEREAS**, on April 18, 2018, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*) and the Zoning Ordinance, the Plan Commission held a public hearing on the application for a Special Use Permit for a Planned Development with Open Sales Lot and Rezoning from C1 Zoning District to B3 Zoning District, case no. 17PLND-0112, heard extensive testimony and public comment, received other evidence, and made written minutes, findings, and recommendations; and

**WHEREAS**, the Plan Commission's written findings state that the application for the proposed Planned Development meets applicable standards set forth for Special Uses in Subsection 6-3-5-10 of the Zoning Ordinance and Planned Developments in the B3 Zoning District per Subsection 6-9-1-9 of the Zoning Ordinance and Map Amendments per Subsection 6-3-4-5; and

**WHEREAS**, the Plan Commission recommended the City Council approve the application with conditions; and

**WHEREAS**, on May 14, 2018, the Planning and Development ("P&D") Committee of the City Council held a meeting, in compliance with the provisions of the

Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered and adopted the findings and recommendations of the Plan Commission with an amendment, and recommended approval thereof by the City Council; and

**WHEREAS**, at its meetings of May 14, 2018 and May 29, 2018, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council considered the recommendation of the P&D Committee, the Applicant application, received additional public comment, made certain findings, and adopted said recommendation; and

**WHEREAS**, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of Deerfield*, 213 Ill.App.3d 747 (1991)) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124 (7<sup>th</sup> Cir. 1995)),

**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 facts and incorporated herein by reference.

**SECTION 2:** The City Council hereby amends the Zoning Map to remove those properties with the addresses and PINs listed in Exhibit B and identified in Exhibit C, both attached hereto and incorporated herein by reference, from the C1 Commercial District and place them within the B3 Business District.

**SECTION 3:** Pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit applied for in case no. 17PLND-

0112, to allow construction and operation of the Planned Development described herein.

**SECTION 4:** The City Council hereby grants the following Site Development Allowances:

- (A) **Number of Required Parking Spaces:** A Site Development Allowance is hereby granted for thirty (30) parking spaces, whereas Table 16-B of the Zoning Ordinance requires a minimum of thirty-seven (37) parking spaces based on the proposed combination of uses in the B3 District.
- (B) **Fence Location:** A Site Development Allowance is hereby granted to place a fence with a zero (0) foot setback from the street side Subject Property line, whereas subsection 6-4-6-7(F)2(b)(1) of the Zoning Ordinance requires a two (2) foot setback from the street side Subject Property line in the B3 District.
- (C) **Parking Setbacks:** A Site Development Allowance is hereby granted permitting a zero (0) foot parking setback from the north and west Subject Property lines, whereas subsection 6-9-4-7 of the Zoning Ordinance requires a minimum of a five foot parking setback from the north and west Subject Property lines in the B3 District.

**SECTION 5:** Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council imposes the following conditions on the Special Use Permit granted hereby, which may be amended by future ordinance(s), and violation of any of which shall constitute grounds for penalties or revocation of said Special Use 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 operate the Planned Development authorized by the terms of this ordinance in substantial compliance with: the terms of this ordinance; the Site and Landscape Plans in Exhibits D and E, attached hereto and incorporated herein by reference; all applicable legislation; the Applicant's testimony and representations to the Design and Project Review Committee, the Plan Commission, the P&D Committee, and the City Council; and the approved documents on file in this case.
- (B) **Construction Management Plan:** The Applicant shall sign and agree to a Construction Management Plan (CMP) with the City of Evanston prior to issuance of the Building Permit. The CMP shall include but is not limited to the following: construction phasing/staging plans; construction hours; site access including traffic and pedestrian safety plans; contractor parking; damage control

and vibration monitoring; construction exhibits; project communication and signage.

- (C) **Metal Fence:** The Applicant must provide to the City the metal fence detail for the six (6) foot tall metal fence surrounding the garden yard/open sales area on the Subject Property indicating the fence material, finish, and design to the Design and Project Review (DAPR) Committee prior to issuance of building permit.
- (D) **Landscaping:** Applicant must install and maintain the landscaping improvements as depicted in Exhibit E.
- (E) **Street Improvements:** The Applicant must install all improvements to the streets, including grinding of existing pavement markings, restriping, and asphalt patching at new water/sewer services within the Howard Street and Chicago Avenue Right of Ways.
- (F) **Sidewalk Replacement:** The Applicant must replace all sidewalks adjacent to the Subject Property along the full length of the property on both Howard Street and Chicago Avenue.
- (G) **METRA Embankment Improvements:** The Applicant agrees to continue working with METRA and/or Union Pacific Railroad regarding obtaining written permission for the installation and maintenance of landscaped embankment improvements adjacent to the Subject Property for the life of the development.
- (H) **Color Accents:** The Applicant agrees to incorporate color accents on all facades, as incorporated in the Development Plans, as revised pursuant to recommendation from the Design and Project Review (DAPR) Committee.
- (I) **Harm Mitigation for Birds:** The Applicant will implement the following strategies to improve and incorporate bird friendly measures:
  - a. Install low reflective glass windows;
  - b. Install metal balcony railings rather than glass doors and balconies;
  - c. Minimize any external lighting from 12:00 a.m. until dawn during Spring and Fall bird migration; and
  - d. Avoid guy wires and roof lighting that pose a bird hazard.
- (J) **Affordable Housing Units:** The Applicant shall provide five (5) units of on-site affordable housing for the following twenty-five (25) years in accordance with the approved equivalent alternative inclusionary housing proposal. The affordable units shall be affordable to households earning no more than the following area median income (AMI): three (3) 1-bedroom units must be affordable at eighty percent (80%) AMI and two (2) 2-bedroom units must be affordable at eighty percent (80%) AMI.

- (K) **Changes in Building Use:** Any material changes in the use of the building on the Subject Property must be approved as an amendment to this Planned Development in accordance with Subsection 6-3-6-12 of the Zoning Ordinance.
- (L) **Recordation:** Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

**SECTION 6:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's tenants, agents, assigns, and successors in interest."

**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:** 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. To the extent that the terms and provisions of any of said documents conflict with the terms herein, this ordinance shall govern and control.

**SECTION 9:** All ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

**SECTION 10:** 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 11:** The findings and recitals herein are hereby 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: May 14, 2018

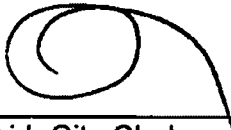
Adopted: May 29, 2018

Approved:

June 26, 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****PARCEL 1:**

THAT PART LYING WEST OF THE WEST LINE OF CHICAGO AVENUE (NOW CLARK STREET) AND EAST OF THE EAST LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY (FORMERLY CHICAGO AND MILWAUKEE RAILROAD COMPANY) OF THE SOUTH 6.25 CHAINS OF THE NORTHEAST 1/4 SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND NORTH OF A LINE 150.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF HOWARD STREET, MEASURED ALONG THE WEST LINE OF CHICAGO AVENUE, IN COOK COUNTY, ILLINOIS.

**PARCEL 2:**

THE NORTH 50 FEET OF THE SOUTH 150 FEET OF THAT PART OF THE SOUTH 6.25 CHAINS, LYING WEST OF THE WEST LINE OF CHICAGO AVENUE, EAST OF THE EAST LINE OF CHICAGO AND NORTHWESTERN RAILROAD AND NORTH OF THE NORTH LINE OF HOWARD STREET OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 3:**

THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD MERIDIAN, DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF HOWARD STREET, WITH THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD RUNNING; THENCE EAST ALONG THE NORTH LINE OF HOWARD STREET TO ITS INTERSECTION WITH THE WEST LINE OF NORTH CLARK STREET (FORMERLY CHICAGO AVENUE); THENCE NORTHERLY ALONG THE WEST LINE OF SAID NORTH CLARK STREET 100 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF HOWARD AVENUE TO THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY, MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PINs:** 11-30-212-004-0000  
11-30-212-005-0000  
11-30-212-006-0000  
11-30-212-007-0000  
11-30-212-008-0000

**COMMONLY KNOWN AS:** 100 and 128-132 Chicago Avenue, Evanston, IL (approx. 25,412 sq. ft.)

**EXHIBIT B**

**Addresses and PINs of Properties Removed from the C1 Commercial District and  
Placed Within the B3 Business District**

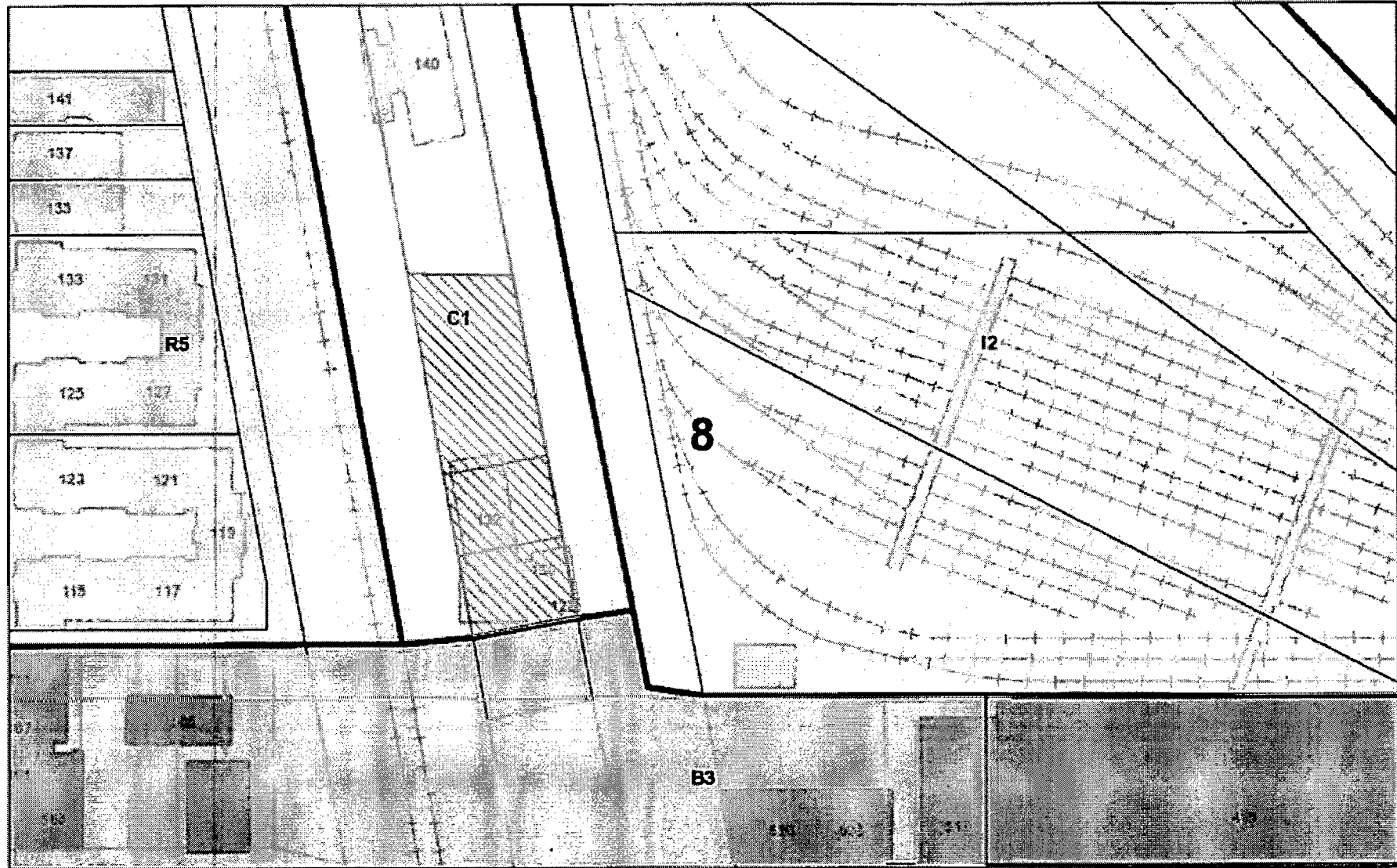
**Commonly Known As:** 128-132 Chicago Avenue, Evanston, IL

**PINs:** 11-30-212-004-0000  
11-30-212-005-0000  
11-30-212-006-0000

**EXHIBIT C**

**Map of Properties Removed from the C1 Commercial District and Placed Within  
the B3 Business District**

# Properties Removed from the C1 Commercial District and Placed Within the B3 Business District



May 3, 2018

drawGraphics\_poly

User drawn polygons

Zoning Boundaries & Labels

Zoning Overlay Districts

oCSC - Central Street Corridor

oDM - Dempster-Main Overlay

oH - Hospital Overlay

oRD - Redevelopment Overlay

oWE - West Evanston Overlay

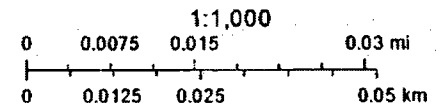
Federal Historic Districts

Northeast

Ridge

Lakeshore

Oakton



Copyright 2018 City of Evanston

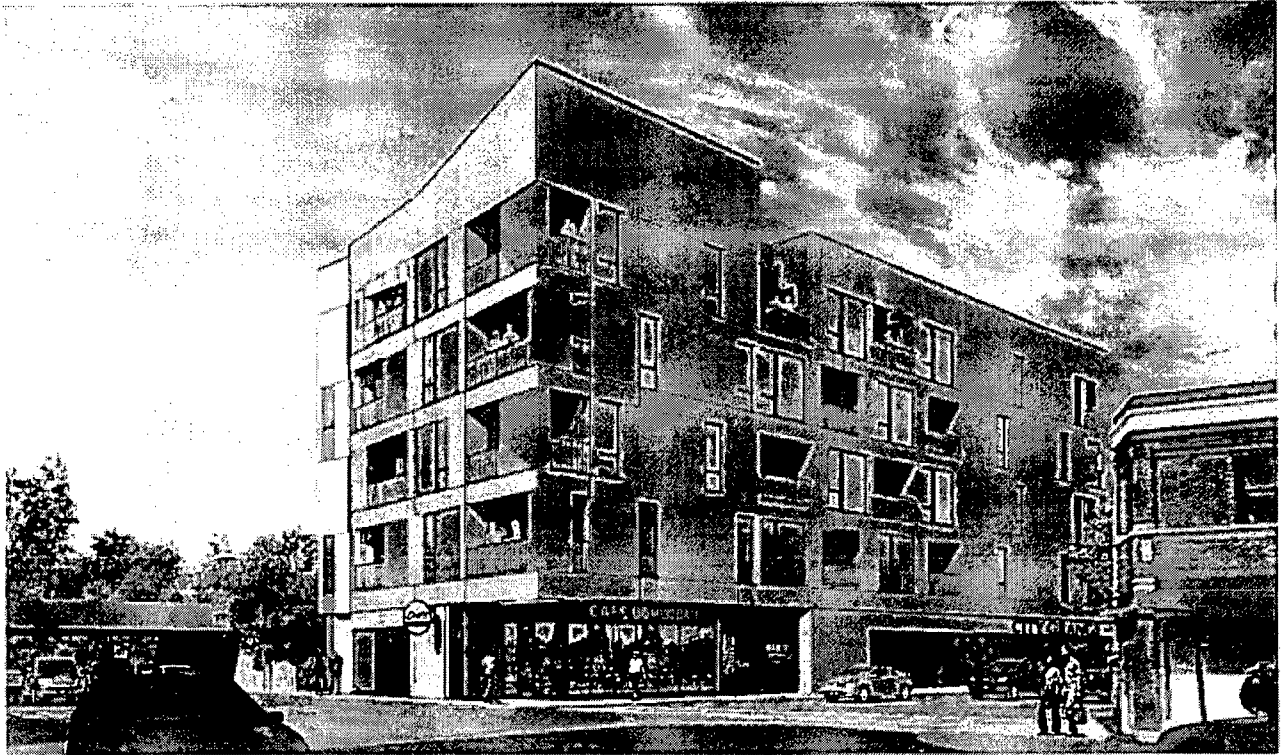
This map is not a plat of survey. This map is provided "as is" without warranties of any kind. See [www.cityofevanston.org/maad/claimers.html](http://www.cityofevanston.org/maad/claimers.html) for more information.

**EXHIBIT D**

**Development Plans**

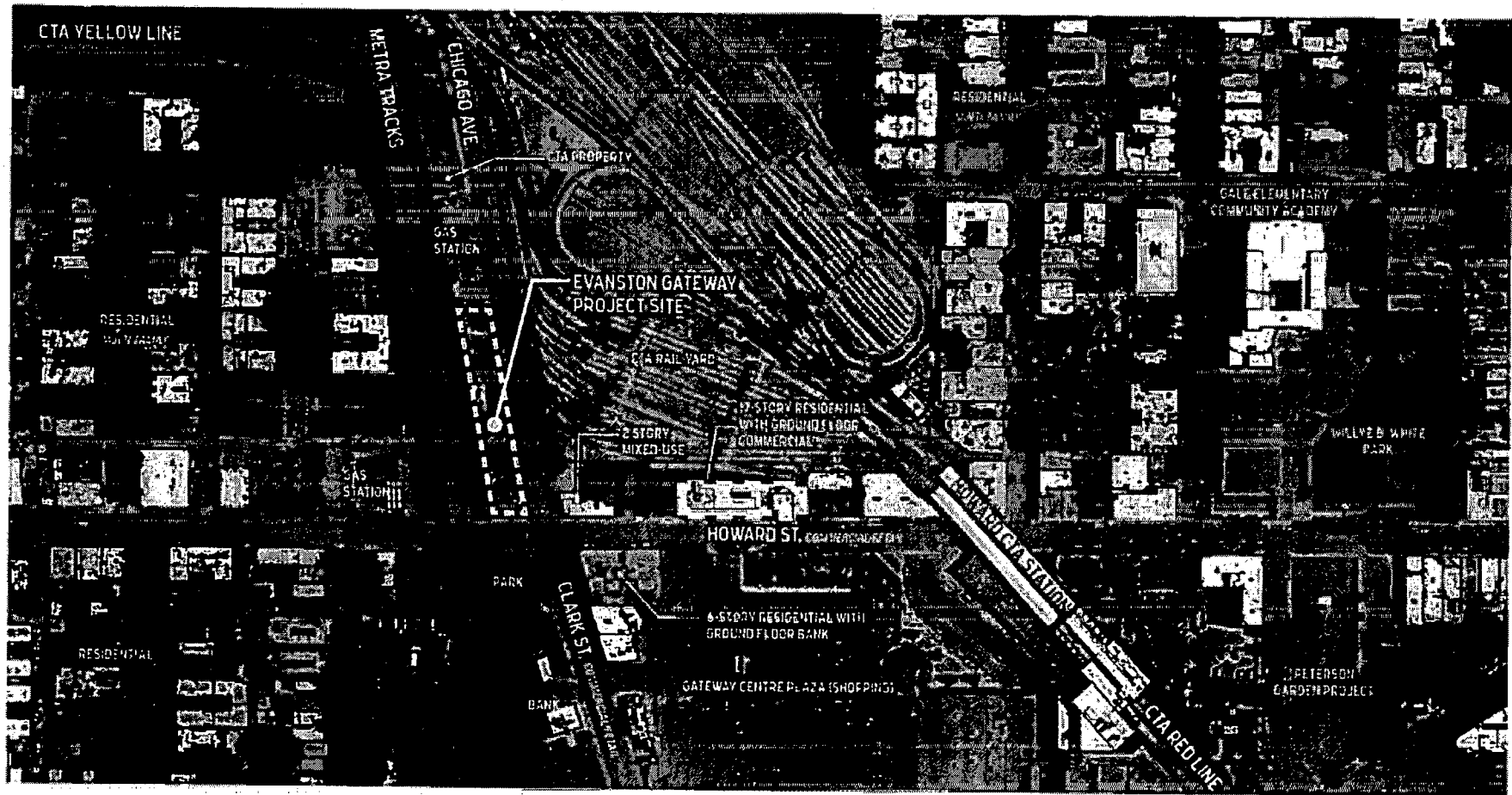
# EVANSTON GATEWAY, LLC

*Future home of CITY GRANGE - Education-based urban garden and lifestyle center*



RE-ZONING, SPECIAL USE AND  
PLANNED DEVELOPMENT APPLICATION

*100 Chicago Avenue, Evanston, IL*



AERIAL IMAGE

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | November 10, 2017

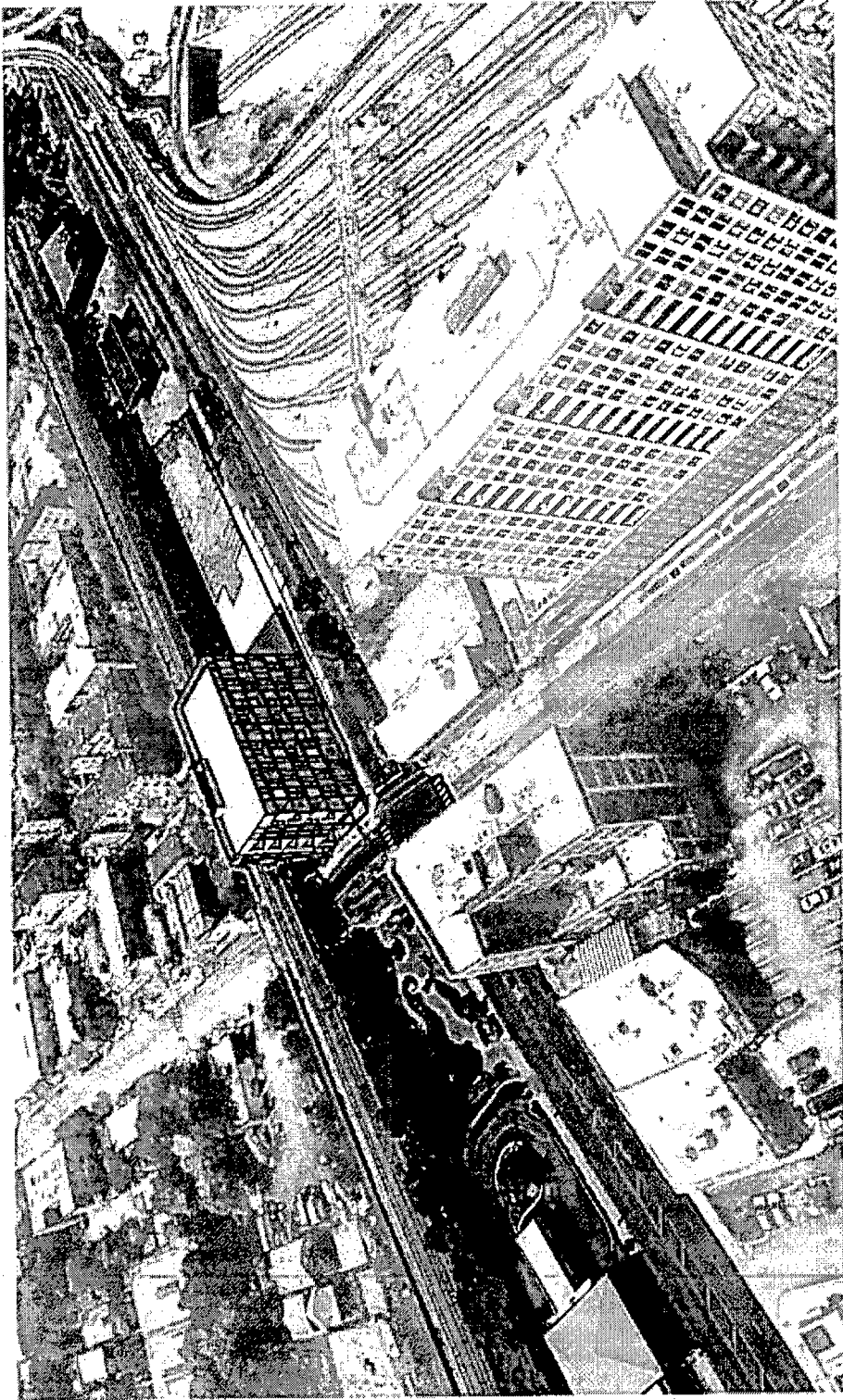
*photographs of site and surrounding properties*

**LEVEL**

100 CHICAGO AVENUE, SUITE 1703, EVANSTON, IL 60120







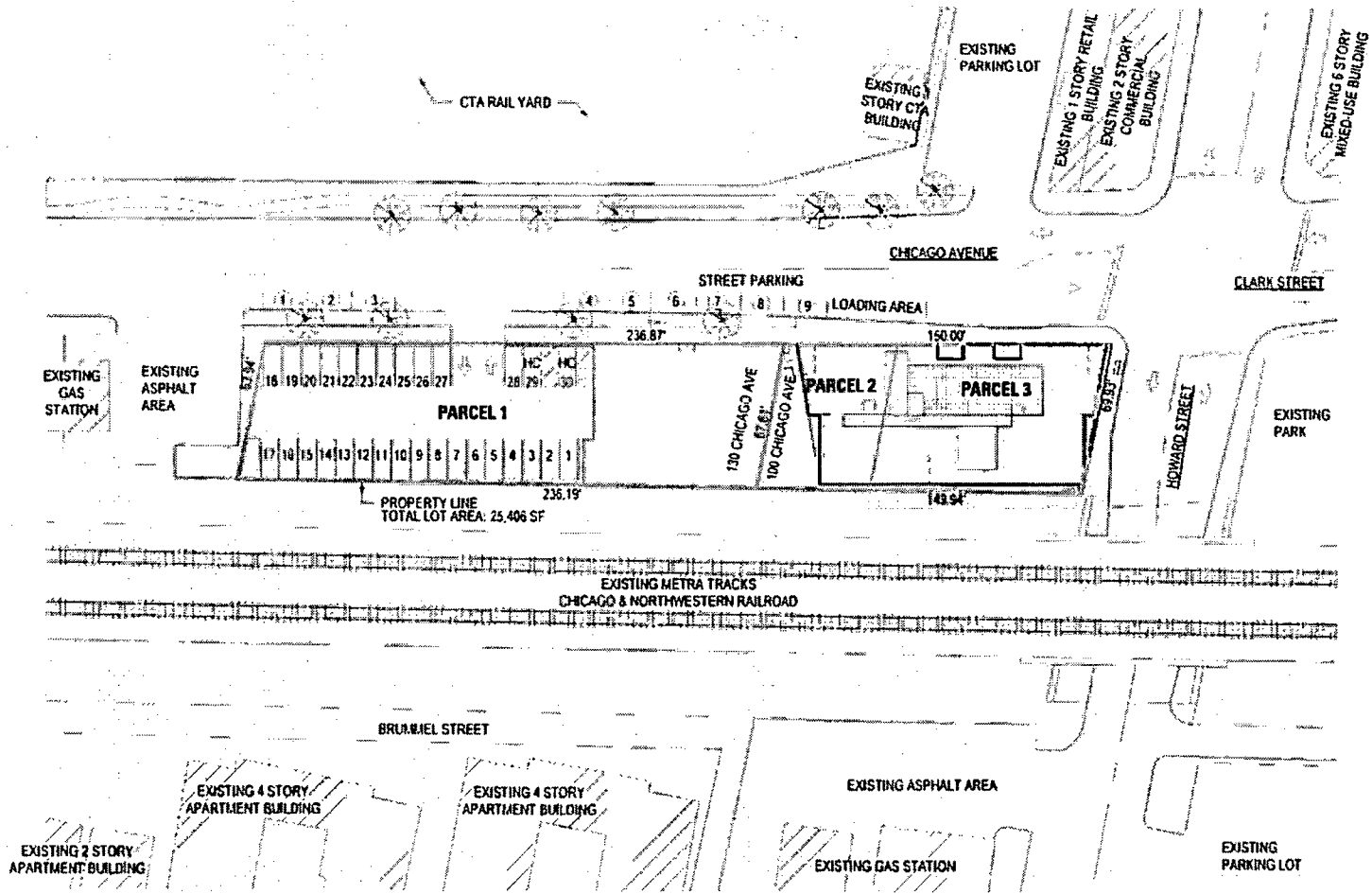
AERIAL VIEW OF SITE AND SURROUNDING CONTEXT

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

*renderings of proposed project*

**LEVEL**

LEVEL ARCHITECTURE, INC. 100 CHICAGO AVENUE, SUITE 1703, EVANSTON, IL 60120

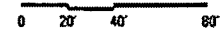


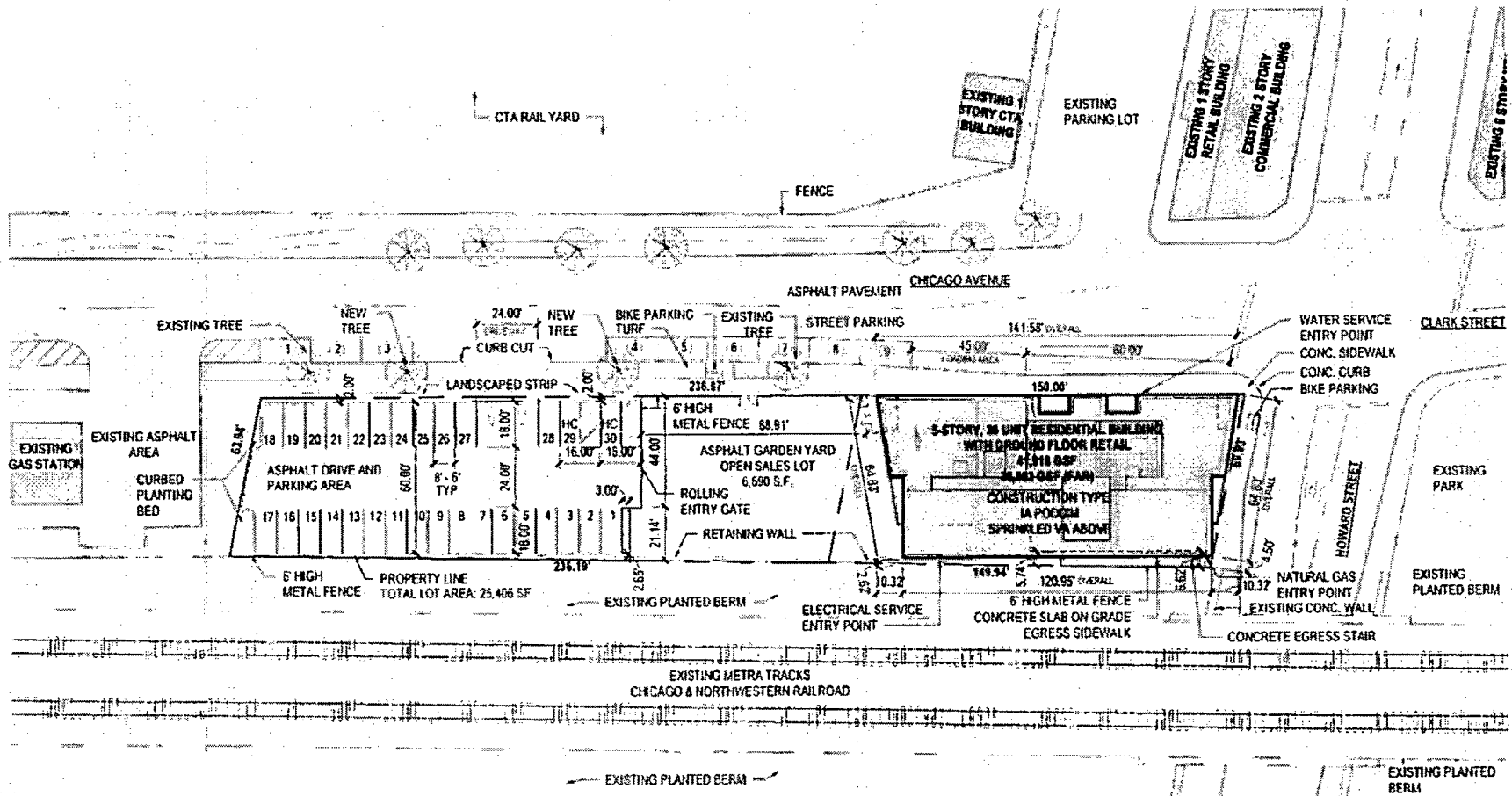
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 13, 2018

site diagram

**LEVEL**

500 N. LAKE STREET, SUITE 1000, CHICAGO, IL 60611 | TEL: 312.467.1000 | WWW.LEVELLLP.COM



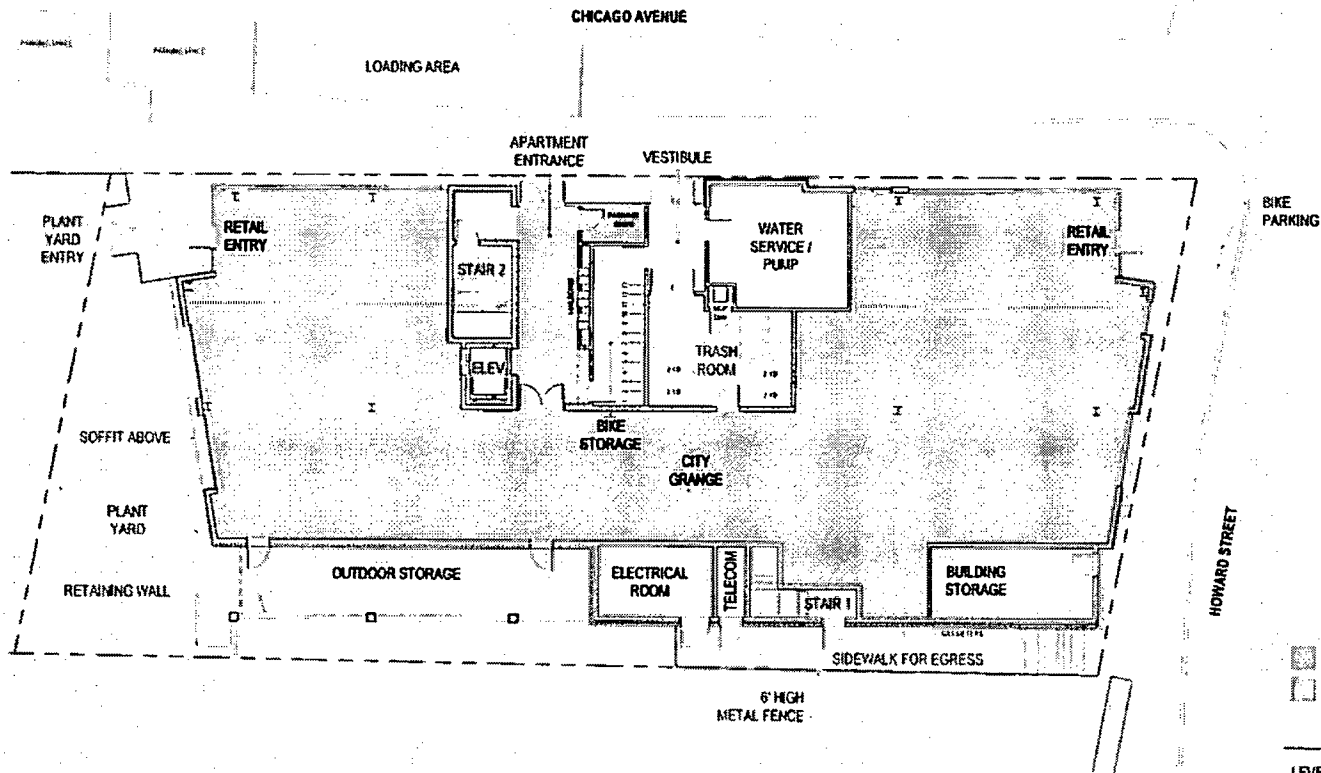


EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 27, 2018

site plan

**LEVEL**





	CITY GRANGE	4,999 SF
	APARTMENT ENTRY	420 SF
	CORE/STORAGE	2,262 SF
<b>LEVEL 01 TOTAL AREA:</b>		<b>7,681 GSF</b>

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

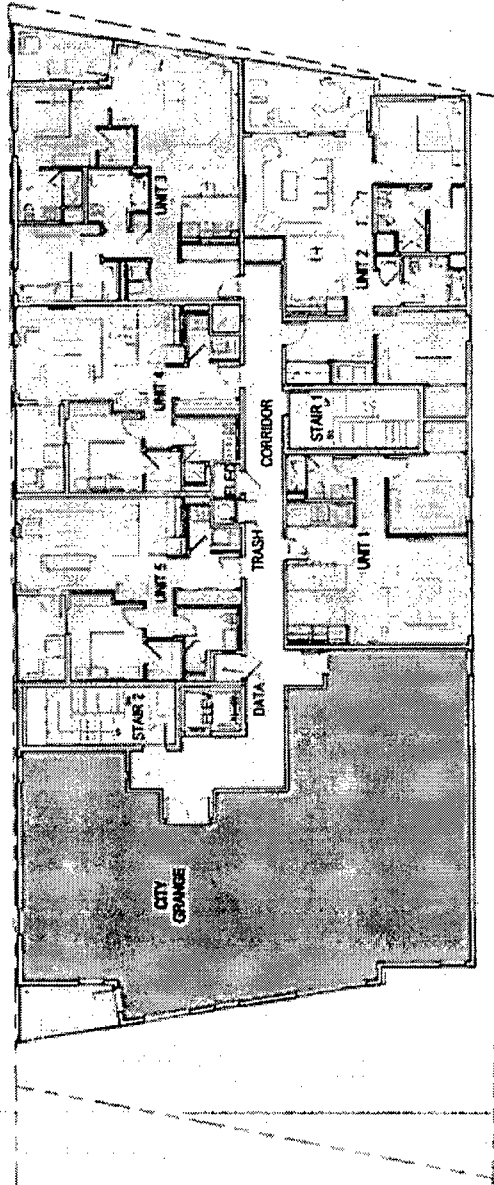
level 01

**LEVEL**

0 4 8 16 32

0 4 8 16 32



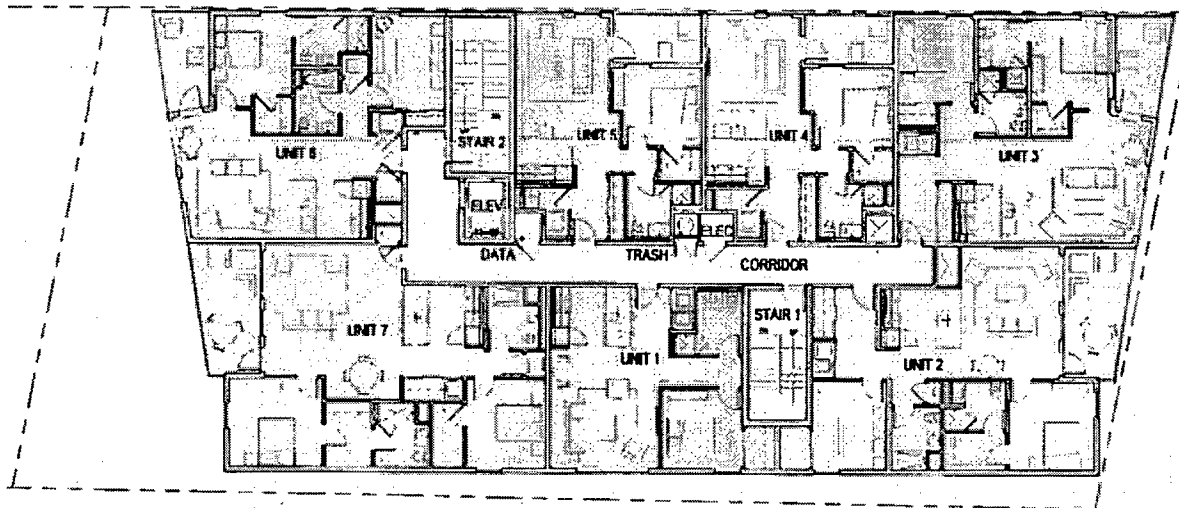


CITY GRANGE	2,374 SF
UNIT 1 - 1 BED / 1 BATH	705 SF
UNIT 2 - 2 BED / 2 BATH	1,125 SF
UNIT 3 - 2 BED / 2 BATH	1,016 SF
UNIT 4 - 1 BED / 1 BATH	732 SF
UNIT 5 - 1 BED / 1 BATH	741 SF
COVERED BALCONIES	511 SF
CORRIDOR	540 SF
CORE	518 SF
<b>LEVEL 02 TOTAL AREA:</b>	<b>8,382 GSF</b>

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE | #17.03 | March 28, 2018 | Level 02



**LEVEL**

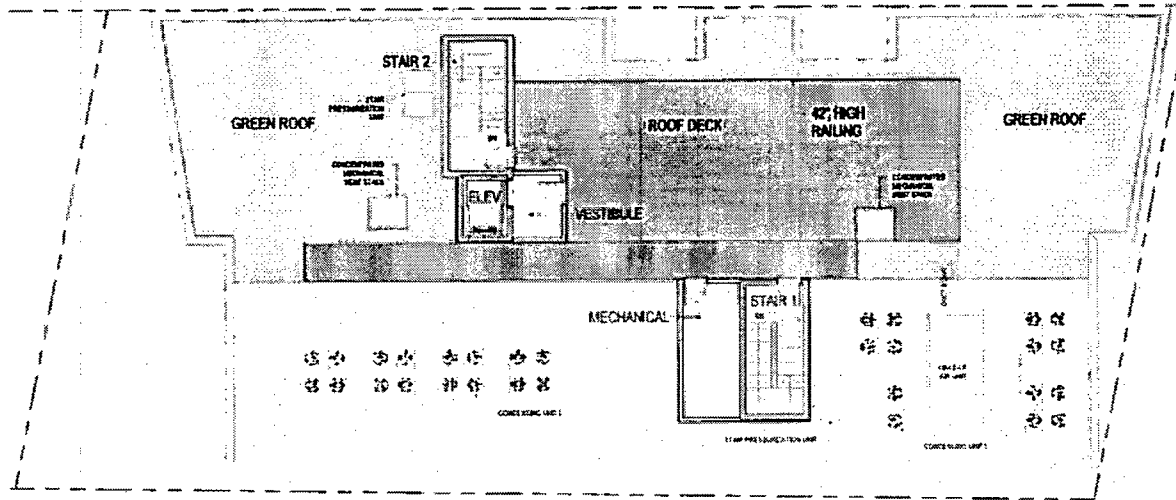


	UNIT 1 - 1 BED / 1 BATH	765 SF
	UNIT 2 - 2 BED / 2 BATH	1,125 SF
	UNIT 3 - 2 BED / 2 BATH	1,076 SF
	UNIT 4 - 1 BED / 1 BATH	732 SF
	UNIT 5 - 1 BED / 1 BATH	741 SF
	UNIT 6 - 2 BED / 2 BATH	1,034 SF
	UNIT 7 - 2 BED / 2 BATH	1,238 SF
	COVERED BALCONIES	669 SF
	CORRIDOR	479 SF
	CORE	523 SF

LEVEL 03-05, TYP AREA: 8,382 GSF

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

level 03-05, typical



ROOF DECK	1,733 SF
GREEN ROOF	2,562 SF
CORE + VESTIBULE	709 GSF

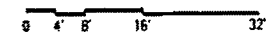
TOTAL ROOF AREA  
OPEN TO SKY: 7,374 GSF

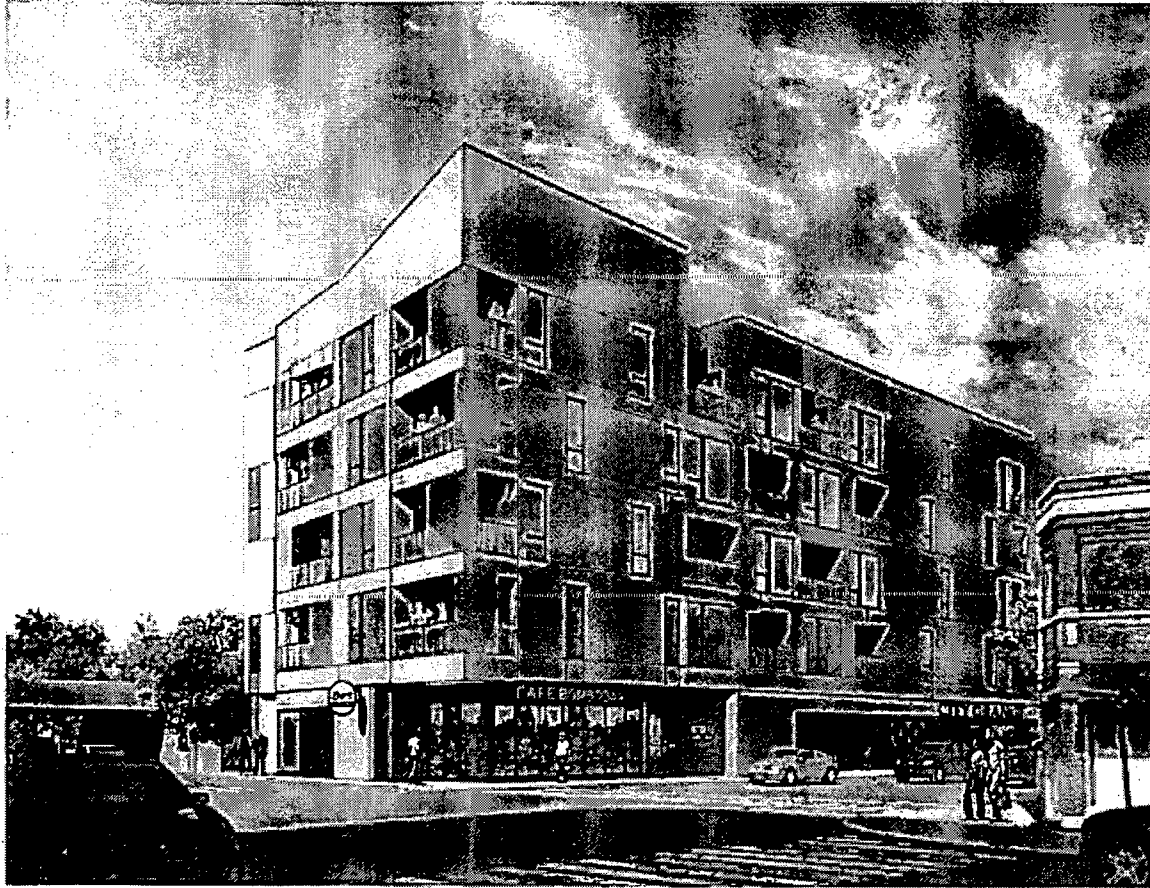
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 28, 2018

**LEVEL**

ALL RIGHTS RESERVED. ALL INFORMATION IS UNCLASSIFIED.

roof





VIEW LOOKING WEST AT HOWARD/CHICAGO INTERSECTION

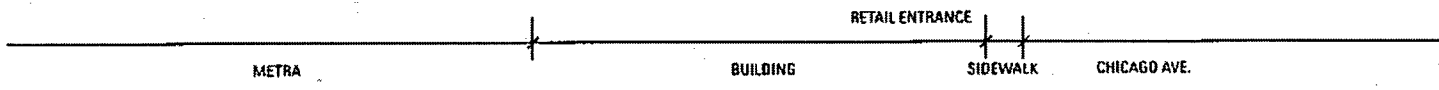
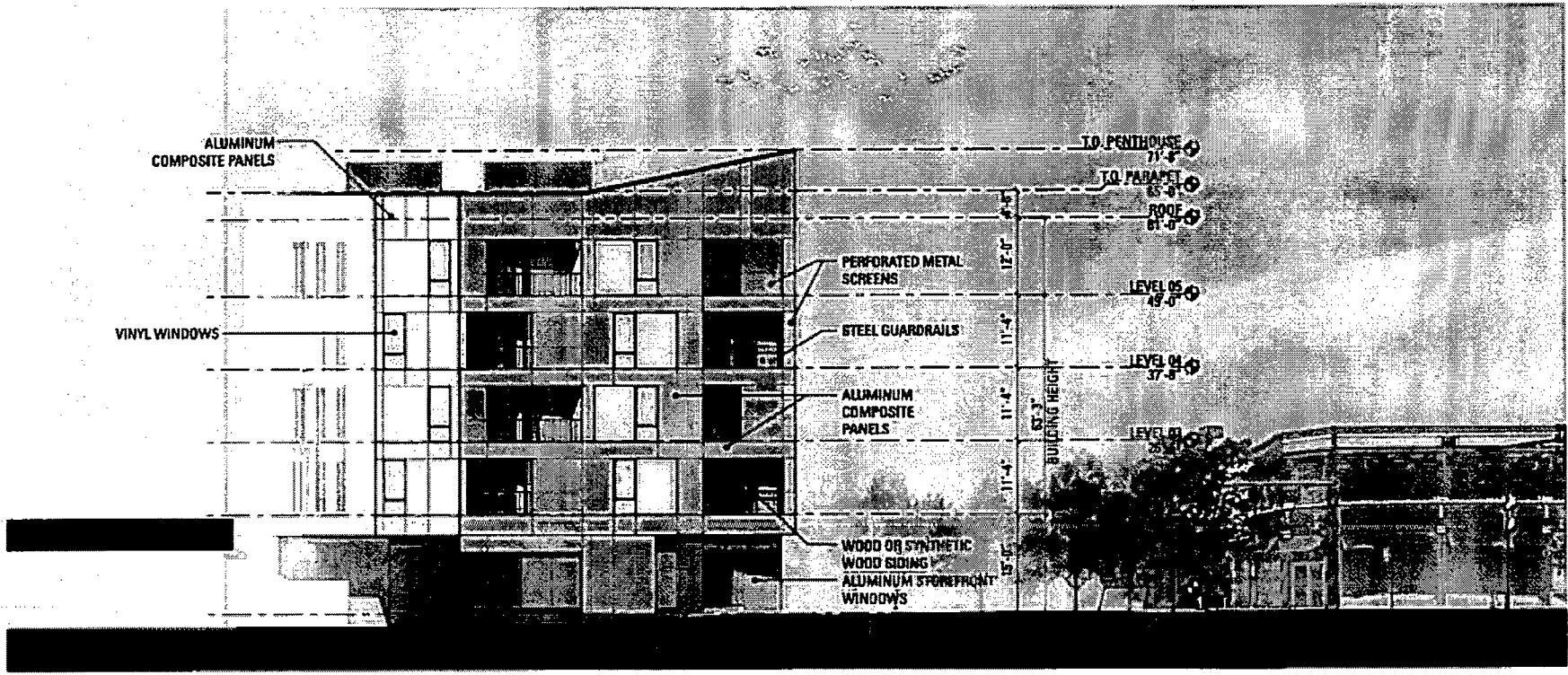
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

*renderings of proposed project*

**LEVEL**

A LEVEL LEVEL ARCHITECTURE INCORPORATED | CHICAGO, ILL. 60611

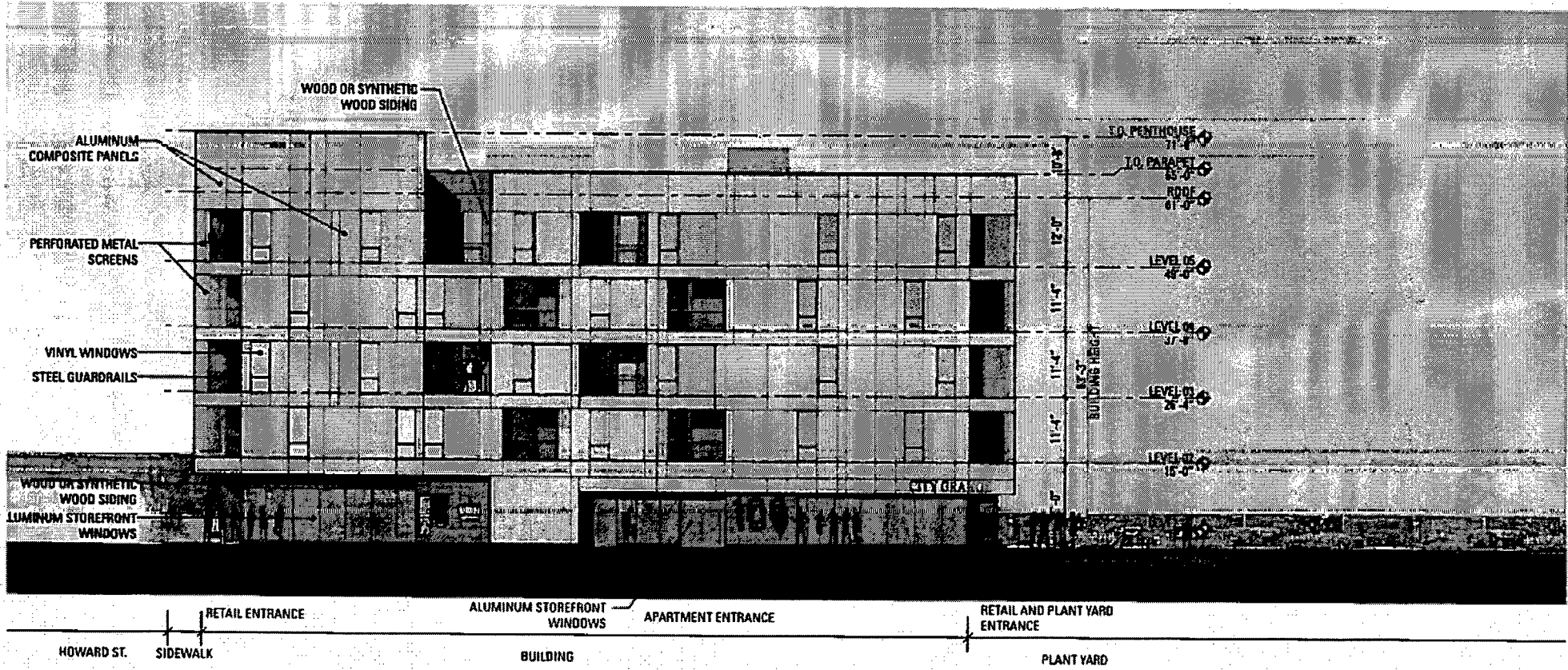




EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE §17.03 | April 11, 2018

**LEVEL**

*exterior elevation - south*

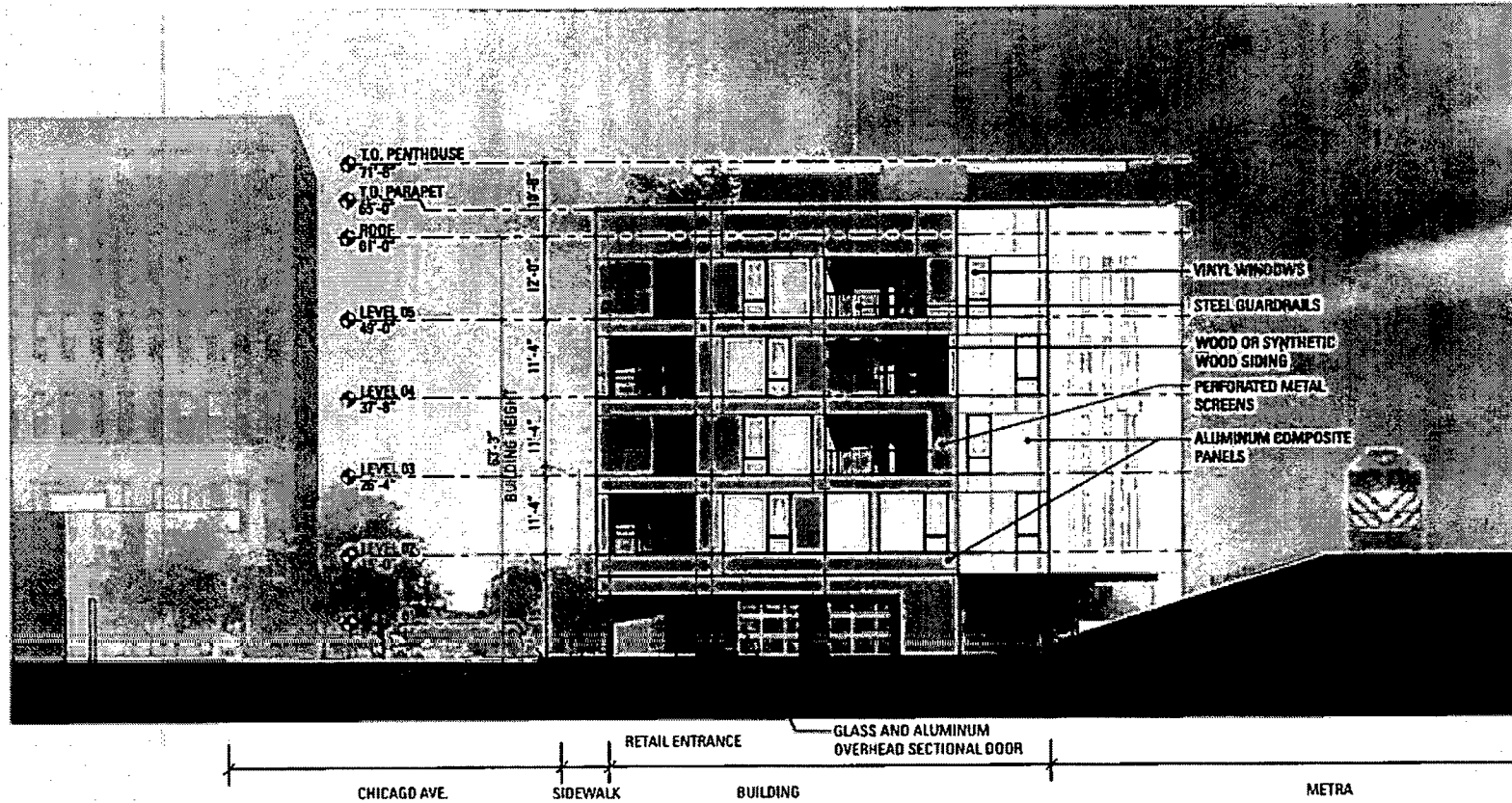


EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

exterior elevation - east

**LEVEL**

1119 E. CHICAGO AVE. SUITE 1000 CHICAGO, IL 60601 | 312.467.1111 | LEVEL.COM



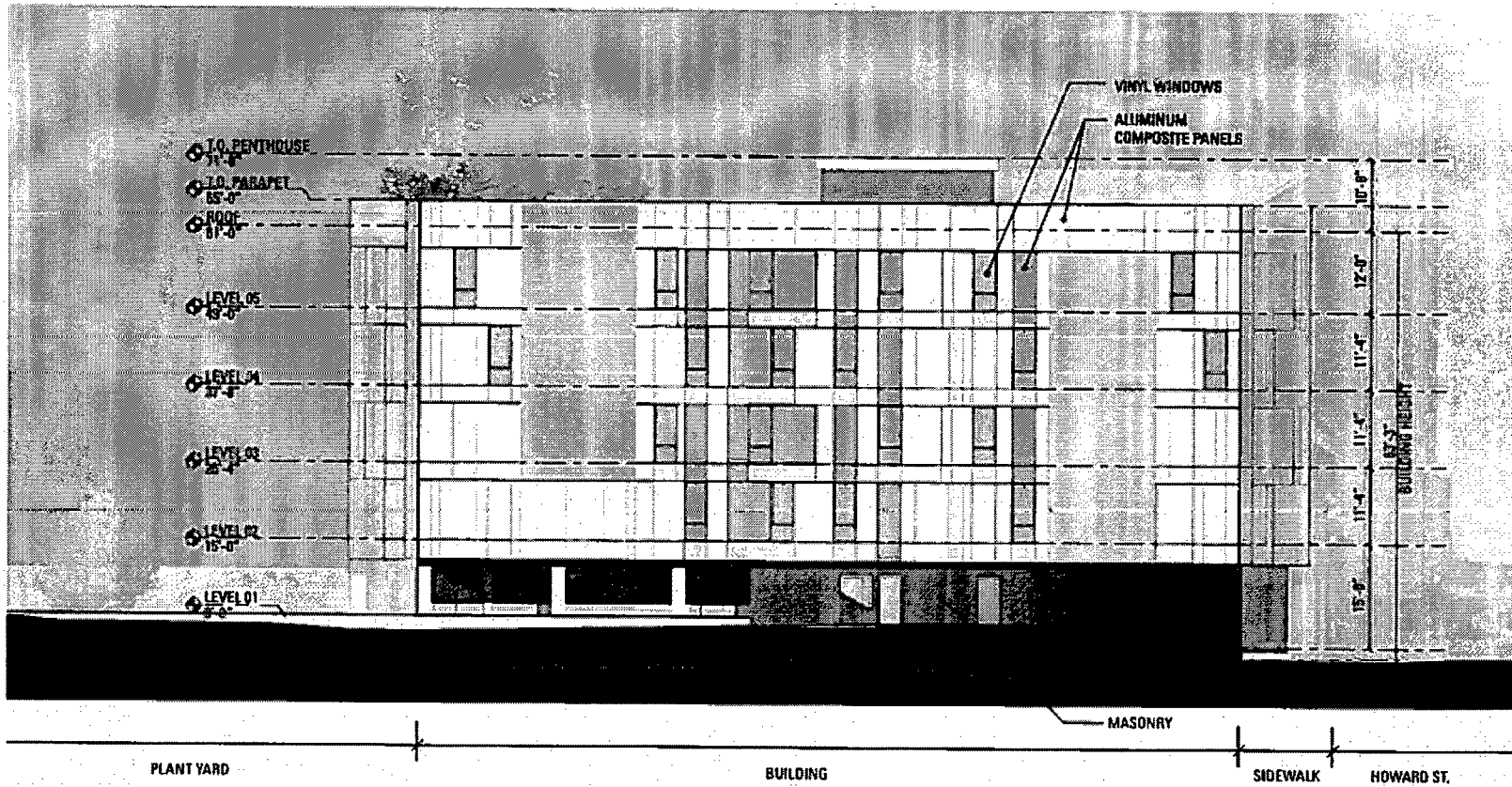
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE

#17.03 | April 11, 2018

exterior elevation - north

LEVEL

ARCHITECTURAL ELEVATION DRAWING



EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

exterior elevation - west

**LEVEL**

1111 N. STATE STREET, SUITE 1000, CHICAGO, IL 60610

Project Name:  
 Project Location:  
 Project Number:  
 Date:

**Evanston Gateway**  
 100 North Chicago Avenue, Evanston, IL  
 17.030  
 Apr. 11, 2018

Based on 2017 City of Evanston B1-B3 Regulations  
 Lot Area: 25,406  
 Total FAR 3.00

Included in FAR

	Building GSF	Total Leasable Residential								Enclosed Balconies GSF	Total Leasable Residential GSF	Corridors GSF	Retail/office GSF
		Enclosed Area Total GSF	Units										
			1B 1BA nsf "1"	2B 2BA nsf "2"	2B 2BA nsf "3"	1B 1BA nsf "4"	1B 1BA nsf "5"	2B 2BA nsf "6"	2B 2BA nsf "7"				
penthouse	709											82	
05 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380	479		
04 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380	479		
03 residential	8,382	765	1,125	1,076	732	741	1,034	1,238	669	7,380	479		
02 residential	8,382	765	1,125	1,076	732	741	0	0	511	4,950	540	2,374	
01 ground floor	7,681										345	4,999	
<b>Subtotals</b>	<b>41,918</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>2,518</b>	<b>27,090</b>	<b>2,404</b>	<b>7,373</b>	

EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

area calculation



LEVEL REAL ESTATE SERVICES, LLC | CHICAGO, IL 60611

**Not Included in FAR**

	Loading	Bike Parking	Mech, elec, data, water	Trash	Storage + BOH	Stairs, elev, and shafts
	GSF	GSF	GSF	GSF	GSF	GSF
05 penthouse			185			442
05 residential			45	17		461
04 residential			45	17		461
03 residential			45	17		461
02 residential			45	17		456
01 ground floor		172	589	301	962	313
<b>Subtotals</b>	<b>0</b>	<b>172</b>	<b>954</b>	<b>369</b>	<b>962</b>	<b>2,594</b>

**Summary**

	Total GSF	Subtotal attributable to FAR	Fir.
<b>SUBTOTAL: NON-FAR</b>			
627	709	82	penthouse
523	8,382	7,859	05 residential
523	8,382	7,859	04 residential
523	8,382	7,859	03 residential
518	8,382	7,864	02 residential
2,337	7,681	5,344	01 ground floor
5,051	41,918	36,867	<b>Subtotals</b>

**TOTAL GSF 41,918**

FAR	3.00
allowable FAR area	76,220
proposed FAR area	36,867
proposed FAR	1.45

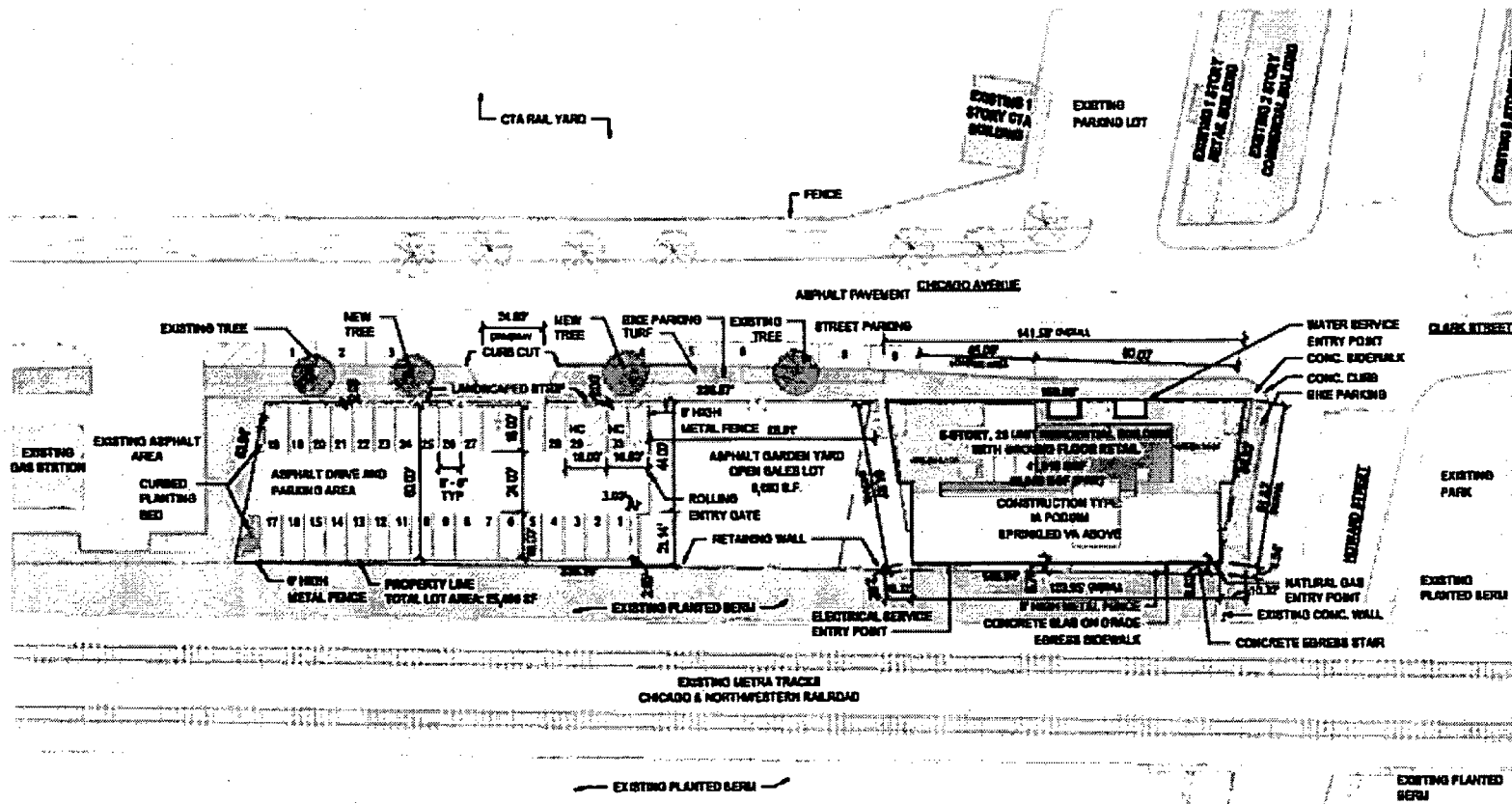
EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | April 11, 2018

area calculation

**LEVEL**

100 CHICAGO AVENUE, EVANSTON, ILLINOIS 60120 | GATEWAY 17.03 | APR 11, 2018

**EXHIBIT E**  
**Landscape Plans**



EVANSTON GATEWAY, LLC | 100 CHICAGO AVENUE #17.03 | March 27, 2018

landscape plan



LEVEL DESIGN GROUP, INC. 1000 N. LAUREL AVENUE, SUITE 100, CHICAGO, IL 60642





**EVANSTON GATEWAY LLC  
4346 N. Honore Street, #500  
Chicago, IL 60613**

June 16, 2019

Scott A. Mangum, AICP  
Planning and Zoning Manager  
City of Evanston

***Re: 100-130 Chicago Avenue – Request for Extension of Planned Development***

Via Email and Regular Mail

Dear Scott:

As we have discussed, the Planned Development approval for the Evanston Gateway Project at 100-130 Chicago Avenue is scheduled to expire June 26, 2019

As we continue to work on securing financing of the project, we would like to request an extension of the Planned Development and all entitlements for a period of 12 months.

We understand that such an extension requires approval of the City Council and a fee of \$1,000.00. Enclosed with this letter is a check for \$1,000.00.

Thank you for your consideration.

Please send to me a copy of the ordinance that will be submitted at the next City Council meeting.

Regards,



EVANSTON GATEWAY LLC  
David R. Brown, Manager

**EXHIBIT 3**