

9/2/2015  
9/17/2015

**117-O-15**

**AN ORDINANCE**

**Granting a Special Use Permit for a Financial Institution Located at  
520 Main Street in the C1a Commercial Mixed Use District and the  
oDM Dempster-Main Overlay District  
("First Bank & Trust")**

**WHEREAS**, the Zoning Board of Appeals ("ZBA") met on August 18, 2015, pursuant to proper notice, to consider case no. 15ZMJV-0065, an application filed by Joan E. Yohanan, lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 520 Main Street (the "Subject Property") and located in the C1a Commercial Mixed Use District and the oDM Dempster-Main Overlay District, for a Special Use Permit to establish, pursuant to Subsection 6-15-17-5 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a ground-floor Financial Institution, "First Bank & Trust," 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 Financial Institution 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 September 15, 2015, the Planning and Development Committee of the City Council ("P&D Committee") carefully considered the ZBA's record and findings and recommended the City Council accept the ZBA's recommendation and approve the application in case no. 15ZMJV-0065; and

**WHEREAS**, at its meetings of September 15, 2015 and September 21, 2015, 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 Financial Institution on the Subject Property as applied for in case no. 15ZMJV-0065.

**SECTION 3:** Pursuant to Subsection 6-3-5-12 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 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- A. Compliance with Applicable Requirements:** 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. Hours of Operation:** The Applicant shall operate the Financial Institution authorized by this ordinance only between the hours of 7:00 a.m. and 9:00 p.m. on any given Monday, Tuesday, Wednesday, Thursday, Friday or Saturday. The Financial Institution is not authorized by this ordinance to operate on any given Sunday.
- C. Employee Parking:** Employees may not utilize on-street or on-site parking during hours of operation. If Employees necessitate parking, employees shall utilize the off-site located at 935 Chicago Avenue.
- D. Recordation:** 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: September 15, 2015

Approved:

Adopted: September 21, 2015

September 25, 2015

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene  
Rodney Greene, City Clerk

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOT "A" IN THE MAIN CONSOLIDATION, BEING A CONSOLIDATION OF LOTS 1, 2 AND 3 IN BLOCK 11 IN WHITE'S ADDITION TO EVANSTON IN SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 5, 1977 AS DOCUMENT NUMBER 23769201, IN COOK COUNTY, ILLINOIS.

**PINs:** 11-19-401-024-0000

**COMMONLY KNOWN AS:** 520 Main Street, Evanston, Illinois.