

95-O-24

AN ORDINANCE

Approving A Special Use Permit For a New Twelve-Story Mixed-Use Residential Planned Development at 1621-1631 Chicago Avenue in the D4 Downtown Transition District

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

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

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

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

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

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

WHEREAS, Jeffrey Michael of Horizon Group XXIII, LLC (the “Applicant,”), for the property located in the D4 Downtown Transition District at 1621-1631 Chicago Avenue, Evanston, Illinois (the “Subject Property”), legally described in Exhibit A, which is attached hereto and incorporated herein by reference, applied, pursuant to the provisions of the Zoning Ordinance, to permit the construction of a 12-story mixed-use residential planned development with 10,832 square feet of ground floor and basement commercial space, 110 dwelling units and 48 parking spaces within a 2-level parking garage located at the Subject Property; and

WHEREAS, Applicant has petitioned the City Council of Evanston for approval of the following (collectively, the “Zoning Approval”):

- A. A Special Use Permit for a Planned Development on the Subject Property per Section 6-3-6 of the Zoning Ordinance.
- B. The following Site Development Allowances as permitted by Section 6-3-6 of the Zoning Ordinance:
 - a. Dwelling Units: Seventy-eight (78) dwelling units (including eight (8) on-site inclusionary units plus thirty-two (32) market rate bonus units for a total of one hundred ten (110) total dwelling units

where a maximum of fifty four (54) dwelling units (plus IHO bonus units) is allowed.

- b. Height: 114.7 foot building height where 105 feet is allowed in the D4 Downtown Transition District (the overall building height is 135 feet).
- c. Parking: Forty-eight (48) parking spaces (including two (2) compact spaces) where ninety one (91) parking spaces are required.
- d. Parking stalls: Allowing two (2) parking stalls at fifteen feet (15') in length where eighteen feet (18') in length is required

all to allow the construction and operation of a 12-story, 110-unit mixed-use residential planned development with 10,832 square feet of ground floor and basement commercial space and 48 parking spaces, located at the Subject Property.

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

WHEREAS, on October 16, 2024, in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*) and the Zoning Ordinance, the Land Use Commission held a public hearing, pursuant to proper notice, regarding case no. 24PLND-0036 to consider Applicant's application for a Special Use Permit for a Planned Development with Site Development Allowances on the Subject Property, heard

testimony and public comment and made written minutes, findings, and recommendations; and

WHEREAS, after having considered the evidence presented, including the exhibits and materials submitted, and public testimony provided, the LUC made the following findings per Section 6-3-5-10 of the Zoning Ordinance:

1. Is one of the listed special uses for the zoning district in which the property lies: It is permitted under the D4 District so the standard is met.
2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance as amended from time to time: The current Comprehensive General Plan considers housing and density within Downtown Evanston, so the standard is met.
3. Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the City as a whole: The scale of the development has been diminished to a point where the commission does not believe it will have a negative cumulative effect on the immediate neighborhood or City as a whole, and so this standard has been met..
4. Does not interfere with or diminish the value of property in the neighborhood: The proposed development will add vibrancy and density to the downtown neighborhood, and should increase the values of surrounding properties, whereby meeting the standard.
5. Is adequately served by public facilities and services: The commission believes the Subject Property can be adequately served by public facilities and services and found this standard to be met.
6. Does not cause undue traffic congestion: The site has been designed to circulate traffic utilizing the rear ally, which will help to mitigate any traffic congestion and the neighborhood is capable of absorbing the traffic from the Subject Property without creating undue traffic congestion.
7. Preserves significant historical and architectural resources: There are no significant resources in the area.

8. Preserves significant natural and environmental resources: The Applicant will be integrating landscaping and there is no existing natural or environmental feature of significance on the site and therefore this standard is met.
9. Complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation: The Commission believes the standard is met and found no reason to believe the Applicant would not be willing to work with the City of Evanston and meet all applicable requirements.

WHEREAS, after having considered the evidence presented, including the exhibits and materials submitted, and public testimony provided, the LUC made the following findings per Section 6-3-6-9 of the Zoning Ordinance:

1. The requested Site Development Allowance(s) will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties that is beyond a reasonable expectation given the scope of the applicable Site Development Allowance(s) of the Planned Development location: The height, bulk, and density of the building are appropriately scaled for the transitional location of the Subject Property and demonstrates that this standard is met.
2. The proposed development is compatible with the overall character of existing development in the immediate vicinity of the subject property: The Subject Property is within the overall downtown area where it is generally appropriate for taller developments and the proposed building setbacks keep the development within the transitional character of the surrounding area. Therefore, the commission finds this standards to be met.
3. The development site circulation is designed in a safe and logical manner to mitigate potential hazards for pedestrians and vehicles at the site and in the immediate surrounding area: The Commission found that the lack of a curb cut on Chicago Avenue and usage of the rear alley for vehicular ingress/egress to the building would mitigate potential site circulation hazards in the surrounding area.
4. The proposed development aligns with the current and future climate and sustainability goals of the City: The development will conform to the Green

Building ordinance and Bird Friendly Ordinance and the Commission believes that the standard will be met.

5. Public benefits that are appropriate to the surrounding neighborhood and the City as a whole will be derived from the approval of the requested Site Development Allowance(s): The contribution towards repaving of the entire alley within the block to the rear of the Subject Property is a public benefit that helped the Development comply with this standard.

WHEREAS, the Land Use Commission recommended approval by a seven (7) to zero (0) vote of the application for a Special Use Permit for a Planned Development with Site Development Allowances for the Subject Property; and

WHEREAS, on November 11, 2024, the Planning and Development Committee of the City Council held a meeting, in compliance with the provisions of the Open Meetings Act and the Zoning Ordinance, received input from the public, carefully considered and reviewed the findings and recommendation of approval of the Land Use Commission in case no. 24PLND-0036, and recommended City Council approval thereof; and

WHEREAS, at its meetings of November 11, 2024 and November 25, 2024, held in compliance with the Open Meetings Act and the Zoning Ordinance, the City Council considered the recommendations of the Planning and Development Committee, received additional public comment, made certain findings, and adopted said recommendations; and

WHEREAS, it is well-settled law that the legislative judgment of the City Council must be considered presumptively valid (see *Glenview State Bank v. Village of*

Deerfield, 213 Ill.App.3d 747) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124),

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

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

SECTION 2: Pursuant to the terms and conditions of this ordinance, the City Council hereby grants the Special Use Permit for a Planned Development applied for in case no. 24PLND-0036, to allow the construction of a new 12-story 110-unit residential planned development located at the Subject Property.

SECTION 3: The City Council hereby grants the following Site Development Allowances:

- a. **Dwelling Units:** Seventy-eight (78) dwelling units (including eight (8) on-site inclusionary units) plus thirty-two (32) market rate bonus units for a total of one hundred ten (110) total dwelling units where a maximum of fifty four (54) dwelling units (plus IHO bonus units) is allowed.
- b. **Height:** 114.7 foot building height where 105 feet is allowed in the D4 Downtown Transition District (the overall building height is 135 feet).

- c. **Parking:** Forty-eight (48) parking spaces (including two (2) compact spaces) where ninety one (91) parking spaces are required.
- d. **Parking stalls:** Allowing two (2) parking stalls at fifteen feet (15') in length where eighteen feet (18') in length is required.

SECTION 4: The City Council hereby imposes the following conditions, violation of any of which shall constitute grounds for penalties or revocation thereof pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Code:

- A. **Compliance with Applicable Requirements:** The Applicants shall develop and operate the Planned Development authorized by the terms of this ordinance in substantial compliance with the following: the terms of this ordinance; the Development Plan in Exhibit B, attached hereto and incorporated herein by reference; all applicable City Code requirements; the Applicants' testimony and representations and documents to the Land Use Commission, the P&D Committee, and the City Council.
- B. That up to three (3) on-street parking stalls immediately in front of the subject property be changed to 30-minute-maximum metered stalls. The City, at its discretion, reserves the right to modify these stalls in the future as may be necessary to mitigate parking or traffic circulation issues;
- C. The Subject Property shall be operated in substantial compliance with the Alley Management Plan for Legacy Apartments, dated October 9, 2024, and attached as Exhibit C. Should use of the alley become problematic, which shall be at the discretion of the City, the Applicant agrees to further modify the Alley Management Plan to address any such problems, which may require additional restrictions on move-ins/move-outs, refuse collection, and commercial deliveries, among other strategies for addressing any such problems identified by the City.
- D. The applicant shall enter into a final Construction Management Plan (CMP) with the City of Evanston prior to the issuance of any building or demolition permits. The final CMP must include but is not limited to the following: water and sewer utility connections, construction staging plan, on-street and on-site construction parking restrictions, hours of operation, a plan including cross-sections showing

pedestrian access around the site with the use of curb ramps, signage and/or striping, if necessary, foundation survey of surrounding structures including weekly reporting of seismographs for the duration of construction, submittal of environmental testing report prior to construction, visibility diagram for all construction site access points, a proposed schedule for street opening for utility connections with cross-section details, and project updates via monthly newsletter and project website.

- E. Compliance with all applicable related regulations including but not limited to the Inclusionary Housing Ordinance and the Green Building Ordinance, and the Bird Friendly Building Design Ordinance.
- F. Applicant must enter into the appropriate agreement with the City for the encroachment of any building (balcony, canopy, etc.) or site elements within the public right-of-way.
- G. The Subject Property will provide and maintain a connection to the abutting property to the south which shall allow and provide for adequate egress through the Subject Property as necessary for the abutting property to the south to comply with any applicable Building Code or Life/Safety requirements.
- H. Substantial compliance with the documents and testimony on record.
- I. The Applicant and city staff work together to consider aggressive measures to improve pedestrian and bike safety between the short-term parking stalls and the bike path.
- J. The Applicant shall designate two (2) parking spaces within the development for use by car share vehicles. However, should the Applicant demonstrate, to the satisfaction of the City, that despite commercially reasonable efforts with one or more car sharing companies none were interested in using the two (2) parking stalls, then the Applicant shall be exempt from this requirement.
- K. The Applicant shall make a \$400,000 contribution towards alley improvements, which includes upgrades to the stormwater elements within the alley and resurfacing of the entire alley, located at the rear of the Subject Property between Church Street and Davis Street. The deadline for when this contribution shall be provided by the Applicant to the City shall be agreed upon by both parties prior to building permit issuance for the proposed structure, but in no case shall the contribution be provided later than application for a Temporary Certificate of Occupancy.
- L. The Applicant shall make a \$5,000 contribution to the City's Transportation Fund to assist with transportation improvements in the project vicinity.

- M. As part of initial building construction, the Applicant shall require that the General Contractor (GC) implement an apprentice program to make career opportunities in the building trades available to local residents. The program is intended to create at least five (5) apprentice opportunities in the building trades including sponsorship and support of entry into trade union training programs, and a guarantee of employment as an apprentice on the Legacy project during its construction.
- N. The Applicant shall require the GC to hire at least one (1) Local Employment Program (LEP) participant.
- O. The Applicant shall partner with Oakton Community College to fund a property management or building maintenance scholarship program for students that are residents of Evanston, capped at \$10,000 per student and \$50,000 in the aggregate.
- P. The applicant shall enter into a workforce agreement with the City of Evanston stipulating that the property owner shall commit to provide at least one (1) paid apprenticeship program for at least twelve (12) weeks with the intention of providing full-time employment thereafter for a staff position of assistant property manager, assistant building engineer or door attendant.
- Q. The Applicant shall obtain a building permit and begin construction within twenty-four (24) months of the date of adoption of this ordinance.
- R. Recordation: Pursuant to Subsection 6-3-6-10 of the Zoning Ordinance, the Applicant shall, at its cost, record a certified copy of this ordinance, including all exhibits attached hereto, with the Cook County Recorder of Deeds, and provide proof of such recordation to the City, before the City may issue any permits pursuant to the Planned Development authorized by the terms of this ordinance.

SECTION 5: 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 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 7: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: November 25, 2024

Adopted: November 25, 2024

Approved:

November 25, 2024

Daniel Biss
Daniel Biss, Mayor

Attest:

Stephanie Mendoza
Stephanie Mendoza, City Clerk

Approved as to form:

Alexandra B. Ruggie
Alexandra Ruggie, Corporation Counsel

EXHIBIT A**LEGAL DESCRIPTION**

LOT A EXCEPT THE FOLLOWING DESCRIBED PROPERTY BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT: THENCE NORTHEASTERLY, ALONG THE NORTHWESTERLY LINE, 264.39 FEET; THENCE SOUTHEASTERLY AT APPROXIMATELY A RIGHT ANGLE, 170 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT; THENCE SOUTHWESTERLY, ALONG THE SOUTHWESTERLY LINE , 246.46 FEET; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERLY LINE, 170 FEET TO THE POINT OF BEGINNING, IN PLAT OF CONSOLIDATION OF LOT 4 (EXCEPT THE NORTH 5 FEET) AND ALL OF LOTS 5 TO 9 IN BLOCK 20 IN THE VILLAGE OF EVANSTON IN SECTION 13, TOWNSHIP 41, RANGE 13 AND SECTION 7, 18, AND 19 IN TOWNSHIP 41, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 11-19-403-021-0000

Commonly Known As: 1621-1631 Chicago Avenue, Evanston, Illinois

EXHIBIT B
Development Plan



Project Site

Church St.

Hinman Ave.

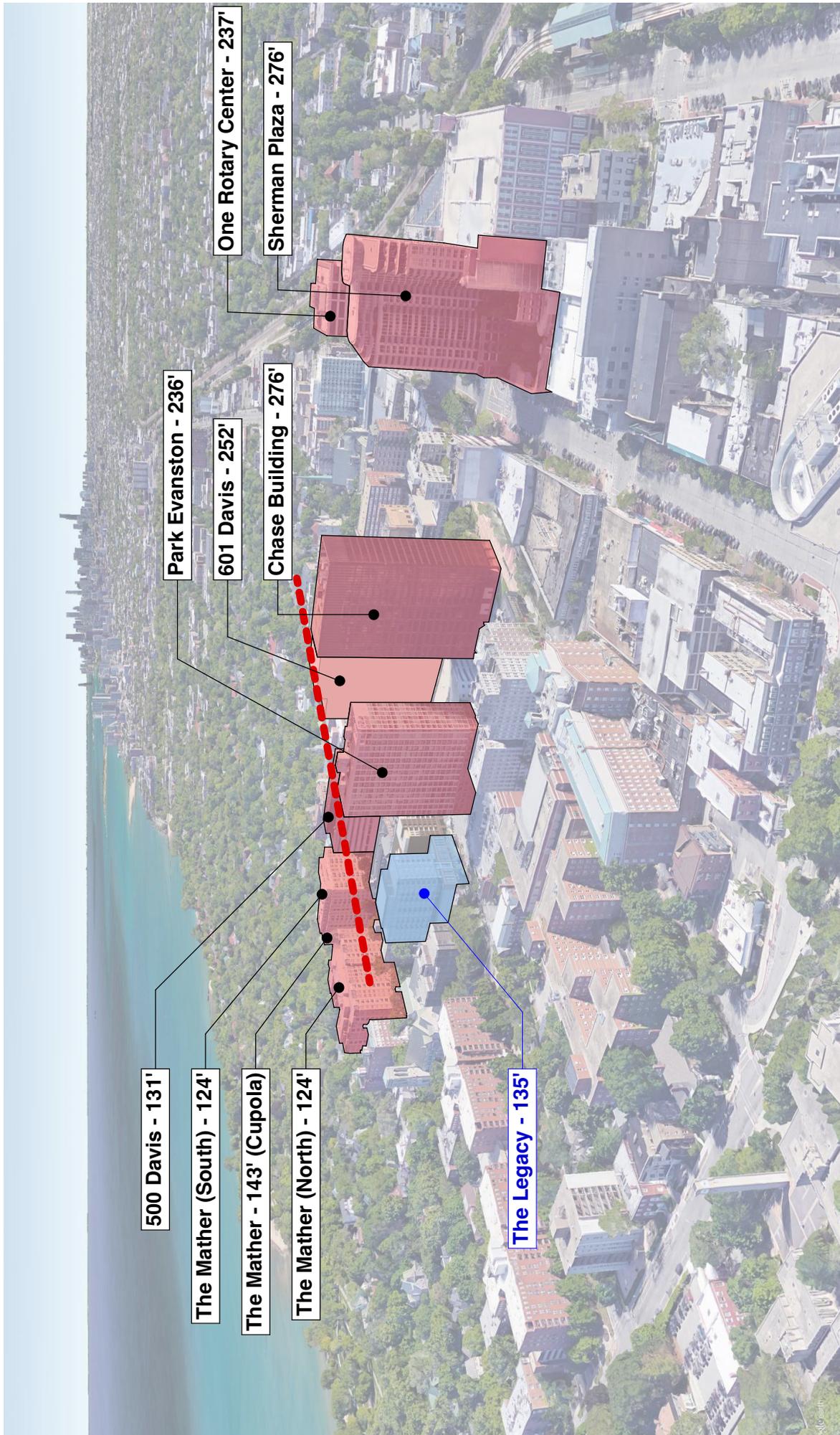
Chicago Ave.

Davis St.

The Merion

1621-31 Chicago Ave. - Evanston, IL





500 Davis - 131'

The Mather (South) - 124'

The Mather - 143' (Cupola)

The Mather (North) - 124'

The Legacy - 135'

Park Evanston - 236'

601 Davis - 252'

Chase Building - 276'

One Rotary Center - 237'

Sherman Plaza - 276'

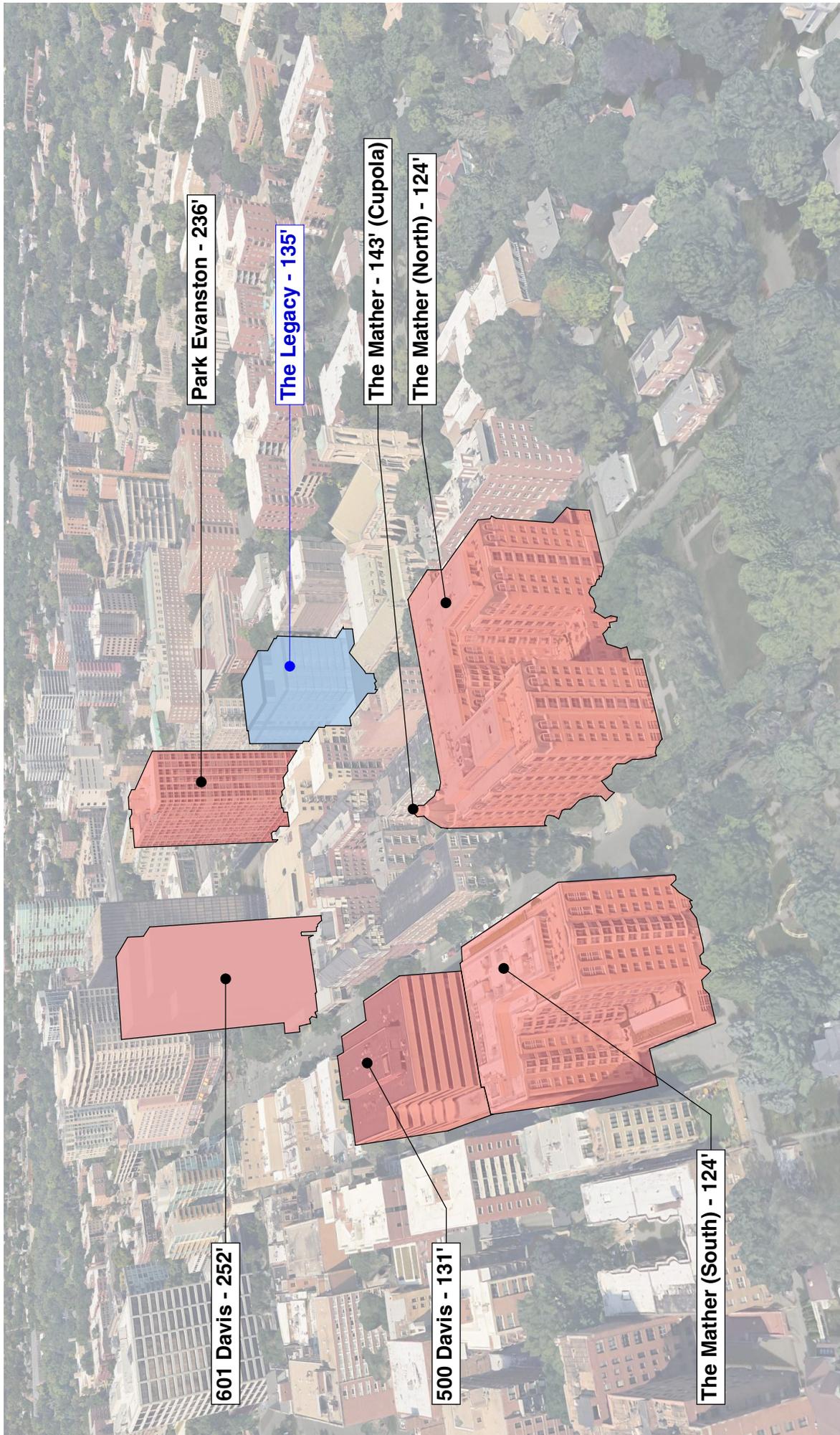


1621-31 Chicago Ave. - Evanston, IL

Context View from Northwest
8/20/24

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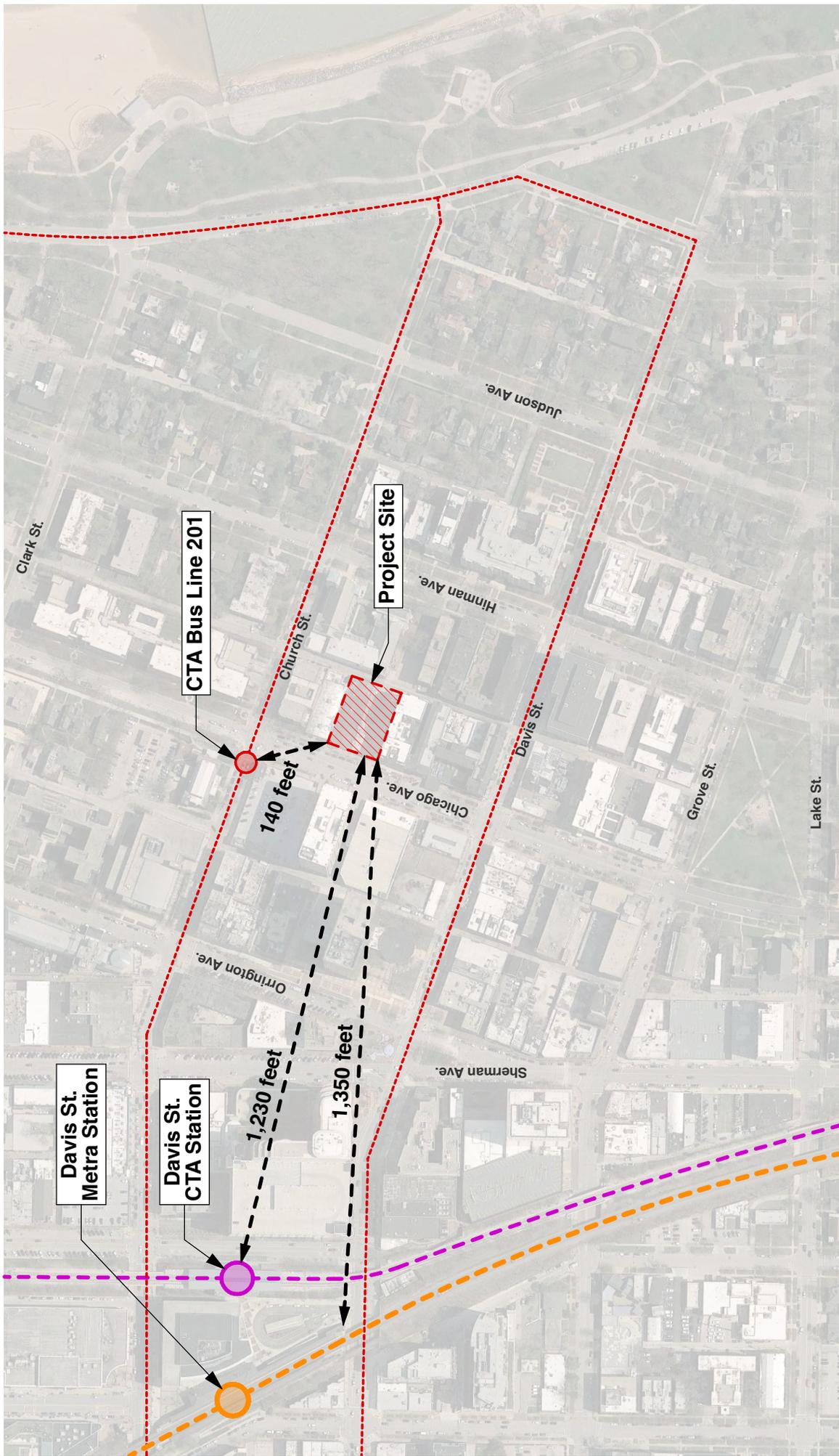
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Context View from East
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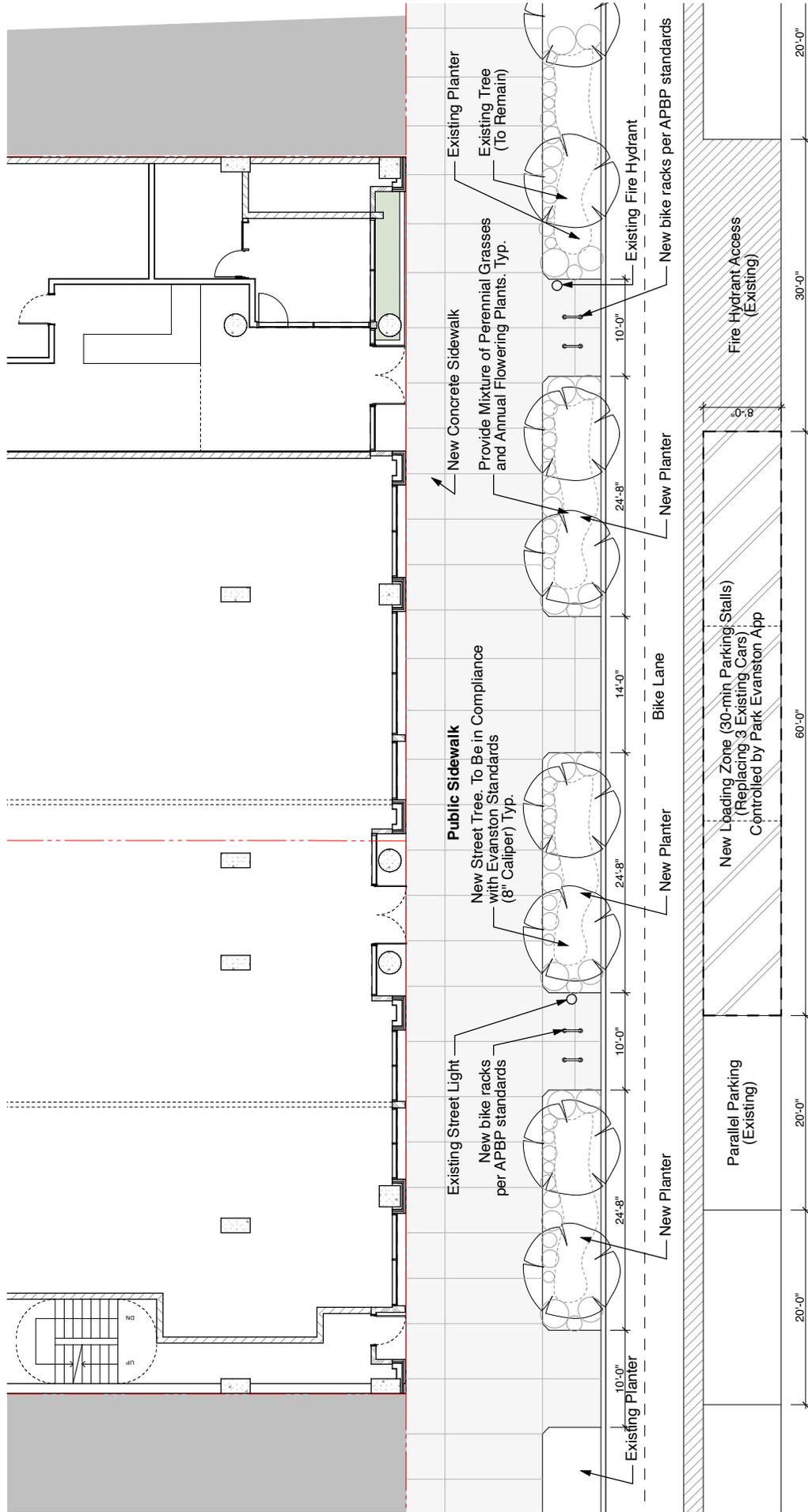
1621-31 Chicago Ave. - Evanston, IL





1621-31 Chicago Ave. - Evanston, IL





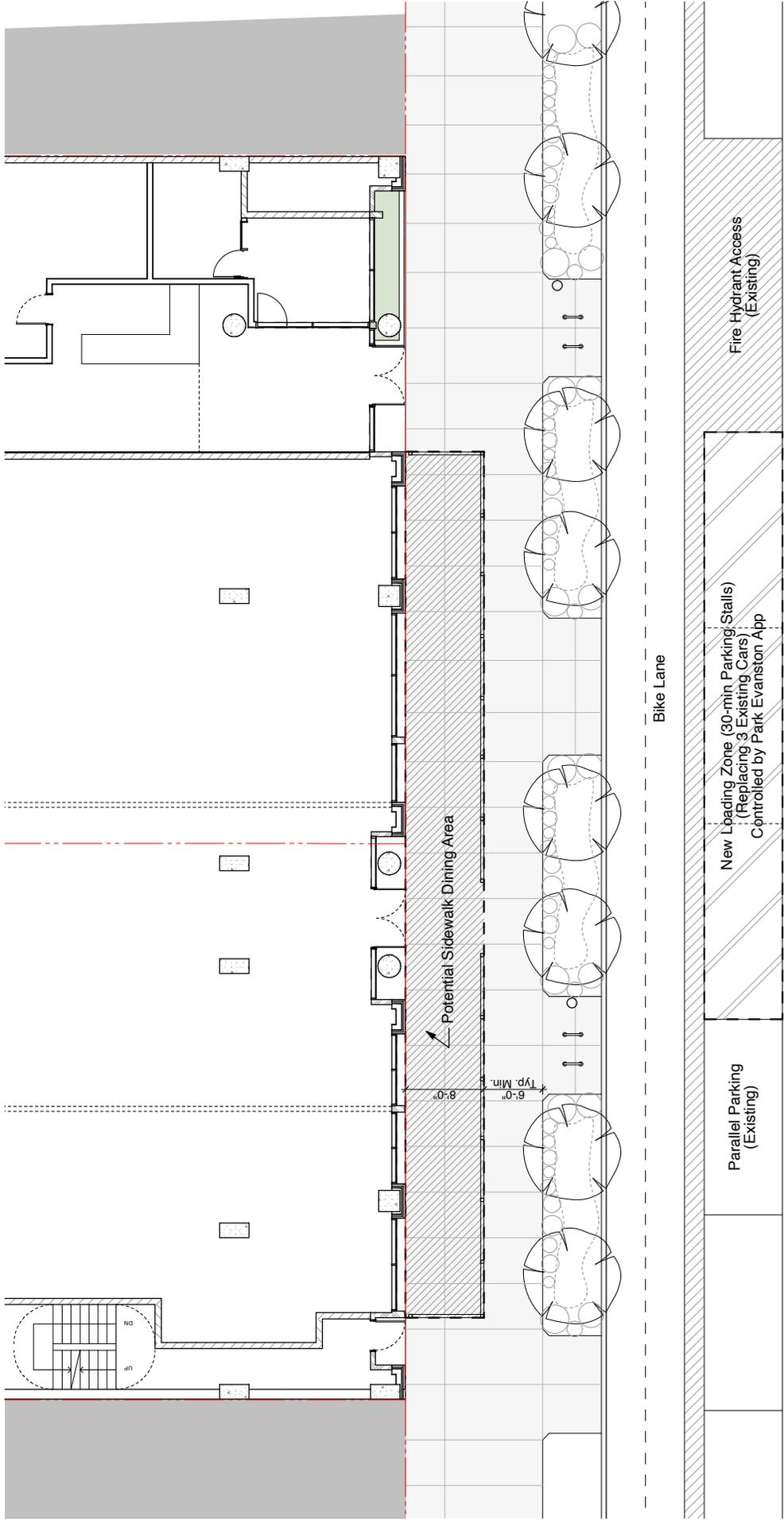
Chicago Ave

Landscape Plan
SCALE: 1" = 10'



1621-31 Chicago Ave. - Evanston, IL

Landscape Plan 8/20/24
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Sidewalk Dining Plan
SCALE: 1" = 10'

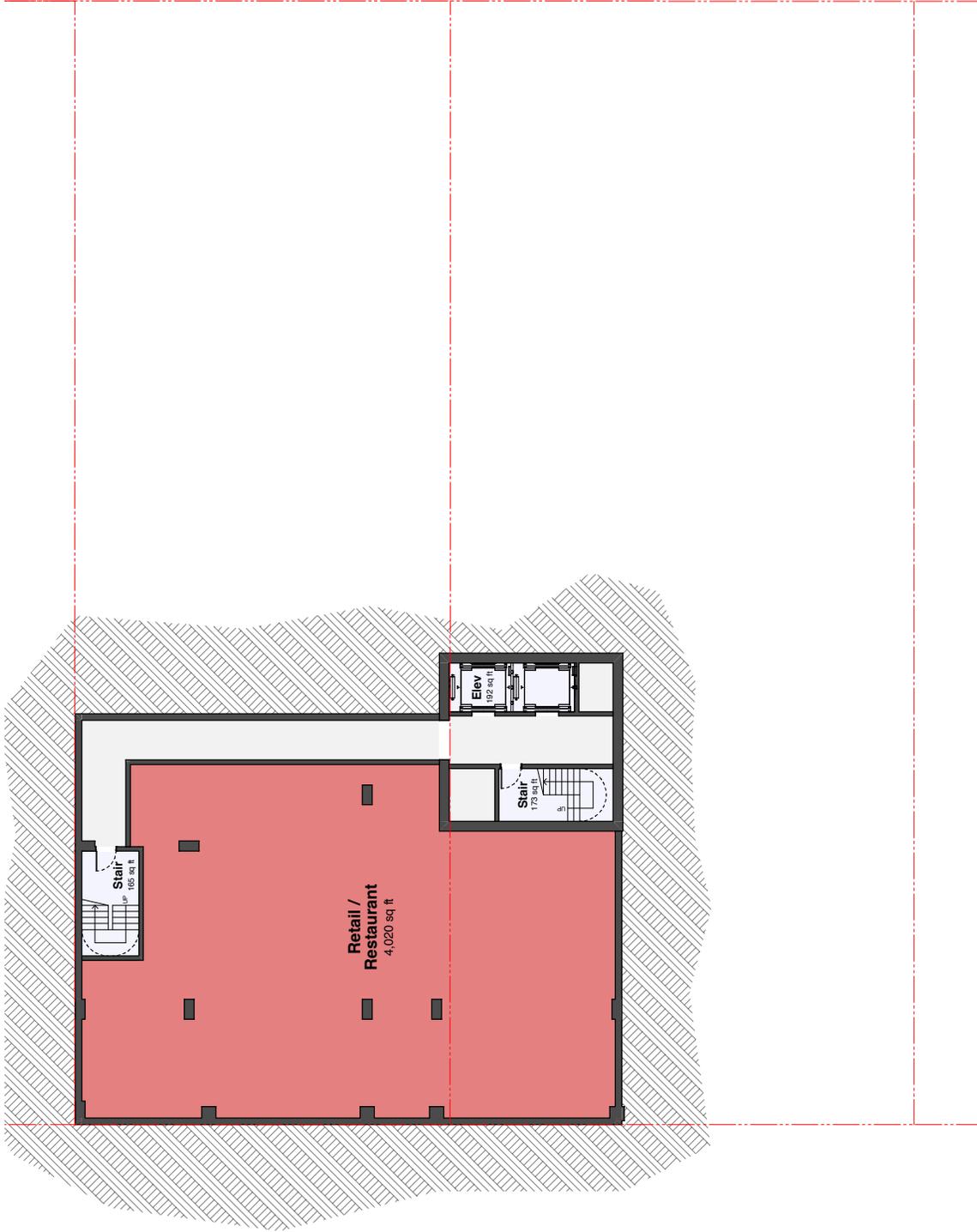


Chicago Ave

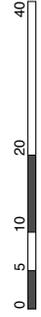
1621-31 Chicago Ave. - Evanston, IL

Sidewalk Dining Plan 8/20/24
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Basement Floor Plan
SCALE: 1/16" = 1'-0"



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Basement Plan PAPPAGEORGE
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Ground Floor Plan
SCALE: 1/16" = 1'-0"



Ground Floor Plan N PAPPAGEORGE
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1621-31 Chicago Ave. - Evanston, IL





Note: Unit square footages are approximate and are subject to final engineering.

Typical Tower Plan - (5th-11th Floor)
SCALE: 1/16" = 1'-0"



Adjacent Eight-Story Building



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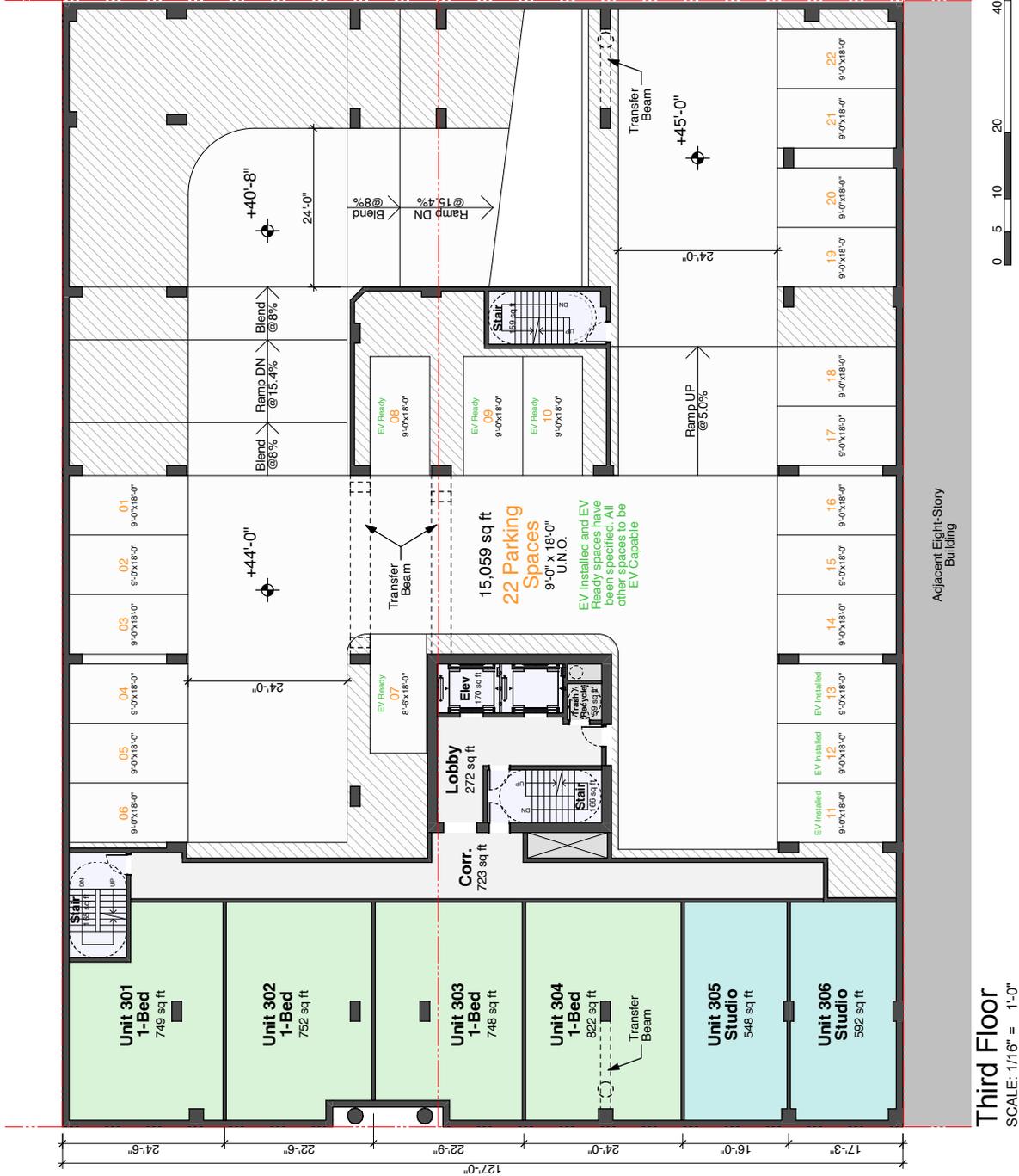
Typical Tower (5th-11th Floor)
8/20/24

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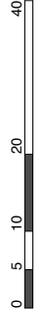
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48 Total Parking Spaces
 5 (10.4%) EV-Installed Spaces
 10 (20.8%) EV-Ready Spaces
 33 (68.8%) EV-Capable Spaces
 (Per Section 406.2.7 of the 2021 IBC)

Parking Space Types
 44 Standard
 2 Compact
 2 ADA Accessible



Third Floor
 SCALE: 1/16" = 1'-0"



1621-31 Chicago Ave. - Evanston, IL

Adjacent Eight-Story Building

Third Floor
 8/20/24

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Note: Unit square footages are approximate and are subject to final engineering.

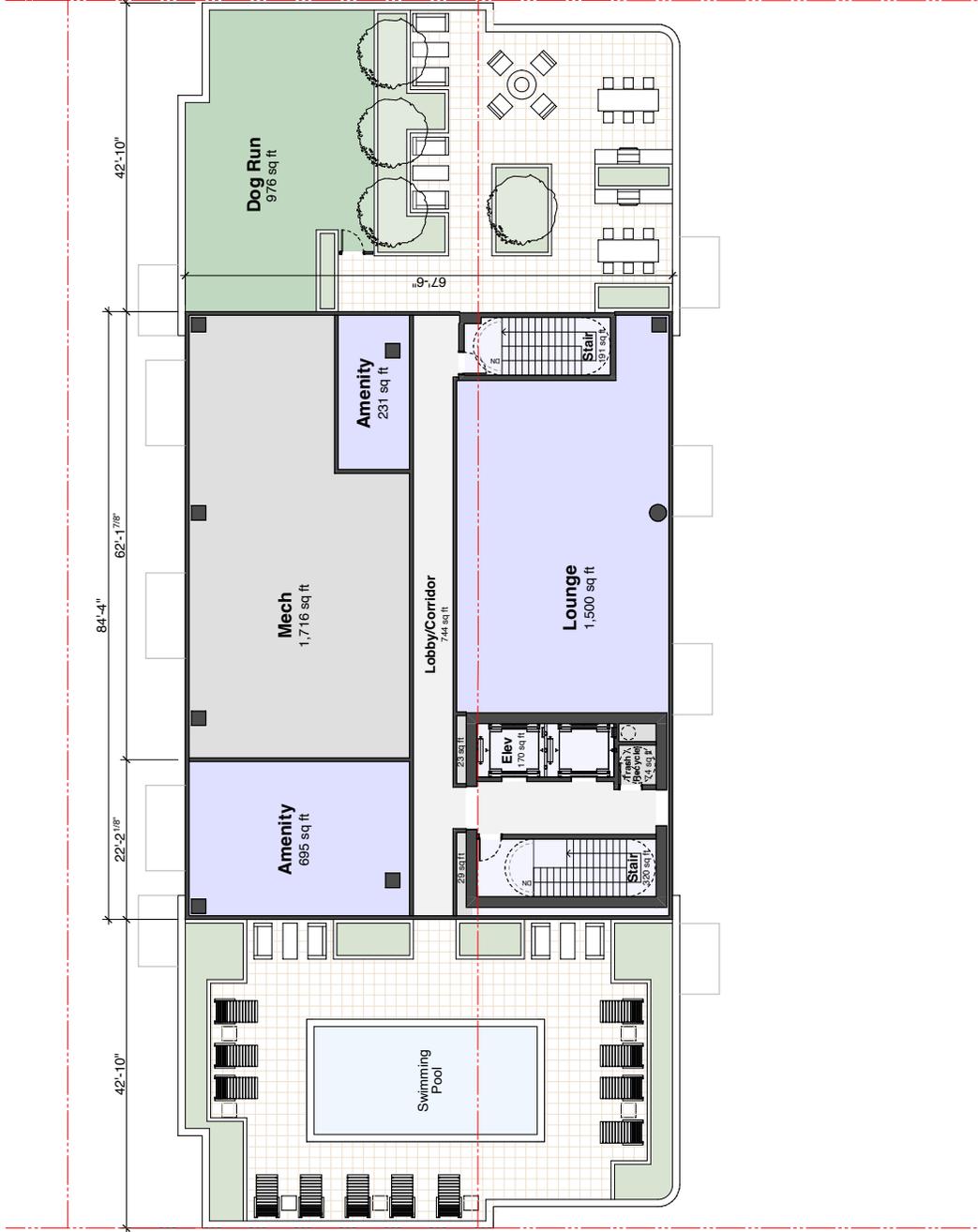
Fourth Floor
SCALE: 1/16" = 1'-0"



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Fourth Floor 8/20/24
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Amenity Level (12th Floor)

SCALE: 1/16" = 1'-0"

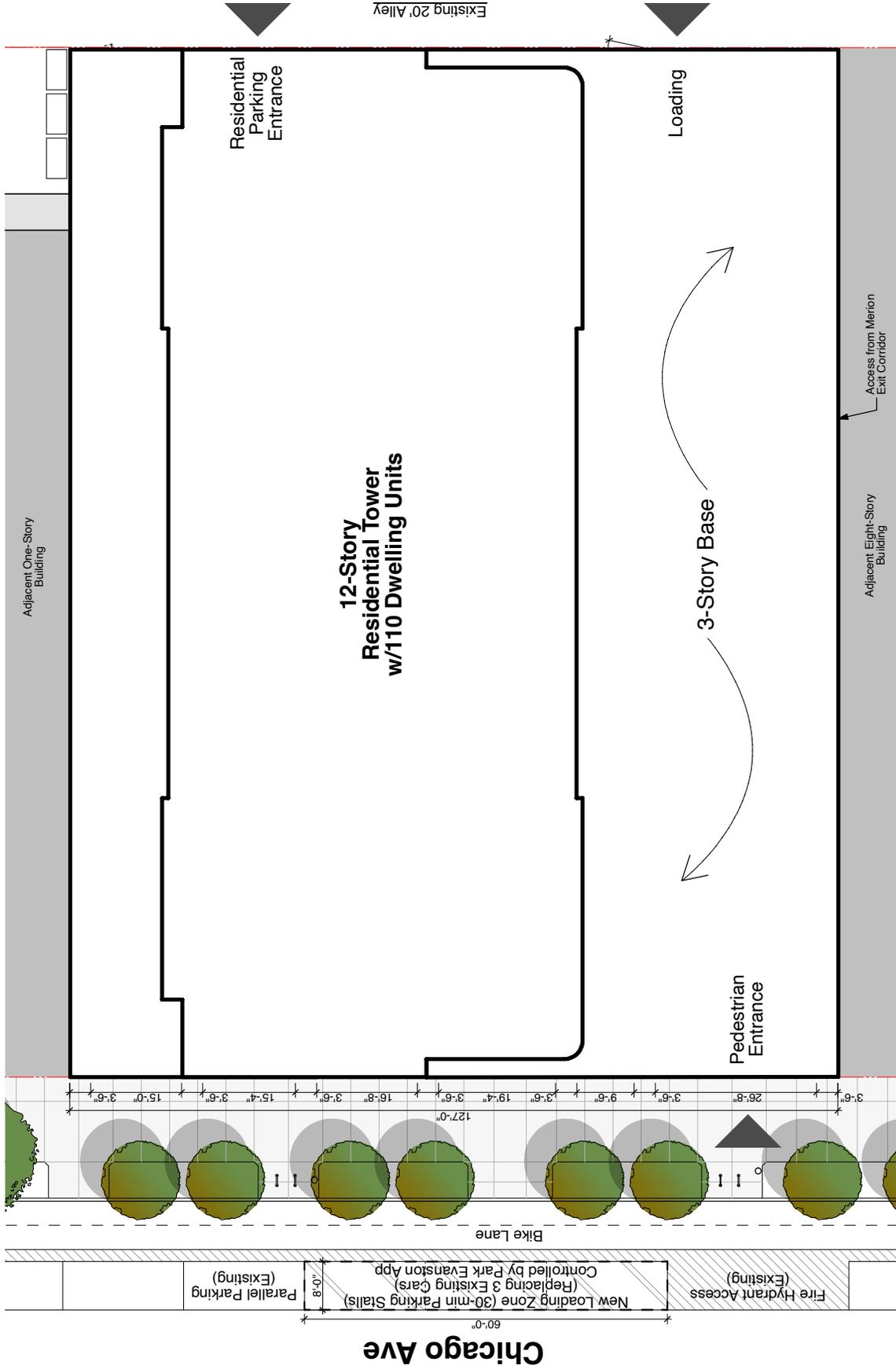


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Amenity Level (12th Floor) 8/20/24
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Site Plan
SCALE: 1/16" = 1'-0"

Site Plan N PAPPAGEORGE
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1621-31 Chicago Ave. - Evanston, IL



1621-31 Chicago Data - 2 Levels Above-Grade Parking, 12 Stories

Floor	Building			Unit Mix					Building Data							Parking				
	# Floors	Height (ft)	Height (in)	Zoning Height (ft)	Studio (442-592sf)	1 Bed (683-822sf)	2 Bed (899-1062sf)	Total Units/FL	Retail / Rest.	Resi SF	Common SF	Amenity SF	Parking/ Load SF	Vertical Service	Mech SF	Gross SF	FAR SF*	Standard	Compact	ADA
Basement	1	12	0	0				0	4,020	0	870	0	0	530	0	5,420	4,890	0	0	0
Ground Floor	1	16	0	16				0	6,812	0	6,006	0	2,523	1,162	4,231	20,734	12,818	0	0	0
Second Floor	1	9	4	0				0		0	3,571	0	13,280	661	60	17,572	3,571	22	2	2
Third Floor	1	11	0	0	2	4	0	6	4,211	996	0	15,059	661	122	21,049	5,207	22	0	0	
Fourth Floor	1	9	8	9.67	4	5	4	13	9,582	910	0	0	514	190	11,196	10,492				
Fifth Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Sixth Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Seventh Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Eighth Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Ninth Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Tenth Floor	1	9	8	9.67	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Eleventh Floor	1	14	4	14.33	4	5	4	13	9,715	910	0	0	502	190	11,317	10,625				
Amenity Level	1	16	8	16.67	0	0	0	0	0	0	744	2,426	0	680	1,843	5,693	3,170			
Total	12	135,000		114,690	34	44	32	110	10,932	81,798	19,467	2,426	30,862	7,722	7,776	160,883	114,523	44	2	2
Percentage					31%	40%	29%													
Affordable Units (% of Units per Unit Type)					2 (25%)	4 (50%)	2 (25%)	8 Total												
*FAR SF is calculated from the Gross SF minus Mechanical, Vertical Service and Parking/Loading areas.																	Total FAR (7.4 Allowable)	5.29	Total Cars	48

Building Information	
Total Units	110 DU
Avg Unit Size	744 SF
Typ. Floor Eff. - Tier 1	85.84%
Total Eff.	59.58%
Amenity/Unit	22.05 SF

Site Information	
Site Area	21,644 SF
Total FAR Allowed (7.4)	160,166 SF
Proposed FAR Area	114,523 SF
Proposed FAR Ratio	5.29
Unused FAR	45,643 SF

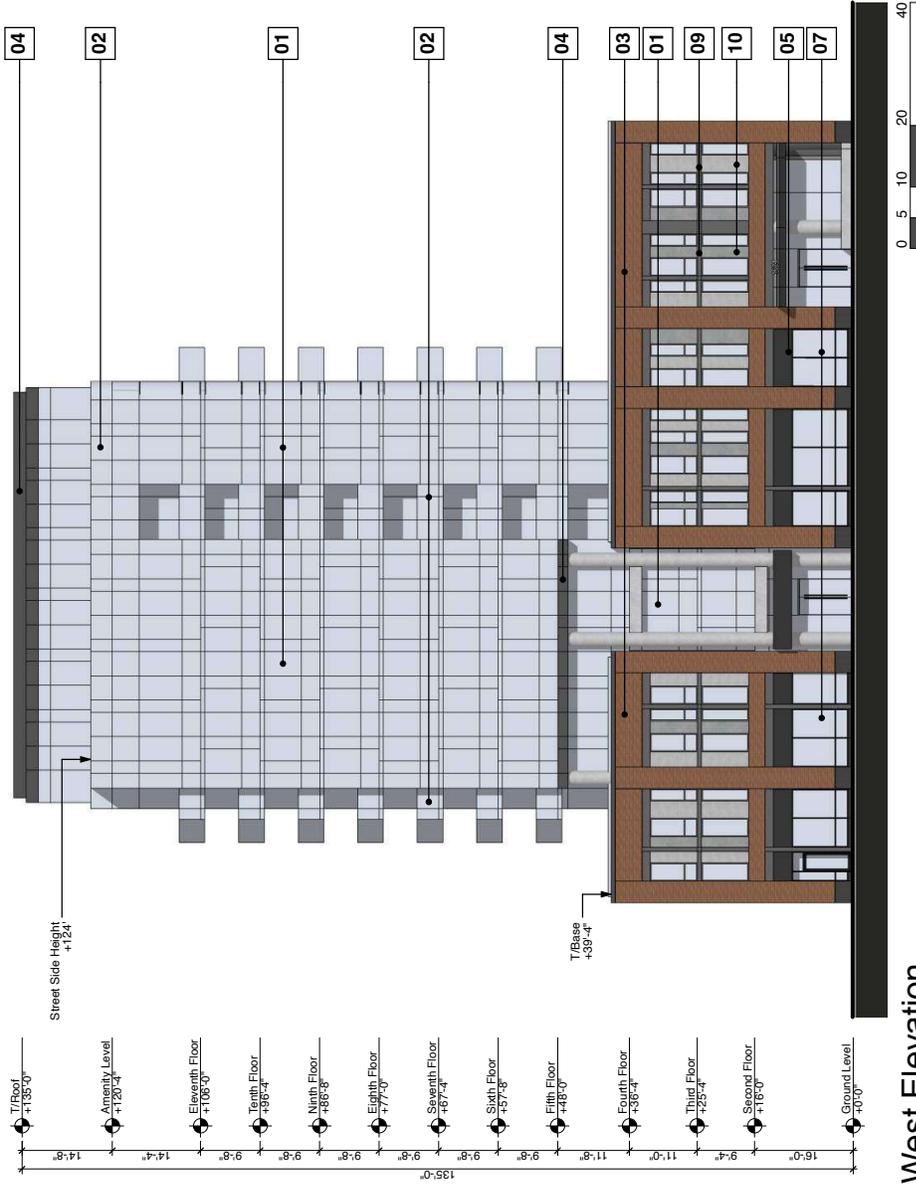
Parking Information	
Total Cars Provided	48
Parking Ratio	0.47 /DU
Parking Efficiency	643 SF/Space
Total Cars Required*	91

*Cars required assumes .55 cars for units 1-Bed or less, 1.10 cars for 2-Bed units and 80% of the cars required for a restaurant use (1 per 250sf). 8 Affordable units not included in calculation



1621-31 Chicago Ave. - Evanston, IL

Project Data
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West Elevation
SCALE: 1" = 20'

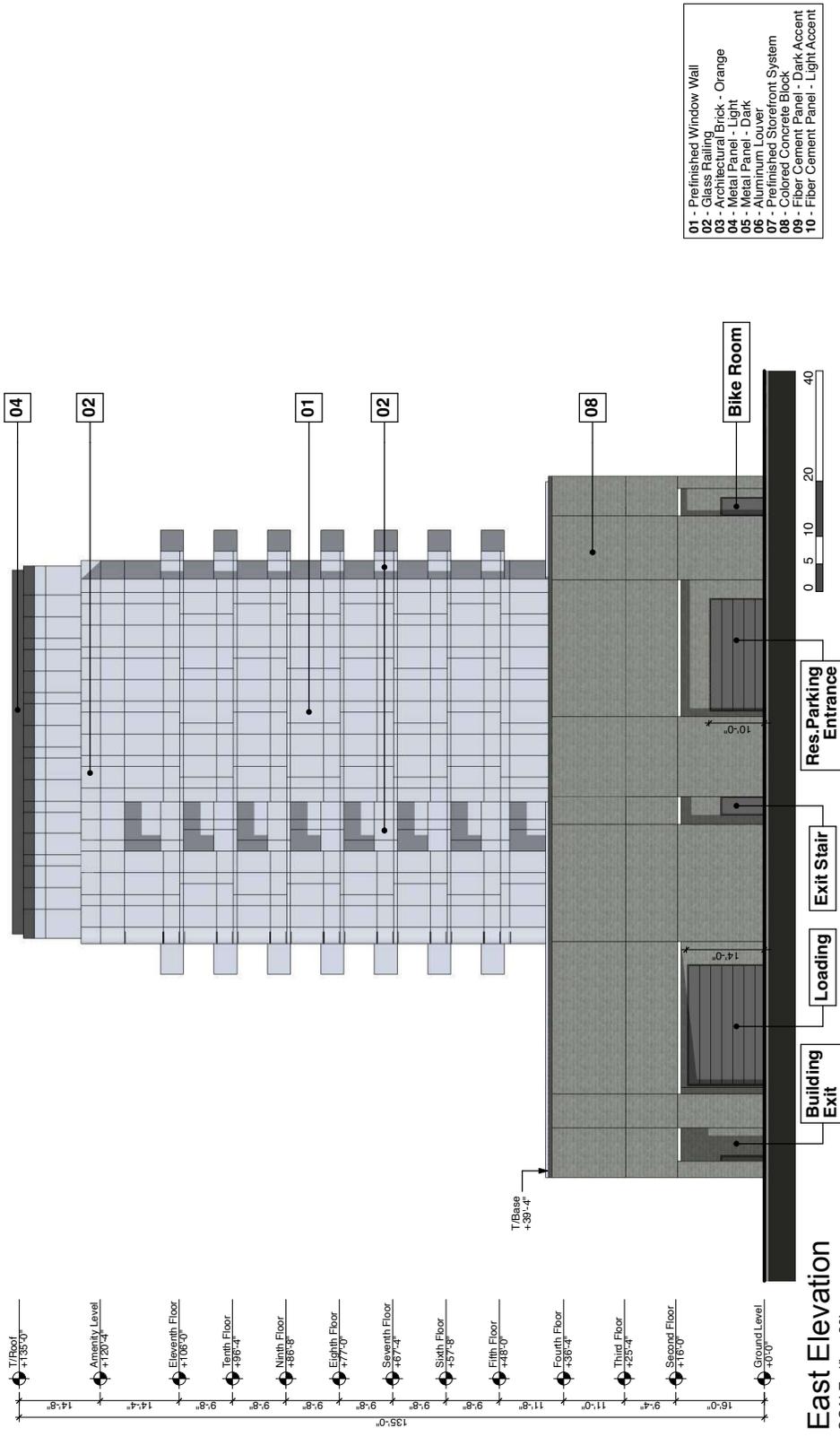
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West Elevation
8/20/24

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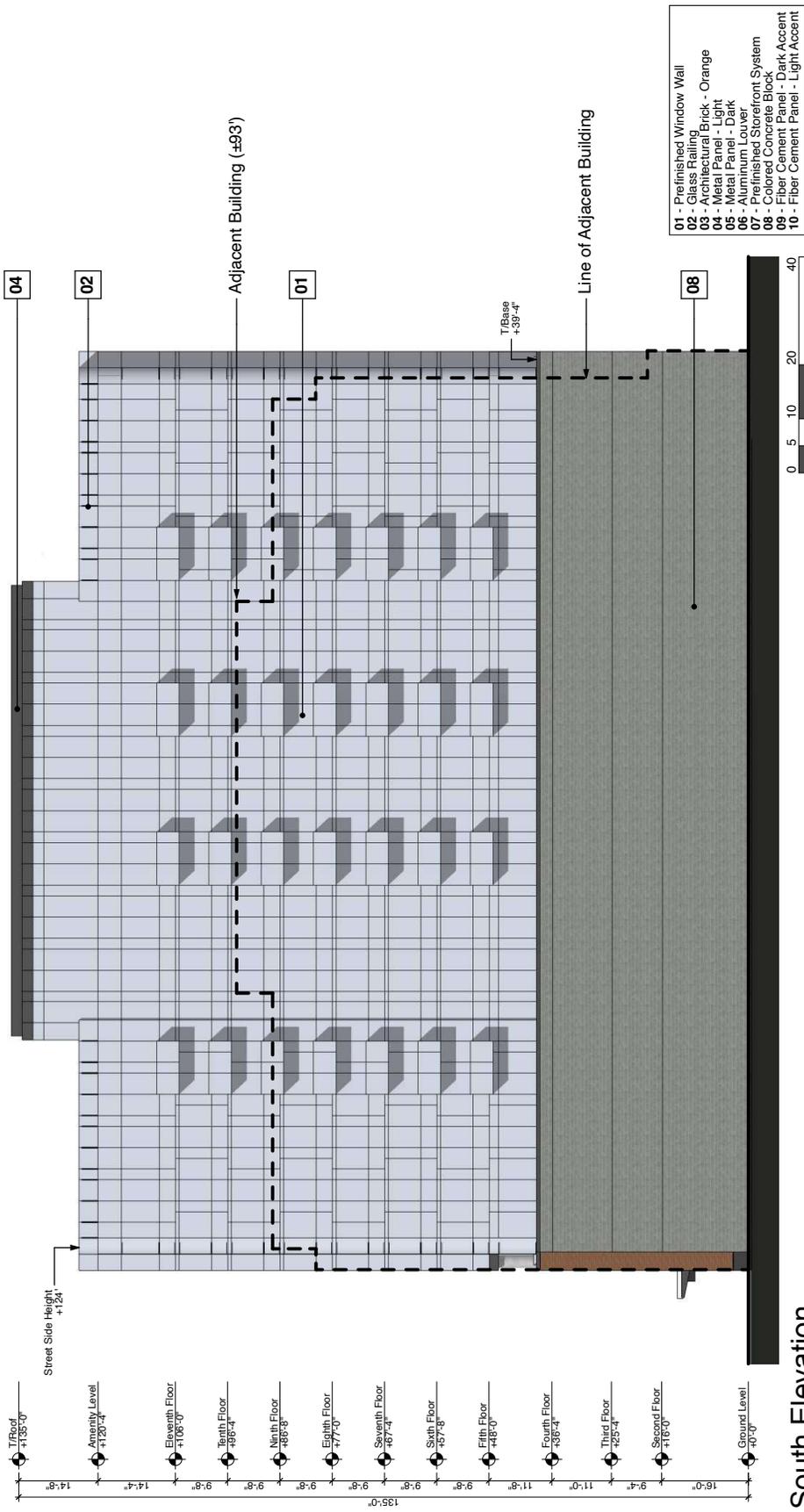


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East Elevation
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1621-31 Chicago Ave. - Evanston, IL





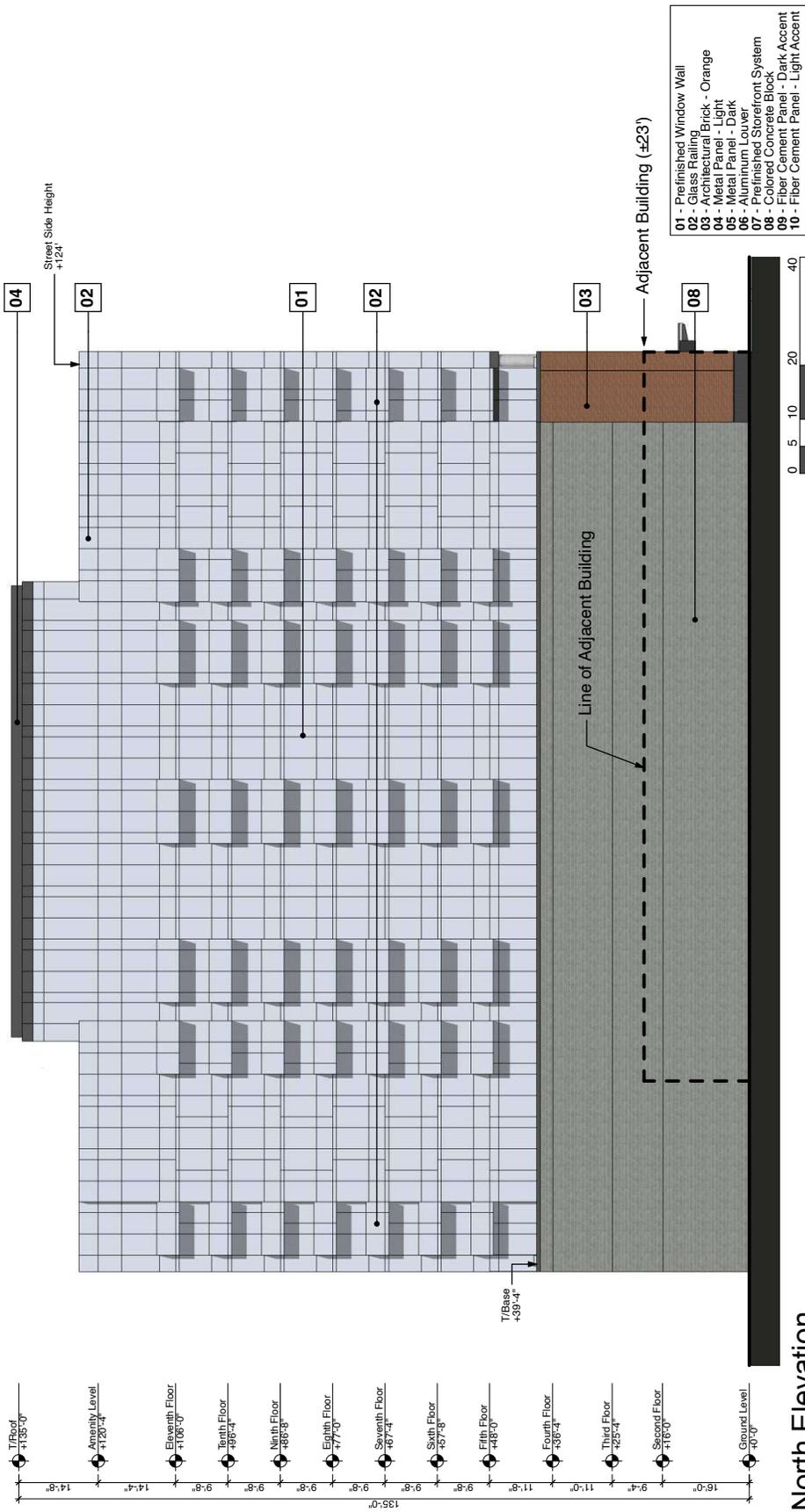
South Elevation
8/20/24

PAPPAGEORGE
HAYMES

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1621-31 Chicago Ave. - Evanston, IL





North Elevation

SCALE: 1" = 20'

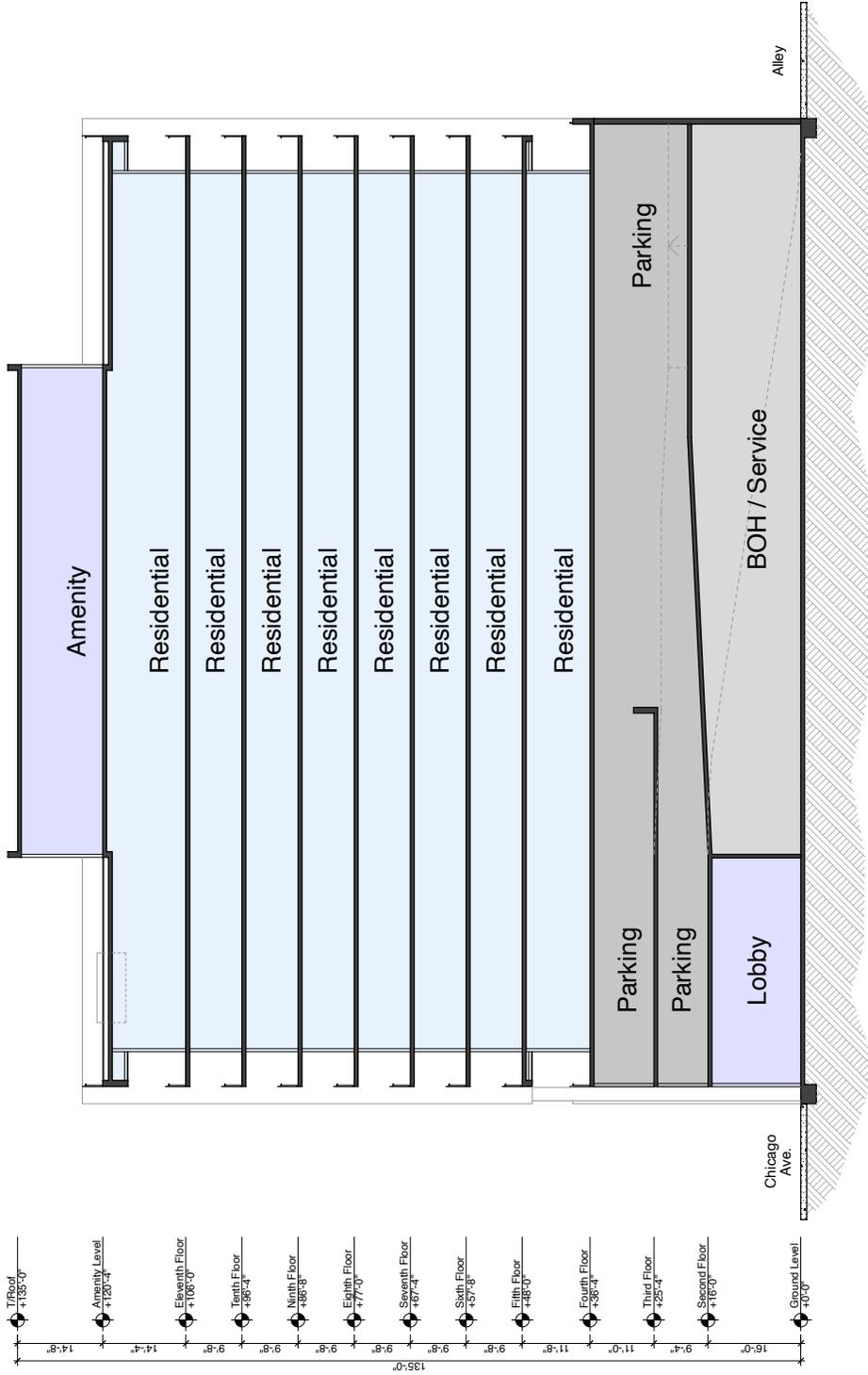
1621-31 Chicago Ave. - Evanston, IL

North Elevation
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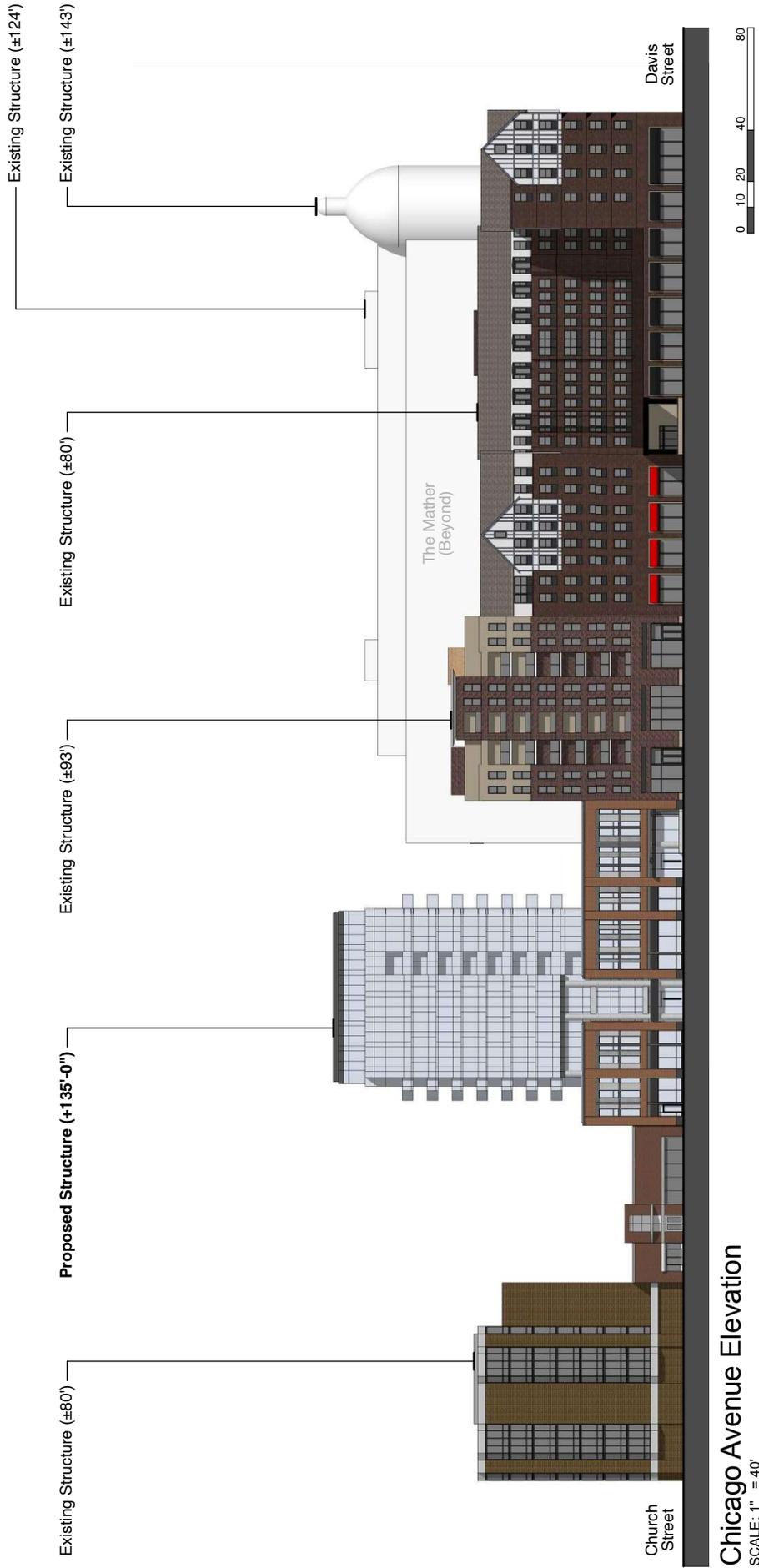


Building Section
SCALE: 1" = 20'

1621-31 Chicago Ave. - Evanston, IL

Building Section
8/20/24
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Chicago Ave. Elevation
8/20/24
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1621-31 Chicago Ave. - Evanston, IL





1621-31 Chicago Ave. - Evanston, IL

Aerial from Northwest
10/7/24
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1621-31 Chicago Ave. - Evanston, IL

View from Southwest - Revised Design
9/13/24

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1621-31 Chicago Ave. - Evanston, IL

View from Northwest - Revised Design
9/13/24

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View from West - Revised Design
9/13/24
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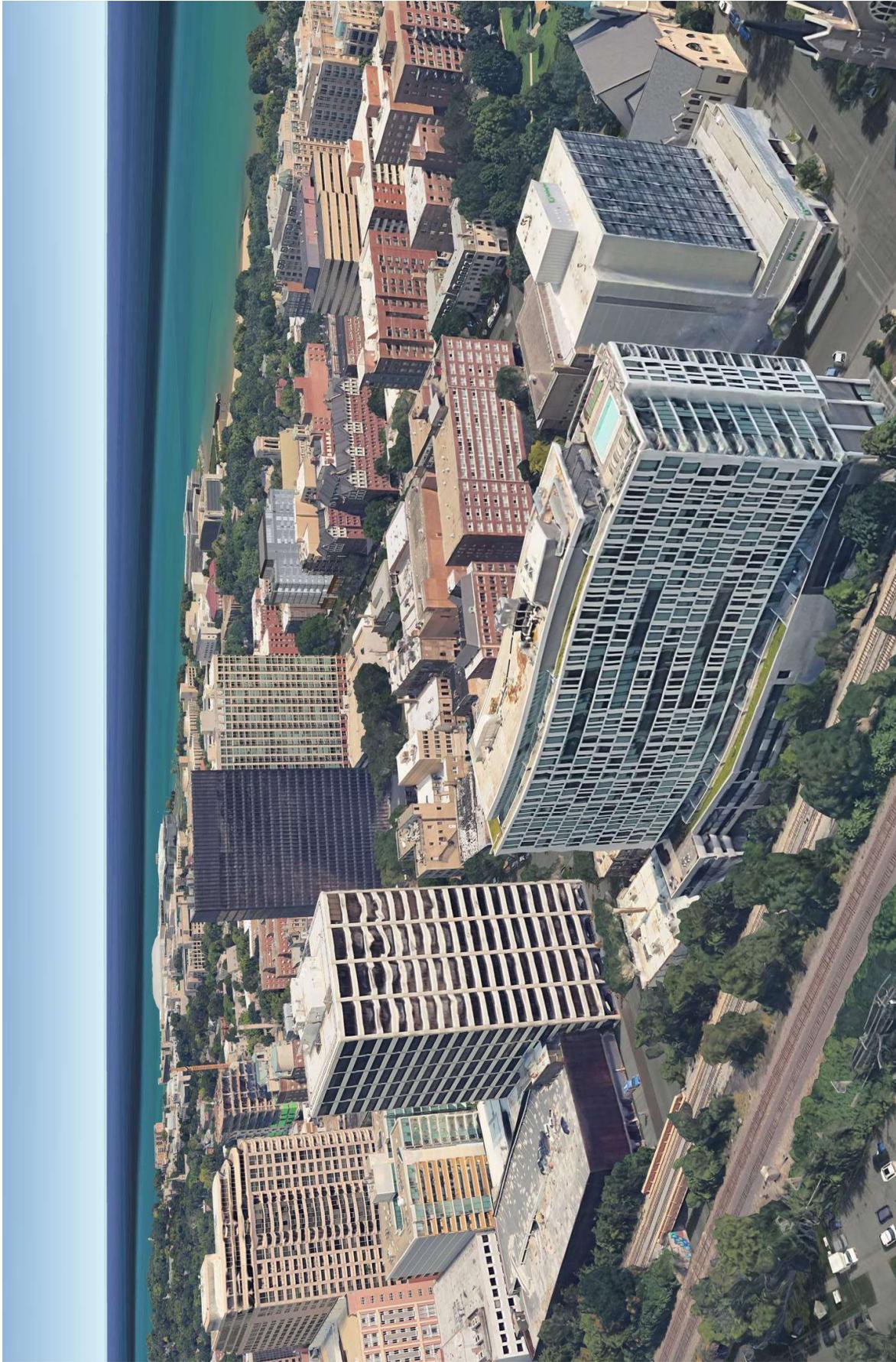


1621-31 Chicago Ave. - Evanston, IL

Ground Level View - Revised Design
9/13/24

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Aerial from Southwest
10/10/24
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1621-31 Chicago Ave. - Evanston, IL





1621-31 Chicago Ave. - Evanston, IL

View from Hinman
8/20/24
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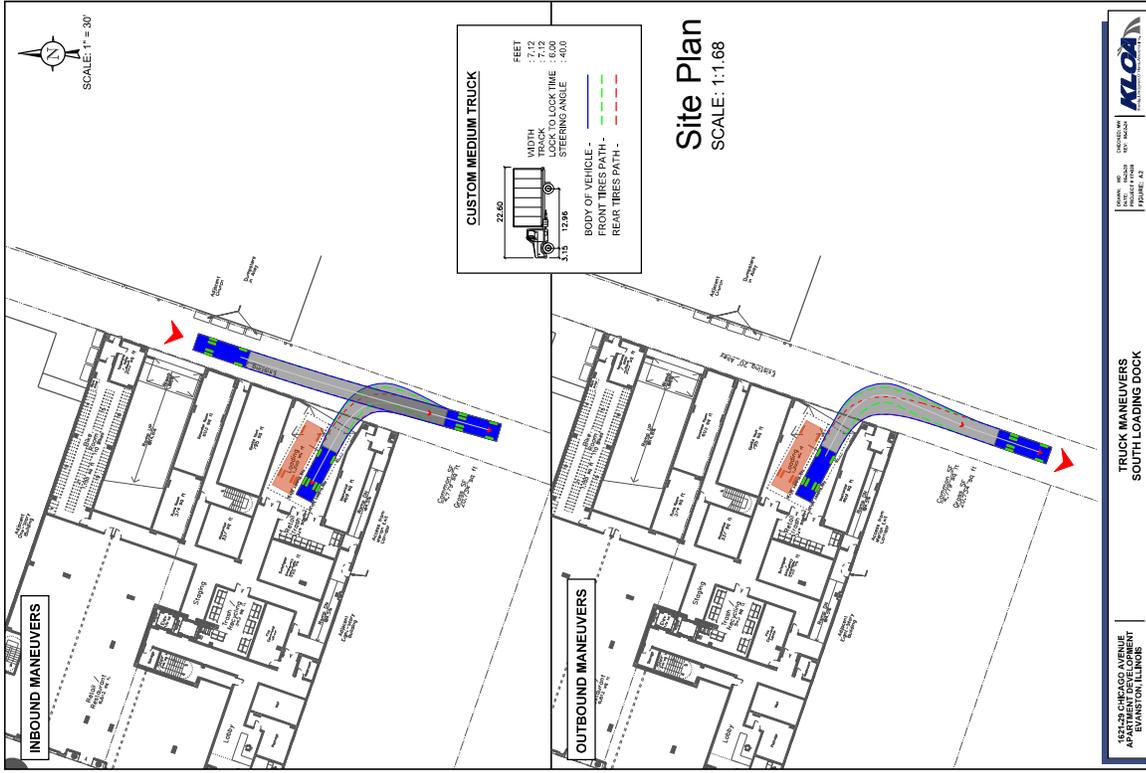
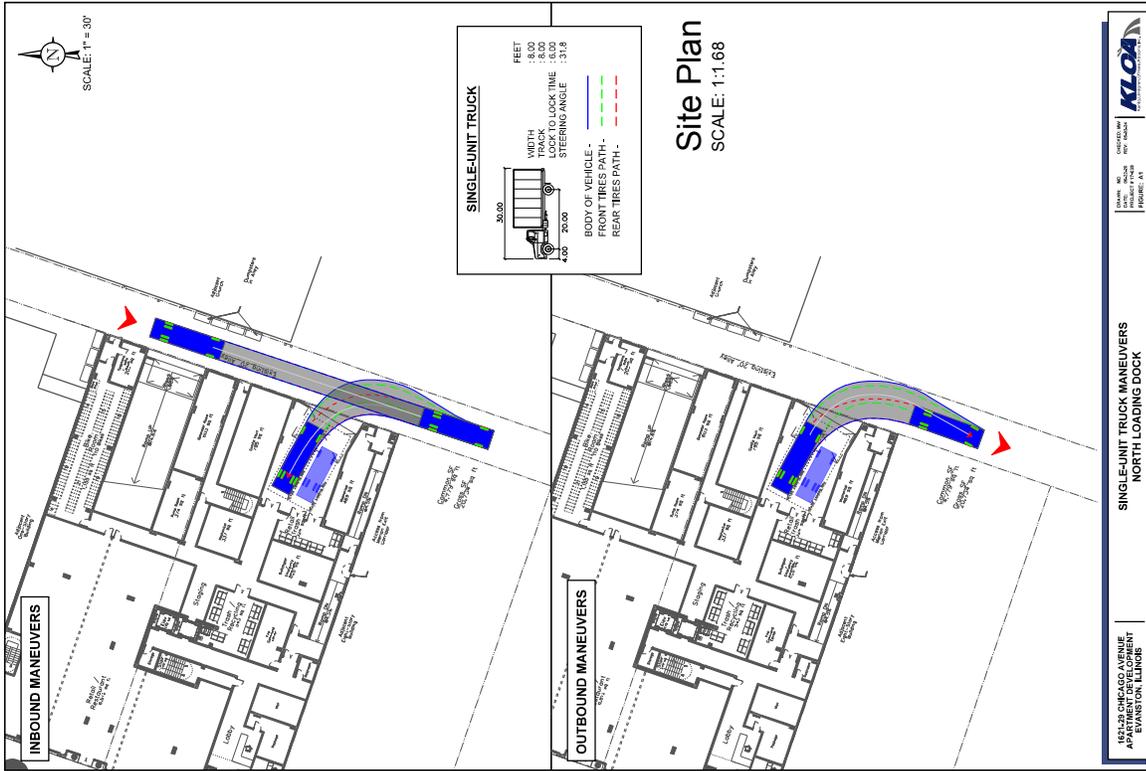




Alley (After) PAPPAGEORGE
8/20/24 HAYMES
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1621-31 Chicago Ave. - Evanston, IL

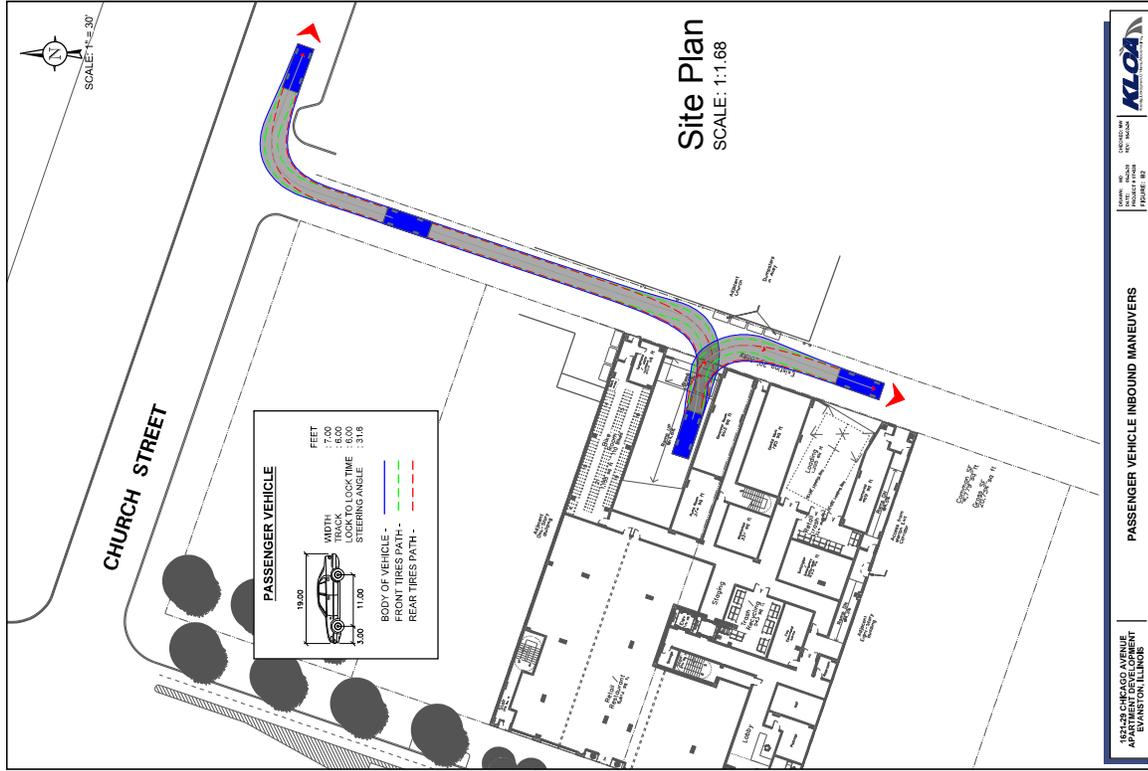
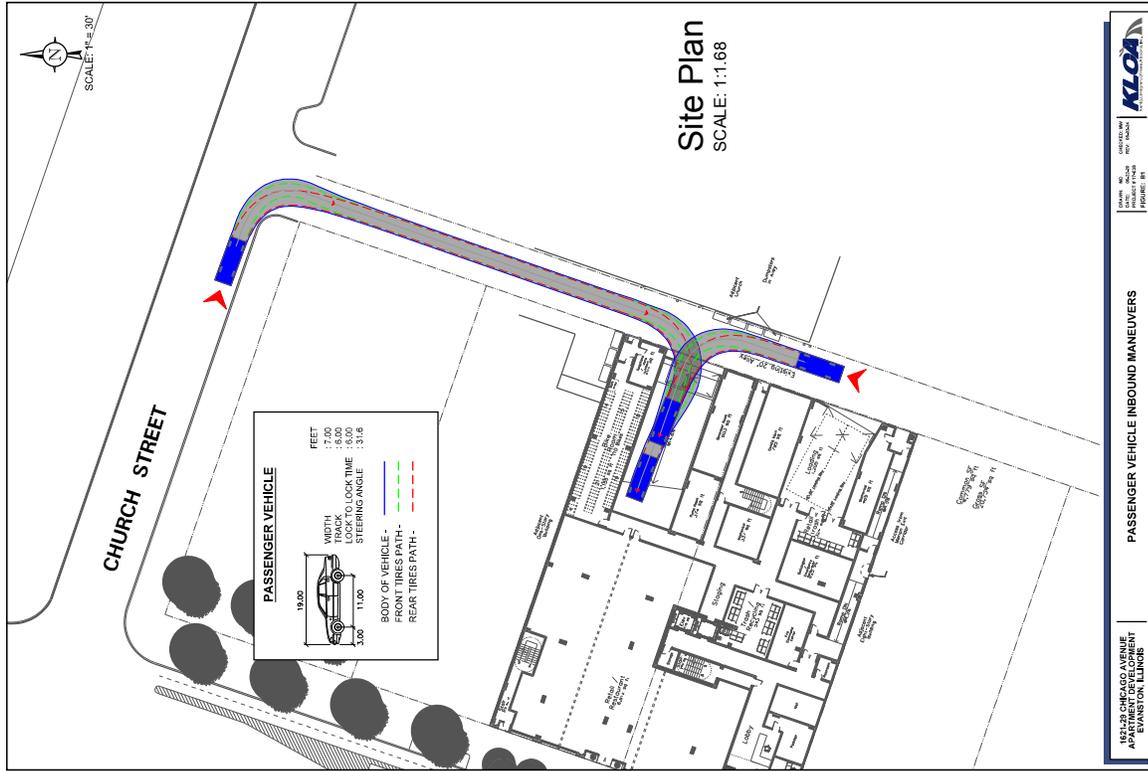




1621-31 Chicago Ave. - Evanston, IL

Truck Autoturn Exhibits
 8/20/24
 PAPPAGEORGE
 HAYMES
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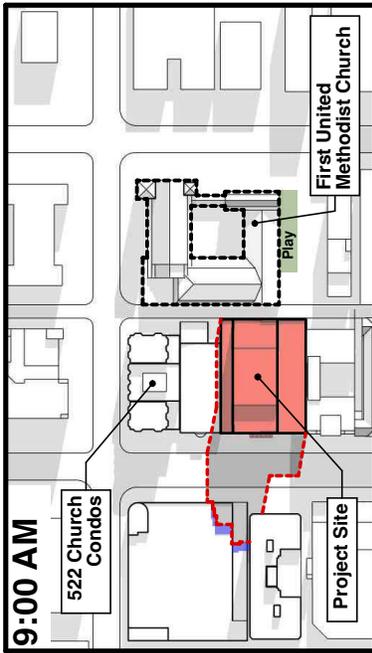
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Car Autoturn Exhibits
8/20/24

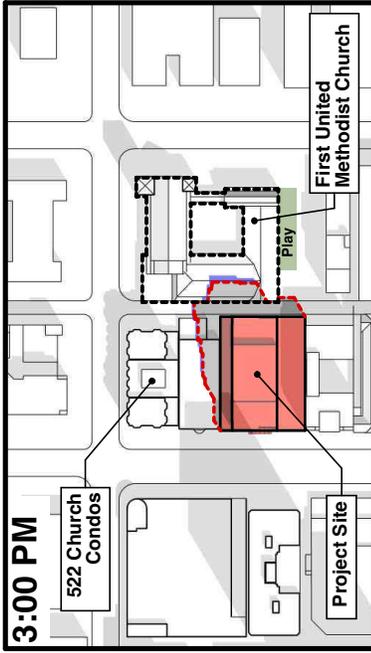
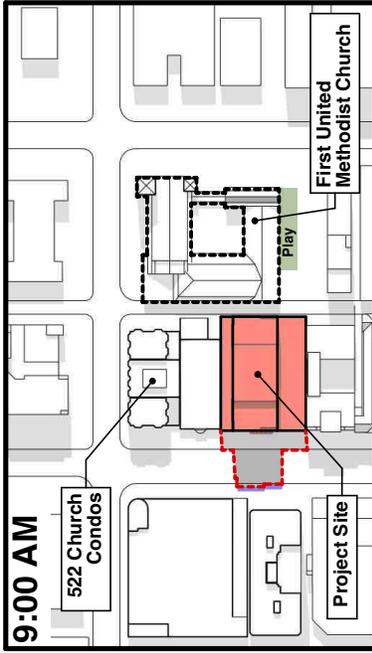
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March / September 21



June 21



December 21

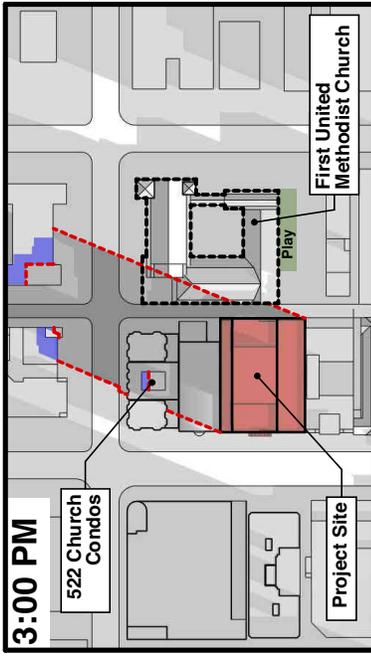
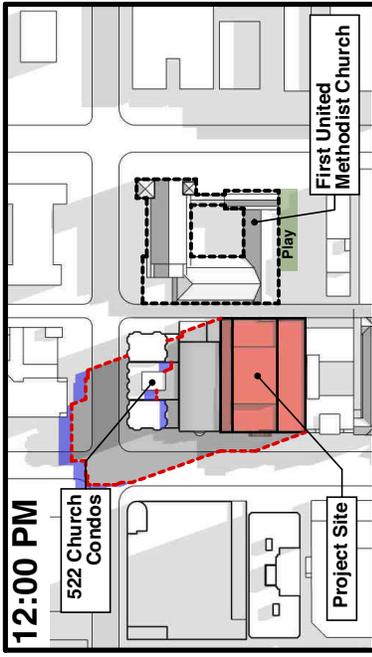
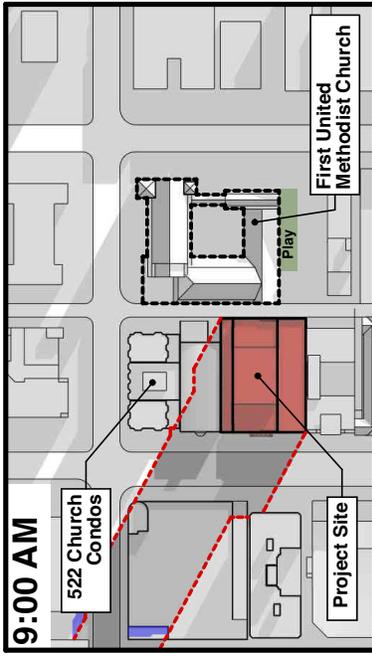


EXHIBIT C

Alley Management Plan for Legacy Apartments



ALLEY MANAGEMENT PLAN FOR LEGACY APARTMENTS

Horizon Group XXIII, LLC (“Horizon”) recognizes the alley located behind the Legacy Apartments (the “Legacy”) is of concern to the neighbors immediately adjacent to the alley as it is used to service these abutting properties. Over the years, the alley has suffered some dilapidation and congestion. This Alley Management Plan (“AMP”) dated October 9, 2024, memorializes the commitment by Horizon with respect to the rehabilitation, management and operations of the alley, in concert with neighbors and the City of Evanston (“City”).

1. CONSTRUCTION PHASE

- a. Horizon will be submitting to the City a draft Construction Management Plan (“CMP”). Prior to obtaining a building permit, Horizon will submit a final CMP to be approved by the City. The CMP allows for continued use of the alley, with one lane during construction, which also allows for snow removal as needed and as currently handled by the various property owners abutting the alley.
- b. Horizon will commit to pay \$400,000 (the “Horizon Contribution”) toward the repaving of the alley by the City upon completion of construction, and the City will be responsible for the remainder of the cost of repaving, provided however, that if the City is not prepared to begin such repaving work at completion of construction and (i) Horizon must expend funds to repair the alley in order for its development to receive a Certificate of Occupancy or otherwise be accessible from the alley (“Horizon Repair Expenditures”), then the Horizon Contribution shall be reduced by the Horizon Repair Expenditures; and (ii) if repaving of the alley is not commenced by the City within two years of the completion of construction, then Horizon shall not be required to make the Horizon Contribution, as it may be reduced by the Horizon Repair Expenditures, or if Horizon has made all or any part of the Horizon Contribution, the funds so paid will be returned to Horizon by the City.

2. OPERATIONS PHASE

- a. Once the proposed development becomes operational, Horizon will use best efforts to manage its use of the alley, as set forth below, to best alleviate potential congestion in the alley.
- b. The Legacy will work with the Merion and LRS to coordinate and consolidate trash and recycling services in order to improve the efficiency of LRS, including reducing the number of trash bins and frequency of pick-ups. Horizon has shared with the City confirmation from LRS that (subject to unforeseen challenges that can surface) they will be able to handle waste hauling activities from the interior loading berths of the new building, as opposed to idling trucks in the alley. Additionally, the Legacy will have a box baler located near the internal loading bays, which will reduce refuse size and number of required pick-ups.
- c. The Legacy property manager will have an established line of communication with First United Methodist Church and other nearby users of the alley in order to alleviate alley blockage.
- d. Horizon will continue to utilize its maintenance staff for snow removal adjacent to its properties.
- e. For residents that are moving in or out of the building, those events will be scheduled through the property manager, so that there is only 1 move in or out scheduled at a time per loading berth, avoiding peak alley usage times where possible. Residential move ins/outs will only be scheduled upon the availability of the loading berths and the one freight elevator. This scheduling and coordination provision will be a condition of Project approval, and Applicant will work with the City on the ordinance language.
- f. Commercial deliveries requiring use of the loading berths, will be coordinated with the residential property manager so as to avoid conflicts or move ins/outs during commercial delivery times. Brief deliveries (ie- FedEx and Amazon) will be able to be accommodated, subject to City requirements, in the short-term loading zones in front of the building on Chicago Avenue.
- g. Horizon will work with its design consultants to install surveillance and safety devices such as cameras, alley lighting, flashing lights, mirrors, signage and markings on the exterior of the building to alleviate congestion, deter violative behavior, and increase public safety in the alley.