

28-O-22

AN ORDINANCE

Granting a Special Use Permit for The Salvation Army Located 2424 Oakton Street at in the C1 Commercial District and the oRD Redevelopment Overlay District for a Resale Establishment

WHEREAS, the Land Use Commission (“LUC”) met on March 9, 2022, pursuant to proper notice, to consider case no. 21ZMJV-0087, an application filed by Mitch J. Melamed, Aronberg Goldgehn (the “Applicant”), on behalf of The Salvation Army, the contract purchaser of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 2424 Oakton Street (the “Subject Property”) and located in the C1 Commercial District and the oRD Redevelopment Overlay District, for a Special Use Permit to establish, pursuant to Subsection 6-10-2-3 and Subsection 6-15-13-7.5 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a resale establishment on the Subject Property; and

WHEREAS, the LUC, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a resale 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 April 11, 2022, the Planning and Development Committee of the City Council (“P&D Committee”) considered the LUC’s record and findings and recommended the City Council accept the LUC’s recommendation and approved the application in case no. 21ZMJV-0087; and

WHEREAS, at its meetings of April 11, 2022, and April 25, 2022, the City Council considered and adopted the respective records, findings, and recommendations of the LUC 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 resale establishment on the Subject Property as applied for in case no. 21ZMJV-0087.

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 staff the drop-off area as stated in the Proposed Maintenance Plan, attached hereto as Exhibit B;
- B. The Applicant shall install a security camera to monitor the drop-off area during off-hours and The Salvation Army will work with the Evanston Police Department to manage any fly dumping;
- C. The Salvation Army shall be responsible for the pickup of litter, debris and other materials within two hundred and fifty (250) feet of the subject property;
- D. The Special Use Permit shall be reviewed twelve (12) months following approval and every twenty-four (24) months thereafter;
- E. The Salvation Army must adhere to the circulation plan, attached hereto as Exhibit C; and
- F. The Applicant shall offer at least fifty (50) percent of permanent jobs to Evanston residents, subject to their qualification for employment.

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: March 16, 2022

Approved:

Adopted: April 25, 2022

April 27, 2022

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

LOT 1 IN OAKTON SHOPPES OF EVANSTON RESUBDIVISION, BEING A RESUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT 0705915103, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 2424 Oakton Street, Evanston, IL

PIN: 10-25-100-038-0000

EXHIBIT B
PROPOSED MAINTENANCE PLAN

EXHIBIT C
CIRCULATION PLAN