

**62-O-21**

**AN ORDINANCE**

**Granting a Special Use Permit for a Tattoo and Body Art  
Establishment Located at 1577 Maple Avenue in the D3 Downtown  
Core Development District  
("Oliviganic Microblading")**

**WHEREAS**, the Zoning Board of Appeals ("ZBA") met on May 18, 2021, pursuant to proper notice, to consider case no. 21ZMJV-0038, an application filed by Destiny Rucker (the "Applicant"), lessee for the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1577 Maple Avenue (the "Subject Property") and located in the D3 Downtown Core Development District, for a Special Use Permit to establish, pursuant to Subsections 6-11-4-3 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a Tattoo and Body Art Establishment for microblading and permanent cosmetics business on the Subject Property; and

**WHEREAS**, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Tattoo and Body Art Establishment met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

**WHEREAS**, at its meeting of June 14, 2021, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA's record and findings and recommended the City Council accept the ZBA's recommendation and approved the application in case no. 21ZMJV-0038; and

**WHEREAS**, at its meetings of June 14, 2021 and June 28, 2021, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

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

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

**SECTION 2:** The City Council hereby approves the Special Use Permit for a Tattoo and Body Art Establishment on the Subject Property as applied for in case no. 21ZMJV-0038.

**SECTION 3:** Pursuant to Subsection 6-3-5 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-5 of the Zoning Ordinance:

- A. The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. The proposed operating hours shall be extended to 10 a.m. to 8 p.m. daily pursuant to Section 6-4-12(F) of the Code.
- C. The property owner shall determine an accommodation plan for people with limited mobility to access the primary entrance off of Maple Avenue.
- D. Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

**SECTION 4:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

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

**SECTION 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 8:** 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: June 14, 2021  
Adopted: June 28, 2021

Approved:  
June 30, 2021

Daniel Biss  
Daniel Biss, Mayor

Attest:  
Stephanie Mendoza  
Stephanie Mendoza, City Clerk

Approved as to form:  
Nicholas E. Cummings  
Nicholas E. Cummings, Corporation Counsel

**EXHIBIT A**

LEGAL DESCRIPTION

The South 58 Feet of the West 41 9/12 Feet of Block 63 in Evanston, in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

COMMONLY KNOWN AS 1577 Maple Avenue

PIN # 11-18-310-002-0000