

6/29/2018

**80-O-18**

**AN ORDINANCE**

**Granting a Special Use Permit for a Type 2 Restaurant Located at 2901 Central Street in the B1a Business District and oCSC Central Street Overlay District (“Gotta B Crepes”)**

**WHEREAS**, the Zoning Board of Appeals (“ZBA”) met on June 19, 2018, pursuant to proper notice, to consider case no. 18ZMJV-0037, an application filed by Kathia Jones and Ryan Jones (the “Applicant”), lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 2901 Central Street (the “Subject Property”) and located in the B1a Business Zoning District and oCSC Central Street Overlay District, for a Special Use Permit to establish, pursuant to Subsection 6-9-5-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Type 2 Restaurant, “Gotta B Crepes,” 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 Type 2 Restaurant 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 July 9, 2018, 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 approve the application in case no. 18ZMJV-0037; and

**WHEREAS**, at its meeting of July 9, 2018, 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 Type 2 Restaurant on the Subject Property as applied for in case no. 18ZMJV-0037.

**SECTION 3:** Pursuant to Subsection 6-9-5-3 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. 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, including but not limited to: the Sustainability Practices for Type 2 Restaurants submitted by the Applicant dated April 29, 2018.
- B. Hours of Operation:** The Applicant may operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and 10:00 p.m. on any given day.
- C. Parking:** The Applicant or its Employees shall not park in on-street metered spaces near the Subject Property.
- 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.

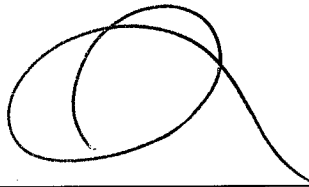
**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, 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: July 9<sup>th</sup>, 2018

Adopted: July 9<sup>th</sup>, 2018

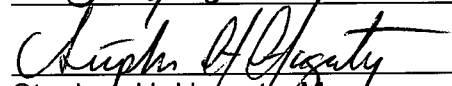
Attest:




Devon Reid, City Clerk

Approved:

July 28, 2018

  
Stephen H. Hagerty, Mayor

Approved as to form:

  
Michelle L. Masoncup, Corporation Counsel

**EXHIBIT A**

**LEGAL DESCRIPTION**

THE WEST 15 FEET OF LOT 15, ALL OF LOT 16 AND THE EAST 10 FEET OF LOT 17 IN WESTERLAWN, A SUBDIVISION OF LOTS 9, 10, 11 AND 12 IN THE COUNTY CLERK'S DIVISION OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 17, 1915 IN BOOK 140 OF PLATS, PAGE 37, AS DOCUMENT NO. 5772065 IN COOK COUNTY, ILLINOIS.

**PIN:** 05-33-429-015-0000

**COMMONLY KNOWN As:** 2901 Central Street, Evanston, Illinois.