

7-R-20

A RESOLUTION

Authorizing the City Manager to Initiate a Request for Qualifications and Request for Proposals Process for the Repurposing of City-Owned Real Property Located at 1805 Church Street and 1708-1710 Darrow Avenue

WHEREAS, the City owns vacant property at the corner of Church Street and Darrow Avenue, real property addresses for the lots are: 1805 Church Street and 1708-10 Darrow Avenue with a total square footage of 17,000 area for redevelopment (the "Subject Property"); and

WHEREAS, the City seeks to create mixed use developments with both retail and residential affordable housing redevelopment opportunities throughout its residential corridors in which property is developed to its highest and best use; and

WHEREAS, the City seeks to attract real estate development professionals to redevelop the Subject Property through a fair, transparent, and competitive process; and

WHEREAS, the City Council finds that it is in the best interests of the City of Evanston to engage in a two-step process that includes 1) a *Request for Qualifications* from real estate development professionals and 2) a *Request for Proposals* from individuals and parties that are determined to be qualified in the first step of the process,

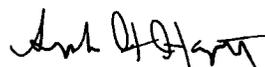
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The City Manager is hereby authorized and directed to draft an application and guidelines for determining qualified real estate development professionals, disseminate said application and guidelines publicly, and solicit responses seeking qualified real estate redevelopment professionals for real estate located at 1805 Church Street and 1708-10 Darrow Avenue.

SECTION 2: This resolution authorizes the City Manager to review responses of qualifications from real estate redevelopment professionals and identify qualified real estate development professionals from the Request for Qualifications phase.

SECTION 3: The resolution directs the City Manager to oversee and manage a process for soliciting proposals for the proposed redevelopment of the property located at 1805 Church Street and 1708-10 Darrow Avenue from real estate development professionals identified in the *Request for Qualifications/Request for Proposals*.

SECTION 4: This Resolution 7-R-20 shall be in full force and effect from and after its passage and approval in the manner provided by law.



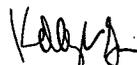
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved to form:



Kelley A. Gandurski, Corporation Counsel

Adopted: January 13, 2020

**Request for Qualifications/
Request for Proposals**

Redevelopment of 1805 Church St.

**Issued by:
the City of Evanston**

**Issuance Date:
Tuesday, January 14, 2020**

**Deadline for Responses:
Friday, March 2, 2020**

**Additional information will be
available on the City's website at:
cityofevanston.org/1805church**



**City of
Evanston™**

Table of Contents

Introduction and City Objectives	<u>3</u>
Request for Qualifications/Request for Proposals Timeline	<u>4</u>
Overview of 1805 Church St.	<u>5–8</u>
No Further Remediation Letter	<u>7</u>
Selection Criteria	<u>7</u>
Request for Qualification/Proposal Scorecard	<u>9</u>
Submission and Additional Procedures	<u>10</u>
Project Proposal	<u>11</u>
Additional Documents for Review	<u>11</u>
• Map of Property and Surrounding Area	
• Plat of Survey	
• Zoning Classifications	
• Stormwater Control Ordinance	
• Environmental No Further Remediation Letter	

Introduction and City Objectives

The City of Evanston (“the City”) is seeking submissions from qualified developers for the redevelopment of a City-owned property located at the corner of 1805 Church St. and 1708-10 Darrow Ave. The site is comprised of three parcels approximately 17,000 square feet of property. The City zoning code and local neighborhood plan envisions a mixed-use building with three stories and active ground floor retail or an “iconic building” totaling two stories with religious, community or cultural. Staff recommends Mixed-use with commercial on first floor to support commercial corridor starting at Darrow on east to Youth and Opportunity United (Y.O.U.) and Evanston Township High School (ETHS) on the west.

Submitted qualifications and proposals from individuals or teams will be reviewed and ranked by the City’s Community Development Department, Public Works Agency, City Manager’s Office, the Economic Development Committee and the City Council. From that point, the City will initiate negotiations with the first ranked individual or team to draft a public/private partnership agreement. In the event that the first ranked individual/team is unable to complete a public/private partnership agreement, the City will move to the second ranked qualified proposal.

During the review, the City is taking into consideration past development success, experience in working with municipalities of similar scale as Evanston, financial strength of development teams, quality of previous development projects, and demonstrated economic benefit to cities where projects were previously located.

Developers shall provide a proposal for how they would propose to redevelop the property, including site plans of the proposed redevelopment, renderings of the proposed concept, letters of commitment from proposed tenants or end-user of the property, and proposed structure for seeking to purchase or lease from the City, as well as any additional assistance required to complete the project.

The timeline on the following page summarizes the steps anticipated for this project. The timeline is subject to change based on the City calendar, obtaining quorum for meetings, and other factors not currently anticipated at the time of issuance of this document.

Request for Qualifications/Request for Proposals Timeline

Event/Activity	Date
Release of Solicitation Documents	Tuesday, January 14, 2020
Deadline to Submit Questions to the City	Friday, February 14, 2020
City's Response to Questions (posted at cityofevanston.org/1805church)	Friday, February 21, 2020
Responses to Solicitation Due	Friday, March 2, 2020
Evaluation by City Staff	Monday, March 16, 2020
Economic Development Committee Review of RFP Responses/Public Presentation of Proposals by Short-Listed Developers	Wednesday, March 25, 2020
City Council Review of RFP Responses	Monday, May 4, 2020
Selection of Development Team	June/July 2020

Overview of 1805 Church St.

The City is seeking qualified individual or team to redevelop the property at the corner of 1805 Church St. and 1708-10 Darrow Ave. to bring destination-oriented use to the West Evanston Plan. Evanston has a wide range of dining, fitness and entertainment options, and is home to many unique destinations. The City's goal for this property is to be utilized for its highest and best uses that will offer amenity options for visitors and residents of Evanston that include families, baby boomers, and college-aged students alike.

The following sections outline important information for review and consideration of the site:

Site Location and Context

The Church and Dodge business district has transformed in recent years as a result of public and private sector investment. Y.O.U. constructed a \$10 million headquarters and relocated from south Evanston. The City of Evanston acquired 1823 Church and invested in infrastructure upgrades including upgrades to the geo thermal hvac system and installation of a new outdoor patio. The Lighthouse Whole Food Grill occupies the building as well. Locally owned businesses C&W Market, Ebony Barbershop, Tom's Beauty Supply, Gyro Planet and Cutting Edge Hair Gallery received a total of \$75,000 from the City for facade improvements.

In Spring of 2019, the City acquired 1805 Church Street after the property underwent an environmental remediation paid for by Chevron. The City would like to assemble the former gas station property with two adjacent city-owned vacant residential lots acquired ten years ago. The assembled property totaling 17,000 square feet presents an opportunity to continue the neighborhood improvements and provide housing and services to the neighborhood. On Monday, July 29, 2019 Alderman Robin Rue Simmons hosted a community meeting to discuss the potential uses of the property.

The City-owned property is adjacent to a vacant lot owned by Mt. Pisgah Pentecostal Faith Church. Applicants are highly encouraged to determine if the adjacent property and/or partnership with the church results in a viable redevelopment opportunity.

A map of the property's context within a two-block radius and the region is provided as an attachment in the appendix.

Demographic Profile of Site

ETHS is located at the first major intersection to the west of the property at Dodge Ave. and Church St. There are several locally owned businesses at this intersection as well. Multiple City-owned recreational facilities are in close proximity to the site including the [Gibbs-Morrison Cultural Center](#), Mason Park Fieldhouse, [Evanston Ecology Center](#) and the [Fleetwood-Jourdain Center](#).

Directly adjacent to the property is single family residential to the north, commercial to the west and south, and a mixed use residential/commercial loft to the east.

Zoning and Building Code

The vacant property at the northwest corner of Darrow Avenue and Church Street is located within the B2, Business Zoning District and the oWE West Evanston Overlay District. The regulations for the B2 District are located within Section 6-9-3 of the Zoning Ordinance, where the West Evanston Overlay District includes form-based regulations for the Mixed Use Building Type (pg 34-35) and Civic Building Type (pg 50-51). The attached table indicates allowable uses for this proposed zoning. Following the selection of the appropriate development team, the City will work with the selected team to determine if B2/oWE are still appropriate zoning designations or if changes need to be made.

The City has adopted the 2012 International Building Code with additions, deletions, and exceptions, and other amendments as set forth in Title 4 of the City Code. More information on the adopted building codes can be found by visiting cityofevanston.org/business/building-inspection-services.

Evanston's Green Building Ordinance is designed to improve energy efficiency, reduce the use of materials that aren't sustainably produced, as well as lessen the environmental impact of new construction, additions, and interior renovation projects. Requirements are defined based on the size of the project in square feet and designate that projects either obtain a US Green Building Council LEED Silver Rating or higher or employ a prescribed number of Sustainable Building Measures for New Construction or for Major Renovation Projects as appropriate.

Transportation

According to the Illinois Department of Transportation, 11,000 cars pass the site on a daily basis. Dodge Avenue is located at the west corner of the block where an additional 11,000 cars pass daily. This corner is also where Evanston Township High School is located.

The intersection of Church St. and Dodge Ave. is served by multiple buses between the Chicago Transit Authority (CTA), routes 93 and 206, and Pace, routes 208 and 213. The CTA's route 93 runs downtown Evanston and the Brown Line's Kimball Stop in Chicago. Route 206 is a primary service for the City of Evanston from Howard St. to Central St. The two Pace routes serve from downtown Evanston to north on Green Bay Rd. and west on Golf Rd.

The CTA's Davis Purple Line rapid transit train station is located in the heart of downtown Evanston just .60 miles east on Church St. The same downtown location is also served by the Metra's Union Pacific North line that travels north to Kenosha and south to downtown Chicago.

Municipal Services

There is currently no water or sewer infrastructure serving the three parcels. In order to connect, there are 6" diameter water mains located in both Darrow Avenue and Church Street. There is an 18" diameter sewer located on Dodge Avenue one block west.

Taxes

The property is currently under the ownership of the City and is exempt from paying taxes. After the property is leased or sold then the new user will assume responsibility for the payment of taxes on the property.

No Further Remediation Letter

The City was issued an Environmental No Further Remediation Letter by the Illinois Environmental Protection Agency (the "NFR") on March 8, 2019, for the subject property, 1801-1805 Church Street. Developers should note that the asphalt barrier must remain over the contaminated soils and must be maintained as an engineered barrier. Any future building constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sump. The developer is obligated to comply with the conditions set forth in the NFR letter and must refer to the attached NFR letter for further information.

Climate Action and Resilience Plan (CARP)

In 2018, the City Council approved CARP to reduce Evanston's impact on global climate change while preparing the community for its effects. The plan provides concrete actions the City and its community partners will take to meet ambitious climate action goals over the next three decades. In adopting the plan, Evanston became the first Illinois city to set a goal of achieving 100 percent renewable electricity for all properties, aiming to do so by 2030, and the first to target zero net emissions, or carbon neutrality, with plans to achieve that goal by 2050.

Selection Criteria for Qualifications Stage

All completed submissions seeking to be considered for the qualifications stage of the process will be reviewed. Staff from the City's Community Development Department, Public Works Agency, and City Manager's Office will review all proposals and award points to each proposal. Copies of the submissions will also be sent to all members of the Economic Development Committee (members are City Council members, one is a liaison from the Plan Commission, one is a liaison from the Zoning Board of Appeals, and two members are appointed by the Mayor to serve on the Committee). Members of the Economic Development Committee will also be asked to score all the submissions and provide scores prior to the Economic Development Committee meeting that the RFQ will be discussed.

At that meeting, all scores (staff scores and Committee member scores) will be shared and discussed. The respondent selected in the RFQ stage will be recommended to submit detailed plans for the RFP stage.

The following format is required for all submissions

I. Qualifications Summary

Statement summarizing the development team's qualifications for completing a project as outlined in this document and interest.

II. Development Team Overview

This section should include all parties that will participate on this project (owner/operator, architect, engineers, construction management team, any other design/construction professionals). Information for each party involved should include:

- a. Resumes of all principals involved from each firm or organization for all components of the project
- b. Background on each firm involved in the project
- c. Name of development team entity that is interested in undertaking this project (include all names of principals, managing partners, etc.).

III. Representative Projects and/or Experience

This section should include all projects that principals of the development team or operator have completed within the past 10 years. Projects should include information on location, physical characteristics of the project, and the current condition of the project (open, closed, under new management, etc.). Any other pertinent information on this project should be included to illustrate the development team's ability to undertake large scale projects that operate successfully after opening.

IV. Current Projects

This section should include all projects the operator or development team contemplates participating in between 2012 and 2023. Information on the size and scope of these projects should be included. It should also include all projects the development team is currently responsible for managing and operating on a day-to-day basis.

V. Financial Information

Information documenting the development team's ability to participate financially in this project is a key component of the evaluation. At this stage, the following information is requested:

- a. Sources of financing and preliminary evidence of interest from financial institutions or partners. Evidence can include letters to the operator or development team indicating interest in financial participation on future projects.
- b. Information about pending litigation or other disputes associated with the operator and development team.

VI. References

References for similar projects is required. References should include contacts for current City staff that are familiar with work completed

VII. Point of Contact for Project

Clearly identify the person who should receive correspondence from the City regarding this project.

The following page highlights criteria and potential total points awarded for submissions.

Request for Qualification/Proposal Scorecard

Category	Description	Points Awarded (of 100 total)
Complete Submission	Submission was complete and included all information requested and shows understanding of the City's desired goals for the property.	15
Experience in Similar Communities	Operator or development team has good references from similar municipalities in which it has completed work.	10
Capacity of operator or team to complete the project	Operator or proposed development team has completed similar projects on size and scope of that contemplated at this location. The resumes of principals involved demonstrate experience working on similar projects. Current work load will not interfere with ability to complete this project.	15
Demonstrated financial capacity to complete the project	Operator or development team demonstrated that they have the financial capacity to develop and operate a development on the scale of the one contemplated for this project.	20
Portfolio of Work	Operator or development team completed projects that have similar uses and tenants that represent high-quality uses and projects.	20
Environmental practices and demonstration of sustainability commitment	Operator or development team is able to highlight components of projects or experience that demonstrate a commitment to environmental sustainability.	10
Resumes and Experience of Firm Principals	Operator or team has a reputable team of professionals under leadership.	10
Total Points		100

Staff will create a separate scoring matrix for the RFP stage if multiple entities are determined to be highly qualified during the RFQ stage.

Submission and Additional Procedures

In order for all respondents to have the opportunity to understand and the site, the City will offer a period for questions, comments, and answers.

Questions/Comments & Answers

All questions regarding the property and this solicitation must be submitted to the City no later than February 14 at 5:00 p.m. Questions will be answered as they are received and will be published on the City's website at: cityofevanston.org/1805church. Responses to questions will be published on this page no later than February 21, 2020. All updates regarding this project will be communicated through this website as well. The page should be regularly checked to ensure that information is not missed.

Submission Procedure

Submissions must be received no later than 5:00 p.m. on Friday, March 2, 2020 in the following manner:

- Submit one copy of the response to the Request for Qualifications for 1805 Church Street to the City of Evanston's Building Permit Desk at the following address:
Building Permit Desk
ATTN: 1805 Church Street Responses
2100 Ridge Avenue, Rm. 3510
Evanston, IL 60201

In-person submission, mail, courier, and all other delivery services are acceptable.

- Email one PDF copy to Melissa Parker, Community Development, Management Analyst, at mparker@cityofevanston.org.

A confirmation email will be provided indicating your submission was received and within the deadline.

The City reserves its right to reject any or all submittals when, in its opinion, it is determined that it is in the City's best interest; to waive minor irregularities and informalities of the submittal; or to cancel, revise, or extend this solicitation. This Request for Qualifications does not obligate the City to pay any costs incurred by any respondent in the submission of a proposal or in making necessary studies or designs for the preparation of that proposal, or for procuring or contracting for the services to be provided under this Request for Qualifications.

Project Proposal

Proposals, at a minimum, should include:

Project Description

- Intended use(s) of the property and compatibility with uses adjacent to the property.
- Rough site plans and renderings of proposed development.
- Building use program
- Proposed number of parking spaces.
- Anticipated development schedule with key milestone dates and projected occupancy date.
- Developer experience with development projects in municipalities of similar scale to Evanston.

Finances

- Indication of ability to purchase the property from the City of Evanston
- Estimated total investment to be made for the development of the property.
- Estimated property and sales taxes projected to be generated by the development.
- Financial assistance being sought from the City of Evanston, Cook County, the State of Illinois, or any other entity.
- The financial strategy of the project, and its ability to secure necessary private funds and be started and completed in a timely manner.
- Evidence of financial capacity of the developer to complete the development of the property.
- Demonstrated economic benefit to cities where projects were previously located.

Additional information may be required at the City's discretion. The RFP stage of solicitation will occur immediately following the completion of this RFQ.

Additional Documents for Review

- Map of Property and Surrounding Area
- Plat of Survey
- Zoning Classifications
- Stormwater Control Ordinance
- No Further Remediation Letter





PLAT OF SURVEY

BY

SAMBORSKI, MATTIS, INC.

2A

LAND SURVEYORS

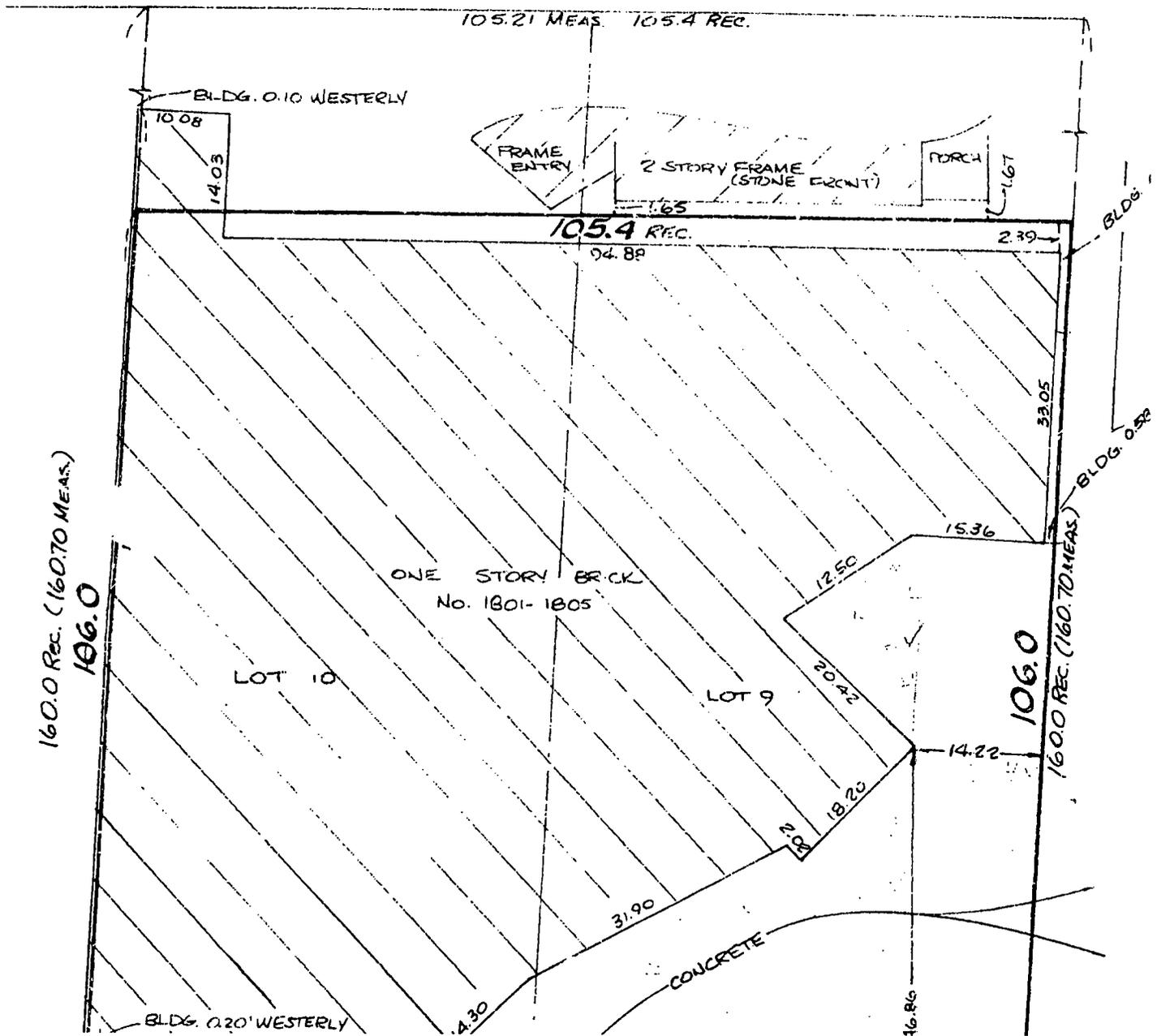
1801

4039 W. MAIN STREET SKOKIE, ILL. 60076

(312) 674-7373

OF

THE SOUTH 106.0 FEET OF LOTS 9 AND 10 IN BLOCK 3 IN MENNELL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRIME MERIDIAN, IN COOK COUNTY, ILLINOIS.



7100 N. TRIPP AVENUE
LINCOLNWOOD, ILLINOIS 60712
www.professionalsassociated.com



PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-003023

PLAT OF SURVEY

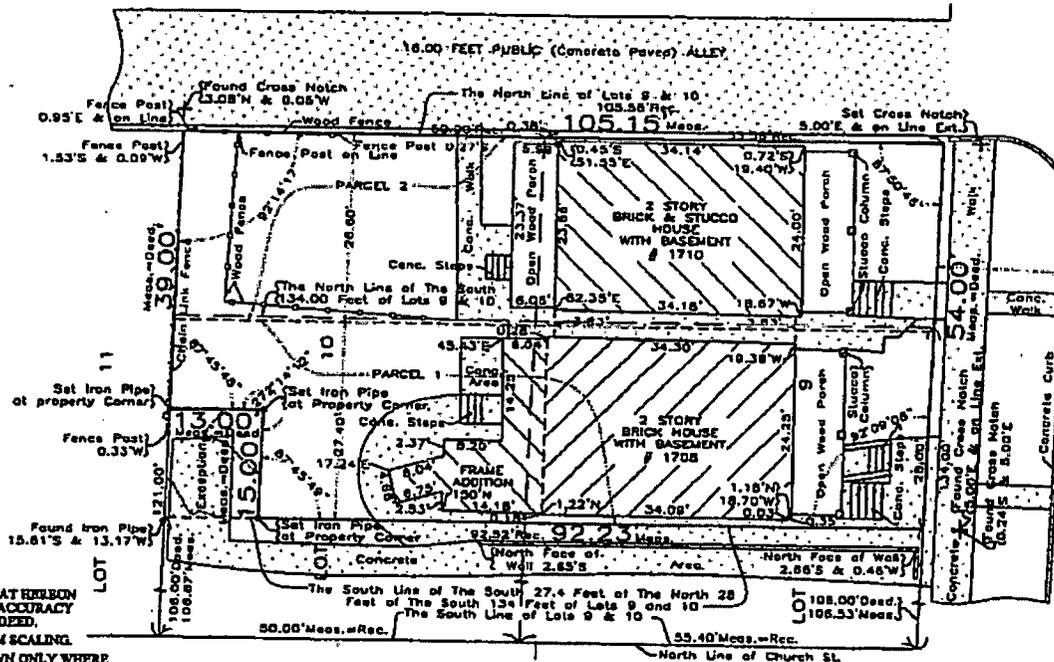
OF

PARCEL 1:
THE SOUTH 27.4 FEET OF THE NORTH 28 FEET OF THE SOUTH 134 FEET OF LOTS 9 AND 10 (EXCEPT THE WEST 13 FEET OF THE NORTH 15 FEET OF THE SOUTH 121 FEET) OF SAID LOT 10 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THE NORTH 26.60 FEET OF LOTS 9 AND 10 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 5,481.22 SQ. FT. = 0.1258 ACRE.
COMMONLY KNOWN AS: 1708-10 DARROW AVENUE, EVANSTON, ILLINOIS.

TEL: (847) 675-3600
FAX: (847) 675-2167
e-mail: pa@professionalsassociated.com



DARROW AVE.
PUBLIC STREET 66' R.O.W.

THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING. BUILDING LINES AND BASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

Order No. 10-52897
Scale: 1 inch = 16 feet.
Date of Field Work: August 18, 2010
Ordered by: CARROLL HARTIGAN & CERNEY, LTD.
Attorneys at Law



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS. THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
County of Cook
We, PROFESSIONALS ASSOCIATED SURVEY, INC., do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey.
Date: August 19, 2010
Wilson E. Donaldson
ILLINOIS LAND SURVEYOR - LICENSE EXP. DATE NOV. 14, 2016
Drawn by: W.C.

PLAT OF SURVEY

J. SMITH
HANSEN

B.H. SUHR & COMPANY, INC.

ESTABLISHED IN 1911

640 CLUSTER AVENUE, EVANSTON, ILLINOIS 60202

WEB PAGE WWW.BHSUHR.COM

TELEPHONE (847) 864-6315

TELEPHONE (773) 864-6315

ORDER NO. 00-654

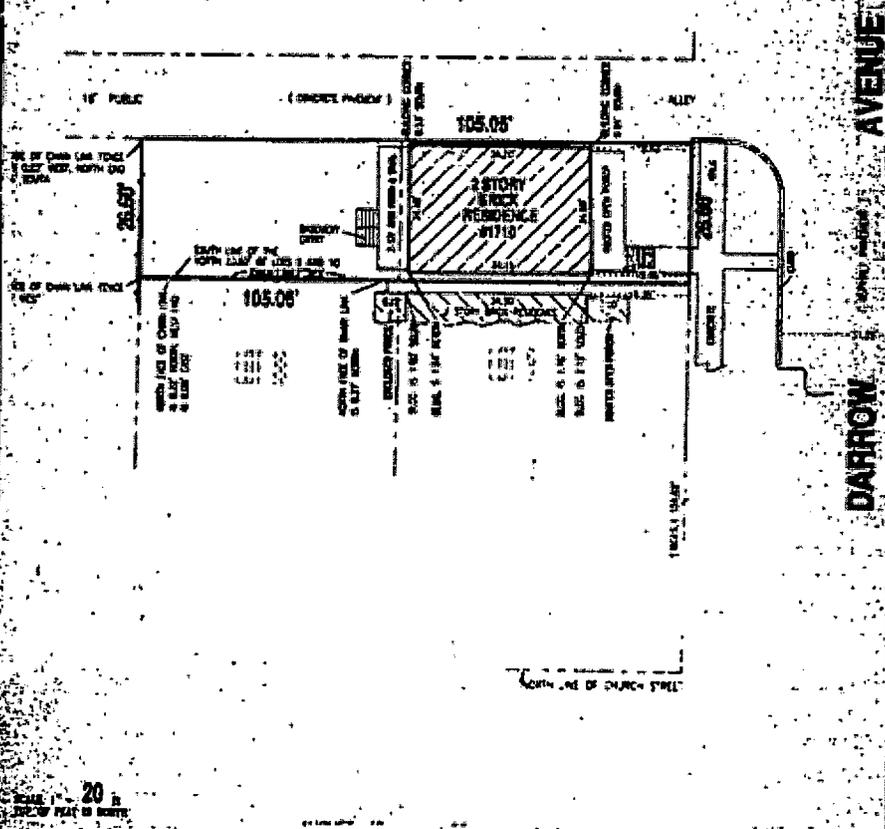
EVANSTON, AUGUST 10, 2000

ORDERED BY BETTY PADEN

FOR

THE NORTH 26.80 FT. OF LOTS 9 AND 10 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 WEST OF THE 3rd PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1710 DARROW AVENUE, EVANSTON, ILLINOIS



B1- B3*



Business Districts

(Zoning Ordinance §6-9-2; 6-9-3; 6-9-4; 6-9-5) updated January 4, 2017

*See Title 6, Chapter 9 of the Evanston Code of Ordinances for more information, definitions, additional requirements and exceptions to these regulations. A Zoning Analysis is strongly recommended for major projects prior to submitting an application for building permits.

PURPOSE STATEMENTS

B1 District

Promote and preserve small scale, limited shopping and business uses that service the neighborhoods in which the business uses are located. Uses share common characteristics such as relatively small storefronts built to the front lot line and provide limited services. No individual use should exceed 7,500 square feet in size.

B1a District

Accommodate continued use of neighborhood-oriented business districts and pedestrian-oriented shopping areas found primarily on arterial roadways and often adjacent to single-family residential areas. The district can also accommodate specialty retail, professional, office and financial service facilities that attract a larger market area. The established physical pattern is typically buildings built to the front lot line with continuous bands of storefronts. No individual use should exceed 20,000 square feet in size.

B2 District

Promote and preserve the older, neighborhood, and pedestrian shopping areas found primarily at arterial roadway intersections and adjacent to mass transit facilities. This district can also accommodate specialty retail, professional, office, and financial service facilities that attract a larger market area. The established physical pattern is typically buildings built to the front lot line with continuous bands of storefronts. No individual use should exceed 20,000 square feet in size.

B3 District

Provide for higher density business development at compact locations adjacent to mass transit facilities that can support intense business uses and accommodate greater building heights than the B1 or B2 business districts. The district reflects established uses and should provide for appropriate infill and redevelopment at such locations.

YARD REQUIREMENTS

Principle Structures		B1	B1a	B2	B3
Front	Corner Property; Property comprising > 40% block width	3 feet			Max 5 inches ¹
	Others	Lesser of 3 feet or setback of adjacent property			
Abutting					
Street Side	Type M	3 feet			Max 5 inches ¹
	Type C or D with front abutting Type C, D or M	None			
	Type C or D with front abutting any other street	3 feet			
	All other local streets	None			
Interior Side	Residential district	10 feet		15 ft	
	Nonresidential district	None			
Rear	Residential district	15 ft	25 ft	15 ft	15 ft
	Nonresidential district	10 ft	15 ft	10 ft	10 ft
Parking Setbacks		B1	B1a	B2	B3
Front		Open, unenclosed parking prohibited incl. aisles & ramps			
Abutting					
Side	Type M, C or D	Open, unenclosed parking prohibited incl. aisles & ramps			
	All others	5 feet			10 ft
Rear	Residential district	15 feet			5 ft
	Nonresidential district	5 feet			

C = Collector street; D = Distributor street; M = Major street

PERMITTED AND SPECIAL USES

	B1	B1a	B2	B3
Animal Hospital	S	S	S	S
Aquaponics	S	S	S	S
Artist Studio w/ accessory dwelling ²	P	P	P	P
Assisted living/long-term care facility			S	S
Automobile service station				S
Banquet Hall	S	S	S	S
Bed and breakfast establishment	S			
Boarding house	S		S	S
Business or vocational school			S	S
Caterer	P	P	P	P
Commercial indoor recreation		S	S	P
Commercial outdoor recreation		S	S	S
Commercial parking lot				S
Convenience store	S	S	S	S
Craft-brewery	S	S	S	S
Cultural facility	P	P	P	P
Daycare center-adult or child	S	S	S	S
Daycare center- domestic animal	S	S	S	S
Drive-thru facility		S	S	S
Dwelling-single-family detached	S			
Dwelling-Multiple-family	S	S	S	S
Dwellings (above ground floor)	P	P	P	P
Education inst.-public or private	P	P	P	P
Financial institution		P	P	P
Food store establishment ³	P	P	P	P
Food store establishment	S	S	S	S
Funeral services w/o cremation	S	S	S	S
Government institutions	S	P	P	P
Independent living facility		S	S	S
Kennel	S	S	S	S
Membership organizations	S	S	S	S
Micro-Distillery	S	S	S	S
Neighborhood garden	P	P	P	P
Office	P	P	P	P
Open sales lot	S		S	S
Planned development	S	S	S	S
Public utility	S	S	S	S
Recording studios				S
Religious institution	S	P	P	S
Resale establishment	S	S	S	S
Residential care home-Type I	P ⁴	P	P ⁴	P ⁴
Residential care home- Type II	S		S	S

Restaurant- Type I	P	P	P	P
Restaurant -- Type II ⁵	S ⁵	S	S	S ⁵
Retail goods/service establishment	P	P	P	P
Retirement hotel or home			S	S
	B1	B1a	B2	B3
Sheltered care home			S	S
Trade contractor ⁷		S	S	S
Transitional shelters				S
Transitional treatment facility- Category III			S	S
Urban farm, roof top	S	S	S	S
Uses above max. sq. ft. allowance ⁶	S	S	S	N/A

P=Permitted Use; S=Special Use; = Not Permitted

MINIMUM LOT SIZE

(In square feet per dwelling unit)

	B1	B1a	B2	B3
Residential	2,500	900	400	400
Nonresidential	No			

BUILDING HEIGHT

The maximum permitted mean building heights are:

	B1	B1a	B2	B3
Feet	40	40	45	85
Stories	N/R	3	N/R	N/R

N/R= no requirement

Note: If multiple standards are specified, all standards must be met.

FLOOR AREA RATIO

The maximum permitted floor area ratios are:

	B1	B1a	B2	B3
Maximum FAR	2.0			3.0

¹ Minimum 70% of facade must be located within 5 inches of the front property line.

² Provided the accessory dwelling unit must not front upon any street.

³ With hours of operation between 6:00 am and 12:00 midnight.

⁴ When located above the ground floor.

⁵ Excluding drive-thru facilities.

⁶ Uses permitted pursuant to sections 6-9-2-2 and 6-9-2-3 exceeding 7,500 square feet.

⁷ No outside storage.

Effective date: February 13, 2009

1/26/2009

11/14/2008

127-O-08

AN ORDINANCE

**Amending the Text of the Zoning Ordinance by Adding
Section 6-15-15, "oWE West Evanston Overlay District" and
Section 6-15-16, "WE1 West Evanston Transitional District"**

WHEREAS, the Plan Commission held public hearings, pursuant to proper notice, on August 1, 2007, August 22, 2007, December 19, 2007, February 13, 2008, April 2, 2008, May 28, 2008, June 4, 2008, September 17, 2008, and October 15, 2008, regarding case no. ZPC 07-03-M&T to consider amendments to the text of Title 6 of the Evanston City Code of 1979, as amended ("the Zoning Ordinance") by adding a new Section 6-15-15, "oWE West Evanston Overlay District" and Section 6-15-16, "WE1 West Evanston Transitional District"; and

WHEREAS, the Plan Commission received testimony and made verbatim transcripts and findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its November 24, 2008, December 8, 2008, and January 12, 2009 meetings, the Planning and Development Committee of the City Council considered and ultimately adopted the findings and recommendation of the Plan Commission, as amended, in case no. ZPC 07-03-M&T and recommended City Council approval thereof; and

WHEREAS, at its January 26, 2009 meeting, the City Council considered, amended, and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee, as amended,

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

SECTION 1: That the foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: That the Zoning Ordinance is hereby further amended by adding Section 6-15-15, "oWE West Evanston Overlay District," to read as follows:

6-15-15: oWE WEST EVANSTON OVERLAY DISTRICT

The intent of the oWE West Evanston Overlay District is to implement the West Evanston Physical Planning and Urban Infill Design Master Plan document, adopted by the Evanston City Council on May 14, 2007. To accomplish said intent, the Overlay District employs form-based zoning, also known as form-based code, to regulate the redevelopment of what is commonly referred to as West Evanston. Said code, as may be amended from time to time, is hereby incorporated into the Zoning Ordinance by reference and shall be kept on file in the Office of the City Clerk.

The West Evanston Overlay District shall be designated by the City Council and shown as an overlay to the underlying districts with the designation "oWE" on the City Zoning Map.

SECTION 3: That the document attached hereto as Exhibit A is hereby incorporated into the Zoning Ordinance by reference as the "form-based code" that is referred to in Section 6-15-15 of the City Code as enacted by Section 2 of this ordinance.

SECTION 4: That the Zoning Ordinance is hereby further amended by adding Section 6-15-16, "WE1 West Evanston Transitional District," to read as follows:

6-15-16: WE1 WEST EVANSTON TRANSITIONAL DISTRICT

6-15-16-1: PURPOSE STATEMENT:

The WE1 West Evanston Transitional District is intended to allow the continued operation and expansion of existing light manufacturing, light industrial, and commercial uses in a manner that minimizes adverse effects on nearby properties, and permits the redevelopment of surrounding areas in accordance with: (i) the Tax Increment Redevelopment Plan and Project for the West Evanston Tax Increment Financing District, adopted by the City pursuant to Ordinance 102-O-05, as amended by Amendment No. 1 adopted by the City pursuant to Ordinance 7-O-08; and (ii) the West Evanston Physical Planning and Urban Infill Design Master Plan, adopted by the City on May 14, 2007.

The WE1 West Evanston Transitional District is also intended to ensure any abandonment, extended discontinuance of operations, or substantial change in use of the sites used for light manufacturing, light industrial, or commercial uses leads to the redevelopment of such sites for residential and mixed-use purposes in accordance with the West Evanston Physical Planning and Urban Infill Design Master Plan.

6-15-16-2 SUB-DISTRICTS:

The WE1 District includes the following two Sub-districts:

- (A) The WE1-B2 Sub-district includes the properties within the WE1 District designated for rezoning to the B2 District in the West Evanston Physical Planning and Urban Infill Design Master Plan.
- (B) The WE1-R4 Sub-district includes the properties within the WE1 District designated for rezoning to the R4 District in the West Evanston Physical Planning and Urban Infill Design Master Plan.

6-15-16-3: PERMITTED USES:

The following uses are permitted in the WE1 District:

- (A) Within both the WE1-B2 and WE1-R4 Sub-districts, any use permitted in the I2 District pursuant to Subsection 6-14-3-2 of this Title, but only if such use is either: a continuation of a Permitted Use existing on a particular property as of the date of adoption of the ordinance establishing the WE1 District; or determined by the Zoning Administrator to be of the same or similar type and intensity of a Permitted Use existing on a particular property, with no substantially different or substantially greater off-site impacts. For purposes of this Chapter, these uses are referred to as "Existing I2 Uses."
- (B) Within the WE1-R4 Sub-district only, any use permitted in the C2 District pursuant to Subsection 6-10-4-2 of this Title, but only if such use is: (a) a continuation of a Permitted Use existing on a particular property as of the date of adoption of the ordinance establishing the WE1 District, or (b) determined by the Zoning Administrator to be of the same or similar type and intensity of a Permitted Use existing on a particular property, with no substantially different or substantially greater off-site impacts. For purposes of this Chapter, these uses are referred to as "Existing C2 Uses."
- (C) Within the WE1-B2 Sub-district only, any use that:
1. is permitted in either: the B2 District pursuant to Subsection 6-9-3-2 of this Title; or the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District", pursuant to the regulating plans set forth in Chapter 6-15-15; and
 2. complies with the use, building type, parking, and landscaping requirements of the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District."
- (D) Within the WE1-R4 Sub-district only, any use that:
1. is permitted in either: the R4 District pursuant to Subsection 6-8-5-2 of this Title; or the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District", pursuant to the regulating plans set forth in Chapter 6-15-15; and

2. complies with the use, building type, parking, and landscaping requirements of the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District."

6-15-16-4: SPECIAL USES:

The following uses may be allowed in the WE1 District, subject to the provisions set forth in Section 6-3-5, "Special Uses", of this Title:

- (A) Within the WE1-R4 Sub-district only, any use allowed as a Special Use in the C2 District, but only if such use is a continuation of an approved Special Use existing on a particular property as of the date of adoption of the ordinance establishing the WE1 District. For purposes of this Chapter, such uses are referred to as "Existing Special Uses" and existing I2 Uses, existing C2 Uses, and existing Special Uses are collectively referred to as "Existing Uses."
- (B) Within the WE1-B2 Sub-district only, any use that:
 1. is allowed as a Special Use in either: the B2 District pursuant to Subsection 6-9-3-3 of this Title; or the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District", pursuant to the regulating plans set forth in Chapter 6-15-15; and
 2. complies with the use, building type, parking, and landscaping requirements of the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District."
- (C) Within the WE1-R4 Sub-district only, any use that:
 1. is allowed as a Special Use in either: the R4 District pursuant to Subsection 6-8-5-3 of this Title; or the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District", pursuant to the regulating plans set forth in Chapter 6-15-15; and
 2. complies with the use, building type, parking, and landscaping requirements of the District mapped for a particular site under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District."

- (D) Throughout the WE1 District, any Special Use substituted for an existing Special Use pursuant to Subsection 6-3-5-16 of this Title.

6-15-16-5: CONTINUATION OF EXISTING USES

- (A) Subject to Subsection (B) below, Existing Uses may continue in operation, and shall not be deemed nonconforming under any provision of this Title. However, properties containing an Existing Use shall not contain any new or additional use, unless the new or additional use is allowed in the WE1 District as either a Permitted Use under Subsection 6-15-16-3 or a Special Use under Subsection 6-15-16-4. Existing I2 Uses shall comply with all requirements applicable to uses in the I2 District pursuant to Sections 6-14-1 and 6-14-3 of this Title. Existing C2 Uses and Existing Special Uses shall comply with all requirements applicable to uses in the C2 District pursuant to Sections 6-10-1 and 6-10-4 of this Title, as well as the requirements of any Special Use approval applicable to the property.
- (B) An Existing Use shall be deemed discontinued if: (i) the use or occupancy of the structure is discontinued for twelve (12) consecutive months with no ongoing attempts to sell or lease the property for a permitted or Special Use under this Chapter; or (ii) failure to resume the use or occupancy within eighteen (18) months, even though there may be ongoing efforts to sell or lease the property for a permitted or Special Use under this Chapter. The City Council may, in its discretion, grant an extension to the foregoing eighteen (18) month period if it determines the applicant has used reasonable diligence to sell or lease the property for a permitted or Special Use during such period. If an Existing Use is discontinued, any subsequent use or occupancy of the property shall only be in accordance with the following requirements:
1. For properties within the WE1-B2 Sub-district, the property shall only be used and occupied for a Permitted Use meeting all requirements of Subsection 6-15-16-3 (C) of this Chapter or a use allowed as a Special Use meeting all requirements of Subsection 6-15-16-4 (B) of this Chapter; and
 2. For properties within the WE1-R4 Sub-district, the property shall only be used and occupied for a Permitted Use meeting all requirements of Subsection 6-15-16-3(D) of this Chapter or a use allowed as a Special Use meeting all requirements of Subsection 6-15-16-4(C) of this Chapter.

6-15-16-6: EXPANSION, STRUCTURAL ALTERATION, AND RECONSTRUCTION OF EXISTING USES:

- (A) Existing Uses may only be expanded, structurally altered, or reconstructed in a manner that minimizes adverse impacts on adjacent properties and if:
1. the expanded, altered, or reconstructed facilities shall contain a use or uses that are allowed in the WE1 District as either a Permitted Use under Subsection 6-15-16-3 or a Special Use under Subsection 6-15-16-4;
 2. for Existing I2 Uses, the expanded, altered, or reconstructed facilities comply with all requirements applicable to uses in the I2 District pursuant to Sections 6-14-1 and 6-14-3 of this Title;
 3. for Existing C2 Uses and Existing Special Uses, the expanded, altered, or reconstructed facilities comply with all requirements applicable to uses in the C2 District pursuant to Sections 6-10-1 and 6-10-4 of this Title;
 4. for Existing Special Uses, an amended Special Use approval is obtained pursuant to Chapter 6-3-5 of this Title, or the Special Use is approved by the Zoning Administrator pursuant to Subsection 6-3-5-16 of this Title;
 5. the expanded, altered, or reconstructed facilities shall not exceed forty feet (40') in height;
 6. the expanded, altered, or reconstructed facilities shall not have, in comparison with the prior permitted facilities on the site:
 - (a) An increase in degree of noise or glare detectable at the property line, as validated by an analysis of existing and proposed conditions submitted by the applicant and approved by the Zoning Administrator; or
 - (b) An increase in outside storage or loading visible from the right-of-way;
 7. the expanded, altered or reconstructed facilities shall comply with all other requirements of this Code including, but not limited to, the Environmental Control Code set forth in Section 4-10-10 of this Code and the prohibition on nuisances set forth in Section 8-4-1 of this Code.

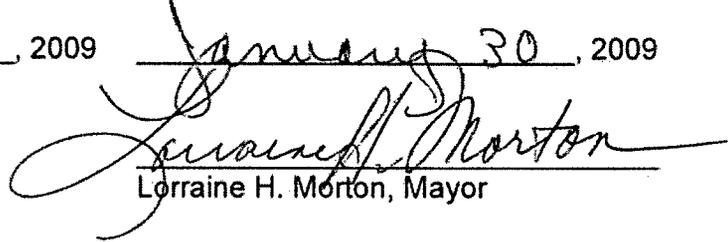
- (B) In addition to the evaluation criteria set forth in Section 4-17-6 of this Code, the site plan and appearance review for any new building or structure or modifications to the exterior of an existing structure in the WE1 District shall include an evaluation of whether the proposed site and building plan fulfills the objectives of the West Evanston Physical Planning and Urban Infill Design Master Plan, and conforms to the extent possible, considering the objectives of the proposed expansion, to the building type standards and landscape standards of comparable building types and lots under Chapter 6-15-15 of this Title, "West Evanston Zoning Overlay District".

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

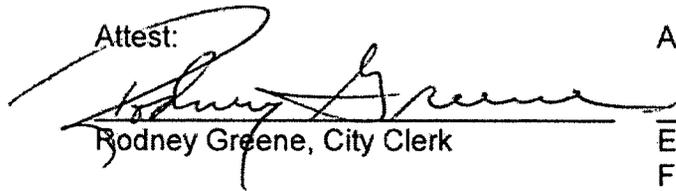
SECTION 6: That if any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 7: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

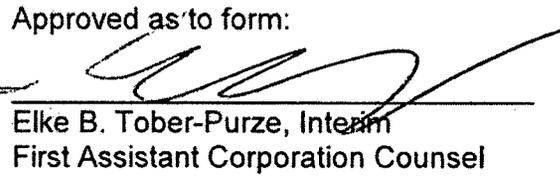
Introduced: January 12, 2009 Approved:
Adopted: January 26, 2009 January 30, 2009



Lorraine H. Morton, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


Elke B. Tober-Purze, Interim
First Assistant Corporation Counsel

EXHIBIT A

Form-Based Code Referred to in Section 6-15-15 of the City Code

Section 6-15-15: West Evanston Zoning Overlay for Redevelopment Areas

City of Evanston, Illinois

Prepared for:
City of Evanston



City of Evanston
2100 Ridge Avenue
Evanston, IL 60201

Consultant:

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Table of Contents

I.	Introduction.....	4
II.	Zoning & Regulating Plans.....	7
III.	Street Type Standards.....	17
IV-XVII: Building Type Standards.....		23
IV.	General Building Type Standards.....	23
V.	Base Types.....	28
VI.	Cap Types.....	30
VII.	Measuring Transparency.....	32
VIII.	Measuring Height & Coverage.....	33
IX.	Mixed Use Building	34
X.	Flex Apartment Building	36
XI.	Apartment Building	38
XII.	Flat Building.....	40
XIII.	Townhouse I.....	42
XIV.	Townhouse II.....	44
XV.	Townhouse III.....	46
XVI.	Small-Lot House.....	48
XVII.	Iconic Building	50
XVIII-XXII: Landscape Standards.....		53
XVIII.	Parking Lot Frontage Buffer.....	55
XIX.	Side & Rear Yard Landscape Buffer.....	56
XX.	Interior Parking Lot Landscaping.....	58
XXI.	Screening of Open Storage, Refuse Areas, & Utility Appurtenances.....	59
XXII.	Street Trees.....	60

West Evanston Zoning Overlay

I. Introduction

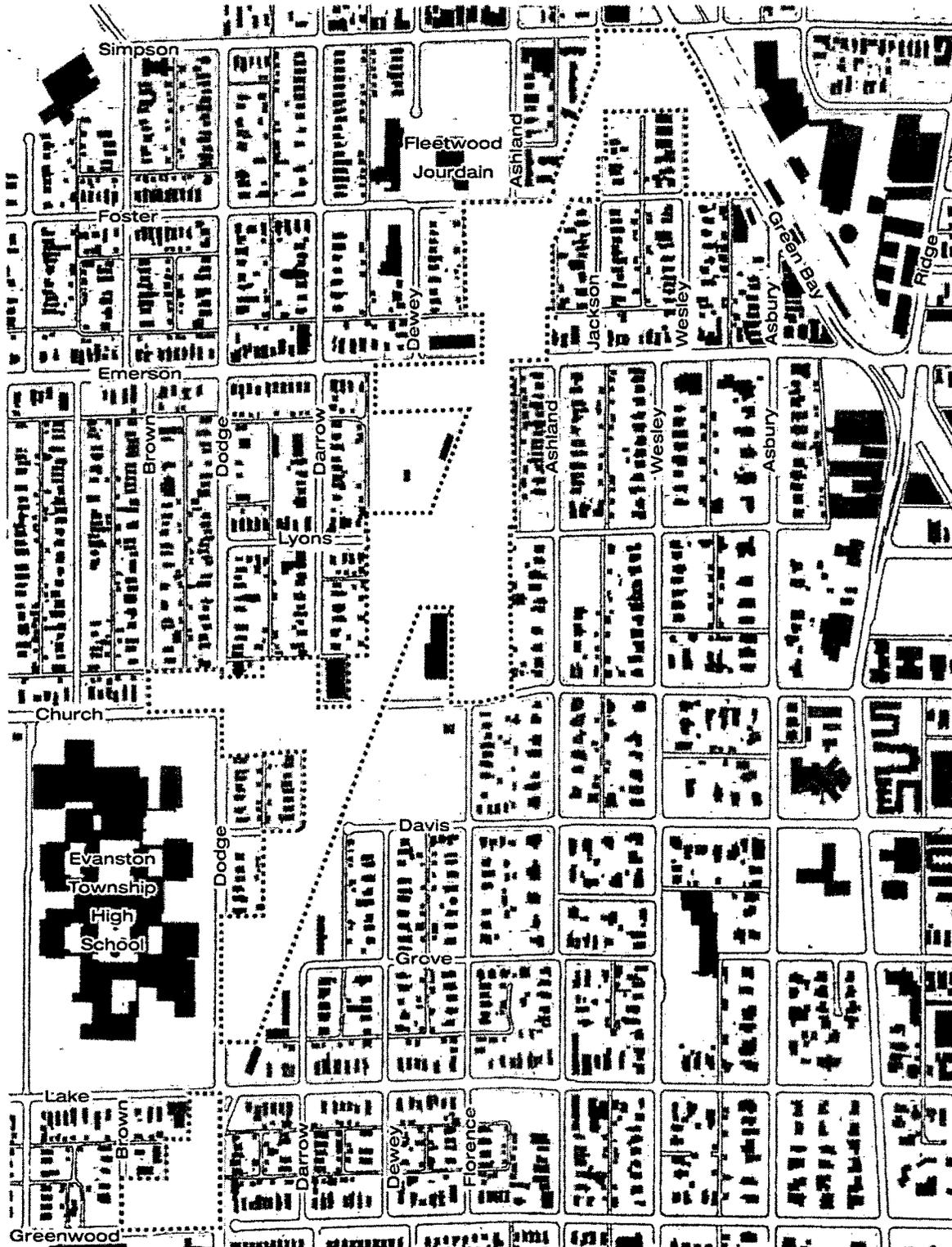


Figure I-A: West Evanston Overlay District boundaries.

West Evanston Zoning Overlay

I. Introduction

A. Application of Overlay District.

1. The provisions of this Section [6-15-15] shall serve as a supplement to all other requirements of the Zoning Ordinance and the Evanston City Code. Where a conflict exists between the provisions of this Section [6-15-15] and those requirements applicable to uses and structures in the B2, R4, or R5 zoning districts, the provisions of this Overlay District shall control.

Where a conflict or inconsistency exists between the provisions of this Section [6-15-15] and those of Section [6-15-16], West Evanston Transitional District, the provisions of Section [6-16-16] shall control. Notwithstanding anything to the contrary set forth in this Section [6-15-15], the requirements of this Overlay District shall only apply to uses, lots, and structures located within the West Evanston Transitional District to the extent the application of this Overlay District or its requirements are explicitly referenced in Section [6-15-16].

2. This document provides the development regulations for the Redevelopment Area Overlay defined in Figure I-A. Except as provided above in paragraph I.A.1, all parcels within the defined boundaries are required to follow the regulations included herein.

B. Intent.

The intent of this Overlay District is to require implementation of the West Evanston Physical Planning and Urban Infill Design Master Plan document, adopted by the Evanston City Council on May 14, 2007.

C. Code Definitions.

These definitions are specific to the regulations outlined for the Overlay District and are in addition to the definitions in the Evanston Zoning Ordinance. The defined terms will appear with the first letter(s) capitalized throughout this Section.

1. **Base Type.** The permitted treatment types of the Ground Story Façade of a structure.
2. **Building Coverage.** This term is defined in Subsection VIII.B.1 of this Overlay.
3. **Building Type.** A structure defined by the combination of configuration, form and function.
4. **Build-to Zone.** An area in which the front or side Façade of a building shall be placed; it may or may not be located directly adjacent to a property line. The zone dictates the minimum and maximum distance a structure may be placed from a property line.
5. **Cap Type.** The detail at the top of a building that finishes a Façade, including a pitched roof with various permitted slopes, and a parapet.
6. **Car Court.** A driveway area, surrounded on at least three sides with building, providing entrances into personal garages and allowing vehicular turnaround.
7. **Corner Building.** A building constructed on the corner lot of a block to hold the spatial definition of an intersection, often referred to as "holding the corner."
8. **Entrance, Primary.** Also referred to as main or principal entrance. The principal point of access for pedestrians into a building is typically located on the front and corner side Façade.
9. **Expression Line.** A three-dimensional, linear element, horizontal or vertical, protruding or indented at least a quarter (1/4) inch from the exterior Façade of a building. May be decorative or structural. Element typically delineates the floors or stories of a building.
10. **Façade.** The exterior face of a building, including, but not limited to the wall, windows, window sills, doorways, and design elements such as horizontal and vertical Expression Lines, and a parapet.
11. **Façade, Front.** Any building face adjacent to the front property line.
12. **Green Roof.** A roof that absorbs or retains stormwater by providing a landscape surface and filtering system. Considered a Semi-PerVIOUS surface.
13. **Gross Square Footage.** Gross square footage of a building is the total area of all floors as measured between the outside surfaces of all exterior walls.
14. **Ground Story.** The first floor of a building that is level to or slightly elevated above the sidewalk, excluding basements and cellars.
15. **Half-Stories.** This term is defined in Subsection VIII.A.2 of this Overlay.
16. **"Hold the Corner."** Building up to both the front and side property lines on a corner lot, in a sense holding down or anchoring the corner.
17. **Impervious Surface.** Any hard-surfaced, man-made area that absorbs or retains less than 20% of water, including, but not limited to, building roofs (not Green Roofs), parking, driveways, and other paved areas.
18. **Impervious Site Coverage.** This term is defined in Subsection VIII.B.2 of this Overlay.
19. **Open Space.** Publicly or privately owned land, such as a plaza, playground, or park, that contains no buildings and is designed and used either for passive or active recreational or civic uses.
20. **Overlay District.** The West Evanston Overlay District established by this Section [6-15-15].

West Evanston Zoning Overlay

I. Introduction

21. **Parking Lot.** An area of a parcel that is reserved for parking or storage of more than two of the following: motor vehicles, trailers, or boats.
22. **Pervious Surface.** An area maintained in its natural condition or covered by a material that permits the infiltration or percolation into the ground of at least 80% of water.
23. **Principal Building.** Also referred to as the principal structure or building on a lot; contains the dominant use of the lot. It is always located toward the front of the lot in the front Build-to Zone or behind the front yard Setback.
24. **Regulating Plan.** A plan that identifies the districts and the standards by which a lot or a street may be developed.
25. **Semi-Pervious.** A material that allows at least 40% absorption of water into the ground or plant material, such as pervious pavers, gravel or Green Roofs.
26. **Setback.** The horizontal distance from a lot line inward, beyond which the building and parking may be placed. It delineates the minimum distance a structure must be placed from a lot line and is measured to a building. Within the Overlay District, building, parking, and accessory structures are not permitted within Setbacks.
27. **Story.** A habitable level within a building measured from finished floor to finished floor.
28. **Total Lot Area.** The computed area contained within the Property Lines; it is typically indicated in square feet or acres.
29. **Transparency.** The amount of clear, unobstructed glass and the structure of the glass on a Facade; windows.

Subsection II: Zoning & Regulating Plans

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

A. Base Zoning District Requirements.

As stated in paragraph I.A. of this Section, the requirements of this Overlay District supersede those requirements applicable to uses and structures in the B2, R4, and R5 zoning districts. However, the terms and provisions of Section [6-15-15], West Evanston Transitional District, shall supersede the requirements of this Overlay District. Without limiting the generality of the foregoing, the following requirements of the Overlay District shall relate to the base district zoning requirements in the B2, R4, and R5 zoning districts described below:

1. **Uses.** The permitted and special uses allowed in the B2, R4, and R5 zoning districts shall be allowed in the Overlay District; however:
 - a. Planned developments are not permitted as a special use in the Overlay District, nor are planned developments required for any of the Building Types described in this Section; and
 - b. Additional uses and use requirements may be defined in this Overlay District.
2. **Parking.** Parking quantities within the Overlay District must adhere to the requirements set forth in Chapter 16 of the Zoning Ordinance. Additional requirements for parking location, landscaping, and screening are set forth in this Overlay District.
3. **Building Types.** The Building Type standards set forth in this Overlay District supersede the existing lot, yard, bulk, and building-related regulations of the B2, R4, and R5 zoning districts.

B. General Zoning Ordinance and City Code Requirements

The following generally applicable requirements and provisions of the Zoning Ordinance and City Code shall apply to uses, lots, and structures within the Overlay District as described below:

1. **Site Plan and Appearance Review.**
 - a. All applications for development approval for properties located within the Overlay District shall be subject to site plan and appearance review in accordance with the procedures and requirements set forth in Title 4, Chapter 17 of the City Code.
 - b. In addition, any development over twenty four (24) units or over 20,000 square feet of a single Building Type requires presentation to the Plan Commission with an opportunity for comment by the Commission and the public prior to the final site plan and appearance review conference.

2. **Variations.** All variations within the Overlay District shall be subject to the procedures and standards for variations set forth in Section 6-3-8 of the Zoning Ordinance. In addition to the minor and major variations permitted by Section 6-3-8 of the Zoning Ordinance, major variations relating to the following requirements may be considered in the Overlay District:
 - a. Street frontage and build-to zone requirements.
 - b. Façade requirements, including those relating to transparency, building entrance location, allowable cap and base types (and the requirements for those types), building materials, and balconies.
3. **Principle Buildings or Uses on a Zoning Lot.** More than one principal building or use may be established on a zoning lot within the Overlay District as permitted by the Building Type Standards set forth in Subsections IV through XVII.
4. **Nonconforming Uses and Noncomplying Structures.** The requirements of Chapter 6 of the Zoning Ordinance, Nonconforming Uses and Noncomplying Structures, shall apply to uses and structures within the Overlay District. However:
 - a. Single-family homes existing as of the date of adoption of the Overlay District may be repaired, maintained, altered, enlarged or reconstructed pursuant to the requirements of the underlying zoning district, without regard to the requirements of the Overlay District; and
 - b. Any structure that has been designated as a landmark under Title 2, Chapter 9, of the Evanston City Code may be repaired, maintained, altered, or enlarged in a manner that preserves the critical features identified by the Evanston Preservation Commission as the basis for its designation, provided such action is authorized by a certificate of appropriateness issued pursuant to Section 2-9-8 of the Evanston City Code and otherwise complies with all provisions of the Overlay District and the Zoning Ordinance.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

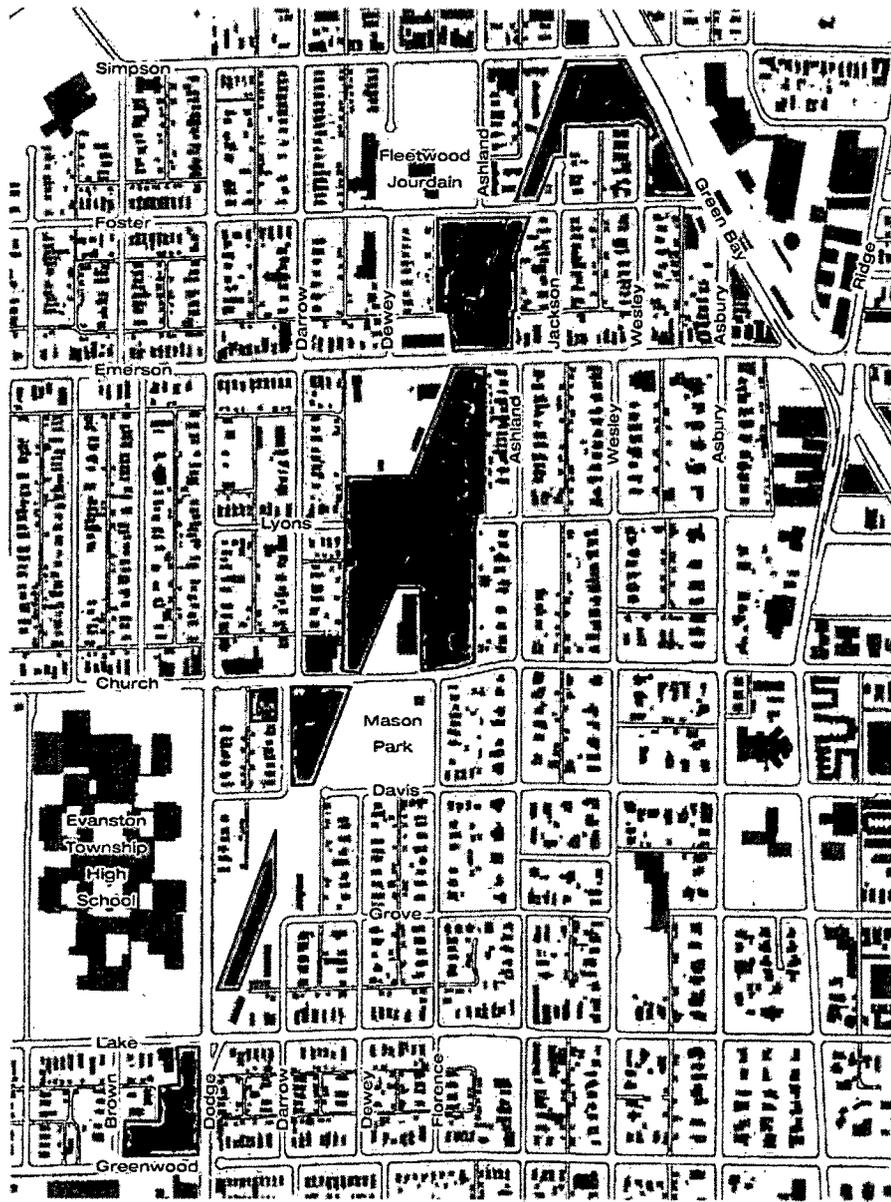


Figure II-B: Parcels that Require Replatting.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

C. Regulating Plans.

The Regulating Plans, Figures II-C, II-D, II-E, and II-F, provide more specific mapping of the requirements of this Overlay District, including the following:

1. **Street Location.** Public street right-of-ways required for dedication are defined on the Regulating Plans.
 - a. The centerlines of these streets must be located within ten (10) feet of this location in either direction.
 - b. All street connections shown must be maintained and intersections of cross-street centerlines must be ninety (90) degrees.
 - c. See Subsection III for Street Type Standards.
2. **Alley Location.** Public alleys required for dedication are defined on the Regulating Plans.
 - a. The centerlines of developed alleys must intersect streets within ten (10) feet of the intersections shown on the plan.
 - b. Alleys must be continuous and connect to the designated streets at both ends; dead end alleys are not permitted.
 - c. See Subsection III for Alley Street Type.
3. **Street Type.** Permitted Street Types are defined on the Regulating Plans. Additionally, some Building Type regulations relate to the Street Type. See Section III for allowable street types.
4. **District Designation.** The Regulating Plans define the permitted Building Types and uses for all parcels in the Overlay District. Subsections IV through XVII contain regulations for the permitted Building Types. In many cases, multiple Building Types are permitted on a parcel.
5. **Open Space.** Parcels, or portions of parcels, designated for use as public Open Space or privately owned Open Space are illustrated on the Regulating Plans.
6. **Street Termini.** Termini of streets are noted on the Regulating Plans.
 - a. Building faces at these locations are encouraged but not required to include treatments, such as towers on mixed use or apartment buildings, bays, or changes in material.
 - b. In all cases, a street must terminate at a front or side face of a building or on Open Space.
7. **Parking Lots.** Parking lots are not permitted on a parcel without a building unless:
 - a. The parcel has no public street frontage or
 - b. A special use permit is obtained. While parking lots are allowed as special uses throughout the Overlay District, recommended locations for special use permitted Parking Lots are shown on the Regulating Plans.

D. Subdivision and Platting.

This Overlay District defines required parcel definition and public right-of-ways. Replatting of many of the existing parcels within the Overlay will be required (see Figure II-B) as part of the development approval process. Plats for developments within the Overlay must include the following:

1. **Dedicated Public Street and Alley Right-of-Ways.** Right-of-ways defined on the Regulating Plans and in Section II-C.
2. **Utility Easements.** Additional utility easements may be required by the City of Evanston or other utility providers. Coordinate the locations of these easements for inclusion on the plat.
3. **Open Space or Greenway Easement.** Open space defined on the Regulating Plans shall be included in plat information and either dedicated or clearly depicted as an easement.
4. **Parcel Lines.** Parcel lines are defined on the Regulating Plans to designate locations of allowable Building Types only. Fewer divisions or further division of parcels may be included.

E. District Descriptions.

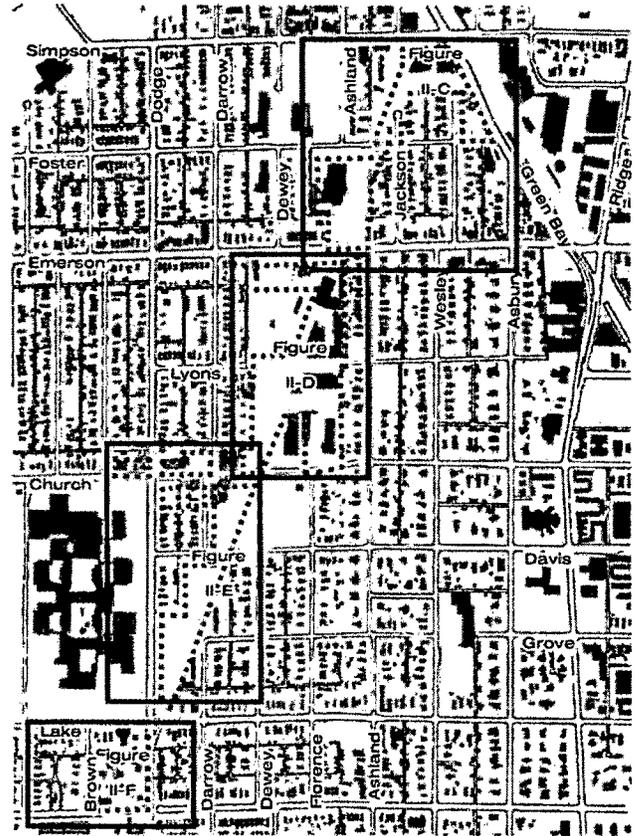
The following details the districts mapped throughout the Overlay District.

1. **West Evanston (WE) 1.** This district allows for the development of Townhouse I, Townhouse II, and Small-Lot House. The depth of these parcels allows for the development of the Building Types with rear yards, Townhouse I and Small-Lot House. Iconic Buildings are permitted as a special use and may only occur on corner parcels.
2. **WE 2.** This district allows for the development of Townhouse II only. The parcels are not deep enough to develop buildings with rear yards or larger Parking Lots. The reduced front yard Setback of Townhouse III is not acceptable in these locations. Iconic Buildings are permitted as a special use and may only occur on corner parcels.
3. **WE 3.** This district allows for the development of Townhouse III. The parcels are shallow, requiring a shallower front yard. To accommodate this, the height of this Building Type is minimized. Iconic Buildings are permitted as a special use and may only occur on corner parcels.
4. **WE 4.** This district allows for the development of Townhouse Type II and the Flat Building. Iconic Buildings are permitted as a special use and may only occur on corner parcels.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

5. **WE 5.** This district allows for the development of the Apartment Building or the Flat Building. Iconic Buildings are permitted as a special use and may only occur on corner parcels.
6. **WE 6.** This district allows for the development of the Flex Building. Iconic Buildings are permitted as a special use and may only occur on corner parcels.
7. **WE 7.** This district allows for the development of the Mixed Use Building and Iconic Buildings.



Regulating Plan Key.

Building Types	Districts						
	WE 1	WE 2	WE 3	WE 4	WE 5	WE 6	WE 7
Mixed Use Building							●
Flex Building						●	
Apartment Building					●		
Flat Building				●	●		
Townhouse I	●						
Townhouse II	●	●		●			
Townhouse III			●				
Small Lot House	●						
Iconic Building	SU	SU	SU	SU	SU	SU	●

●	Permitted
SU	Special Use

Table II.A: Permitted Building Types by District.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

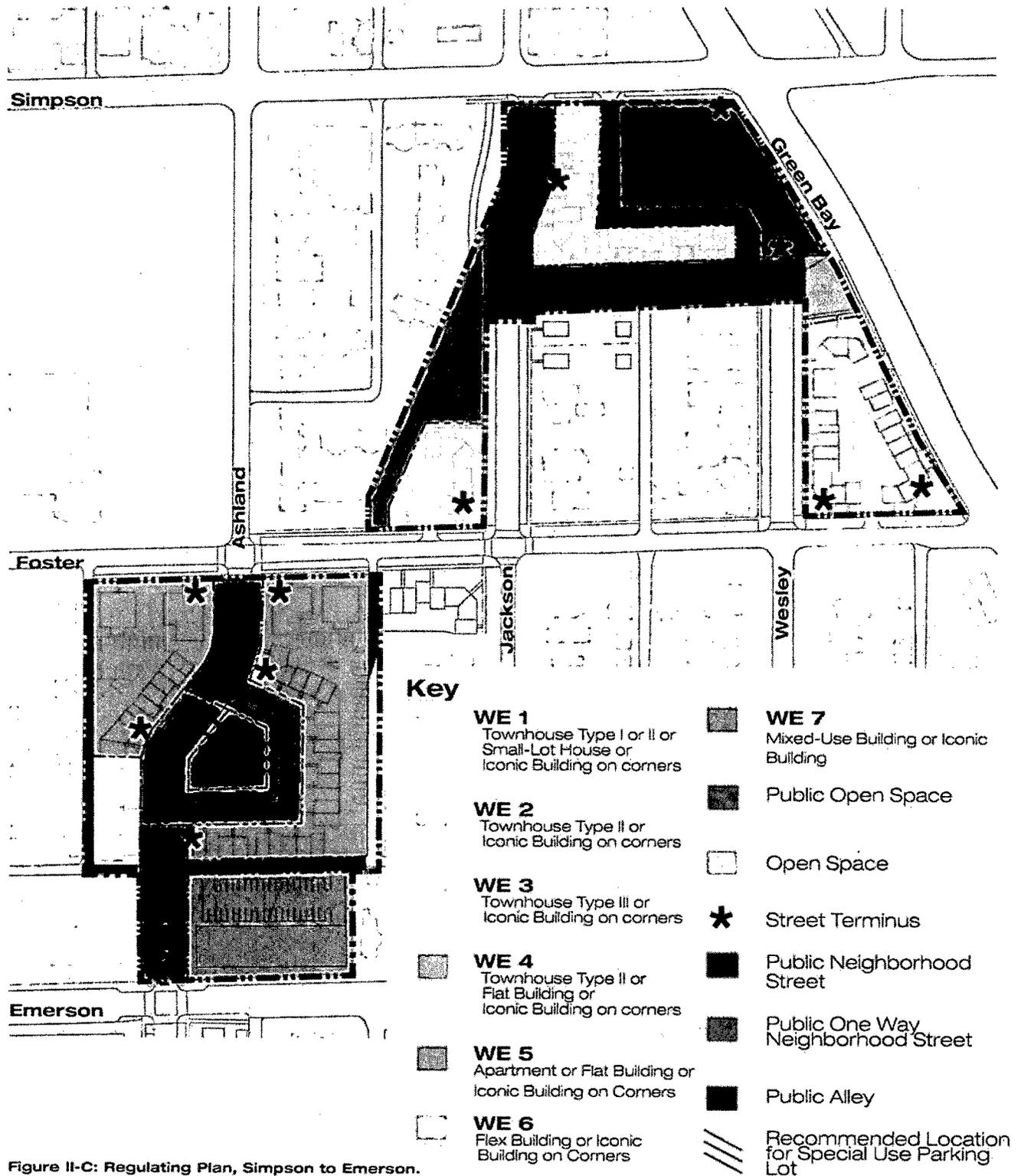


Figure II-C: Regulating Plan, Simpson to Emerson.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

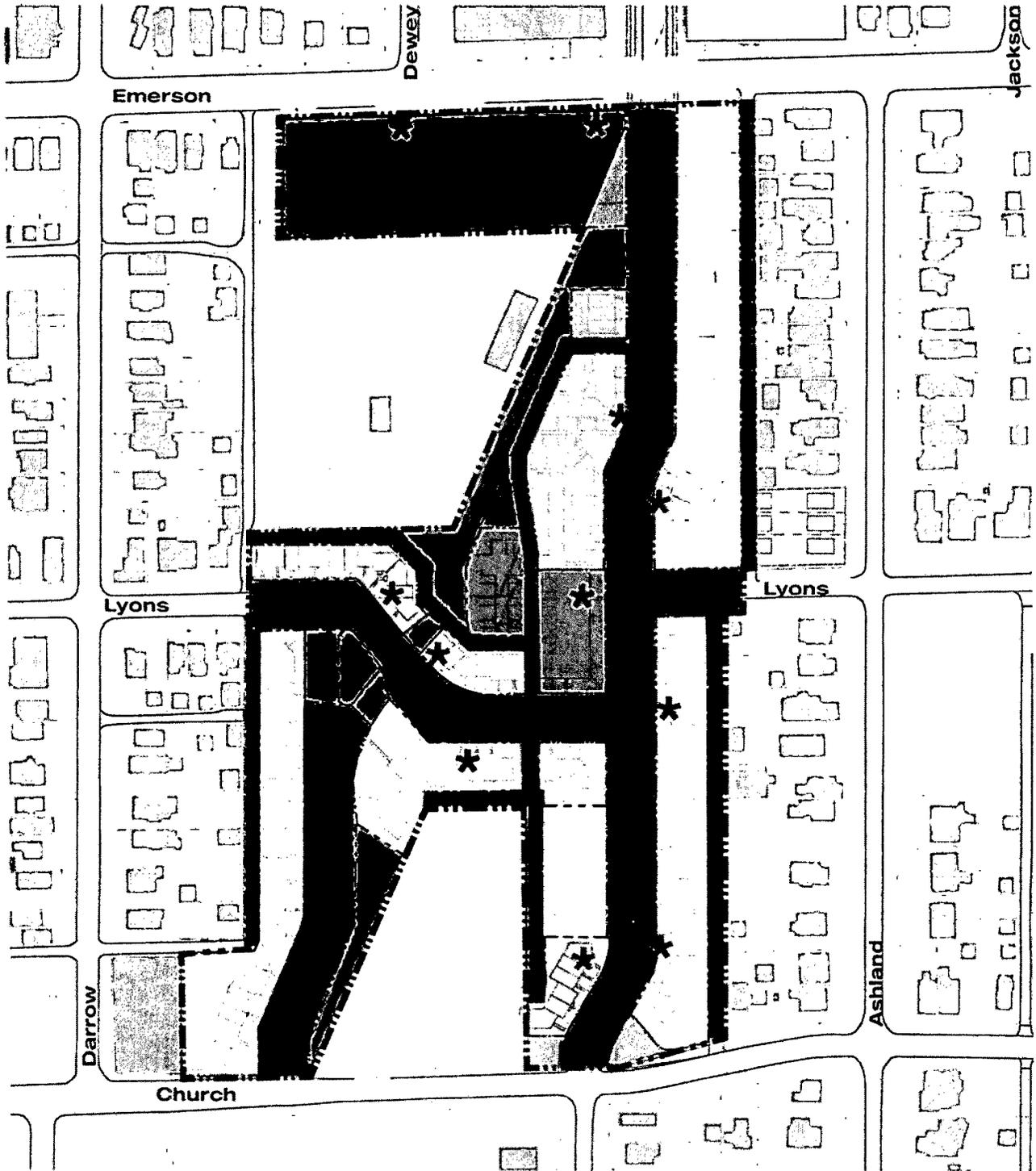


Figure II-D: Regulating Plan, Emerson to Church.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

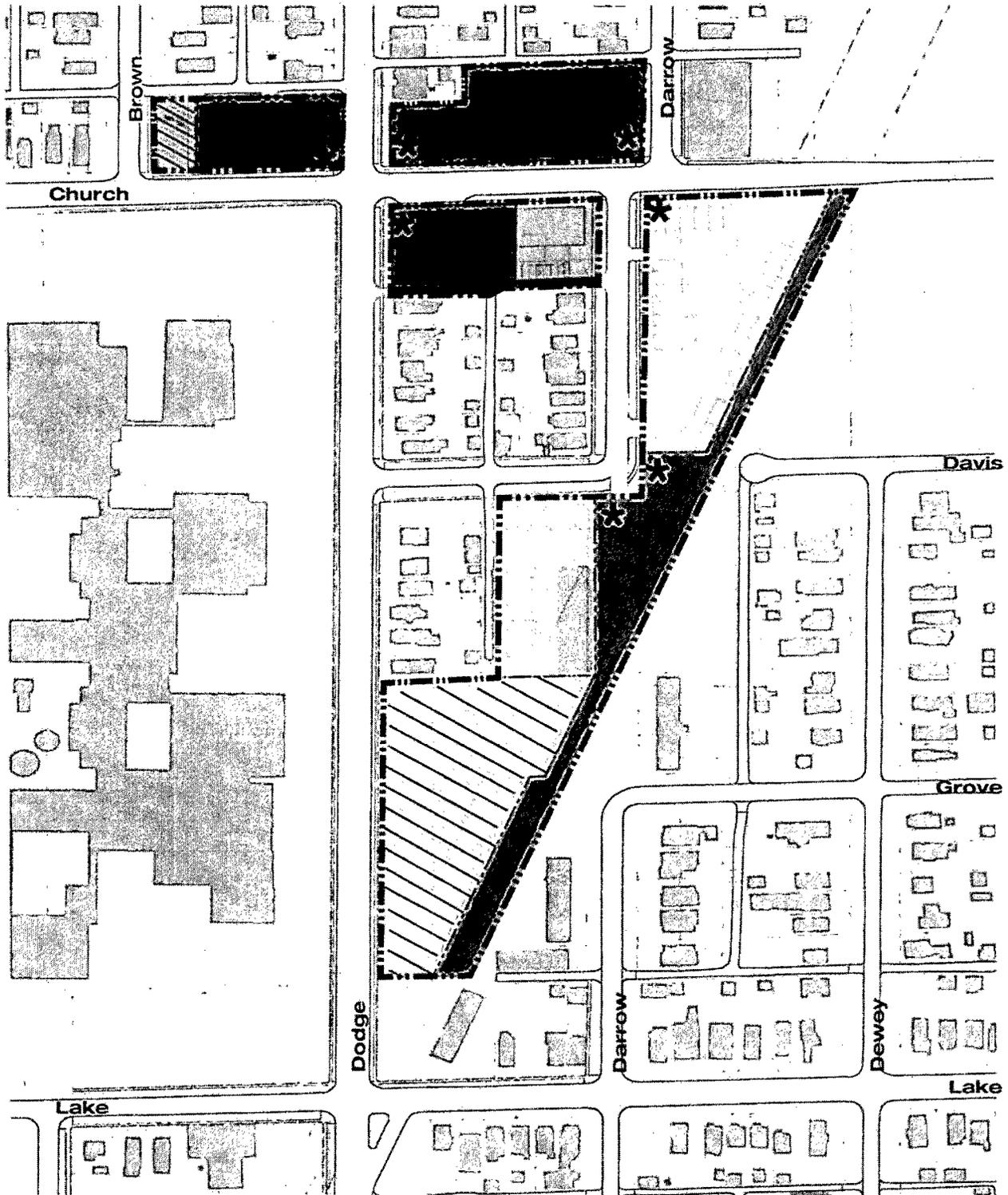


Figure II-E: Regulating Plan, Church to Lake.

West Evanston Zoning Overlay

II. Zoning & Regulating Plans

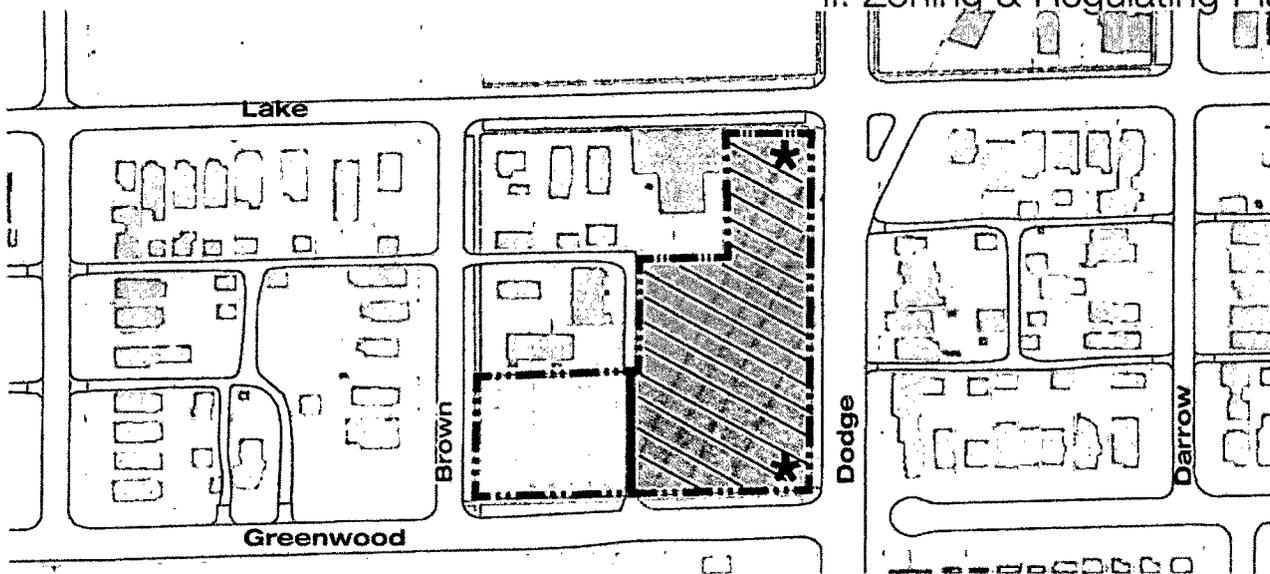


Figure II-F: Regulating Plan, Lake to Greenwood.

Key

WE 1
Townhouse Type I or II or
Small-Lot House or
Iconic Building on corners

WE 2
Townhouse Type II or
Iconic Building on corners

WE 3
Townhouse Type III or
Iconic Building on corners

WE 4
Townhouse Type II or
Flat Building or
Iconic Building on corners

WE 5
Apartment or Flat Building or
Iconic Building on Corners

WE 6
Flex Building or Iconic
Building on corners

WE 7
Mixed-Use Building or Iconic
Building

Public Open Space

Open Space

Street Terminus

Public Neighborhood
Street

Public One Way
Neighborhood Street

Public Alley

Recommended Location
for Special Use Parking
Lot

Subsection III: Street Type
Standards

West Evanston Zoning Overlay

III. Street Type Standards

A. General Requirements.

1. All streets, parkways and sidewalks shall be located in dedicated public Right-of-Ways as required by this Section; no private streets are permitted.
2. All streets must meet the minimum requirements of all the City of Evanston's street and construction standards.

B. Intersection Design.

Intersection design should consider pedestrians and bicyclists as well as vehicular users negotiating the intersection.

1. **Curb Radii.** Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Maximum radii at the intersection of all types of neighborhood street types should be no larger than twenty (20) feet. Preferred radii is ten (10) feet.
2. **Alley Intersections.** The curb radii at intersections involving alleys shall be a maximum ten (10) feet.
3. **Crosswalks.** Crosswalks shall be required at all controlled street intersections.
 - a. **Dimensions.** Crosswalks shall be six to ten (6-10) feet in width, measured from mid-stripe to mid-stripe.
 - b. **Markings.** Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or other approved City treatments.
 - d. **Accessibility Requirements.** Wheelchair-accessible ramps in compliance with or better than the Illinois Accessibility Code shall be provided at all locations in which the sidewalk intersects with the curb of a street. The approach to the ramp shall be aligned with the corresponding sidewalk without any jogs or unnecessary deviations.

C. General Street Type Standards:

1. **Street Types.** Street types defined in this Section outline acceptable street configurations for the streets depicted on the Regulating Plans, Subsection II.
2. **Typical Street Elements.** Typical elements of a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each Street Type detailed in this Section outlines which facilities are applicable to each realm.
 - a. **Vehicular Realm.** The vehicular realm is comprised of the travel lanes, bicycle lanes and parking lanes.

- b. **Pedestrian Realm.** The pedestrian realm is typically comprised of the pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle lane, and a parkway that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm.
3. **Fire Access.** Street configurations have been calculated to provide fire truck access. Where on-street parking is available and the total width of all travel lanes is narrower than eighteen (18) feet, the following shall apply.
 - a. **Room to Pass.** Per the Fire Chief, where needed, at one hundred (100) foot increments, or as otherwise deemed necessary by the Fire Chief, a twenty (20) foot opening in the on-street parking must be provided to allow vehicles to pull over for a fire truck to pass.
 - b. **Driveway or Fire Hydrant Zone.** A driveway or fire hydrant zone may be utilized to fulfill the requirement as set forth in paragraph (a) above.
 4. **Vehicular On-Street Parking.** On-street parking, as permitted on designated street types, must meet the following requirements.
 - a. **Parallel Parking.** Parallel parking is permitted on designated street types.
 - b. **Vehicular Parking Space Dimensions.** Dimensions for parking spaces must meet the City of Evanston's requirements for parking dimensions.
 5. **Existing Street Diagram.** Figure III-A defines the street types for the existing streets within and surrounding the Overlay District for reference in the Building Type regulations. Contact the City of Evanston's Department of Public Works for standards for these streets.
 6. **Modifications.** Modifications to the requirements relating to streets, parkways, and sidewalks set forth in this Subsection III may be approved as part of the site plan and appearance review process if deemed necessary by the City for public safety or fire protection purposes.

D. Street Standards.

Refer to the Regulating Plans, Subsection II, for permitted locations of these street types. For all street types except the alley, sidewalks and parkways are required on both sides of the street.

West Evanston Zoning Overlay

III. Street Type Standards

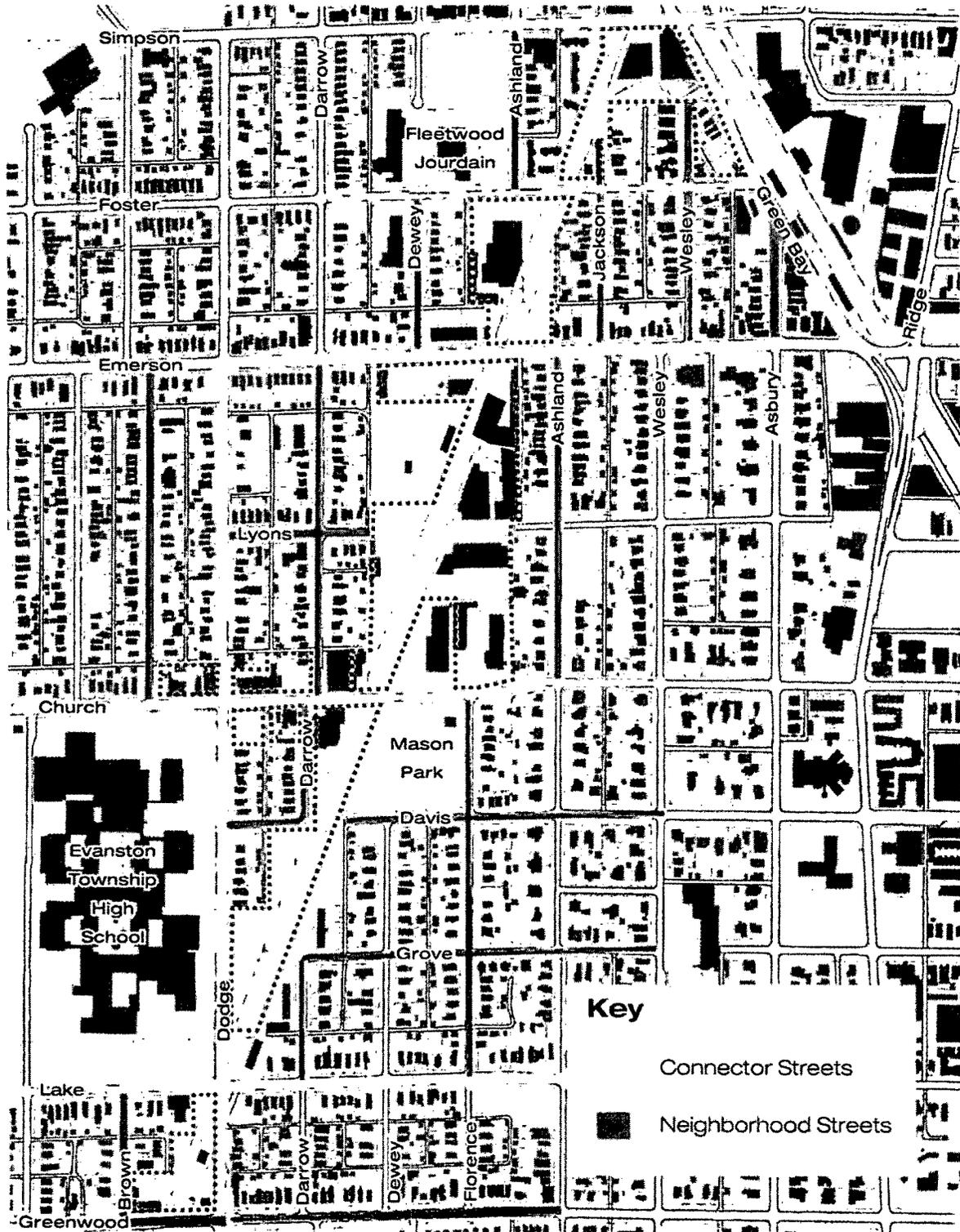


Figure III-A: Existing Street Types.

West Evanston Zoning Overlay

III. Street Type Standards

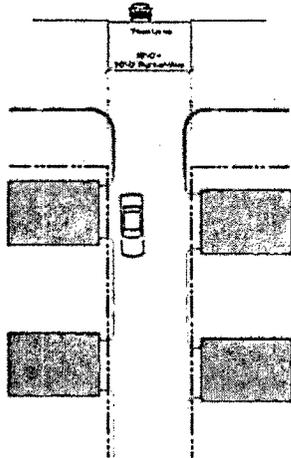


Figure III-1: Alley.

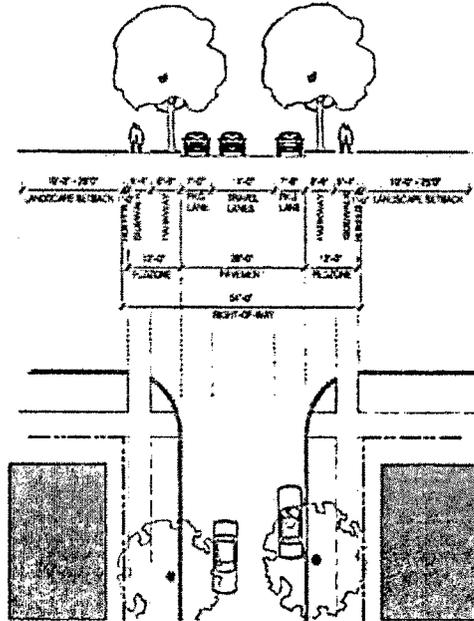


Figure III-2: Neighborhood Street.

Alley Requirements	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	16-20 feet
Travel Lanes	N/A
Lane Width	N/A
Allowable Turn Lanes	none
Parking Lanes	prohibited in the right-of-way
Pavement Width	minimum 16 feet maximum 19 feet as approved by the City
Curbs	optional
Target Speed	15 mph
Permitted Median	prohibited
Bicycle Facilities	shared
Pedestrian Facilities	shared; travel lanes are shared among drivers, pedestrians, and bicyclists
Street Buffer	none required

Table III.1: Alley Requirements.

Neighborhood Street Requirements	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	54 feet
Travel Lanes	1 yield lane
Lane Width	minimum 14'
Allowable Turn Lanes	permitted in place of parking at intersections
Parking Lanes	both sides of the street
Pavement Width	minimum 28 feet
Curbs	required
Permitted Median	prohibited
Bicycle Facilities	shared
Pedestrian Facilities	minimum 5'4" wide clear sidewalk on both sides
Street Buffer	6'8" wide parkway

Table III.2: Neighborhood Street Requirements.

1. **Alley.** The alley is a very low capacity drive located at the rear of parcels. From the alley, access to parking facilities, loading facilities, and service areas, such as refuse and utilities, is possible without a driveway interrupting the street. Alleys shall be developed pursuant to the standards set forth in Table III.1 and as illustrated in Figure III-1.
2. **Neighborhood Street.** The neighborhood street is a low capacity street that primarily serves those properties directly adjacent to it. This street allows for two way traffic and parking on both sides of the street in a reduced right-of-way. Neighborhood streets shall be developed pursuant to the standards set forth in Table III.2, and as illustrated in Figure III-2.

West Evanston Zoning Overlay

III. Street Type Standards

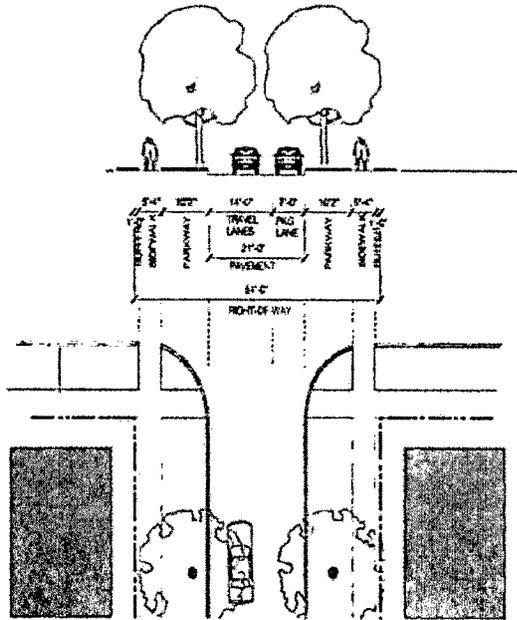


Figure III-3: One Way Neighborhood Street.

One Way Street Requirements	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	54 feet
Travel Lanes	1 lane in one direction
Lane Width	minimum 14'
Allowable Turn Lanes	permitted in place of parking at intersections
Parking Lanes	optional, one or both sides of street, parallel only
Pavement Width	minimum 21 feet
Curbs	required
Permitted Median	prohibited
Bicycle Facilities	shared
Pedestrian Facilities	minimum 5'4" wide clear sidewalk on both sides
Street Buffer	minimum 10'2" wide parkway

Table III.3: One Way Neighborhood Street Requirements.

- One Way Neighborhood Street.** The one way neighborhood street is a low capacity street that primarily serves those properties directly adjacent to it. This street allows for one way traffic and parking on one or both sides of the street in a narrow right-of-way. One way neighborhood streets shall be developed pursuant to the standards set forth in Table III.3, and as illustrated in Figure III-3.

Subsections IV through XVII:
Building Type Standards

West Evanston Zoning Overlay

West Evanston Zoning Overlay

IV. General Building Type Standards

A. Building Type Descriptions.

The following outlines the Building Types permitted in this Overlay District. Refer to Table II.A and the Regulating Plans, (Figures II-C, II-D, II-E, and II-F) for permitted locations.

1. **Mixed Use Building.** This Building Type allows for the development of commercial uses, such as office, retail, and service uses on the Ground Story, as well as office, service, and/or residential uses on the upper floors, to the extent all such uses are allowed in the underlying B-2 base zoning. The Mixed Use Building is located close to the street with doors and storefront windows along the sidewalk and parking in the rear. These buildings are not located along neighborhood streets (see Figure III-A).
2. **Flex Building.** This Building Type allows for the development of residential uses on all floors, with Ground Story commercial as allowed in the underlying B-2 base zoning. The Flex Building may be located along connector or neighborhood streets (see Figure III-A).
3. **Apartment Building.** This Building Type allows for the development of multiple residential units, either rental or condominium units, in a single building. The Apartment Building has a small landscaped area between the building and the street with doors and windows facing the street and parking in the rear. These buildings are not typically located along neighborhood streets unless additional standards are utilized (see Figure III-A).
4. **Flat Building.** This Building Type allows for three to nine residential units to be developed within a smaller building than the Apartment Building. The Flat Building has a landscaped area between the building and the street with doors and windows facing the street and parking in the rear. These buildings are located on neighborhood or connector streets (see Figure III-A).
5. **Townhouse Type I.** The Townhouse Type I contains multiple attached single family residences, grouped in small buildings with landscaped front yards. The Townhouse Type I includes a small rear yard and separate garage, accessed from the rear off an alley or Car Court. These buildings are located on neighborhood or connector streets (see Figure III-A).
6. **Townhouse Type II.** The Townhouse Type II contains multiple attached single family residences, grouped in small buildings with landscaped front yards. The garage for the Townhouse Type II is located within the rear of the building, accessed directly off the alley or Car Court, with no rear yard. These buildings are located on neighborhood or connector streets (see Figure III-A).
7. **Townhouse Type III.** The Townhouse Type III contains multiple attached single family residences, grouped in small buildings with small landscaped front yards. The garage for the Townhouse Type III is located within the rear of the building, accessed directly off the alley or Car Court, with no rear yard. These buildings are located on neighborhood streets or other existing streets (see Figure III-A).
8. **Small-Lot House.** The Small-Lot House is a single family, detached structure similar in scale to the townhouses with a landscaped front yard. The Small-Lot House includes a small rear yard and separate garage, accessed from the rear off an alley or Car Court. These buildings are located on neighborhood streets (see Figure III-A).
9. **Iconic Building.** The Iconic Building is meant to allow for the unique building styles typically associated with neighborhood-scale churches, synagogues, religious assembly, community or cultural uses, libraries, and civic or governmental uses. The Iconic Building may only occur on corner parcels with two intersecting street frontages. These buildings may be located along any streets, but may require a special use permit pursuant to Subsection II.E of this Overlay or the underlying base zoning district.

West Evanston Zoning Overlay

IV. General Building Type Standards

	Street Frontage			Side & Rear Yard Setbacks		Buildable Area					Parking & Loading		Minimum Principal Building Height (stories)	Maximum Principal Building Height (stories)
	Front Yard BTZ (feet)	Corner Side Yard BTZ (feet)	Minimum Coverage of Front Property Line	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Maximum Building Coverage	Maximum Impervious + Semi-Pervious Coverage	Minimum Lot Width (feet)	Minimum Lot Size	Maximum FAR	Location of Parking Facilities (yard)	Number of Permitted Curb Cuts		
Mixed Use, Commercial & Civic Buildings														
Mixed Use Building	5-10 BTZ; 15-20 BTZ on new streets, Dodge & Darrow	5-10 BTZ; 15-20 BTZ on new streets, Dodge & Darrow	95%	5	5	none	90% + 5%	none	none	none	Rear	if no alley, 1 per lot	2	4 stories or 57'; within 100' of Darrow/ Church, 3 stories or 47'
Flex Building	5-10 BTZ; 10-15 BTZ on new streets, Dodge & Darrow	5-10 BTZ; 10-15 BTZ on new streets, Dodge & Darrow	85%	10	5	60%	70% + 15%	65	none	none	Rear; cannot extend into BTZs beyond principal building	none, access off alley	2	3 stories or 44'
Residential Buildings														
Apartment Building with R5 Base Zoning	10-20 BTZ	10-20 BTZ	80%	10	5	60%	70% + 15%	65	none	none	Rear; cannot extend into BTZs beyond principal building	none, access off alley	2	4.5 stories or 54'
Apartment Building with R4 Base Zoning	15-25 BTZ	15-25 BTZ	80%	10	5	60%	70% + 15%	65	none	none	Rear; cannot extend into BTZs beyond principal building	none, access off alley	2	4.5 stories or 54'
Flat Building	15-30 BTZ	15-30 BTZ	Maximum Building Width along street face: 75'	7.5; 15 between buildings	5	45%	60% + 15%	60	none	none	Rear; must be screened from all streets by buildings	none, access off alley	2	3 stories or 42'
Townhouse Type I	15-25 BTZ	15-25 BTZ	none	5; 10 between buildings	5	45%	50% + 15%	none	none	none	Rear; must be screened from all streets by buildings	none, access off alley	1.5	3 stories (with Parapet Cap Type) or 35'
Townhouse Type II	15-30 BTZ	15-30 BTZ	none	5; 10 between buildings	5	50%	55% + 15%	none	none	none	Rear; must be screened from all streets by buildings	if no alley, 1 per street frontage	2	3.5 stories or 42'
Townhouse Type III	10-25 BTZ	10-25 BTZ	none	5; 10 between buildings	5	50%	55% + 15%	none	none	none	Rear; must be screened from all streets by buildings	if no alley, 1 per street frontage	2	3 stories or 42'
Small Lot House	15-25 BTZ	15-25 BTZ	none	5	5	45%	50% + 15%	none	none	none	Rear; located behind back facade of principal building; must be screened from all streets by buildings	none, access off alley	1.5	3 stories (with Parapet Cap Type) or 35'
Iconic Building	5-25 BTZ	5-25 BTZ	none	5	5	none	60% + 20%	50	none	none	Rear and side yards; cannot extend into BTZs	if no alley, 1 per street frontage	1	2 stories or 30'

Table IV.A: Building Types Summary Table. This table summarizes the Building Type requirements set forth in Subsections V through XVI. The specific requirements in Sections V through XVI shall control over any summary information in this table.

West Evanston Zoning Overlay

IV. General Building Type Standards

Building Height					Transparency		Entrance	Cap & Base Type		Use Requirements
Maximum Building Height at Street Façade	Required Setback for Additional Height in Rear	Tower Permitted	Ground-floor; Floor to Floor Height (feet)	Upper Floor; Floor to Floor Height (feet)	Minimum Upper Story Front & Corner Side Façade Transparency	Maximum Façade Area without Transparency	Principal Entrance Location	Allowable Cap Types	Allowable Base Types	Allowed Uses (permitted/special uses are defined by the base zoning with these exceptions)
		Yes	15-24; over 20 counts as two stories	9-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Storefront	Ground floor must be occupied by retail or service space. Upper floors include residential, service, or office uses.
2 stories	8	Yes	9-16	9-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Storefront & Stoop	Commercial uses are allowed as defined by underlying zoning. Residential uses are allowed on all floors.
		Yes	9-14	9-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Ground floor must be occupied.
3.5 stories or 42'	8	Yes	9-14	9-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Ground floor must be occupied.
		Yes on units at street termini	9-14	9-14	12%	Applies	Front, Corner Side, & Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Parks, playgrounds, and educational institutions are not permitted.
2.5 stories or 35'	8	Yes on units at street termini	8-14	8-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Primary permitted use is single-family attached or two-family only. One accessory dwelling unit is permitted in the accessory building.
2.5 stories or 35'	8	Yes on units at street termini	8-14	8-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Primary permitted use is single-family attached or two-family only.
2.5 stories or 35'	8	Yes on units at street termini	8-14	8-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Primary permitted use is single-family attached or two-family only.
2.5 stories or 35'	8	Yes on end units or units at street termini	8-14	8-14	12%	Applies	Front or Corner Side Façade	Parapet, Pitch, & Tower	Stoop & Porch	Primary permitted use is single-family. One accessory dwelling unit is permitted in the accessory building.
		Yes	1 story: 15-30; 2 stories: 9-15	9-14	10%		Front or Corner Side Façade	Parapet, Pitch, Spire, & Tower	Stoop	May only be occupied by churches, synagogues, religious assembly, community or cultural uses, libraries, and government or civic uses.

West Evanston Zoning Overlay

V. Building Types: Base Types

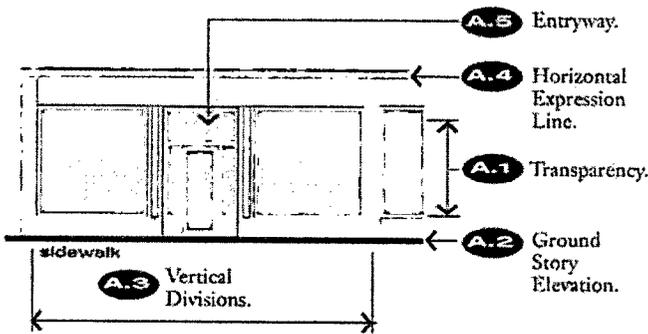


Figure V-A. Storefront Base Type.

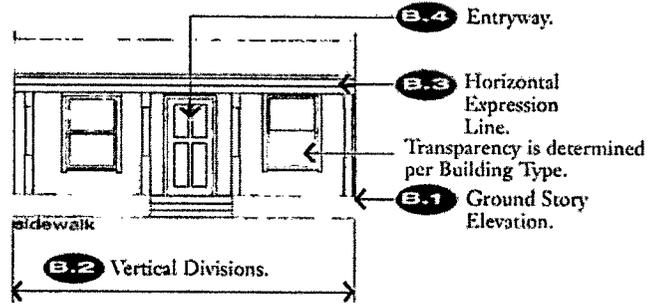


Figure V-B. Porch Base Type.

V. The following details the Base Type requirements. Refer to each Building Type for its permitted Base Types.

A. Storefront Base Type. (See Figure V-A)

- A.1 Transparency.** A minimum of 75% of the Front Facade between two (2) and eight (8) feet above the sidewalk must be comprised of transparent, non-reflective windows into the Ground Story space.
- A.2 Ground Story Elevation.** Ground Story elevation must be between zero (0) and one (1) feet above sidewalk.
- A.3 Vertical Division.** Base Facade shall be vertically divided with an Expression Line into segments no greater than thirty (30) feet in width.
- A.4 Horizontal Expression Line.** A horizontal Expression Line shall define the base from the upper floors of the building.
- A.5 Entryway.** All entries shall be recessed a minimum of three (3) feet and a maximum of eight (8) feet deep, and be a width no greater than eight (8) feet.

B. Porch Base Type. (See Figure V-B)

- B.1 Ground Story Elevation.** Ground Story elevation must be located a maximum of 2'-6" above the sidewalk and, with a visible occupied basement, a maximum of 4'-6" above the sidewalk.
- B.2 Vertical Division.** Base Facade for all Building Types shall be vertically divided with an Expression Line into segments no greater than sixty (60) feet in width.
- B.3 Horizontal Expression Line.** A horizontal Expression Line shall define the Ground Story from the upper floors and, where permitted, the visible basement from the Ground Story of the building for all Building Types.
- B.4 Entryway.** All entries shall be located off a porch (a raised, roofed platform), which shall be a minimum of five (5) feet deep and eight (8) feet wide.
 - a. Enclosed porches shall not be allowed.

West Evanston Zoning Overlay

V. Building Types: Base Types

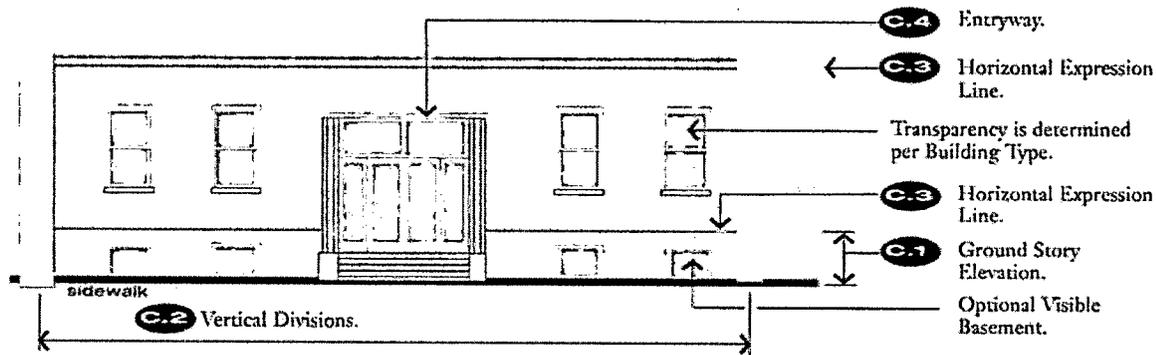


Figure V-C. Stoop Base Type.

C. Stoop Base Type. (See Figure V-C)

- C.1** **Ground Story Elevation.** Ground Story elevation must be located a maximum of 2'-6" above the sidewalk or with a visible occupied basement a maximum of 4'-6" above the sidewalk.
- C.2** **Vertical Division.** Base Facade for all Building Types shall be vertically divided with an Expression Line into segments no greater than sixty (60) feet in width.
- C.3** **Horizontal Expression Line.** A horizontal Expression Line shall define the Ground Story from the upper floors and, where permitted, the visible basement from the Ground Story of the building for all Building Types.
- C.4** **Entryway.** All entries shall be located off a stoop. Stoops (open platforms, typically raised) shall be a minimum of three (3) feet deep and four (4) feet wide.

West Evanston Zoning Overlay

VI. Building Types: Cap Types

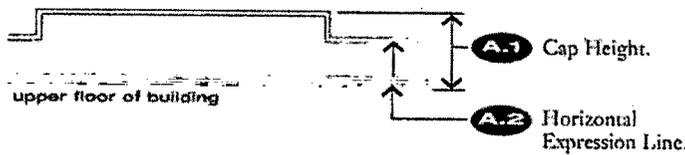


Figure VI-A. Parapet Cap Type.

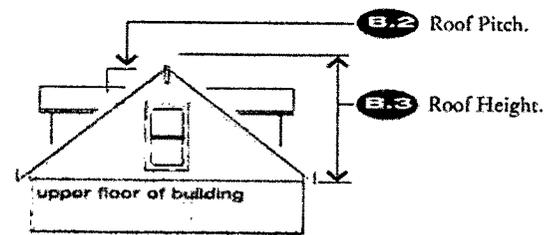


Figure VI-B. Pitched Roof Cap Type (Gable Roof).

VI. The following details the Cap Type requirements.

A. Parapet Cap Type. (See Figure VI-A)

- A.1 Height.** Minimum cap height from the top of the upper floor to the top of the parapet is two (2) feet, maximum is six (6) feet. The cap shall be high enough to screen the roof and any roof appurtenances from view of any adjacent building of similar height.
- A.2 Horizontal Expression Line.** Horizontal Expression Lines shall separate the cap from the upper floors of the building and shall define the top of the cap.
- A.3 Use.** Occupied space may not be incorporated behind this Cap Type.

B. Pitched Roof Cap Type. (See Figure VI-B)

- B.1 Roof Types.** The following are permitted roof types:
 - a. Hipped, shed, gabled, butterfly, and any combination with or without dormers are acceptable.
 - b. Gambrel roofs are acceptable. If the ridge runs parallel to the street, one dormer per fifteen (15) feet of street face shall be included.
- B.2 Pitch.** Pitched roof Cap Type may not be sloped less than a 6:12 (rise:run) or more than 12:12, except in the following cases:
 - a. Roofs located above a second Story, except on Iconic Buildings, are permitted to have a pitch as low as 4:12.
 - b. Butterfly roofs may not be sloped more than 4:12.
 - c. Pitched roofs on a tower are permitted to have a pitch steeper than 12:12.
- B.3 Height.** Roof height may not be greater than the total of all floors below the roof.
- B.4 Use.** Occupied space may be incorporated into this Cap Type.
 - a. This space constitutes a Half-Story.
 - b. Occupied space may not be incorporated into this Cap Type when a gambrel or butterfly roof is used.

West Evanston Zoning Overlay

VI. Building Types: Cap Types

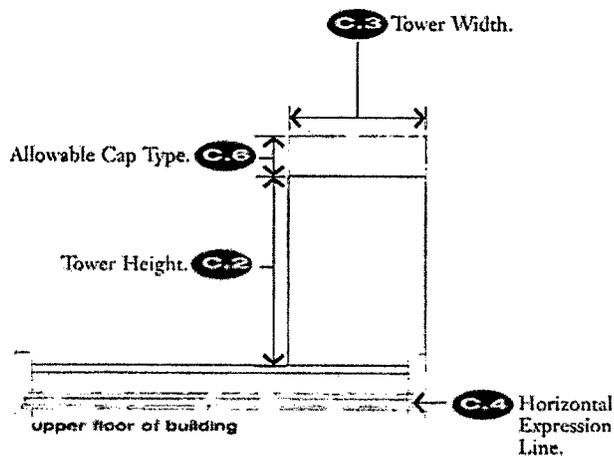


Figure VI-C. Tower Requirements.

C. Tower. (See Figure VI-C)

- C.1 Location.** Towers are permitted in the following locations:
 - a. No more than one (1) tower per building.
 - b. No more than one (1) tower is permitted for every 300' of street face of a development.
 - c. Permissible tower locations are further specified in the Building Type regulations set forth in Subsections IX through XVII.
- C.2 Height.** Maximum tower height from the top of the parapet or cave to the top of the tower is the equivalent of the height of one (1) upper floor of the building to which the tower is applied.
- C.3 Width.** Maximum tower width from the front, corner side, interior side, and rear Facade is one-third (1/3) the width of the Front Facade or thirty (30) feet, whichever is less.
- C.4 Horizontal Expression Line.** Horizontal Expression Lines shall separate the tower from the upper floors of the building, except on residential Building Types.
- C.5 Use.** Towers may be occupied by the same uses allowed in upper floors of the Building Type to which it is applied.
- C.6 Tower Cap.** Allowable Cap Types are parapet and pitched roof on the top of the tower element.

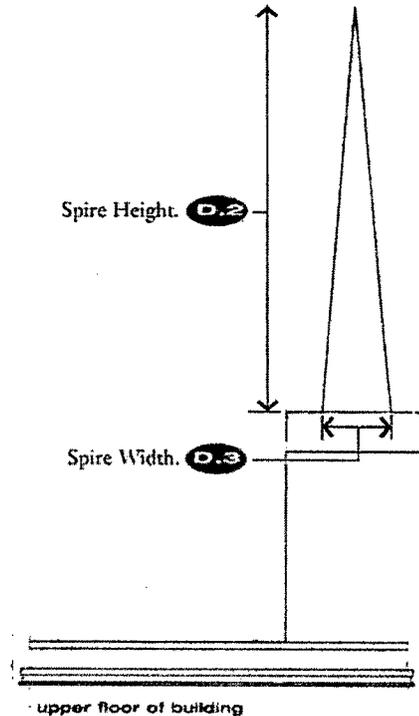


Figure VI-D. Spire Requirements.

D. Spire. (See Figure VI-D)

- D.1 Location.** Spires are permitted only on Iconic Buildings and must be located on top of a tower.
- D.2 Height.** Maximum spire height from the top of the tower to the top of the spire is thirty (30) feet, including any decorative elements atop the apex of the spire.
- D.3 Width.** Maximum spire width is one-half (1/2) the width of the tower on which it is situated.
- D.4 Use.** Spires may not be occupied; they are a decorative element.

E. Special Approval

Iconic buildings may request special approval for unique Cap Types not included in this code. Approval for unique Cap Types will be included in the special use permitting process.

West Evanston Zoning Overlay

VII. Building Types: Measuring Transparency

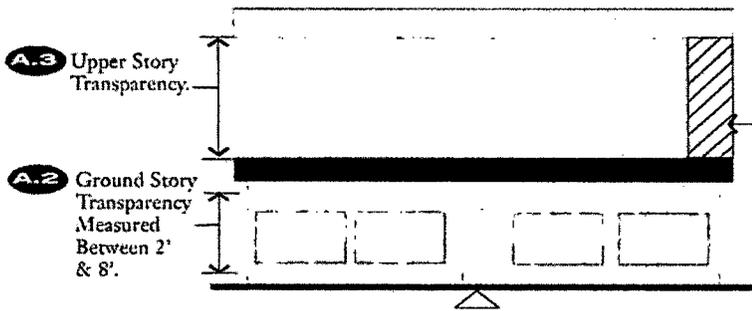


Figure VII-A. Measuring Transparency on Storefront Buildings.

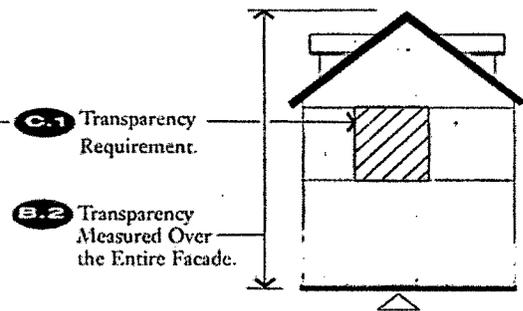


Figure VII-B. Measuring Transparency on Porch & Stoop Residential Buildings.

VII. The parameters outlined in this Section detail how to measure building Transparency. Capitalized Terms are defined in Subsection I.

A. Storefronts. (See Figure VII-A)

- A.1** **Transparency Measured by Floor.** On buildings with a storefront Base Type, Transparency is measured with a separate percentage for the Ground Story Transparency and the upper Story Transparency.
- A.2** **Ground Story.** The Ground Story Transparency is measured on the Facade between two (2) feet and eight (8) feet above sidewalk level on storefronts. Refer to the Base Type standards for the minimum percentage.
- A.3** **Upper Story.** The upper Story Transparency level of these buildings is measured by Story, from floor to floor. Refer to the Building Type standards for the minimum percentage.

B. Porch or Stoop Residential Buildings. (See Figure VII-B)

- B.1** **Transparency Measured by Facade.** On residential buildings with a porch or stoop Base Type, Transparency is measured as a percentage of the entire Facade and not by Story.
- B.2** **Ground and Upper Stories.** Transparency is measured along the full Facade, including the Facade of a Story located within the roof structure. Refer to the Building Type standards for the minimum percentage.

C. General Transparency Requirement. (See Figures VII-A and VII-B)

- C.1** **Maximum Area of No Transparency.** On front and corner side Facades of applicable Building Types, as specified in Subsections IX through XVII, no rectangular area greater than 30% of the each Story's Facade may be blank without Transparency. This area is measured from floor to floor of each Story.

West Evanston Zoning Overlay

VIII. Building Types: Measuring Height & Coverage

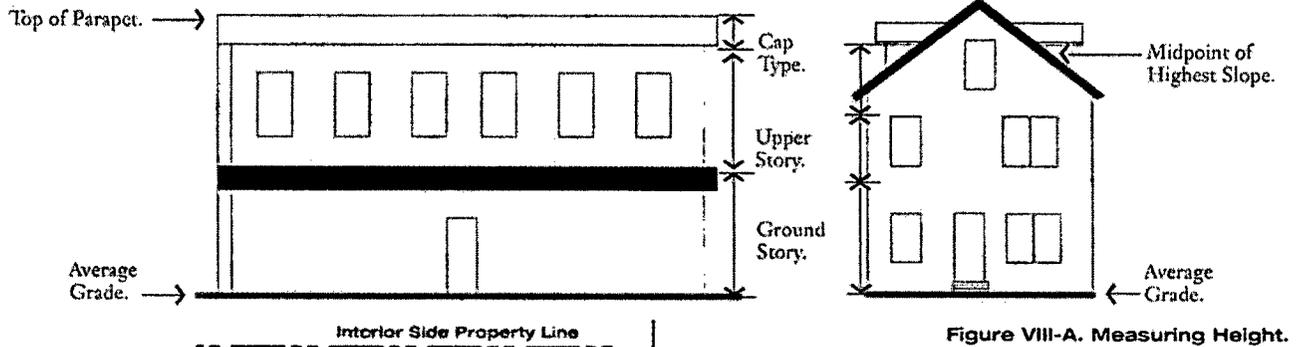


Figure VIII-A. Measuring Height.

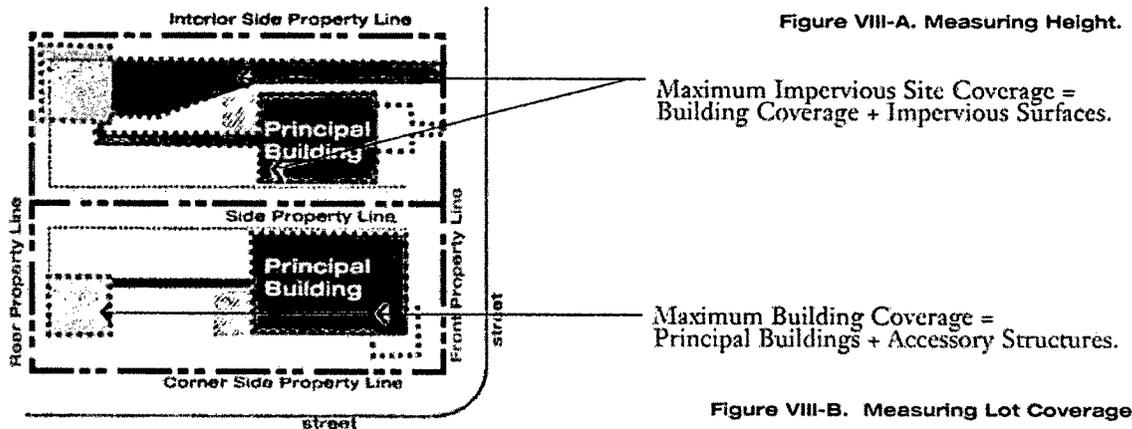


Figure VIII-B. Measuring Lot Coverage.

VIII. The parameters outlined in this Section detail how to measure the height and building coverage of a structure. Capitalized Terms are defined in Subsection I.

A. Measuring Height. (See Figure VIII-A)

1. **Height in Stories.** Each Building Type includes a provision listing the number of permitted stories, typically in a minimum and maximum number of stories.
2. **Half-Stories.** Half-Stories are located either completely within the roof structure or in a basement exposed a maximum of one-half Story above grade.
3. **Floor Height.** Each Building Type includes a permitted range of height for each Story.
 - a. Floor height is measured in feet, between the floor of a Story to the floor of the next Story above it.
 - b. For single Story buildings and the uppermost Story of a multiple Story building, floor to floor height shall be measured from the floor of the Story to the tallest point of the ceiling.

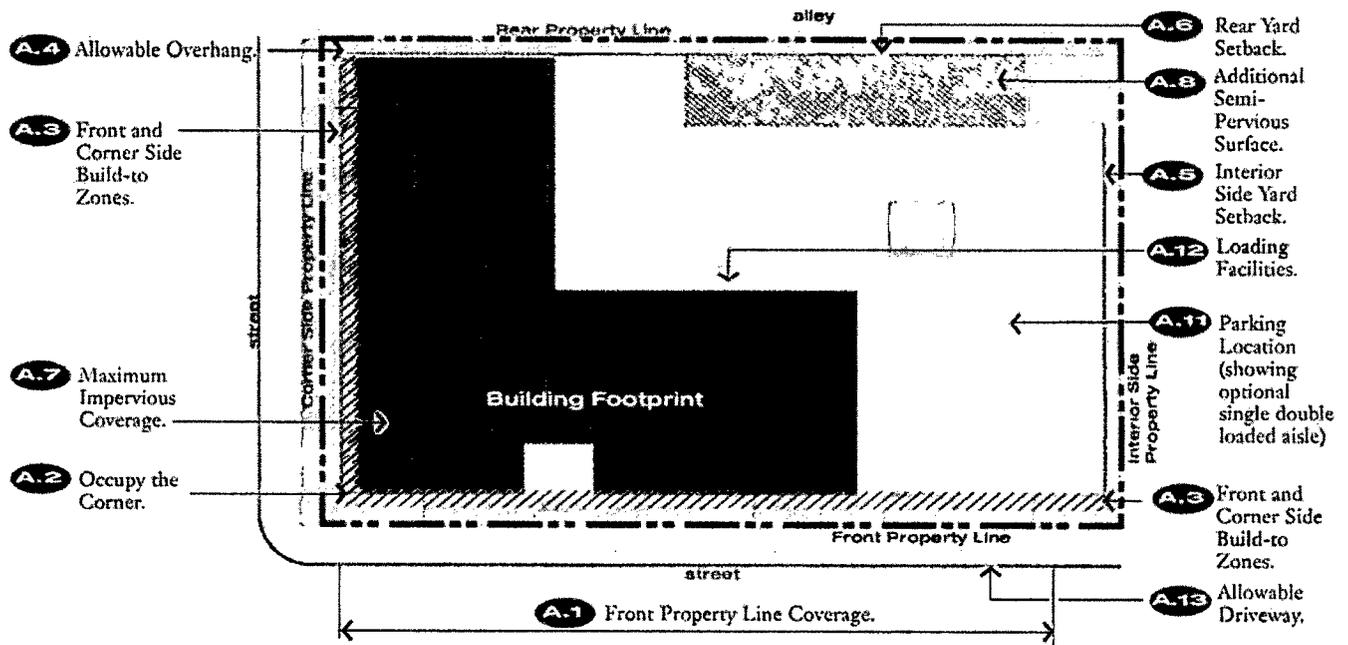
4. **Overall Building Height.** Maximum overall height is provided for all Building Types and is measured in feet as follows:
 - a. **Parapet Cap Type.** Overall building height is measured from the average grade of the bottom of the building's front Facade to the top of the parapet.
 - b. **Pitched Cap Type.** Overall building height is measured from the average grade of the bottom of the building's front Facade to the midpoint of the highest roof slope.

B. Measuring Coverage. (See Figure VIII-B)

1. **Building Coverage.** The percentage of a lot covered by all structures, principal and accessory.
2. **Impervious Site Coverage.** The percentage of a lot covered by all buildings (principal and accessory), pavement, and other Impervious Surfaces.
3. **Semi-Pervious Lot Coverage.** Within each Building Type, an additional percentage of the lot may be surfaced in a Semi-Pervious material. Examples of Semi-Pervious materials include but are not limited to permeable pavers, and permeable asphalt.

West Evanston Zoning Overlay

IX. Building Types: Mixed Use Building



A. Building Siting. (See Figure IX-A)

Street Frontage.

- A.1** A minimum of 95% of the length of the front Build-to Zone, minus the allowable double loaded aisle of parking as permitted (see **A.11**), must be occupied by building.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** Front and corner side building Facades must be constructed within Build-to Zones located between five (5) and ten (10) feet from the property line with the following exception:
 - a. Build-to Zones on all new streets, Dodge Avenue, and Darrow Avenue must be between fifteen (15) and twenty (20) feet from the property line.
- A.4** Eaves, upper floor bays, and awnings are permitted to extend to the property line, maintaining a minimum of ten (10) feet of height clearance at Ground Story.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.5** Interior Side yard Setback shall be a minimum of five (5) feet.
- A.6** Rear yard Setback shall be a minimum of five (5) feet.

Buildable Area.

- A.7** Maximum Impervious Site Coverage (including Building Coverage) shall be 90% of Total Lot Area.
- A.8** An additional 5% of the Total Lot Area may be Semi-Pervious.
- A.9** No minimum lot size is required.
- A.10** No maximum floor area ratio applies.

Off-Street Parking & Loading.

- A.11** Parking is permitted in the rear yard only with the following exception:

Figure IX-A: Building Siting.

- a. Parcels located on Emerson Street, Simpson Street, or Green Bay Road with property lines longer than 200' may include double loaded aisle of parking at the property line, perpendicular to the street.

- A.12** All loading facilities shall be located on the rear Facade.

Driveways & Access.

- A.13** If no alley exists, one (1) driveway per lot is permitted with the following exceptions:
 - a. Driveways are not permitted off any new street, Green Bay Road, Church Street, Dodge Avenue, and Darrow Avenue.
 - b. Driveway location shall be at least seventy-five (75) feet from the intersection of the front and corner side property lines of the block.
 - c. Shared driveways are encouraged.
- A.14** Drive-through facilities are not permitted with the following exception:
 - a. A drive-through facility located on the rear of the building, with stacking fully in the rear, is permitted as a special use.

B. Height & Use Requirements. (See Figure IX-B)

Building & Floor Heights.

- B.1** Building height shall be a minimum of two (2) stories and a maximum of four (4) stories, with a maximum overall height of fifty-seven (57) feet with the following exception:
 - a. Buildings along Church Street located within 100' from the corner of Darrow Avenue shall be a

West Evanston Zoning Overlay

IX. Building Types: Mixed Use Building

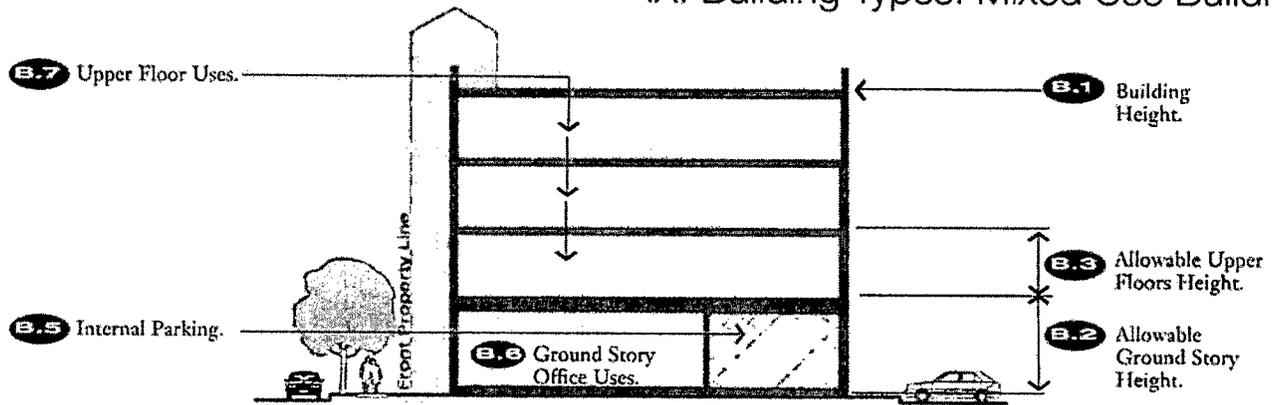


Figure IX-B: Height & Use Requirements.

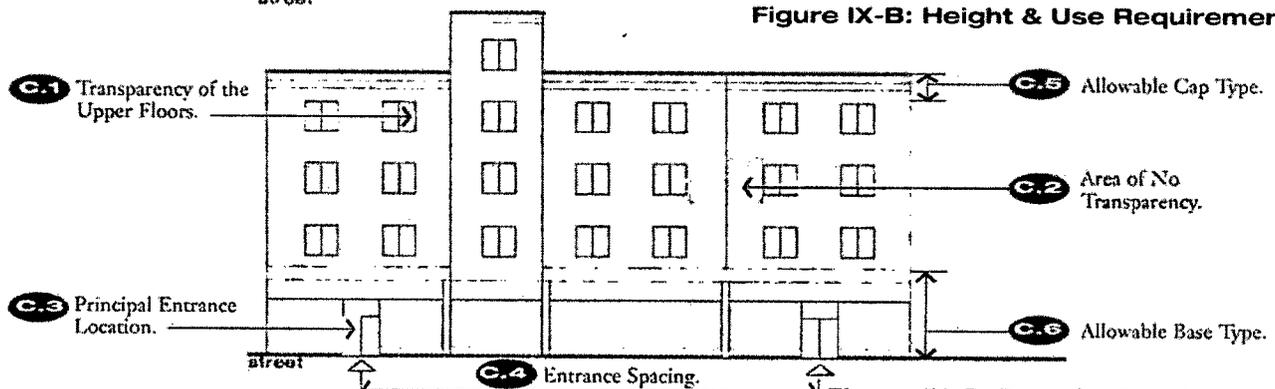


Figure IX-C: Facade Requirements.

maximum of three (3) stories, with the third Story set back a minimum of eight (8) feet and overall maximum height of forty-seven (47) feet.

- B.2** Allowable Ground Story height is a minimum of fifteen (15) feet, maximum of twenty-four (24) feet. When the Ground Story is twenty (20) feet or more in height, it shall count as two (2) stories in terms of measuring the overall building height.
 - B.3** Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet.
 - B.4** Accessory structures & uses shall not exceed the height of the Principal Building on the lot.
- Uses.** Permitted uses and special uses are defined by the base district zoning with the following exceptions:
- B.5** Parking is permitted internally in the rear of the building or fully below grade; a minimum of thirty (30) feet from the street Facades must be occupied by a permitted use other than parking.
 - B.6** Office uses on the Ground Story require a special use permit.
 - B.7** Home occupations are permitted per Chapter 5 of the Zoning Ordinance.

C. Facade Requirements. (See Figure IX-C)

Transparency.

- C.1** A minimum of 12% of the upper Story of all street Facades, measured floor to floor, shall have

transparent, non-reflective windows.

- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The building's principal entrance must be on the front or corner side Facade. Entrances at the corner of a building satisfy this requirement.
- C.4** Provide a minimum of one (1) entrance for every seventy-five (75) feet of building frontage on the Front Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.5** Allowable Cap Types are the parapet and pitched roof. A tower is permitted.
- C.6** Allowable Base Type is the storefront.

Building Materials. Applicable only to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

X. Building Types: Flex Building

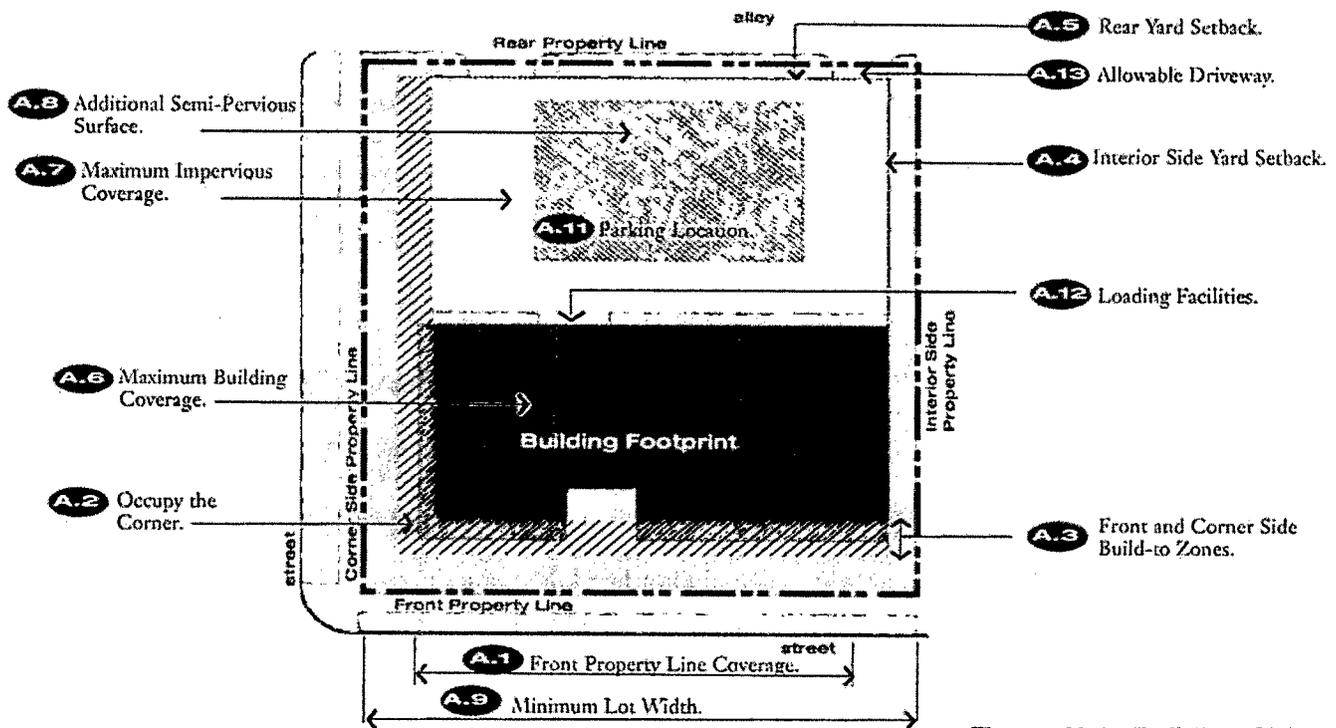


Figure X-A: Building Siting.

A. Building Siting. (See Figure X-A)

Street Frontage.

- A.1** A minimum of 85% of the length of the front Build-to Zone must be occupied by building.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** Front and corner side building Facades must be constructed within Build-to Zones located between five (5) and ten (10) feet from the property line with the following exception:
 - a. Build-to Zones on all new streets, Dodge Avenue, and Darrow Avenue to be between ten (10) and fifteen (15) feet from the property line.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.4** Interior Side yard Setback shall be a minimum of ten (10) feet.
- A.5** Rear yard Setback shall be a minimum of five (5) feet.

Buildable Area.

- A.6** Maximum Building Coverage is 60% of Total Lot Area.
- A.7** Maximum Impervious Site Coverage (including Building Coverage) shall be 70% of Total Lot Area.
- A.8** An additional 15% of the Total Lot Area may be Semi-Pervious.
- A.9** Minimum lot width is sixty five (65) feet. No minimum lot size is required.

- A.10** No maximum floor area ratio applies.

Off-Street Parking & Loading.

- A.11** Parking is permitted in the rear yard of a lot, but may not extend beyond the face of the Principal Building into the corner side Build-to Zones.
 - A.12** All loading facilities shall be located on the rear Facade.
- #### Driveways & Access.
- A.13** Driveway access is permitted only off public alleys.
 - A.14** Drive-through facilities are not permitted.

B. Height & Use Requirements. (See Figure X-B)

Building & Floor Heights.

- B.1** Building height shall be a minimum of two (2) stories and a maximum of (3) stories, with the third Story set back a minimum of eight (8) feet.
- B.2** Maximum overall building height is forty-four (44) feet.
- B.3** Allowable Ground Story height is a minimum of nine (9) feet, maximum of sixteen (16) feet.
- B.4** Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet.

West Evanston Zoning Overlay

X. Building Types: Flex Building

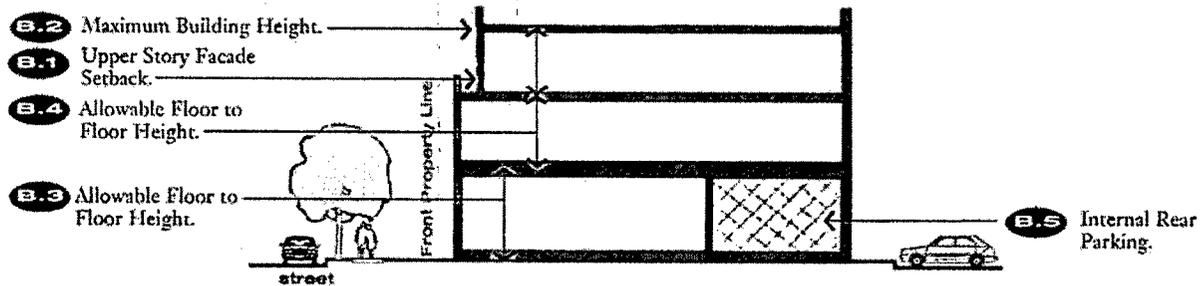


Figure X-B: Height & Use Requirements.

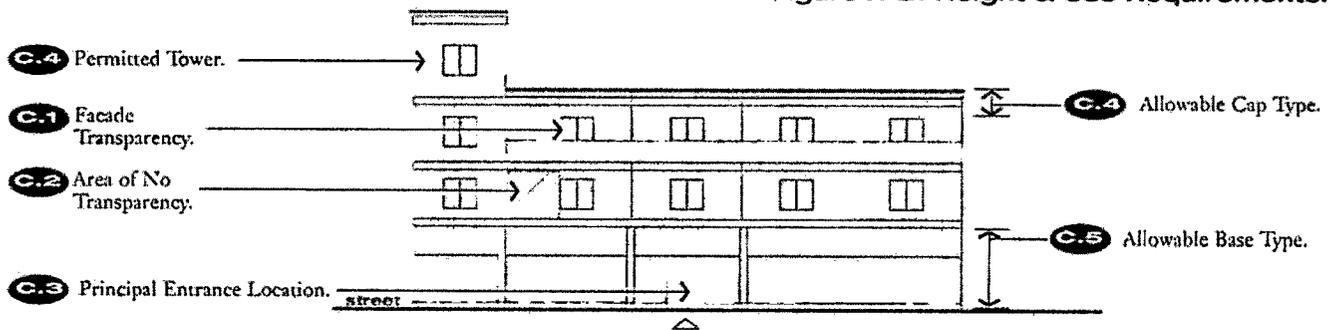


Figure X-C: Facade Requirements.

Uses. Permitted uses and special uses are defined by the base district zoning with following exceptions:

- B.5** Parking is permitted internally in the rear of the first floor of the building or fully below grade; a minimum of twenty (20) feet from the street Facades of the Ground Story must be occupied by a permitted use other than parking.
- B.6** Permitted residential uses may exceed 20,000 square feet in area and may be utilized on all floors.
- B.7** Home occupations are permitted per Chapter 5 of the Zoning Ordinance.

C. Facade Requirements. (See Figure X-C)

Transparency.

- C.1** A minimum of 12% of all street Facades, measured floor to floor, shall have transparent, non-reflective windows. Increased Transparency is required on the Ground Story for the Storefront Base Type (see Section V).
- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance must be located on the front or corner side building Facade. Entrances at the corner of a building satisfy this requirement.

Allowable Cap & Base Types. (See Sections V and VI)

- C.4** Allowable Cap Types are the parapet and pitched roof. A tower is permitted.

- C.5** Allowable Base Type is the storefront or stoop.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.6** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.

- C.7** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.8** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XI. Building Types: Apartment Building

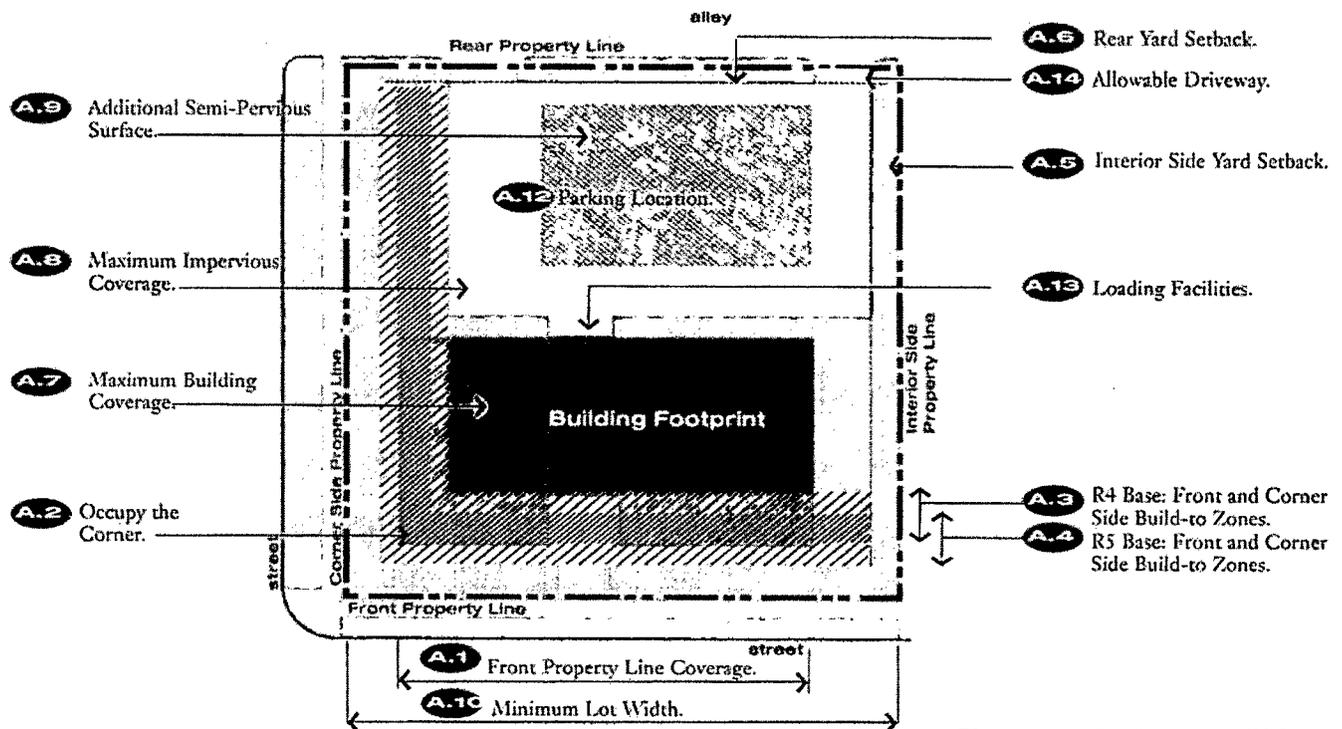


Figure XI-A: Building Siting.

A. Building Siting. (See Figure XI-A)

Street Frontage.

- A.1** A minimum of 80% of the length of the front Build-to Zone must be occupied by building.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** In locations with R4 base zoning, front and corner side building Facades must be constructed within Build-to Zones located between fifteen (15) and twenty five (25) feet from the property line.
- A.4** In locations with R5 base zoning, front and corner side building Facades must be constructed within Build-to Zones located between ten (10) and twenty (20) feet from the property line.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.5** Interior Side yard Setback shall be a minimum of ten (10) feet.
- A.6** Rear yard Setback shall be a minimum of five (5) feet.

Buildable Area.

- A.7** Maximum Building Coverage is 60% of Total Lot Area.
- A.8** Maximum Impervious Site Coverage (including Building Coverage) shall be 70% of Total Lot Area.
- A.9** An additional 15% of the Total Lot Area may be Semi-Pervious.

- A.10** Minimum lot width is sixty five (65) feet. No minimum lot size is required.

- A.11** No maximum floor area ratio applies.

Off-Street Parking & Loading.

- A.12** Parking is permitted in the rear yard of a lot, but may not extend beyond the face of the Principal Building into the corner side Build-to Zones.
- A.13** All loading facilities shall be located on the rear Facade.

Driveways & Access.

- A.14** Driveway access is permitted only off public alleys.

B. Height & Use Requirements. (See Figure XI-B)

Building & Floor Heights.

- B.1** In locations with R4 base zoning:
 - a. Building height shall be a minimum of two (2) stories and a maximum of three and a half (3 1/2) stories.
 - b. Four and a half (4 1/2) stories are permitted if the top Story is set back from all street faces a minimum of eight (8) feet.
 - c. Maximum building height on a street face is forty-two (42) feet, overall fifty-four (54) feet.
- B.2** In locations with R5 base zoning:
 - a. Building height shall be a minimum of two (2)

West Evanston Zoning Overlay

XI. Building Types: Apartment Building

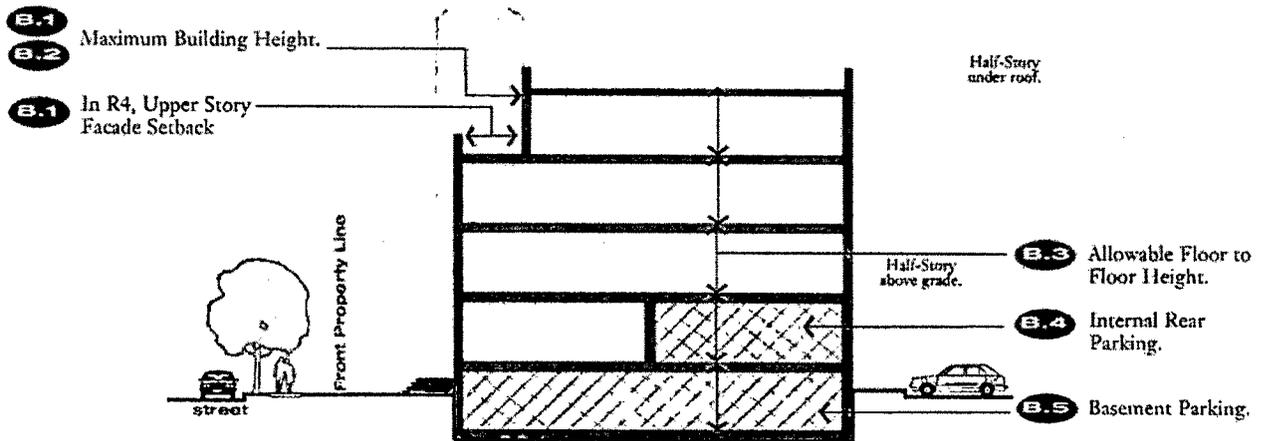


Figure XI-B: Height & Use Requirements.

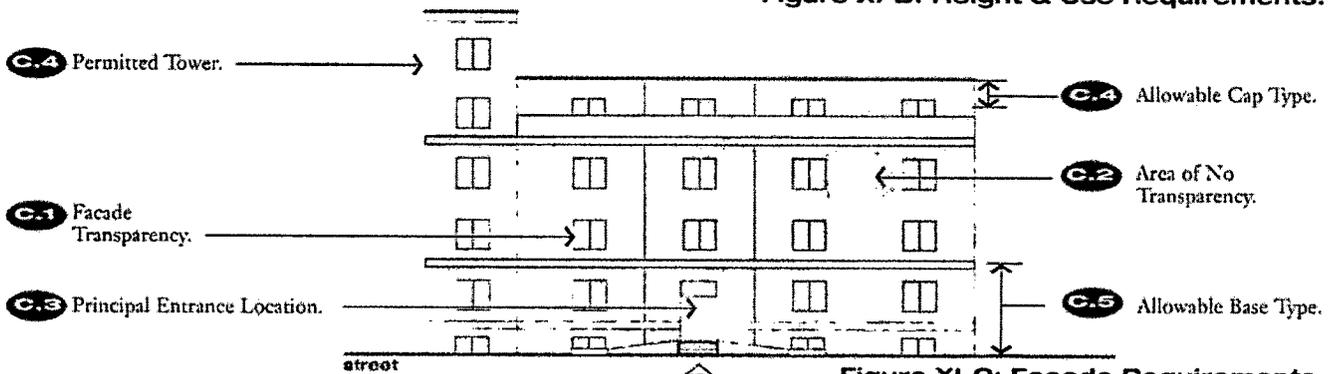


Figure XI-C: Facade Requirements.

Story and a maximum of four and a half (4 1/2) stories.

b. Maximum building height is fifty-four (54) feet.

B.3 Allowable floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet.

Uses. Permitted uses and special uses are defined by the base district zoning with following exceptions:

B.4 Parking is permitted internally in the rear of the of the first full floor of the building; a minimum of thirty (30) feet from the street Facade of the Ground Story must be occupied by a permitted use other than parking.

B.5 Parking is permitted in floors located fully or partially below grade. No more than four (4) feet of that floor may be exposed above grade.

C. Facade Requirements. (See Figure XI-C)

Transparency.

C.1 A minimum of 12% of all street Facades, measured floor to floor, shall have transparent, non-reflective windows.

C.2 On front and corner side Facades, no rectangular

area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

C.3 The principal entrance must be located on the front or corner side building Facade. Entrances at the corner of a building satisfy this requirement.

Allowable Cap & Base Types. (See Sections V and VI for descriptions)

C.4 Allowable Cap Types are the parapet and pitched roof. A tower is permitted.

C.5 Allowable Base Types are the stoop and porch.

Building Materials. Applicable to street Facades or Facades visible from a street.

C.6 Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.

C.7 Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

C.8 Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XII. Building Types: Flat Building

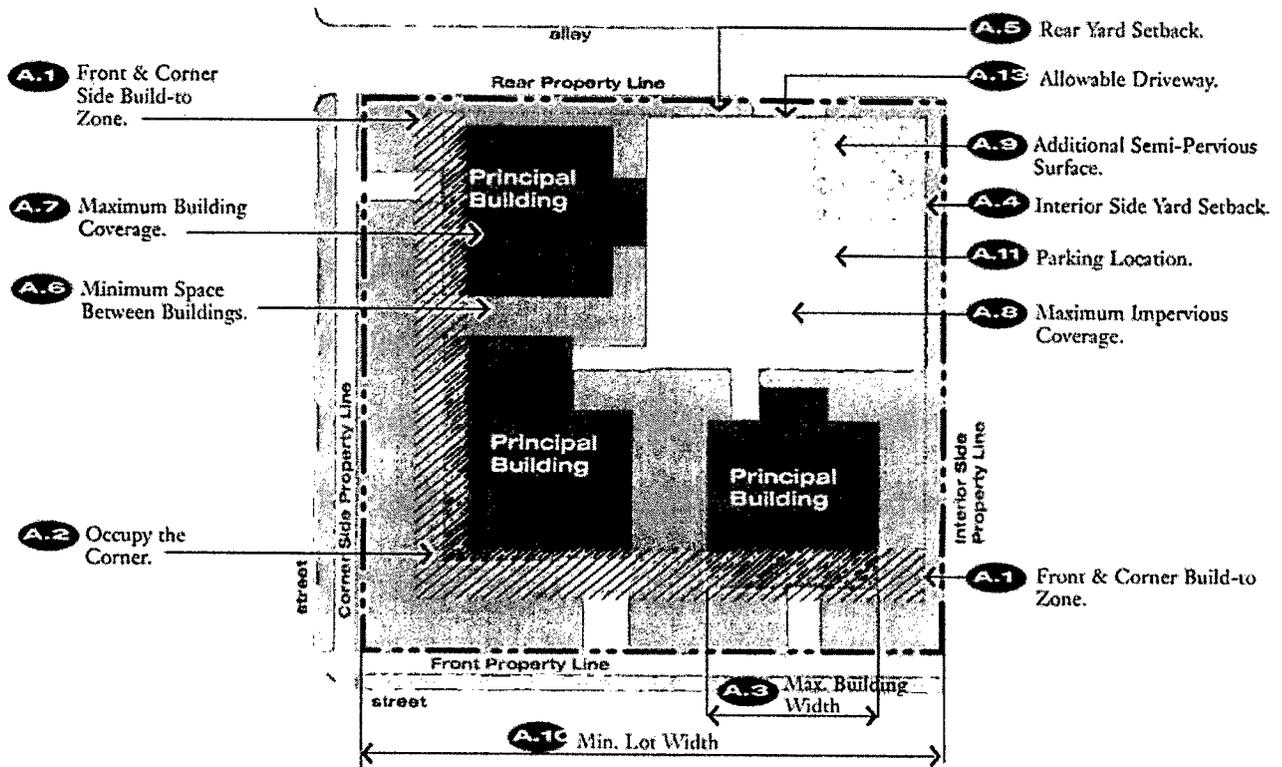


Figure XII-A: Building Siting.

A. Building Siting. (See Figure XII-A)

Multiple principal and accessory structures & uses are permitted on single parcels; however, each building must meet all requirements.

Street Frontage.

- A.1** Front and corner side Facades of buildings must be constructed within a Build-to Zone, located between fifteen (15) and thirty (30) feet from the front and corner side property lines.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** For each Principal Building, the total length of all facades facing each street (maximum building width) may not exceed 75 feet.

Interior Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.4** Interior Side yard Setback shall be a minimum of seven and a half (7.5) feet.
- A.5** Rear yard Setback shall be a minimum of five (5) feet.
- A.6** For multiple buildings on one parcel, a minimum of fifteen (15) feet is required between buildings.

Buildable Area.

- A.7** Maximum Building Coverage shall be 45% of the Total Lot Area.

- A.8** Maximum Impervious Site Coverage (including Building Coverage) shall be 60% of the Total Lot Area.

- A.9** An additional 15% of the Total Lot Area may be Semi-Pervious.

- A.10** Minimum lot width is sixty (60) feet at the front property line. No minimum lot size is required.

Parking, Accessory Structures, & Accessory Uses.

- A.11** Surface parking and garages are permitted in the rear, behind the back Facade of the Principal Building.
- A.12** All surface parking must be screened from all streets by buildings.

Driveways & Access.

- A.13** Driveway access is permitted only off public alleys.

West Evanston Zoning Overlay

XII. Building Types: Flat Building

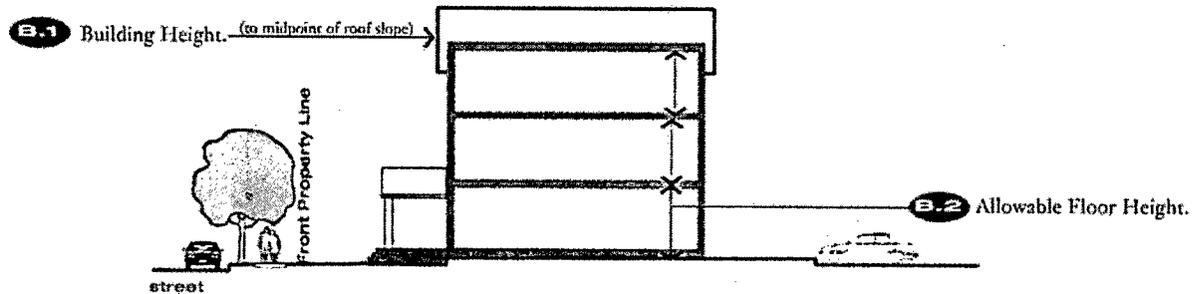


Figure XII-B: Height & Use Requirements.

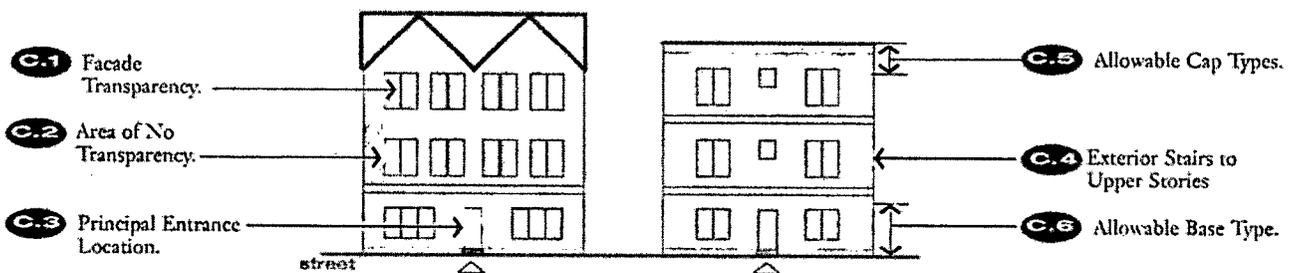


Figure XII-C: Facade Requirements.

B. Height & Use Requirements. (See Figure XII-B)

Building & Floor Heights.

- B.1** Building heights shall be a minimum of two (2) stories and a maximum of three (3) stories. Maximum overall building height is forty two (42) feet.
- B.2** Allowable floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet.

Uses.

- B.3** For all floors, permitted uses and special uses are defined by the base district zoning except that parks, playgrounds, and educational institutions are not permitted.

C. Facade Requirements. (See Figure XII-C)

Transparency.

- C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.
- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance for all buildings must be located on the front, corner side, or side Facade.
- C.4** Exterior entrances to upper stories are not permitted on the Front Facade. Exterior stairs to an upper Story are permitted only on the rear Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.5** Allowable Cap Types are the parapet and pitched roof. Towers are permitted only on Corner Buildings at street termini as designated on the Regulating Plans.
- C.6** Allowable Base Types are stoop and porch.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XIII. Building Types: Townhouse I

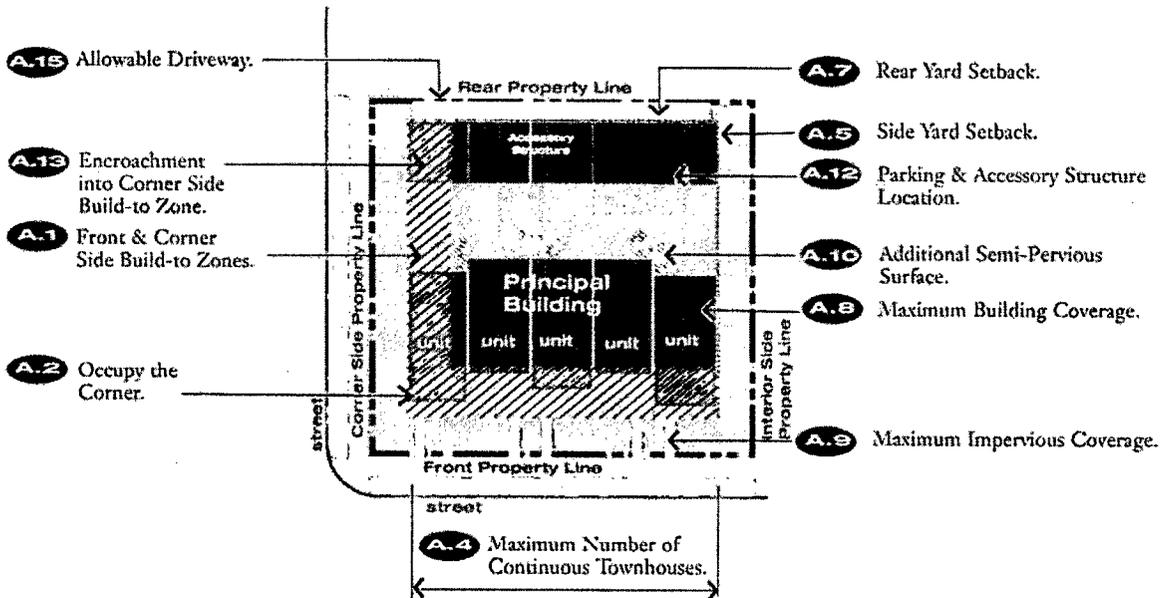


Figure XIII-A: Building Siting.

A. Building Siting. (See Figure XIII-A)

Multiple principal and accessory structures & uses are permitted on single parcels; however, each building must meet all requirements. Note: Each building consists of multiple townhouse units.

Street Frontage.

- A.1** Front and corner side Facades of all building units must be constructed within a Build-to Zone, located between fifteen (15) and twenty five (25) feet from the front and corner side property line.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** Building units may step back beyond adjacent units within the Build-to Zone in increments no greater than ten (10) feet.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.4** Per street face, a minimum of two (2) and a maximum of five (5) continuous units are permitted to cluster in a building without side yard Setbacks.
- A.5** The interior side of any building must be set back a minimum of five (5) feet from the interior side property line.
- A.6** For multiple buildings on one parcel, a minimum of ten (10) feet is required between buildings.
- A.7** The rear of any building must be set back a minimum of five (5) feet from the rear property line.

Buildable Area.

- A.8** Maximum Building Coverage shall be 45% of the Total Lot Area.
- A.9** Maximum Impervious Site Coverage shall be 50% of the Total Lot Area.
- A.10** An additional 15% of the Total Lot Area may be Semi-Pervious.
- A.11** No minimum lot size is required.

Parking, Accessory Structures, & Accessory Uses.

- A.12** Surface parking and accessory structures & uses are permitted in the rear yard, a minimum of ten (10) feet behind the back Facade of the Principal Building.
- A.13** Accessory structures & uses are permitted within the corner side yard Build-to Zone, but may not extend into this yard beyond the face of the Principal Building.
- A.14** Surface parking areas must be screened from all street faces by buildings.

Driveways & Access.

- A.15** Driveway and garage access is permitted only off public alleys.

West Evanston Zoning Overlay

XIII. Building Types: Townhouse I

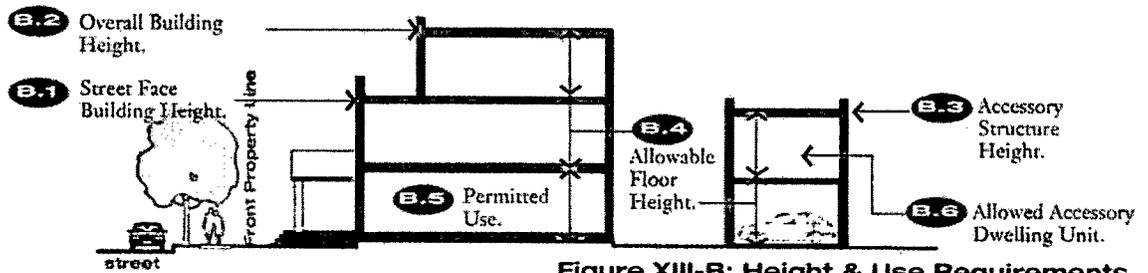


Figure XIII-B: Height & Use Requirements.

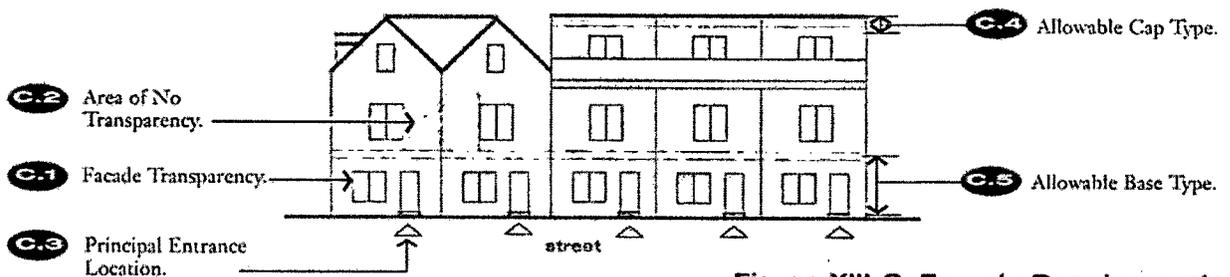


Figure XIII-C: Facade Requirements.

B. Height & Use Requirements. (See Figure XIII-B)

Building & Floor Heights.

- B.1** Principal Building height at the front street face shall be a minimum of one and a half (1 1/2) stories and a maximum of two and a half (2 1/2) stories.
- B.2** On parapet buildings, a maximum of 3 stories is permitted if the third floor is set back from the Front Facade a minimum of eight (8) feet. Overall maximum building height for all types is thirty-five (35) feet.
- B.3** Accessory structure height is a maximum of two (2) stories and twenty four (24) feet and may not be taller than the Principal Building.
- B.4** Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

Uses.

- B.5** Principal permitted use is single-family attached only.
- B.6** One accessory dwelling unit is permitted in the accessory structure.

C. Facade Requirements. (See Figure XIII-C)

Transparency.

- C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.

- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance must be located on the front or corner side Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.4** Allowable Cap Types are the parapet and pitched roof. Towers are permitted only on end units or units at street termini, per the Regulating Plans.
- C.5** Allowable Base Types are stoop and porch.

Facade Design.

- C.6** Each building, consisting of multiple connected units, must be treated with a different design than adjacent buildings, such as a change in material color, Cap Type, or Base Type.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XIV. Building Types: Townhouse II

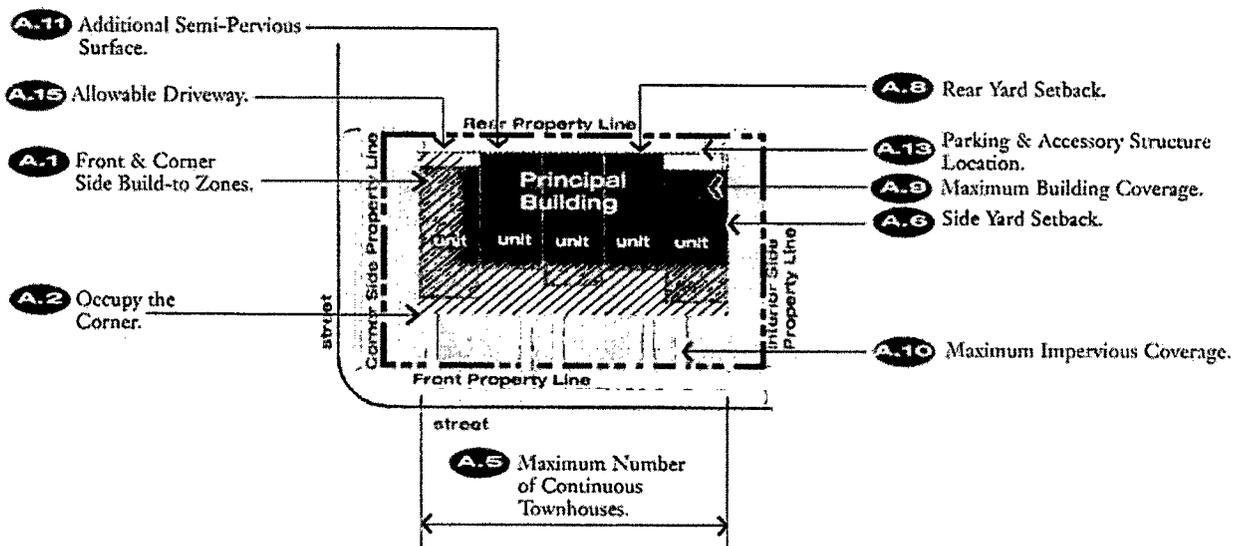


Figure XIV-A: Building Siting.

A. Building Siting. (See Figure XIV-A)

Multiple principal and accessory structures & uses are permitted on single parcels; however, each building must meet all requirements. Note: Each building consists of multiple townhouse units.

Street Frontage.

- A.1** Front and corner side Facades of the building units must be constructed within a Build-to Zone, located between fifteen (15) and thirty (30) feet from the front and corner side property line.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** For every Townhouse Type II building unit on a Lot that meets the requirements of **A.1** above, one (1) additional building unit may front on a courtyard or Open Space, or two (2) additional units may front Park District property. The courtyard or Open Space must be a minimum of thirty five (35) feet wide.
- A.4** Building units may step back beyond adjacent units within the Build-to Zone in increments no greater than ten (10) feet.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.5** Per street face, a minimum of two (2) and a maximum of five (5) continuous units are permitted to cluster without side yard Setbacks.
- A.6** The interior side of a building must be set back a minimum of five (5) feet from the interior side property line.
- A.7** For multiple buildings on one parcel, a minimum of ten (10) feet is required between buildings.

- A.8** The rear of any buildings must be set back a minimum of five (5) feet from the rear property line.

Buildable Area.

- A.9** Maximum Building Coverage shall be 50% of the Total Lot Area.
- A.10** Maximum Impervious Site Coverage shall be 55% of the Total Lot Area.
- A.11** An additional 15% of the Total Lot Area may be Semi-Pervious.
- A.12** No minimum lot size is required.

Parking & Garages.

- A.13** Parking is permitted in the rear yard or within the rear portion of the Principal Building. Detached garages are not permitted.
- A.14** Parking and garage areas must be screened from all street faces by buildings. Garage doors must face the alley or rear of the Lot.

Driveways & Access.

- A.15** Driveway and garage access is permitted only off public alleys.
- A.16** Where no public alley is shown, one driveway per development area is permitted off of Green Bay Road or Foster Avenue as shown on the Regulating Plans.

West Evanston Zoning Overlay

XIV. Building Types: Townhouse II

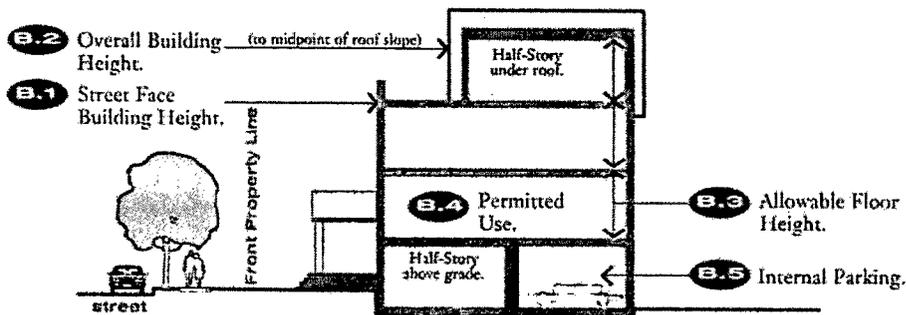


Figure XIV-B: Height & Use Requirements.

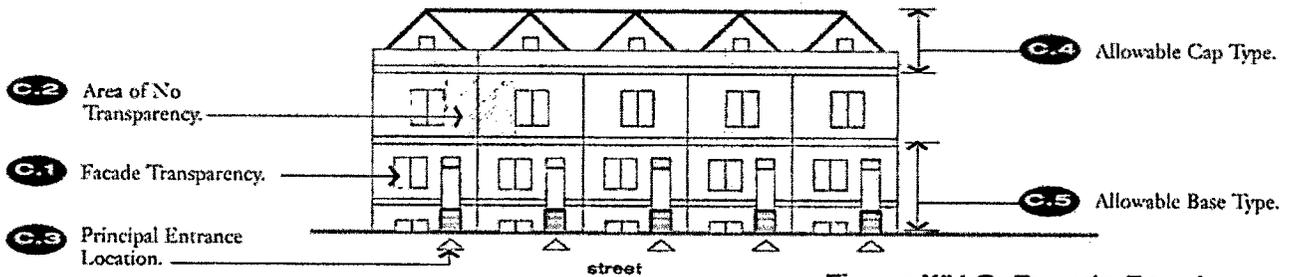


Figure XIV-C: Facade Requirements.

B. Height & Use Requirements. (See Figure XIV-B)

Building & Floor Heights.

- B.1** Principal Building height at the front street face shall be a minimum of two (2) stories and a maximum of two and a half (2 1/2) stories. Maximum building height at the front street face is thirty five (35) feet.
- B.2** A maximum of three and a half (3 1/2) stories is permitted if the top floor is set back from the Front Facade a minimum of eight (8) feet. Overall maximum building height is forty two (42) feet.
- B.3** Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

Uses.

- B.4** Principal permitted use is single-family attached only.
- B.5** Parking is permitted internally in the rear of the building; a minimum of fifteen (15) feet from the Front Facade of the Ground Story must be occupied by a permitted use other than parking.

C. Facade Requirements. (See Figure XIV-C)

Transparency.

- C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.

- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance must be located on the front or corner side Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.4** Allowable Cap Types are the parapet and pitched roof. Towers are permitted on units at street termini per the Regulating Plans.
- C.5** Allowable Base Types are stoop and porch.

Facade Design.

- C.6** Each building, consisting of multiple connected units must be treated with a different design than adjacent buildings, such as a change in material color, Cap Type, or Base Type.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XV. Building Types: Townhouse III

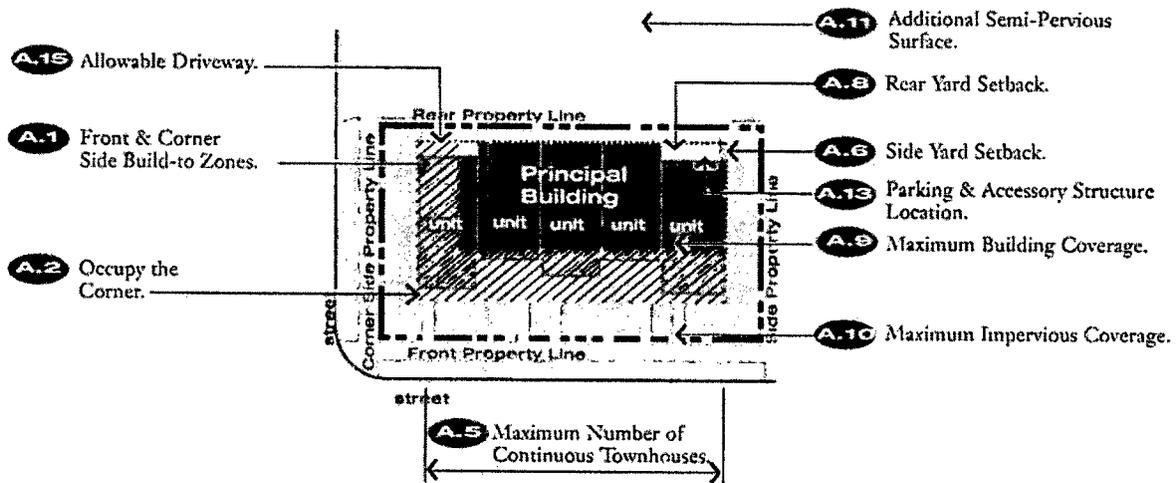


Figure XV-A: Building Siting.

A. Building Siting. (See Figure XV-A)

Multiple principal and accessory structures & uses are permitted on single parcels; however, each building must meet all requirements. Note: Each building consists of multiple townhouse units.

Street Frontage.

- A.1** Front and corner side Facades of the building units must be constructed within a Build-to Zone, located between ten (10) and twenty five (25) feet from the front and corner side property line.
- A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.3** For every five (5) Townhouse Type II building units on a Lot that meets the requirements of **A.1** above, three (3) additional building units may front on a courtyard or Open Space. The courtyard or Open Space must be a minimum of thirty five (35) feet wide.
- A.4** Building units may step back beyond adjacent units within the Build-to Zone in increments no greater than ten (10) feet.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.5** Per street face, a minimum of two (2) and a maximum of five (5) continuous units are permitted to cluster without side yard Setbacks.
- A.6** The interior side of buildings must be set back a minimum of five (5) feet from the interior side property line.

- A.7** For multiple buildings on one parcel, a minimum of ten (10) feet is required between buildings.
- A.8** The rear of any buildings must be set back a minimum of five (5) feet from the rear property line.

Buildable Area.

- A.9** Maximum Building Coverage shall be 50% of the Total Lot Area.
- A.10** Maximum Impervious Site Coverage shall be 55% of the Total Lot Area.
- A.11** An additional 15% of the Total Lot Area may be Semi-Pervious.
- A.12** No minimum lot size is required.

Parking & Garages.

- A.13** Parking is permitted in the rear yard or within the rear portion of the Principal Building. Detached garages are not permitted.
- A.14** Parking and garage areas must be screened from all street faces by buildings. Garage doors must face the alley or rear of the Lot.

Driveways & Access.

- A.15** Driveway and garage access is permitted only off public alleys.
- A.16** Where no public alley is shown, one driveway per development area is permitted off of Foster Avenue as shown on the Regulating Plans.

West Evanston Zoning Overlay

XV. Building Types: Townhouse III

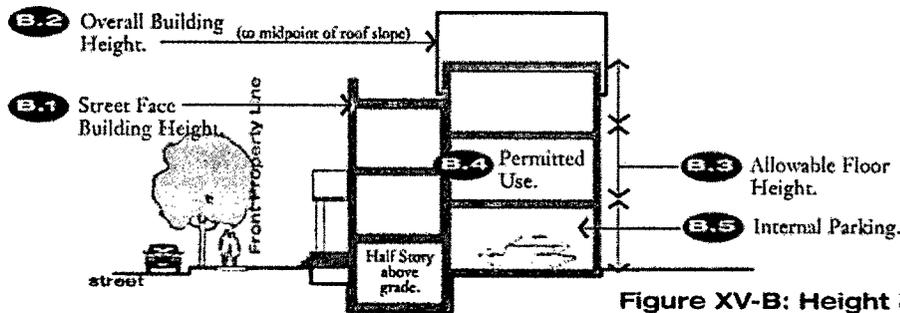


Figure XV-B: Height & Use Requirements.

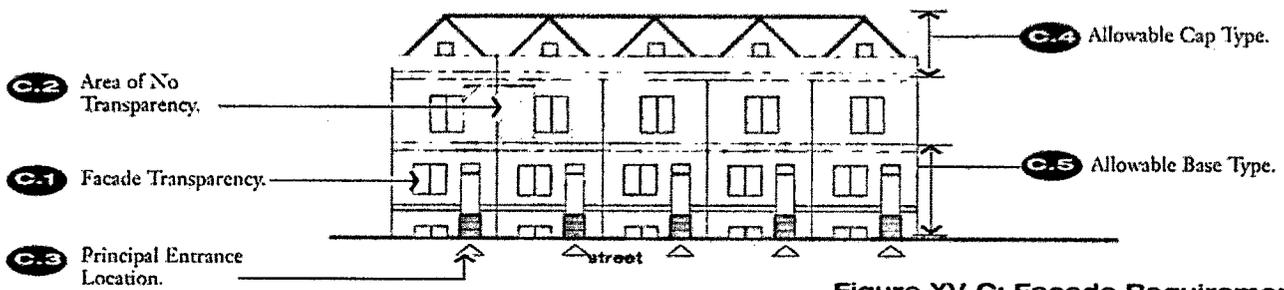


Figure XV-C: Facade Requirements.

B. Height & Use Requirements. (See Figure XV-B)

Building & Floor Heights.

- B.1** Building height at the street face shall be a minimum of two (2) stories and a maximum of two and a half (2 1/2) stories. Maximum building height at the front street face is thirty five (35) feet.
- B.2** A maximum of three (3) stories is permitted if the top floor is set back from the Front Facade a minimum of eight (8) feet. Overall maximum building height is forty two (42) feet.
- B.3** Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

Uses.

- B.4** Principal permitted use is single-family attached only.
- B.5** Parking is permitted internally in the rear of the building; a minimum of fifteen (15) feet from the Front Facade of the Ground Story must be occupied by a permitted use other than parking.

C. Facade Requirements. (See Figure XV-C)

Transparency.

- C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.

- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance must be located on the front or corner side Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.4** Allowable Cap Types are the parapet and pitched roof. Towers are permitted on units at street termini per the Regulating Plans.
- C.5** Allowable Base Types are stoop and porch.

Facade Design.

- C.6** Each building, consisting of multiple connected units must be treated with a different design than adjacent buildings, such as a change in material color, Cap Type, or Base Type.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XVI. Building Types: Small-Lot House

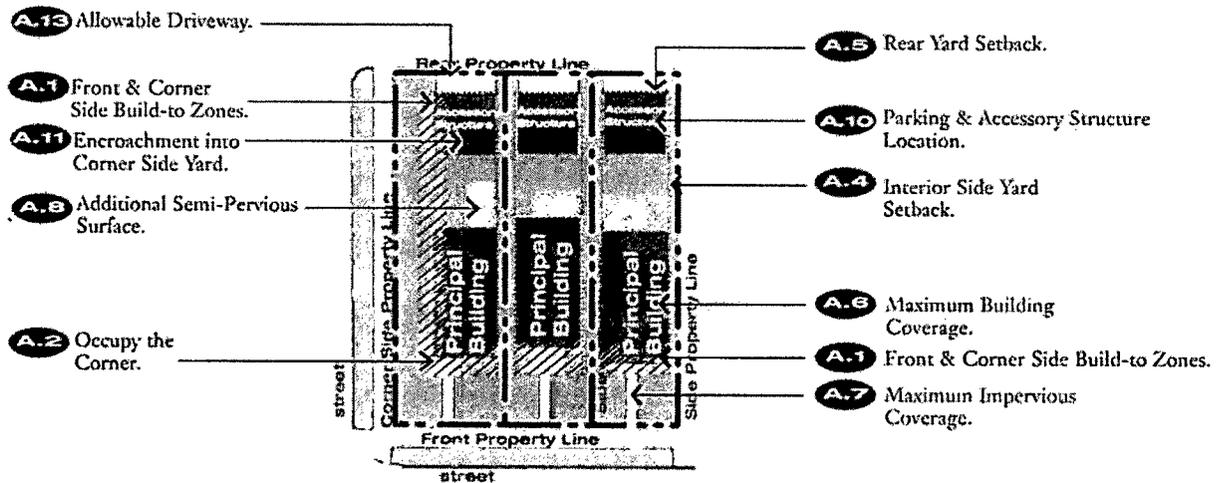


Figure XVI-A: Building Siting.

A. Building Siting. (See Figure XVI-A)

Street Frontage.

- A.1** Front and corner side Facades of all buildings must be constructed within a Build-to Zone, located between fifteen (15) and twenty five (25) feet from the front and corner side property line.
 - A.2** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
 - A.3** One Principal Building is permitted per parcel.
- Side & Rear Yard Setbacks.** Applies to both principal and accessory structures & uses.
- A.4** The interior side of a building must be set back a minimum of five (5) feet from the interior side property line.
 - A.5** The rear of any building must be set back a minimum of five (5) feet from the rear property line.

Buildable Area.

- A.6** Maximum Building Coverage shall be 45% of the Total Lot Area.
- A.7** Maximum Impervious Site Coverage shall be 50% of the Total Lot Area.
- A.8** An additional 15% of the Total Lot Area may be Semi-Pervious.
- A.9** No minimum lot size is required.

Parking, Accessory Structures, & Accessory Uses.

- A.10** Surface parking and accessory structures & uses are permitted in the rear yard, a minimum of ten (10) feet from the back Facade of the Principal Building.
 - A.11** Accessory structures & uses are permitted within the corner side yard Build-to Zone, but may not extend into this yard beyond the face of the Principal Building.
 - A.12** Surface parking areas must be screened from all street faces by buildings.
- Driveways & Access.**
- A.13** Driveway and garage access is permitted only off public alleys.

West Evanston Zoning Overlay XVI. Building Types: Small-Lot House

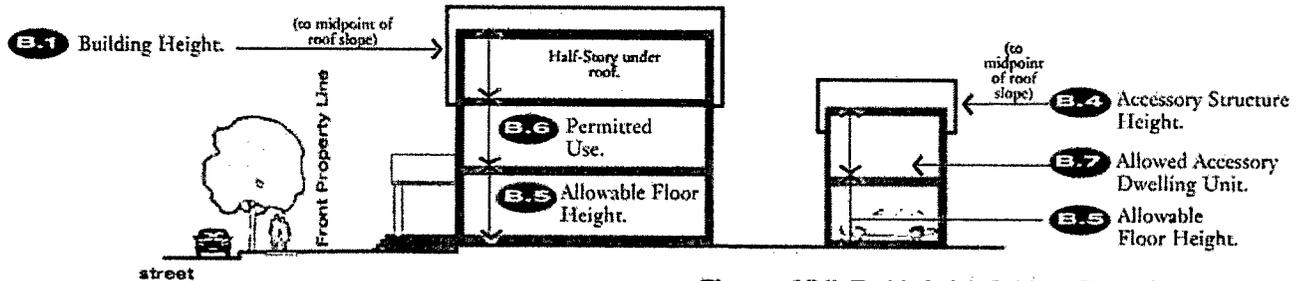


Figure XVI-B: Height & Use Requirements.

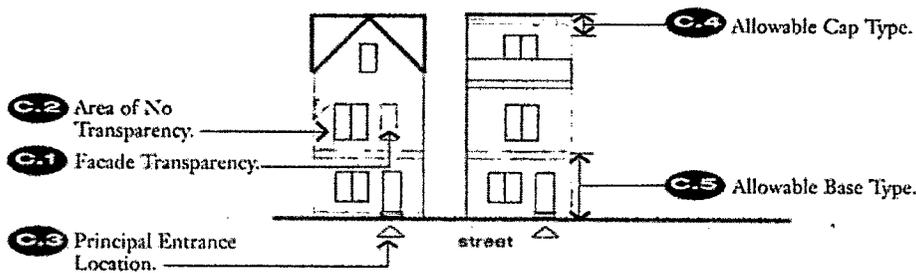


Figure XVI-C: Facade Requirements.

B. Height & Use Requirements. (See Figure XVI-B)

Building & Floor Heights.

- B.1** Principal Building height at the front street face shall be a minimum of one and a half (1 1/2) stories and a maximum of two and a half (2 1/2) stories.
- B.2** On parapet buildings, a maximum of 3 stories is permitted if the third floor is set back from the Front Facade a minimum of eight (8) feet.
- B.3** Overall maximum building height is thirty-five (35) feet.
- B.4** Accessory structure height is a maximum of two (2) stories and twenty four (24) feet, and may not be taller than the Principal Building.
- B.5** Allowable floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

Uses.

- B.6** Principal permitted use is single family.
- B.7** One accessory dwelling unit is permitted in the accessory structure.

C. Facade Requirements. (See Figure XVI-C)

Transparency.

- C.1** A minimum of 12% of the front and the corner side Facades shall have transparent, non-reflective windows.

- C.2** On front and corner side Facades, no rectangular area greater than 30% of the Facade per floor may be blank, without Transparency.

Building Entrance.

- C.3** The principal entrance must be located on the front or corner side Facade.

Allowable Cap & Base Types. (See Sections V and VI)

- C.4** Allowable Cap Types are the parapet and pitched roof. Towers are permitted only on end units or units at street termini, per the Regulating Plans.
- C.5** Allowable Base Types are stoop and porch.

Facade Design.

- C.6** Each building must be treated with a different design than adjacent buildings, such as change in material color, Cap Type, or Base Type.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.7** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.8** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.9** Projecting balconies are not permitted on street face Facades.

West Evanston Zoning Overlay

XVII. Building Types: Iconic Building

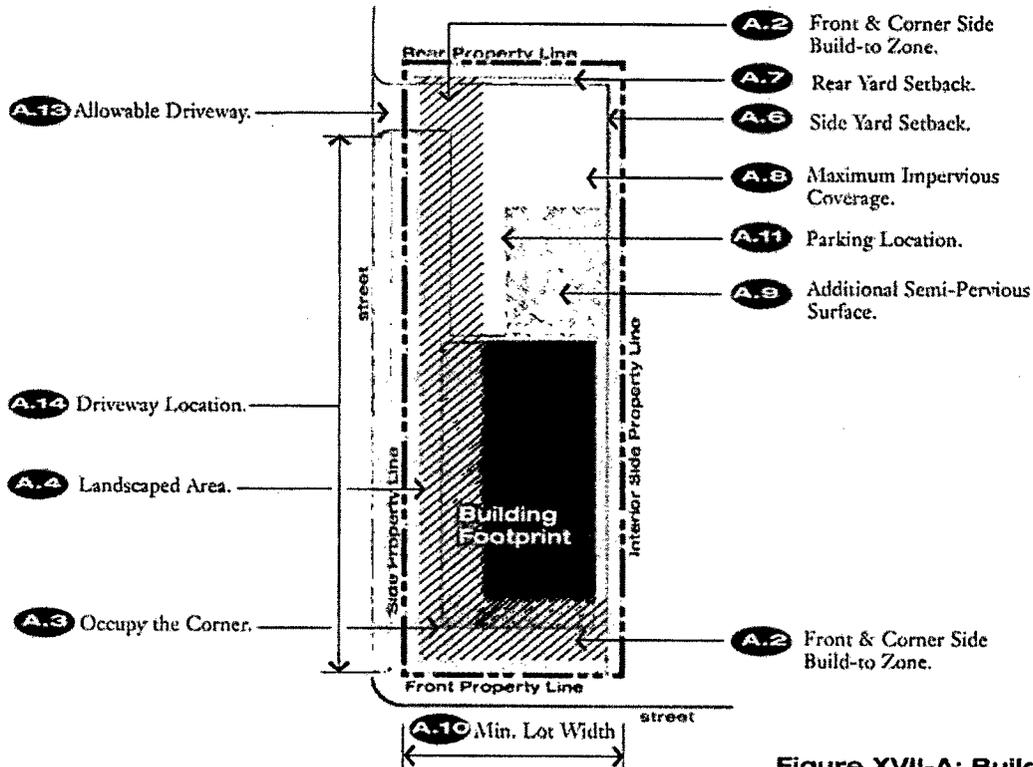


Figure XVII-A: Building Siting.

A. Building Siting. (See Figure XVII-A)

Street Frontage.

- A.1** This Building Type may only occur on corner parcels with two intersecting street frontages.
- A.2** Front and corner side building Facades must be constructed within Build-to Zones located between five (5) and twenty-five (25) feet from the property line.
- A.3** The intersection of the front and corner side Build-to Zones (the corner) must be occupied by a building.
- A.4** Areas not occupied with building along the front, corner side, and interior side property lines shall not be paved.
- A.5** Multiple buildings may be constructed on a single lot; however, the minimum standards in Requirement A.2 must be met.

Side & Rear Yard Setbacks. Applies to both principal and accessory structures & uses.

- A.6** Interior Side yard Setback shall be a minimum of five (5) feet.
- A.7** Rear yard Setback shall be a minimum of five (5) feet.

Buildable Area.

- A.8** Maximum Impervious Site Coverage (including Building Coverage) shall be 60% of Total Lot Area.

- A.9** An additional 20% of the Total Lot Area may be Semi-Pervious.
- A.10** Minimum Lot Width is fifty (50) feet. No minimum lot size is required.

Off-Street Parking & Loading.

- A.11** Parking is permitted in the rear and side yards of a lot, but may not extend beyond the face of the Principal Building into front and corner side Build-to Zones.

Driveways & Access.

- A.12** Driveways must be accessed off an alley, if available.
- A.13** If alley access is not available, one (1) driveway per street frontage is permitted.
- A.14** Driveway location shall be at least fifty (50) feet from the intersection of the front and corner side property lines.

B. Height & Use Requirements. (See Figure XVII-B)

Building & Floor Heights.

- B.1** Building height shall be a minimum of one (1) Story and a maximum of two (2) stories. Overall maximum building height is thirty (30) feet.

West Evanston Zoning Overlay

XVII. Building Types: Iconic Building

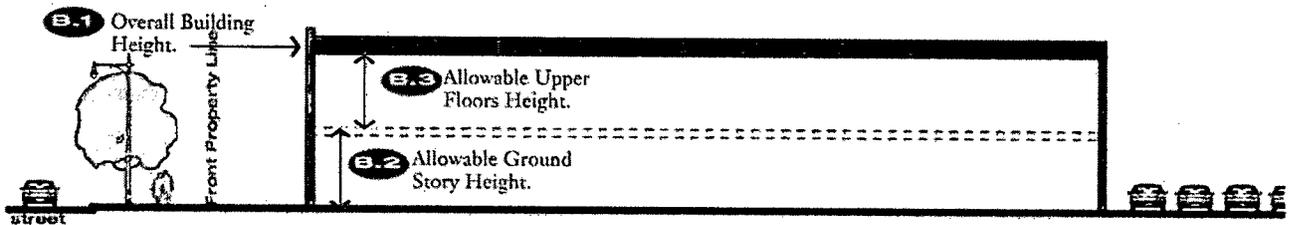


Figure XVII-B: Height & Use Requirements.

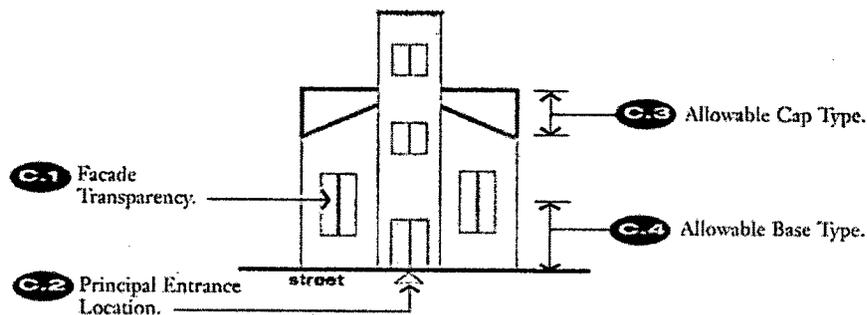


Figure XVII-C: Facade Requirements.

- B.2** Allowable Ground Story height.
- With a one (1) Story building, the minimum is fifteen (15) feet, maximum is thirty (30) feet.
 - With a two (2) Story building, the minimum is nine (9) feet, maximum is fifteen (15) feet.
- B.3** Allowable upper floor height is a minimum of nine (9) feet, maximum of fourteen (14) feet.
- Uses.**
- B.4** Only churches, synagogues, religious assembly, community or cultural uses, libraries, and government or civic uses are permitted in an Iconic Building Type.
- B.5** Maximum Gross Square Footage of any use with R4 base zoning is 10,000 square feet.
- B.6** Maximum Gross Square Footage of any use with B2 base zoning is 10,000; up to 40,000 square feet may be permitted as a special use.

C. Facade Requirements. (See Figure XVII-C)

Transparency.

- C.1** A minimum of 10% of the front and corner side Facade, measured floor to floor, shall have non-reflective windows.

Building Entrance.

- C.2** The principal entrance must be located on the front or corner side building Facade. Entrances at the corner of a building satisfy this requirement.

Allowable Cap & Base Types. (See Sections V and VI)

- C.3** Allowable Cap Types are the parapet and pitched roof. A tower and spire is permitted. Other Cap Types may be approved by Special Use.
- C.4** Allowable Base Type is stoop.

Building Materials. Applicable to street Facades or Facades visible from a street.

- C.5** Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible.
- C.6** Concrete masonry units, bricks over three inches (3") in height, and exterior insulation and finishing systems (EIFS) are not permitted.

Balconies.

- C.7** Projecting balconies are not permitted on street face Facades.

Subsections XVIII-XXII: Landscape
Standards

West Evanston Zoning Overlay

West Evanston Zoning Overlay

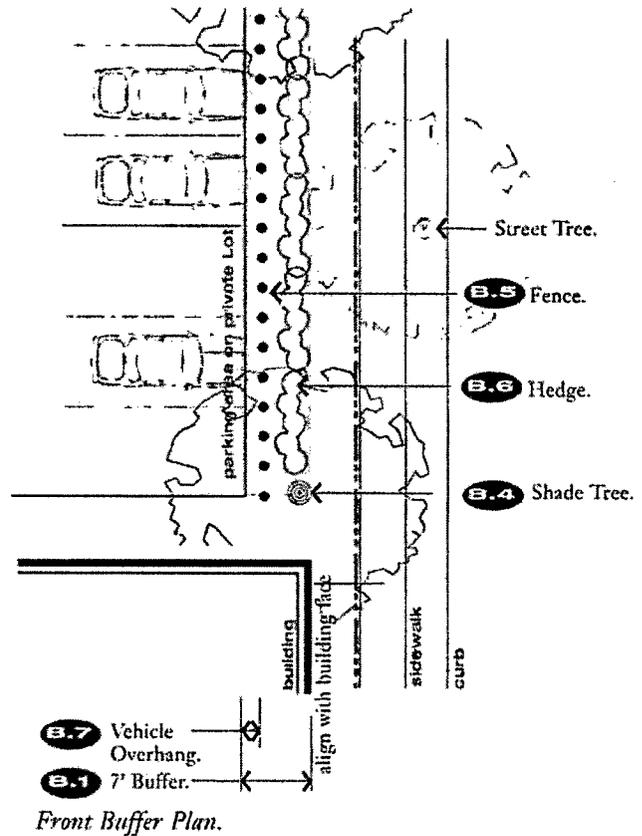
XVIII. Landscape Standards: Parking Lot Frontage Buffer.

Intent. To lessen the visual impact of parking areas visible from the street, the following is required.

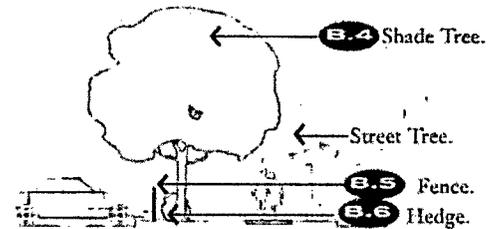
- A. Applicability.** These requirements apply to all properties in the Overlay District where a parking area is located adjacent to a vehicular right-of-way.
1. **Exceptions.** The exceptions to the application of the frontage buffer are:
 - a. Single family residences.
 - b. Parking areas along alleys.
 2. As part of the site plan and appearance review process, the City may reduce these screening requirements through crediting existing landscaping within the proposed buffer area that is reasonably equivalent in its screening characteristics.

B. Requirements. These standards are illustrated in Figure XVIII-A.

- B.1 Depth.** The landscape buffer shall consist of an area seven (7) feet in depth.
- B.2 Location.** The buffer should be located between street facing property line and the parking area except:
 - a. When the parking area is located adjacent to any building, the frontage buffer must be located from the face of the adjacent building back to the parking area. The additional yard between the buffer and the front property line must be landscaped.
- B.3 Uses and Materials.** Uses and materials other than those indicated are prohibited in the buffer.
- B.4 Trees.** A shade tree must be planted a minimum of every sixty (60) feet within the seven (7) feet of required landscape buffer, located on the street side of the fence.
 - a. The spacing of these trees should alternate with street trees so that the final effect is a staggered tree line.
 - b. Acceptable trees for the landscape buffer are listed in Table XXII.A.
- B.5 Fence.** A minimum of three (3) and a maximum of four (4) feet in height steel or PVC picket fence is required, located two (2) feet from the back of curb of the parking area.
 - a. No other fence material is permitted.
 - b. Fence colors are limited to black, grey, or dark green.
 - c. Fence opacity must be no greater than 60%, no less than 30%.
 - d. A gate opening of five (5) feet is permitted every one hundred (100) feet.
- B.6 Hedge.** A continuous hedge is required on the street side of the fence, located between required trees and in front of parking areas. The hedge



Front Buffer Plan.



Front Buffer Section.
Figure XVIII-A: Parking Lot Frontage Buffer Plan & Section.

must consist of individual shrubs with a minimum width of twenty-four (24) inches, spaced no more than thirty-six (36) inches on center.

- B.7 Vehicle Overhang.** The front or rear bumper overhang of vehicles parked within the parking area may encroach upon the required Setback up to a maximum distance of two (2) feet.
- B.8 Access.** This screening requirement is not to be interpreted as prohibiting the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

West Evanston Zoning Overlay

XIX. Landscape Standards: Side and Rear Yard Landscape Buffer.

Intent. To minimize the impact that one land use may have on a neighboring land use, side and rear yard buffers are required to provide a transition between the uses.

A. **Applicability.** Side and rear yard buffers are required as detailed in Table XIX.A. Buffers must be installed and maintained by the more intensive use on their Lot. As part of the site plan and appearance review process, the City may reduce the buffer requirements through crediting existing landscaping within the proposed buffer area that is reasonably equivalent in its screening characteristics.

B. **Requirements.** These standards are illustrated in Figures XIX-A and XIX-B.

B.1 Depth. Side and rear yard buffers are to be installed in an area five (5) feet in depth adjacent to rear and side property lines.

B.2 Uses and Materials. Uses and materials other than those indicated are prohibited in the side and rear yard buffer.

B.3 Trees. All trees planted in the landscape buffer area shall be shade trees (Refer Table XXII.A) with at least one tree planted every forty (40) feet within the five (5) feet of the buffer.

C. **Heavy Buffer Requirement.** Typical requirements specific to the heavy buffer requirement are illustrated in Figure XIX-A.

C.1 Hedge. A continuous double hedge is required, located between required trees.

a. The double hedge must consist of two rows of individual shrubs with a minimum width of twenty-four (24) inch spaced no more than thirty-six (36) inch on center, mature height in one (1) year at twenty-four (24) inches.

b. A minimum of thirty (30) shrubs per every one hundred (100) feet of affected property line is required.

D. **Light Buffer Requirement.** Typical light buffer requirements are illustrated in Figure XIX-B.

D.1 Shrubs. A continuous shrub bed is required, located between required trees.

a. The hedge must consist of individual shrubs with a minimum width of twenty-four (24) inches at installation, spaced no more than thirty-six (36) inches on center.

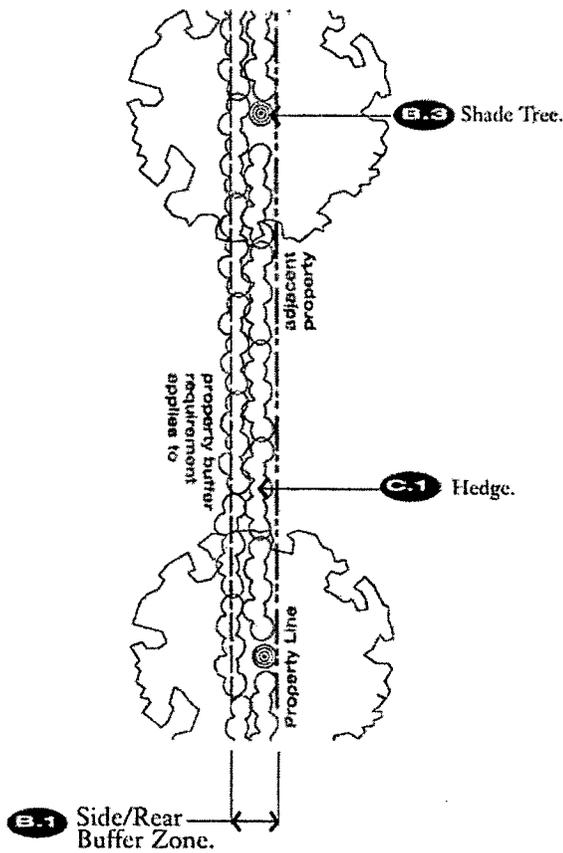
b. A minimum of fifteen (15) shrubs per every one hundred (100) feet of property line is required.

District		Screening Intensity
Buffer Required Between...	And...	
Mixed Use or Flex Building Type Parking Lots	Single family homes outside the overlay	Heavy
Apartment Building Type Parking Lots	Any residential Building Type and Single Family homes outside the overlay.	Light

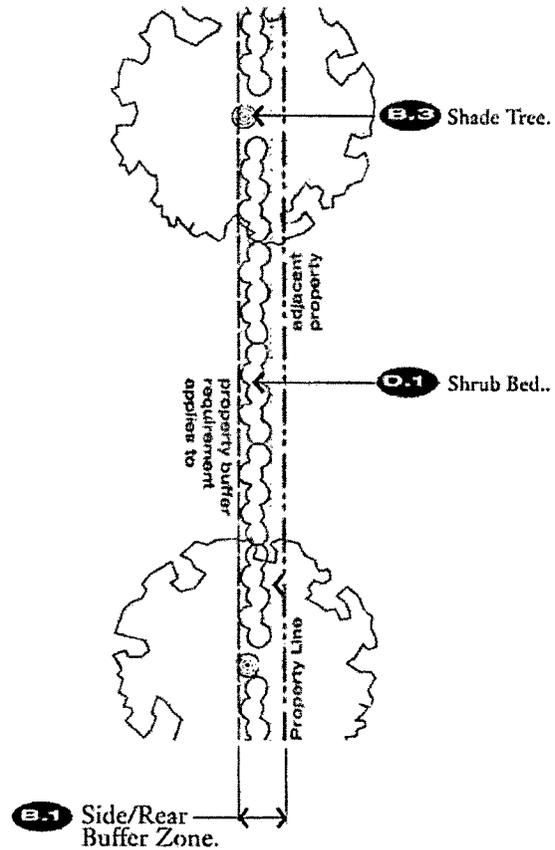
Table XIX.A: Required Installation of Side & Rear Buffers.

West Evanston Zoning Overlay

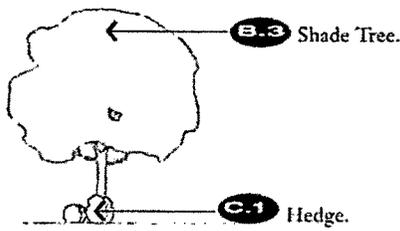
XIX. Landscape Standards: Side and Rear Yard Landscape Buffer.



Side/Rear Yard Buffer Plan.

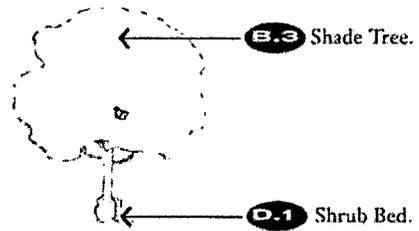


Side/Rear Yard Buffer Plan.



Side/Rear Yard Buffer Section.

Figure XIX-A: Heavy Buffer requirement, Steel Fence and Hedge Combination.



Side/Rear Yard Buffer Section.

Figure XIX-B: Light Buffer Requirement.

West Evanston Zoning Overlay

XX. Landscape Standards: Interior Parking Lot Landscaping.

Intent. To provide shade, minimize paving and improve the aesthetic look of Parking Lots, the following standards apply.

- A. **Applicability.** Interior Parking Lot landscaping is required for all off-street Parking Lots. The requirements herein apply to all development.
- B. **Requirements.** Typical Parking Lot landscaping requirements are illustrated in Figure XX-A.

- B.1 Terminal Ends of Free-Standing Rows.** Landscape islands are required at the terminal ends of any free-standing rows or bays of parking. Free-standing rows or bays of parking are those that are not abutting the Parking Lot perimeter, and can have a single or double row of parking.
- B.2 Landscape Islands.** A landscape island shall be provided every ninth parking space for rows of parking that are more than eight (8) spaces in length. There shall be no more than eight (8) continuous parking spaces in a row without a landscape island.
- B.3 Trees in Landscape Islands.** Each landscape island must have one (1) shade tree planted within it.
- B.4 Internal Area Not Dedicated to Parking or Drive.** Any space within the Parking Lot limits that is not dedicated to parking, loading or

- driveway path shall be landscaped.
- a. One (1) shade tree is required in such spaces for the first one-hundred fifty (150) square feet.
- b. Plus one (1) shade tree per each additional six-hundred fifty (650) square feet.

- B.5 Tree Requirement per Parking Space.**
 - a. Each parking space must be entirely located within fifty (50) feet of a tree on the interior of the Parking Lot.
 - b. A minimum of one (1) tree must be planted within the parking lot interior for every three parking spaces.
 - c. Trees and landscaping located outside of the Parking Lot interior, in the side and rear yard buffer, or in the frontage buffer do not count toward any of the requirements of this Section.
- B.6 Parking Lot Interior.** The Parking Lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.
- B.7 Landscape Median.** A landscape median is required in each free-standing bay of parking along the length of the bay of parking.

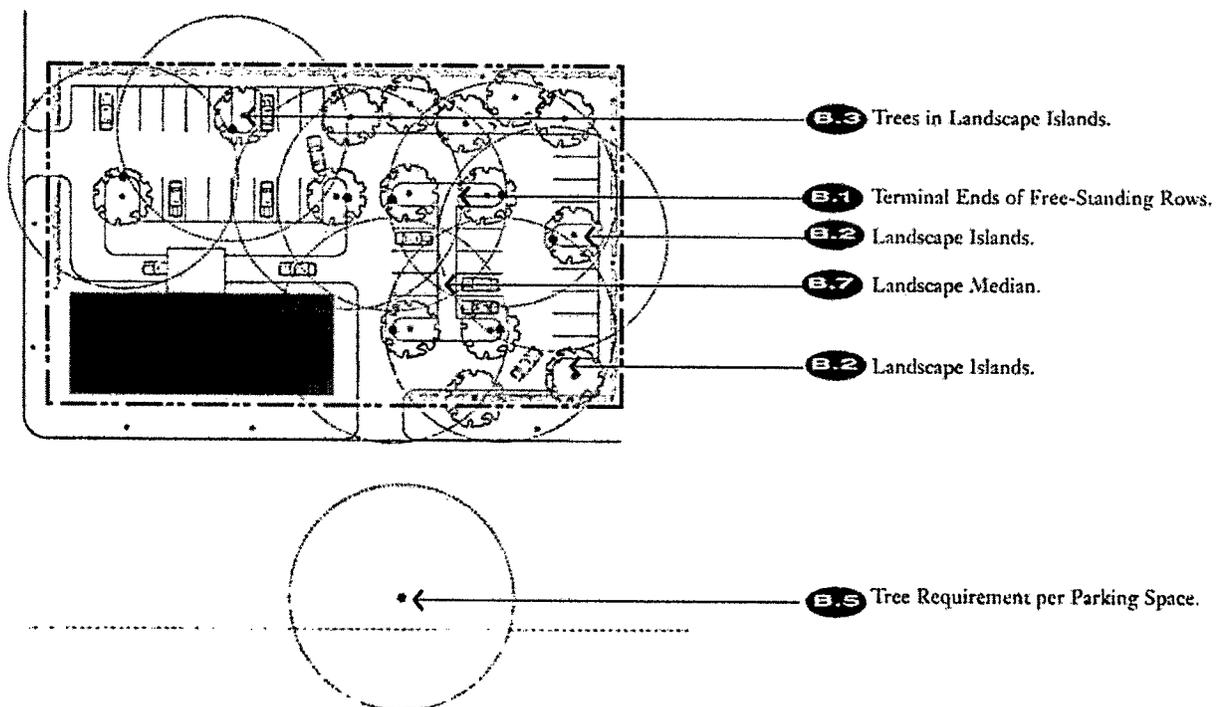


Figure XX-A: Interior Parking Lot Landscape

West Evanston Zoning Overlay

XXI. Landscape Standards: Screening of Open Storage, Refuse Areas, & Utility Appurtenances.

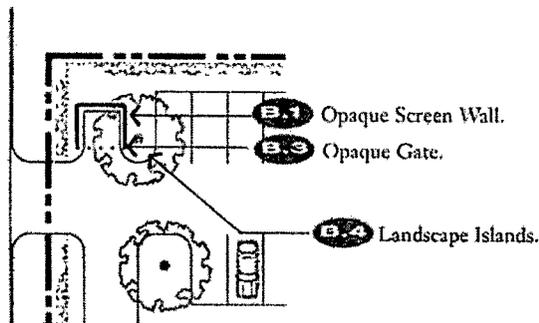


Figure XXI-A: Screening of Open Storage and Refuse Areas.

Intent. To reduce the visual impact of open storage or refuse areas from public areas and adjacent properties, the following standards apply.

- A. **Applicability.** All dumpsters, open storage, refuse areas, and utility appurtenances located in the Overlay District.
- B. **Requirements.** Typical open storage or refuse screening is illustrated in Figure XXI-A.
 - B.1 Opaque Screen Wall.** An opaque screen wall (vertical structured barrier to visibility at all times such as a fence or wall) is required around three (3) sides of the dumpster and trash bin area.
 - B.2 Screen Wall Height.** The height of the screen wall shall be the higher of the following:
 - a. The height of the use to be screened,
 - b. Six (6) feet, or
 - c. A height sufficient in the judgment of the City to accomplish the objective of the screen, as determined through the site plan and appearance review process.
 - B.3 Visible Openings.** Openings visible from the public way or adjacent properties must be furnished with opaque gates.
 - B.4 Location within Parking Lot.** If refuse area is located within a larger paved area, such as a Parking Lot, landscape islands must be located on three sides of the area.
 - a. One (1) shade tree must be located in one of these landscape areas.
 - b. This tree, if located within fifty (50) feet of a parking space may be utilized to meet XX. Interior Parking Lot Landscaping.

- C. **Requirements. Screening of Utility Appurtenances.**
 1. **Large Private Mechanical Equipment.** Private mechanical equipment visible from the right-of-way and that is equal to or greater than four (4) feet in height and is equal to or greater than six (6) feet in any one direction shall be fenced with opaque wood or masonry on all sides facing the right-of-way.
 2. **Small Private Mechanical Equipment.** Private mechanical equipment smaller than four (4) feet in height shall have landscape screening and shrub bed containing shrubs spaced no more than thirty-six (36) inches on center.
 3. **City Review.** Utility appurtenances located adjacent to right-of-way shall be reviewed by the City for required screening.

West Evanston Zoning Overlay

XXII. Landscape Standards: Street Trees

- A. **Applicability.** The following standards apply to the installation of street trees.
- B. **Requirements.**
1. **Street Tree Size.** All Street Trees are required to be minimum two and a half (2 1/2) inches in caliper when installed. Canopy and Height to be consistent with American Standards for Nursery Stock, as published by the American Nursery and Landscape Association or any successor organization, for tree type. Adjacent to the Mixed Use and Flex Building Types, minimum clear branch height is seven (7) feet.
 2. **Street Tree Type.** Approved species of Street Trees, listed by type are included in Table XXII.A. No species other than those included in this list may be planted as Street Trees. Species may vary along Block faces, however, spacing should be consistent.
 3. **Street Tree Spacing.** Street trees shall be planted as follows.
 - a. Each parcel is required to have one (1) tree for every sixty (60) feet of street frontage and a minimum of one (1) Street Tree per street frontage.
 - b. Recommended spacing for trees is shown in Figure XXII-A.
 - c. **Distance from Curb and Sidewalk.** Where the distance from the back of the Curb to the edge of the Right-of-Way is less than nine (9) feet, no Street Tree is required.
 - e. Trees should be centered in the parkway area and planted no closer than two (2) feet from a curb or sidewalk. Permeable pavers may be utilized for sidewalks where an impervious sidewalk would not allow tree planting.
 4. **Tree Wells.** In District WE 6 and 7, where there is no parkway, tree wells shall be utilized.
 - a. For tree wells smaller than four (4) feet wide and six (6) feet in length, open pit is not permitted.
 - b. The opening must be covered with a tree grate or pervious pavement.
 - c. The opening in a tree grate for the trunk must be expandable.
 5. **Distance from Street Corners and Fire Hydrants.**
 - a. No Street Tree shall be planted closer than thirty (35) feet to any street corner, measured from the point of nearest intersecting Curbs

- or Curb lines.
- b. No Street Tree shall be planted closer than ten (10) feet to any fire hydrant.
6. **Utilities.** Coordinate with utility owners for tree planting adjacent to utilities.

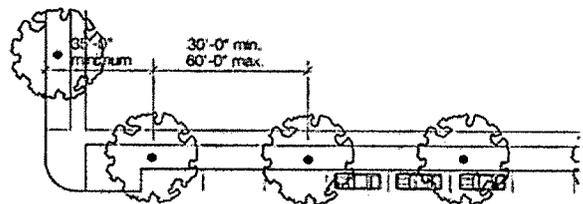


Figure XXII-A: Street Tree Spacing.

West Evanston Zoning Overlay

XXII. Landscape Standards: Street Trees

Genus	Species	Var. / Cul.	Common Name
Alnus	glutinosa		Black Alder
Betula	lenta		Sweet Birch
Betula	nigra		River Birch
Carpinus	betulus		European Hornbeam
Carpinus	betulus	Fastigiata	European Hornbeam
Carpinus	caroliniana		American Hornbeam or Blue
Corylus	colurna		Turkish Filbert
Ostrya	virginiana		American Hophornbeam
Cercidiph	japonicum		Katsuratree
Fagus	sylvatica		European Beech
Fagus	sylvatica	Atropunicea	Purple European Beech
Quercus	alba		White Oak
Quercus	bicolor		Swamp White Oak
Quercus	coccinea		Scarlet Oak
Quercus	imbricaria		Shingle Oak
Quercus	macrocarpa		Bur Oak
Quercus	muehlenbergii		Chinkapin Oak
Quercus	prinus		Chestnut Oak
Quercus	robur		English Oak
Quercus	rubra		Red Oak
Quercus	velutina		Black Oak
Ginkgo	biloba		Ginkgo or Maidenhair tree
Liquidam	styraciflua		Sweet Gum
Aesculus	flava (octandra)		Yellow Buckeye
Carya	ovata		Shagbark Hickory
Ulmus	carpinifolia	Pioneer	Pioneer elm
Ulmus	carpinifolia	Homestead	Homestead elm
Ulmus	carpinifolia	Regal	Regal elm
Metasequ	glyptostroboides		Dawn Redwood
Magnolia	x soulangiana		Saucer Magnolia
Syringa	reticulata		Japanese Tree Lilac
Malus	floribunda		Japanese Flowering Crab
Celtis	occidentalis		Common Hackberry
Celtis	laevigata		Sugarberry
Cercis	canadensis		Eastern Redbud
Crataegus	crusgalli	var. inermis	Cockspur Hawthorne
Fagus	sylvatica	Atropunicea	Purple leafed European Beech
Fagus	sylvatica	Dawyck	European Beech
Larix	decidua		European Larch
Phelloden	amurense		Amur Corktree
Platanus	occidentalis		American Sycamore
Magnolia	acuminata		Cucumbertree Magnolia
Nyssa	sylvatica		Black Gum
Maackia	amurensis		Amur Maackia
Fagus	grandifolia		American Beech
Cotinus	obovatus		American Smoketree
Chionant	virginicus		White Fringetree

Table XXII.A: List of Acceptable Trees.

CHAPTER 24

STORM WATER CONTROL

4-24-1: DEFINITIONS:

The following terms are defined for the use of this chapter as follows:

ALLOWABLE RELEASE RATE: The rate of storm water runoff that is allowed to be discharged from a development site into the city sewer system by means of the control system.

APPLICANT: Person(s) or agent(s) representing a property owner who desires to develop property in the city.

BULLETIN 70: A publication entitled "Frequency Distributions And Hydroclimatic Characteristics Of Heavy Rainstorms In Illinois", by Floyd A. Huff and James R. Angel, as published by the Illinois State Water Survey, Champaign, Illinois, 1989. The magnitudes of rainfall events having storm durations of twenty four (24) hours and frequencies from two (2) to one hundred (100) years are found in table 13 of said publication and are adopted by the city to be used by applicants for calculations necessary for compliance with this chapter.

CITY SEWER SYSTEM: The networks of closed pipes, conduits, and drainage structures within the city which consists of three (3) operational parts: the storm sewer system, which conveys storm water only; the combined sewer system, which conveys a combination of storm water and wastewater; and the relief combined sewer system, which conveys storm water during most ordinary rainfall events, until the combined sewer system capacity is reached, at which point the combined sewer system discharges into the relief combined sewer system.

CONTROL SYSTEM: Structures that contain restriction, backflow prevention, storage and conveyance features that are necessary for the safe, efficient control and discharge of detained storm water runoff from the development into the city sewer system at a rate no greater than the allowable release rate, up to the occurrence of the 100-year frequency rainfall (24 hour duration) event. This system should be located on the development property, must meet the city's current construction standards, and must be fully accessible to the city for inspection purposes and to the applicant for maintenance purposes.

DETAINED STORM WATER VOLUME: The volume of storm water that is tributary to the development site that exceeds the volume that is allowed to be discharged into the city sewer system at the allowable release rate. This volume is calculated by the applicant and submitted to the director for his review and approval. This volume accounts for rainfall that is infiltrated into the soil by virtue of the permeability of the surface and subsurface materials. Also called the "storm water detention volume".

DETENTION: The temporary storage of storm water runoff, typically in a closed or open detention basin or retention basin, or in oversized storm sewer pipes, followed by releasing the runoff gradually into an outlet waterway or the city sewer system. The discharge flow rate of storm water exiting the detention area is typically controlled by a control structure. Also called "storm water detention". For purposes of this chapter, the terminology "detention" shall mean either detention or retention, as appropriate.

DETENTION BASIN: A facility located within the development site that is designed to store storm

water runoff temporarily on, below, or above the ground surface, accompanied by the controlled release of the stored storm water runoff. The limits of the detention basin are to be depicted on the final development plans and designated thereon as the "detention basin" (or "retention basin", whichever is appropriate). Detention basins may be closed type (concrete vaults or oversized storm sewer pipes) or open type (having grassed, landscaped, bioengineered, or, when necessary to drain, paved bottoms). All detained storm water must be drained from the detention basin by gravity, by pumping, or by infiltration into the ground water, effectively draining the storage facility completely between rainfall events. For purposes of this chapter, the terminology "detention basin" shall mean either detention basin or retention basin or a combination of these, as appropriate.

DEVELOPMENT: Any activity, excavation or fill, alteration, subdivision or resubdivision, change in land use, or practice including, without limitation, redevelopment or rehabilitation. Development may be undertaken by private or public entities or a combination thereof. Development does not include maintenance of storm water control facilities; the maintenance of existing buildings; gardening or plowing that does not involve filling, grading, or the construction of levees; or the resurfacing of existing paved roads, drives, or parking lots.

DIRECTOR: Refers to the director of the public works department or his or her designee.

DISCHARGE: The rate at which storm water moves through an open channel or closed pipe, usually measured in cubic feet per second.

DRAINAGE AREA: The surface area from which storm water runoff originates at a given point or location on a stream, waterway, or within pipes or channels, usually measured in acres. Also called, "tributary drainage area" or "tributary area".

FLOOD FRINGE: That portion of the regulatory floodplain that is outside of the regulatory floodway.

IMPERVIOUS SURFACE: Natural or manmade materials through which water, roots, or air cannot penetrate. This type of material prevents the movement of surface water down to the water table.

INFILTRATION: The movement or passage of water into the soil from a surface that is permeable. Infiltration may be used as an alternative to the detention or retention of storm water runoff as a means to provide all or part of the required detained storm water volume. This is possible under natural or manmade conditions in which deep, permeable layers of sandy soils or other materials with voids are present.

100-YEAR FREQUENCY RAINFALL: A rainfall event that has a one percent (1%) probability of being equaled or exceeded in any given year. On average, an event of this size or larger will occur once every one hundred (100) years. It is also called the "design storm". The magnitude of this rainfall amount for a variety of frequencies and storm durations is found in table 13 of bulletin 70.

OUTFALL/OUTLET: The point, location, or structure where storm water runoff discharges from a storm water facility to a receiving body of water or into the city sewer system.

PERMEABLE: Having voids, pores, or openings through which liquids may pass.

PUBLIC WORKS STORM WATER CONTROL REGULATIONS: A document published by the Evanston public works department which outlines the methodology for calculating the detained storm water volume.

RECHARGE: Replenishment of ground water reservoirs by infiltration through permeable soils or other granular materials.

REGULATORY FLOODPLAIN: Lands that are adjacent to bodies of water (Lake Michigan or the North Shore Channel in the city) and that may be inundated by water up to the base flood elevation, as regulated by the federal emergency management agency ("FEMA"). The floodplain is mapped by FEMA as part of the national flood insurance program. The floodplains within the city are identified as special flood hazard areas ("SFHAs") on map numbers 17031C0253F, 17031C0255F, 17031C0260F, 17031C0265F, and 17031C0270, which are part of the series of flood insurance rate maps ("FIRMs") for Cook County, Illinois, having an effective date of November 6, 2000. Floodplains consist of two (2) parts: the floodway and the flood fringe.

REGULATORY FLOODWAY: That portion of the regulatory floodplain that is necessary for the conveyance of the base flood. The regulatory floodway is depicted on the FEMA FIRM maps (see definition of Regulatory Floodplain herein).

RELEASE RATE: A rate of storm water runoff that is being discharged from a development site into the city sewer system by means of the control structure, measured in cubic feet per second.

RUNOFF/STORM WATER RUNOFF: Water which moves through the landscape either as surface or subsurface flows. It originates from atmospheric precipitation in the form of rain or snow and does not recharge the ground water reservoirs.

WETLAND: An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The determination that an area is a wetland follows a procedure that is outlined by the U.S. army corps of engineers ("USACE"). No activity or development that will adversely impact a wetland is allowed by the USACE unless a permit from that agency is granted. (Ord. 65-0-07)

4-24-2: PURPOSES:

The purposes for this chapter are to: a) reduce the damaging effects caused by the uncontrolled release of storm water runoff from developments that include impervious areas, b) preserve the capacity and useful life of the city sewer system, c) enhance the separation of storm water runoff from wastewater, d) reduce the frequency and severity of the discharge of pollutant laden combined storm water runoff and wastewater into waterways, e) recharge ground water, f) enhance and help protect the public health and safety, and g) be consistent with the Cook County storm water management plan, as approved and the latest revision thereof. (Ord. 65-0-07)

4-24-3: OTHER AGENCY REQUIREMENTS:

All work related to this chapter shall be done in accordance with all other federal, state, county, or regional agencies having jurisdiction, including, but not limited to, the U.S. army corps of engineers ("USACE"), U.S. environmental protection agency ("USEPA"), Illinois department of natural resources ("IDNR"), Illinois environmental protection agency ("IEPA"), and metropolitan water reclamation district of greater Chicago ("MWRD"). (Ord. 65-0-07)

4-24-4: STORM WATER CONTROL REQUIREMENTS:

4-24-4-1: DEVELOPMENTS REQUIRING STORM WATER CONTROL:

All new developments shall provide storm water control for the entire property. Additionally, any development: a) where the final building footprint is greater than five thousand (5,000) square feet, and b) having construction costs greater than one hundred percent (100%) of the latest property value as published by the Cook County assessor's office for the existing tax parcel(s) affected by the development as of the effective date hereof shall provide storm water control for the entire property. This provision shall also apply to staged developments or multiple independent developments for which the aggregate construction costs exceed one hundred percent (100%) of the property value for the tax parcel(s) existing at the time of the initial development after the effective date hereof. Storm water control includes both: a) the need to detain a certain storm water volume, and b) the need to control the release rate of storm water as it is discharged from the development site and enters the city sewer system. (Ord. 65-0-07)

4-24-4-2: EXEMPT DEVELOPMENTS:

The following developments are exempt from the provisions of this chapter:

- (A) Developments Prior To Ordinance: All developments that have been submitted to the city's plan commission or planning & development committee, approved and permitted for construction, or are under construction as of the effective date hereof. Such exempt developments must be in compliance with the city's department of public works "Administrative Policy 201, January 2000, Private And Public Development, Detention Requirements".
- (B) Residential Structures: Development of one-, two-, or three-family residential structures on one or two (2) adjacent parcels, provided that neither parcel is larger than one acre in area.
- (C) Paved Parking Lots: Existing paved parking lots that are resurfaced, or milled and resurfaced, where there is no change to existing drainage that increases runoff to the city sewer system. A paved parking lot is not exempt whenever parts or all of the lot is redeveloped for a different use or a parking structure is constructed, at which point storm water control is required for the entire development, including the parking lot.
- (D) New Development: Any new development for which the storm water control requirements under this chapter have been fully satisfied for the existing and proposed development conditions based on installation of all required storm water control during a prior development, and the storm water control facilities have been maintained and are fully functional and operating. The applicant shall demonstrate compliance with this chapter by submitting to the city's department of public works all calculations and documents in support of a finding that no additional storm water control facilities are required. (Ord. 65-0-07)

4-24-5: STORM WATER CONTROL FACILITIES:

4-24-5-1: GENERAL:

Control of the detained storm water volume must be provided by facilities that are entirely within the development property and are fully accessible for inspection by the city. These facilities shall be designed to store the required detained storm water volume temporarily on, below, or above the ground surface in a detention or retention basin, and to subsequently release the stored detained storm water volume at a rate no greater than the allowable release rate by means of a restrictor within the control structure for final discharge into the city sewer system. The storm

water control system shall be located such that: a) adjacent properties are not impacted by storm water from the development and b) facilities are accessible to the city for inspection and accessible to the applicant for maintenance.

The storm water control system must meet the city's current construction standards for storm water control structures having restriction, overflow, backflow prevention, and inspection/maintenance capabilities. (Ord. 65-0-07)

4-24-5-2: CALCULATIONS:

The storm water detention volume and the allowable release rate shall be calculated using the methodology described in the public works storm water control regulations available from the public works department. (Ord. 65-0-07)

4-24-5-3: MEANS FOR STORING RUNOFF:

The storage of detained storm water volume must be accomplished by any of the following means:

- (A) Open detention basin. The basin may be of any shape. The active storage depth of the detention basin is a maximum of two feet (2'), with an additional one foot (1') freeboard. The basin must be landscaped, or have a bioengineered surface. Side slopes must be no steeper than a four to one ratio (4:1) (4 horizontal to 1 vertical), and the bottom slope must be one percent (1%) to two percent (2%) to facilitate the complete drainage of all storm water runoff into the control structure by gravity, or by the use of pumps if a retention basin is proposed. Inflow pipes to the open detention basin must carry only storm water runoff, and a backflow preventing device, such as a flap gate, must be installed within a structure and must be provided on each inflow pipe to prevent basin storm water from flooding any development structures.
- (B) Reinforced concrete pipe or ductile iron pipe storage, constructed to the city's current construction standards.
- (C) Reinforced concrete vaults, constructed in accordance with the design by an Illinois licensed structural engineer.
- (D) Parking lot surface storage, with the depth of storm water storage limited to six inches (6") or less.
- (E) Rooftop storage, with the depth of storm water limited to six inches (6") or less, based on a determination by an Illinois licensed structural engineer that the roof is structurally adequate to resist all loading, including the additional water load (considered to be live load).
- (F) Infiltration of the detained storm water volume, provided that the applicant submits an engineered infiltration field design by an Illinois licensed professional engineer. The design must include the calculations and supporting documents necessary to demonstrate that the proposed infiltrated detained storm water volume meets the storage requirement.
- (G) Other means or combination of means which the applicant may use, subject to the approval by the director prior to the issuance of all necessary construction permits. (Ord. 65-0-07)

4-24-5-4: CONTROL SYSTEM:

- (A) The control system must contain those restriction, backflow prevention, storage and conveyance features that are necessary for the safe, efficient control and discharge of detained storm water volume from the development into the city sewer system at a rate no greater than the allowable release rate, up to the occurrence of the 100-year frequency rainfall (24 hour) event. This system must be located on the development property unless waived by the director, must meet the city's current construction standards, and must be fully accessible to the city for inspection purposes and to the applicant for maintenance purposes. The system shall contain adequate provisions for the emergency release of storm water in excess of the required storage volume or runoff rate that may be associated with more extreme rainfall events or unforeseen debris or ice buildup within the structure. The emergency release shall commence only after the required detained storm water volume has been stored on the development site. The emergency release must discharge onto the development property. A backflow preventing feature, such as a flap gate, shall also be provided such that no storm water or wastewater from the city sewer system can flow back onto the development site. The backflow preventing device shall be installed in a structure located immediately outside of the structure containing the restrictor.
- (B) Storm water control systems shall not be located within any part of a regulated floodplain, either the floodway or flood fringe, within the city, as depicted on the FEMA FIRM map panels for Cook County, Illinois. Any work in the floodplain or in wetlands requires the applicant to obtain all permits that may be required from the USACE, USEPA, IDNR, IEPA, MWRD, and any other federal, state, or regional agency as may be required. The applicant shall not begin construction until the applicant has applied for and obtained these permits. In the event that any of these permits include conditions that are more or less stringent than the provisions of this chapter, the more stringent of the permit conditions or ordinance provisions shall apply. (Ord. 65-0-07)

4-24-5-5: CONNECTION TO CITY SEWER SYSTEM:

The applicant is responsible for all construction and restoration work that is needed within the public right of way to achieve the connection to the city sewer system. This work shall be performed in accordance with the city's current construction standards.

Whenever more than one of the city's sewer system components is adjacent to, or in close proximity to the development, the applicant's storm water control system shall discharge detained storm water into that component which is both feasible and most advantageous to the city. Generally, but not always, the storm sewer system is the most advantageous outlet, followed by the relief combined sewer system, followed by the least advantageous combined sewer system. The use of a particular outlet city sewer system component may not be possible due to circumstances such as the presence of other conflicting utilities or if the component is buried deep below the surface. Applicants shall work with the city's department of public works to ascertain which one of the city sewer system components shall be used as the outlet from the development. (Ord. 65-0-07)

4-24-6: FEE IN LIEU OF STORM WATER CONTROL:

In the event that an applicant cannot physically provide all the necessary control of the required detained storm water volume on the development property, the applicant shall:

- (A) Provide proof that is satisfactory to the director that the development site conditions limit his capacity to fully meet the detained storm water volume, and
- (B) Provide storm water control for that volume of detained storm water which the applicant is able to provide in accordance with the requirements of this chapter, and
- (C) Pay a fee in lieu of providing the balance of the excess storm water control volume that the applicant cannot provide on site. The fee in lieu of providing storm water volume shall be initially set at twelve dollars (\$12.00) per cubic foot of required detained storm water volume; however the total fee shall not exceed five percent (5%) of the construction costs of the development. The fee in lieu shall increase each January thereafter by the percent increase indicated for the year ending in January by the United States department of labor bureau of labor statistics consumer price index ("CPI") for the Chicago metropolitan area (Chicago-Gary-Kenosha). The city will use this fee for any of the purposes served by this chapter that the director deems suitable in furthering the city's interest in providing for storm water control. (Ord. 65-0-07)

4-24-7: CITY REVIEW AND INSPECTION:

4-24-7-1: REVIEWS:

The director shall review all elements of the storm water control facilities, drawing plans, sketches, details, calculations and any other evidence and supporting documents that are submitted by the applicant for the proposed development. The director must review all developments, regardless of whether physical storm water control facilities or fees in lieu of storm water control facilities are being requested by the applicant. The director may meet with the applicant to discuss the proposed storm water facilities and/or prepare written review comments regarding the applicant's submittal when the submittal has not satisfied all appropriate provisions of this chapter. The applicant shall respond to the director's review comments and perform the necessary design changes, then submit the revised submittal documents for further review by the director. This process of submittals, review, and revisions shall continue until all provisions of this chapter are met to the satisfaction of the director. The applicant shall not receive a building permit for the proposed development until all provisions of this chapter are met. (Ord. 65-0-07)

4-24-7-2: INSPECTION DURING CONSTRUCTION:

The director may inspect the applicant's storm water control system during the construction to ascertain whether the applicant is constructing or has constructed the system in accordance with the approved plan. Any deficiencies in the construction shall be corrected by the applicant at his expense, regardless of when the director determines that such deficiencies exist. (Ord. 65-0-07)

4-24-7-3: CERTIFICATE OF OCCUPANCY:

The storm water control system must be installed and functioning before the certificate of occupancy for the development will be issued. (Ord. 65-0-07)

4-24-7-4: MAINTENANCE:

The storm water control system shall be maintained by the applicant or current owner in a fully functioning and operating condition. (Ord. 65-0-07)

4-24-8: INSPECTION FEE:

All developments that are required to provide storm water control shall pay to the city an initial inspection fee of one hundred fifty dollars (\$150.00) and thereafter, an annual inspection fee of one hundred fifty dollars (\$150.00). (Ord. 65-0-07)

4-24-9: PENALTY:

If the director determines that any storm water control system required by this chapter does not comply with the provisions of this chapter, the director shall notify the applicant or current owner in writing of such noncompliance. The applicant or current owner shall have thirty (30) calendar days from the date of receipt of such notice to comply with the provisions of this chapter. If at the end of the thirty (30) calendar days the applicant or current owner is not in compliance with the provisions of this chapter, a two hundred fifty dollar (\$250.00) fine shall be imposed and the applicant or current owner shall have an additional thirty (30) calendar days to comply. If at the end of the thirty (30) additional days for compliance, the applicant or current owner is not in compliance with the provisions of this chapter, a fine of not less than two hundred fifty dollars (\$250.00) shall be imposed for each day thereafter in which the applicant or current owner is not in compliance. (Ord. 65-0-07)

PREPARED BY:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, Illinois 60015

RETURN TO:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, Illinois 60015

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0310815369

E-Town Community Ventures, LLC., the Remediation Applicant, whose address is 1338 Warrington Drive, Deerfield, Illinois, 60015 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

The South 160.00 feet of Lots 9 and 10 in Merrill Ladd's Second Addition to Evanston, said addition being a subdivision of the West ½ of the Southwest ¼ of the Northeast ¼ of Section 13, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

2. Common Address: 1801-1805 Church Street, Evanston, Illinois 60201

3. Real Estate Tax Index/Parcel Index Number: 10-13-220-035-0000

4. Remediation Site Owner: E-Town Community Ventures, LLC

5. Land Use: Residential and/or industrial/commercial

6. Site Investigation: Focused

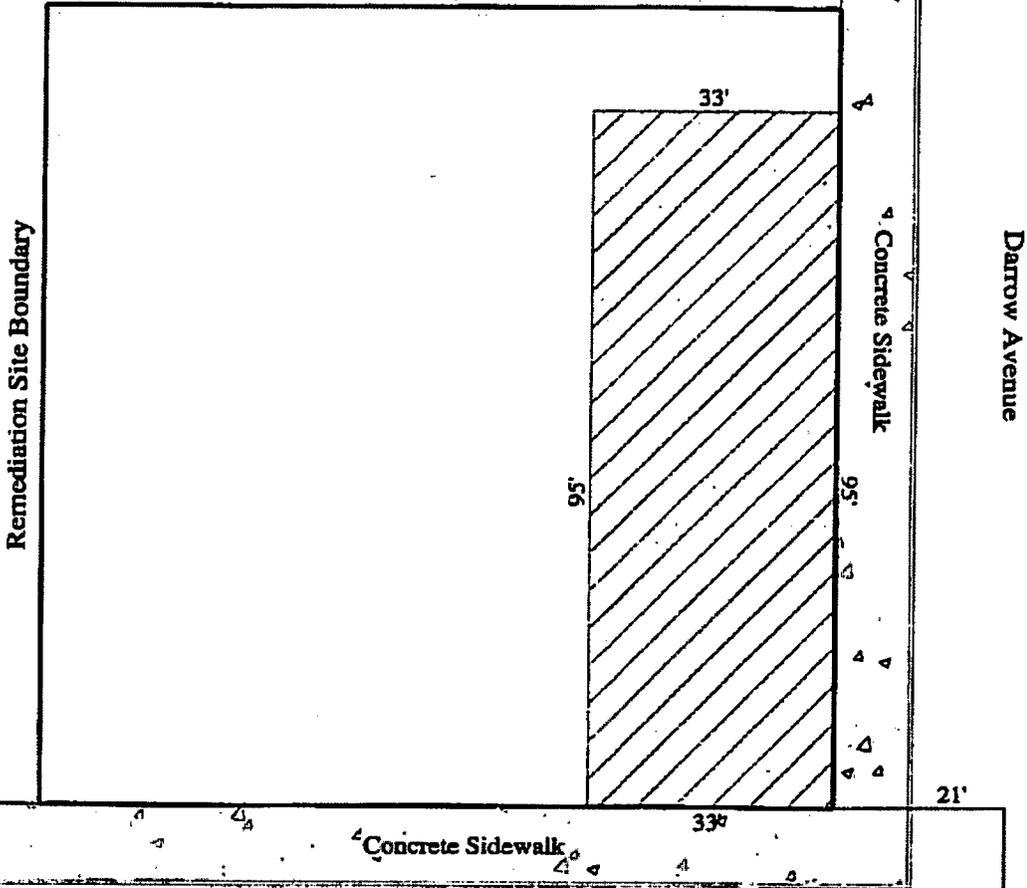
See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

Site Base Map
 LPC #0310815369/Cook County
 Evanston/E-Town Community Venture, LLC
 SRP/Technical Reports



Remediation Site Boundary

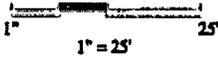


Legend:



= Limits of Engineered Barrier (Asphlat Cover), Defined Area needing BCT if Building Constructed, and Construction Worker Caution Area

Church Street



Environmental Consulting Group, Inc.
 105 S. York Road, Suite 250
 Elmhurst, Illinois 60126
 www.ecgmidwest.com

Site Base Map

Project Location: 1801-1805 Church Street, Evanston
 Project Number: E171696-698

Completed on 9/19/17
 Drawn by RAJ

TABLE A: Regulated Substances of Concern**0310815369--Cook County
Evanston/E-Town Community Ventures, LLC
Site Remediation Program**

Volatile Organic Compounds (VOCs)	
CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
124-48-1	Dibromochloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
540-59-0	1,2-Dichloroethene (total)
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
100-42-5	Styrene
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

Semivolatile Organic Compounds (SVOCs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
92-87-5	Benzidine
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
65-85-0	Benzoic acid
100-51-6	Benzyl alcohol
111-91-1	bis(2-Chloroethoxy)methane
111-44-4	bis(2-Chloroethyl)ether
108-60-1	bis(2-Chloroisopropyl)ether
117-81-7	bis(2-Ethylhexyl)phthalate
101-55-3	4-Bromophenyl-phenyl ether
85-68-7	Butylbenzylphthalate
86-74-8	Carbazole
106-47-8	4-Chloroaniline
59-50-7	4-Chloro-3-methylphenol
91-58-7	2-Chloronaphthalene
95-57-8	2-Chlorophenol
7005-72-3	4-Chlorophenyl-phenyl ether
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
132-64-9	Dibenzofuran
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
120-83-2	2,4-Dichlorophenol
84-66-2	Diethylphthalate
105-67-9	2,4-Dimethylphenol
131-11-3	Dimethylphthalate
534-52-1	4,6-Dinitro-2-methylphenol
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
606-20-2	2,6-Dinitrotoluene
84-74-2	Di-n-butylphthalate
117-84-0	Di-n-octylphthalate

206-44-0	Fluoranthene
86-73-7	Fluorene
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
78-59-1	Isophorone
91-57-6	2-Methylnaphthalene
95-48-7	2-Methylphenol
108-39-4	3-Methylphenol
106-44-5	4-Methylphenol
91-20-3	Naphthalene
88-74-4	2-Nitroaniline
99-09-2	3-Nitroaniline
100-01-6	4-Nitroaniline
98-95-3	Nitrobenzene
88-75-5	2-Nitrophenol
100-02-7	4-Nitrophenol
621-64-7	N-Nitroso-di-n-propylamine
86-30-6	N-Nitrosodiphenylamine
62-75-9	N-Nitrosodimethylamine
87-86-5	Pentachlorophenol
85-01-8	Phenanthrene
108-95-2	Phenol
129-00-0	Pyrene
110-86-1	Pyridine
120-82-1	1,2,4-Trichlorobenzene
95-96-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol

Inorganics	
CAS No.	Compound Name
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-47-3	Chromium
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver

Aroclors	
CAS No.	Compound Name
12674-11-2	Aroclor - 1016
11104-28-2	Aroclor - 1221
11141-16-5	Aroclor - 1232
53469-21-9	Aroclor - 1242
12672-29-6	Aroclor - 1248
11097-69-1	Aroclor - 1254
111096-82-5	Aroclor - 1260

**PROPERTY OWNER CERTIFICATION OF THE NFR LETTER
UNDER THE SITE REMEDIATION PROGRAM**

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: <u>City of Evanston</u>	
Title: <u>Interim City Manager</u>	
Company: <u>N/A</u>	
Street Address: <u>2100 Ridge Avenue</u>	
City: <u>Evanston</u> State: <u>IL</u> Zip Code: <u>60201</u> Phone: <u>847-946-2937</u>	
Site Information	
Site Name: <u>N/A</u>	
Site Address: <u>1801-1905 Church</u>	
City: <u>Evanston</u> State: <u>IL</u> Zip Code: _____ County: <u>Cook</u>	
Illinois inventory identification number: <u>0310015309</u>	
Real Estate Tax Index/Parcel Index No. <u>10-13-220-035-0000</u>	
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature: <u>[Signature]</u>	Date: <u>10/8/2019</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>8th</u> day of <u>October</u> , 2019	<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: auto;"> <p align="center">OFFICIAL SEAL JANELLA T. HARDIN NOTARY PUBLIC - STATE OF ILLINOIS My Commission Expires March 20, 2021</p> </div>
<u>Janelle J. Hardin</u> Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

Notice to Remediation Applicant

Please follow these instructions when filing the NFR letter with the County Recorder's Office

Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
 - B. Attachments to NFR letter
 - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
 - Maps of the site
 - Table A: Regulated Substances of Concern (if applicable.)
 - Property Owner Certification
 - C. A copy of the ordinance, if applicable, used to address groundwater contamination
1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
 2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
 3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
 4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement, the County or the Illinois Department of Transportation.
 5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Jim Scott
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 524-6940 and speak with the "project manager on-call" in the Site Remediation Program.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

217/524-3300

March 8, 2018
Re-issued June 7, 2018

CERTIFIED MAIL

7015 0640 0004 7916 0024

E-Town Community Ventures, LLC
Attn: Daniel Chefetz
1338 Warrington Drive
Deerfield, Illinois 60015

Re: 0310815369/Cook County
Evanston/E-Town Community Ventures LLC
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Chefetz:

The *Remedial Action Completion Report* (received December 19, 2017/Log No. 17-66110), as prepared by Environmental Consulting Group (ECG), Inc. for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742 including the indoor inhalation pathway, are above the existing concentrations of regulated substances and the remedial action was completed in accordance with the *Remedial Action Plan* (received March 9, 2016/Log No. 16-61659) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.26-acres, is located at 1801-1805 Church Street, Evanston, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (received November 10, 2015/Log No. 15-60815), is E-Town Community Ventures, LLC.

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 S.W. Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2209 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified in the attached Table A.
- 2) The Remediation Site is approved for residential and/or industrial/commercial land use.
- 3) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below asphalt pavement must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 5) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit inhalation of the contaminated media.

Institutional Controls

- 6) Any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sump(s) other than in the area described in paragraph 7.
- 7) No building shall be occupied within the area depicted on the attached Site Base Map unless a Building Control Technology ("BCT") meeting the requirements of 35 Illinois Administrative Code Part 742 Subpart L is operational prior to human occupancy. This BCT must be properly maintained to address the indoor inhalation pathway. If the BCT becomes inoperable, the site owner/operator shall notify building occupants and workers to implement protective measures. In addition, any sump located within the building with the BCT shall be sealed with an approved cap and vent system. A caution label must be affixed to the vent pipe indicating that the system cannot be dismantled without proper consultation. A vacuum pressure gauge must be installed on the system to provide a clear indication of when the system is operating properly and when maintenance is required. The sump cover must be resealed if it is ever removed for sump pump inspection, replacement, maintenance or for any other reason. The vent system must also be correctly maintained under such circumstances. Failure to maintain the BCT or the sealed sump shall be grounds for voidance of this No Further Remediation letter.
- 8) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

- 9) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20150678 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 10) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 11) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Division of Records Management #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

12) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

- a) Any violation of institutional controls or the designated land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
- d) The failure to comply with the recording requirements for this Letter;
- e) Obtaining the Letter by fraud or misrepresentation;
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
- g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
- h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

13) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) E-Town Community Ventures, LLC;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;
- d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
- e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;

- f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 14) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the E-Town Community Ventures, LLC property.
- 15) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Jim Scott
Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

- 16) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the E-Town Community Ventures, LLC property, you may contact the Illinois EPA project manager, Tammy Smith at 217-785-8410.

Sincerely,



W
Gregory W. Dunn, Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: Robert Johnson
Environmental Consulting Group
rjohnson@envcg.com

Bureau of Land File

Mr. Jim Scott

Mr. Dennis Marino
Assistant Director of Planning
2100 Ridge Avenue
Evanston, Illinois 60201

PREPARED BY:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, Illinois 60015

RETURN TO:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, Illinois 60015

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0310815369

E-Town Community Ventures, LLC., the Remediation Applicant, whose address is 1338 Warrington Drive, Deerfield, Illinois, 60015 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

The South 160.00 feet of Lots 9 and 10 in Merrill Ladd's Second Addition to Evanston, said addition being a subdivision of the West ½ of the Southwest ¼ of the Northeast ¼ of Section 13, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

2. Common Address: 1801-1805 Church Street, Evanston, Illinois 60201

3. Real Estate Tax Index/Parcel Index Number: 10-13-220-035-0000

4. Remediation Site Owner: E-Town Community Ventures, LLC

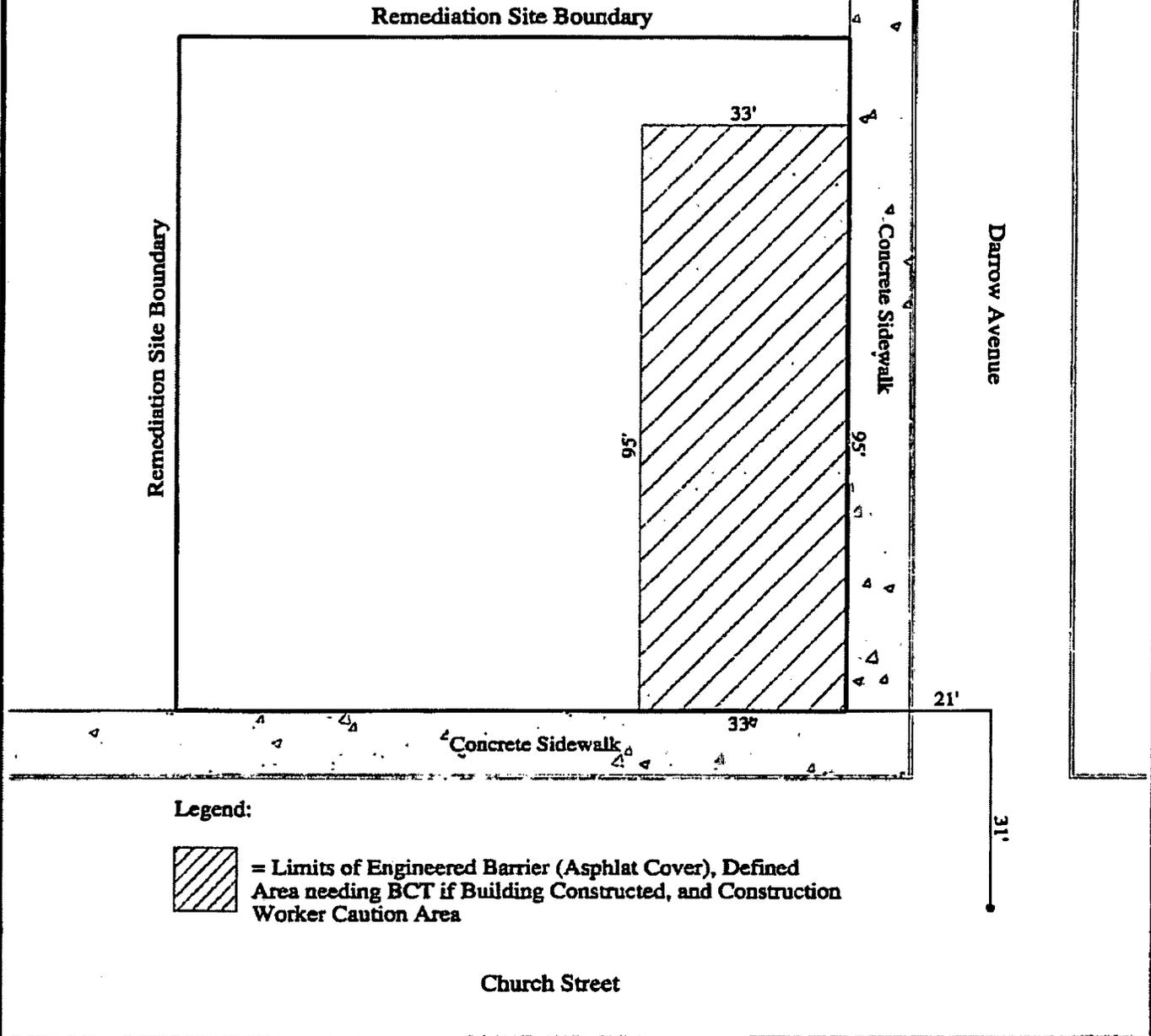
5. Land Use: Residential and/or industrial/commercial

6. Site Investigation: Focused

See NFR letter for other terms.

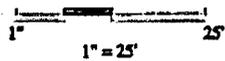
(Illinois EPA Site Remediation Program Environmental Notice)

Site Base Map
LPC #0310815369/Cook County
Evanston/E-Town Community Venture, LLC
SRP/Technical Reports



Legend:

= Limits of Engineered Barrier (Asphalt Cover), Defined Area needing BCT if Building Constructed, and Construction Worker Caution Area



Environmental Consulting Group, Inc.
 105 S. York Road, Suite 250
 Elmhurst, Illinois 60126
 www.ecgmidwest.com

Site Base Map
 Project Location: 1801-1805 Church Street, Evanston
 Project Number: E171696-698

Completed on 9/19/17
 Drawn by RAJ

TABLE A: Regulated Substances of Concern

**0310815369--Cook County
Evanston/E-Town Community Ventures, LLC
Site Remediation Program**

Volatile Organic Compounds (VOCs)	
CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
124-48-1	Dibromochloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
540-59-0	1,2-Dichloroethene (total)
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
100-42-5	Styrene
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

Semivolatile Organic Compounds (SVOCs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
92-87-5	Benzidine
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
65-85-0	Benzoic acid
100-51-6	Benzyl alcohol
111-91-1	bis(2-Chloroethoxy)methane
111-44-4	bis(2-Chloroethyl)ether
108-60-1	bis(2-Chloroisopropyl)ether
117-81-7	bis(2-Ethylhexyl)phthalate
101-55-3	4-Bromophenyl-phenyl ether
85-68-7	Butylbenzylphthalate
86-74-8	Carbazole
106-47-8	4-Chloroaniline
59-50-7	4-Chloro-3-methylphenol
91-58-7	2-Chloronaphthalene
95-57-8	2-Chlorophenol
7005-72-3	4-Chlorophenyl-phenyl ether
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
132-64-9	Dibenzofuran
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
120-83-2	2,4-Dichlorophenol
84-66-2	Diethylphthalate
105-67-9	2,4-Dimethylphenol
131-11-3	Dimethylphthalate
534-52-1	4,6-Dinitro-2-methylphenol
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
606-20-2	2,6-Dinitrotoluene
84-74-2	Di-n-butylphthalate
117-84-0	Di-n-octylphthalate

206-44-0	Fluoranthene
86-73-7	Fluorene
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
78-59-1	Isophorone
91-57-6	2-Methylnaphthalene
95-48-7	2-Methylphenol
108-39-4	3-Methylphenol
106-44-5	4-Methylphenol
91-20-3	Naphthalene
88-74-4	2-Nitroaniline
99-09-2	3-Nitroaniline
100-01-6	4-Nitroaniline
98-95-3	Nitrobenzene
88-75-5	2-Nitrophenol
100-02-7	4-Nitrophenol
621-64-7	N-Nitroso-di-n-propylamine
86-30-6	N-Nitrosodiphenylamine
62-75-9	N-Nitrosodimethylamine
87-86-5	Pentachlorophenol
85-01-8	Phenanthrene
108-95-2	Phenol
129-00-0	Pyrene
110-86-1	Pyridine
120-82-1	1,2,4-Trichlorobenzene
95-96-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol

Inorganics	
CAS No.	Compound Name
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-47-3	Chromium
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver

Aroclors	
CAS No.	Compound Name
12674-11-2	Aroclor - 1016
11104-28-2	Aroclor - 1221
11141-16-5	Aroclor - 1232
53469-21-9	Aroclor - 1242
12672-29-6	Aroclor - 1248
11097-69-1	Aroclor - 1254
111096-82-5	Aroclor - 1260

**PROPERTY OWNER CERTIFICATION OF THE NFR LETTER
UNDER THE SITE REMEDIATION PROGRAM**

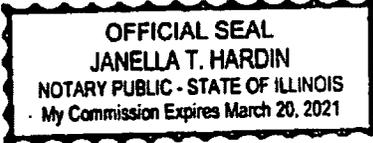
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: <u>City of Evanston</u>	
Title: <u>Interim City Manager</u>	
Company: <u>N/A</u>	
Street Address: <u>2100 Ridge Avenue</u>	
City: <u>Evanston</u> State: <u>IL</u> Zip Code: <u>60201</u> Phone: <u>847-916-2937</u>	
Site Information	
Site Name: <u>N/A</u>	
Site Address: <u>1801-1905 Church</u>	
City: <u>Evanston</u> State: <u>IL</u> Zip Code: _____ County: <u>Cook</u>	
Illinois inventory identification number: <u>0310215309</u>	
Real Estate Tax Index/Parcel Index No. <u>10-13-220-035-0000</u>	
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature: <u>[Signature]</u>	Date: <u>10/8/2019</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>8th</u> day of <u>October</u> , 2019	
<u>Janella T. Hardin</u> Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

Notice to Remediation Applicant

Please follow these instructions when filing the NFR letter with the County Recorder's Office

Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
 - B. Attachments to NFR letter
 - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
 - Maps of the site
 - Table A: Regulated Substances of Concern (if applicable.)
 - Property Owner Certification
 - C. A copy of the ordinance, if applicable, used to address groundwater contamination
1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
 2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
 3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
 4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement, the County or the Illinois Department of Transportation.
 5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Jim Scott
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 524-6940 and speak with the "project manager on-call" in the Site Remediation Program.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/524-3300

March 8, 2018
Re-issued June 7, 2018

CERTIFIED MAIL

7015 0640 0004 7916 0024

E-Town Community Ventures, LLC
Attn: Daniel Chefetz
1338 Warrington Drive
Deerfield, Illinois 60015

Re: 0310815369/Cook County
Evanston/E-Town Community Ventures LLC
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Chefetz:

The *Remedial Action Completion Report* (received December 19, 2017/Log No. 17-66110), as prepared by Environmental Consulting Group (ECG), Inc. for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742 including the indoor inhalation pathway, are above the existing concentrations of regulated substances and the remedial action was completed in accordance with the *Remedial Action Plan* (received March 9, 2016/Log No. 16-61659) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.26-acres, is located at 1801-1805 Church Street, Evanston, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (received November 10, 2015/Log No. 15-60815), is E-Town Community Ventures, LLC.

4302 N. Main St., Rockford, IL 61103 (815) 997-7760
595 S. State, Elgin, IL 60120 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62224 (618) 246-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2209 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified in the attached Table A.
- 2) The Remediation Site is approved for residential and/or industrial/commercial land use.
- 3) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below asphalt pavement must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 5) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit inhalation of the contaminated media.

Institutional Controls

- 6) Any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sump(s) other than in the area described in paragraph 7.
- 7) No building shall be occupied within the area depicted on the attached Site Base Map unless a Building Control Technology ("BCT") meeting the requirements of 35 Illinois Administrative Code Part 742 Subpart L is operational prior to human occupancy. This BCT must be properly maintained to address the indoor inhalation pathway. If the BCT becomes inoperable, the site owner/operator shall notify building occupants and workers to implement protective measures. In addition, any sump located within the building with the BCT shall be sealed with an approved cap and vent system. A caution label must be affixed to the vent pipe indicating that the system cannot be dismantled without proper consultation. A vacuum pressure gauge must be installed on the system to provide a clear indication of when the system is operating properly and when maintenance is required. The sump cover must be resealed if it is ever removed for sump pump inspection, replacement, maintenance or for any other reason. The vent system must also be correctly maintained under such circumstances. Failure to maintain the BCT or the sealed sump shall be grounds for voidance of this No Further Remediation letter.
- 8) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

- 9) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20150678 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 10) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 11) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Division of Records Management #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

12) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

- a) Any violation of institutional controls or the designated land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
- d) The failure to comply with the recording requirements for this Letter;
- e) Obtaining the Letter by fraud or misrepresentation;
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
- g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
- h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

13) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) E-Town Community Ventures, LLC;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;
- d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
- e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;

- f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
- g) Any successor-in-interest of the owner of the Remediation Site;
- h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
- i) Any heir or devisee of the owner of the Remediation Site;
- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.

14) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the E-Town Community Ventures, LLC property.

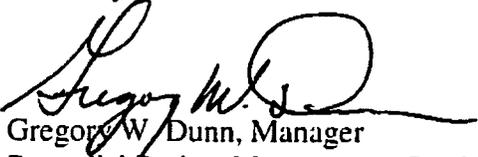
15) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Jim Scott
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS #24
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, Illinois 62794-9276

16) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the E-Town Community Ventures, LLC property, you may contact the Illinois EPA project manager, Tammy Smith at 217-785-8410.

Sincerely,



WJ
Gregory W. Dunn, Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: Robert Johnson
Environmental Consulting Group
rjohnson@envcg.com

Bureau of Land File

Mr. Jim Scott

Mr. Dennis Marino
Assistant Director of Planning
2100 Ridge Avenue
Evanston, Illinois 60201

**SAUL EWING
ARNSTEIN
& LEHR ^{LLP}**

Barry R. Katz
Phone: 312.876.7847
Fax: 312.876.7342
barry.katz@saul.com
www.saul.com

September 10, 2019

Via UPS Ground

Michelle L. Masoncup
Corporation Counsel
Law Department
Morton Civic Center
City of Evanston
2100 Ridge Ave.
Evanston, IL 60201

Re: **E-Town Community Ventures, LLC, 1805 Church Street, Evanston, IL**

Michelle,

Per the request of the City of Evanston, please find enclosed an original No Further Remediation Letter dated June 7, 2019 issued by the Illinois Environmental Protection Agency ("NFR Letter").

My client has consented to delivery of the NFR Letter to the City of Evanston.

As you noted in an email to me, our respective clients and Texaco Inc., Chevron Corporation and Chevron Environmental Management Company (collectively "Chevron") were parties to a Settlement Agreement and Release dated April 7, 2015 (the "Agreement"). By our providing the NFR Letter, neither this Firm nor our client is making any representation that recording the NFR Letter is permissible. I suggest that prior to recording the NFR Letter, you determine that the City of Evanston is not required to notify Chevron prior to recording the NFR Letter, and that the City of Evanston is permitted to record the NFR Letter.

Any further inquiry or comment concerning this matter should be made directly to Mr. Cheifetz.

Sincerely,


Barry R. Katz

161 North Clark • Suite 4200 • Chicago, IL 60601
Phone: (312) 876-7100 • Fax: (312) 876-0288

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS MINNESOTA NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC

A DELAWARE LIMITED LIABILITY PARTNERSHIP

SAUL EWING ARNSTEIN & LEHR^{LLP}

Michelle L. Masoncup
Corporation Counsel
City of Evanston
September 10, 2019
Page 2

BRK/lr
Enclosure

cc: Daniel Cheifitz
David Dunkin