

9/1/2006, 8/7/2006  
8/4/2006

**86-O-06**

**AN ORDINANCE**

**Granting a Special Use for  
Planned Development For a Financial Institution  
and a Drive-Through Facility at 2400 Main Street  
(Outlot 2) in a C1 Commercial District  
("Fifth Third Bank")**

**WHEREAS**, Fifth Third Bank (the "Applicant") as contract purchaser, with permission from the property owner, Kap Sum Properties, submitted an application, no. 06-07-(PD), seeking approval of a special use for a proposed planned development (the "Planned Development") for a financial institution with a drive-through facility at 2400 Main Street in a C1 Commercial District, pursuant to the Zoning Ordinance ("Ordinance") provisions of Section 6-3-5 " , Special Uses"; Section 6-3-6, "Planned Developments"; Section 6-10-1-9, "Planned Developments" in C1 Commercial Districts;" Section 6-10-2-3, "Special Uses" in C1 Commercial Districts; and Section 6-10-2, the allowances, requirements, and standards, for C1 Commercial Districts; and

**WHEREAS**, the proposed Planned Development provides for a new structure for a financial institution with a drive-through facility, having a defined gross floor area of approximately four thousand one hundred thirty-three (4,133) square feet or an FAR of 0.12, and approximately twenty-nine (29) off-street parking spaces, all on a lot of approximately forty-three thousand four hundred forty-four and eighty-one hundredths (43,444.81 square feet); and

**WHEREAS**, the Plan Commission held a public hearing on the proposed Planned Development pursuant to proper notice on July 12, 2006, hearing testimony, receiving other evidence, and making written findings and a verbatim transcript; and

**WHEREAS**, the Plan Commission found that the proposed Planned Development meets the standards for special uses indicated in Section 6-3-5-10 of the Ordinance and the conditions for planned developments in C1 Commercial Districts indicated in Section 6-10-1-9(A), Section (B), and Section (C); and

**WHEREAS**, the Plan Commission recommended approval of the proposed Planned Development at its July 12, 2006 meeting; and

**WHEREAS**, the Planning and Development Committee of the City Council considered the record in this case, no. ZPC 06-07-PD, at its August 14, 2006 meeting, adopted the findings and recommendations of the Plan Commission, and recommended that City Council approve the proposed Planned Development; and

**WHEREAS**, the City Council, at its August 14, 2006, meeting considered the respective records, findings, and recommendations of the Plan Commission and the Planning and Development Committee; and

**WHEREAS**, The City Council, at its September 11, 2006 meeting, adopted the respective records, findings, and recommendations of the Plan Commission and the Planning and Development Committee, and

**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 made a part hereof.

**SECTION 2:** That the City Council hereby adopts the respective findings and recommendations of the Plan Commission and the Planning and Development Committee and approves a special use for a Planned Development permitting the construction and operation on the property commonly known as 2400 Main Street, (Outlot 2), legally described in Exhibit 1 attached hereto and made a part hereof, of a financial institution with a drive-through facility, having a defined gross floor area of approximately four thousand one hundred thirty-three (4,133) square feet or an FAR of 0.12, and a maximum of twenty-nine (29) off-street parking spaces, all on a lot of approximately forty-three thousand four hundred forty-four and eighty-one hundredths (43,444.81) square feet, all in conformance with the approved Planned Development Plan, attached hereto as Exhibit 2, and made a part hereof,

**SECTION 3:** That pursuant to Section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions on the grant of a special use, these conditions are hereby imposed:

A. Development and use of the Property shall be in substantial compliance with all applicable legislation and City ordinances, with the testimony and representations of the Applicant to the Site Plan and Appearance Review Committee, Plan Commission, the Planning and Development Committee, and the City Council, and with all approved plans and documents on file in this case No. 06-07-PD.

**SECTION 4:** That the Applicant is required to record a certified copy of this Ordinance, including all Exhibits attached hereto, at its cost with the Cook County, Illinois Recorder of Deeds, before any City permits may be obtained.

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

**SECTION 6:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Ayes: 9

Nays: 0

Introduced: August 14, 2006

Adopted: September 11, 2006

Approved:

September 15, 2006

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris  
Mary P. Morris, City Clerk

Approved as to form:

Herbert D. Hill  
Herbert D. Hill  
First Assistant Corporation Counsel

EXHIBIT 1  
**LEGAL DESCRIPTION**

**PARCEL 1:**

LOT 2 OF EVANSTON MAIN STREET COMMONS RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOTS 2 AND 3 OF MAIN STREET COMMONS SUBDIVISION, AND PART OF LOT 2 OF GENERAL DYNAMICS-EVANSTON INDUSTRIAL PARK, IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 21, 2005 AS DOCUMENT 0532539031, IN COOK COUNTY, ILLINOIS

**PARCEL 2:**

UNRECORDED NON-EXCLUSIVE, PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE DECLARATION OF RESTRICTIONS AND EASEMENTS FOR INGRESS AND EGRESS AND PARKING OVER PORTIONS OF LOT 3 IN AFORESAID SUBDIVISION.

EXHIBIT 2  
**PLANNED DEVELOPMENT PLAN**