

2-O-20

AN ORDINANCE

**Granting a Special Use Permit for a Child Daycare Center Located at
1012-1014 Davis Street in the D2 Downtown Retail Core District
("Guidepost Montessori")**

WHEREAS, the Zoning Board of Appeals ("ZBA") met on November 19, 2019, pursuant to proper notice, to consider case no. 19ZMJV-0085, an application filed by Grant Manny, broker for the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1012-1014 Davis Street (the "Subject Property") and located in the D2 Downtown Retail Core District, for a Special Use Permit to establish, pursuant to Subsection 6-11-3-4 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a Child Daycare Center, "Guidepost Montessori," 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 Child Daycare Center met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approve the application; and

WHEREAS, at its meeting of January 13, 2020, the Planning and Development Committee of the City Council ("P&D Committee") received input from the public, 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. 19ZMJV-0085; and

WHEREAS, at its meeting of January 13, 2020, the City Council considered the ZBA's and P&D Committee's records, findings, and recommendations, and adopted the recommendation of the 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 Child Daycare Center on the Subject Property as applied for in case no. 19ZMJV-0085.

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:** Hours of operation shall not exceed 7 a.m. to 6 p.m. This condition shall not limit accessory events by Guidepost Montessori outside of these hours.
- C. Employee Parking:** Employees shall not park on the street.
- D. Design Scheme:** The applicant shall install a street-facing design scheme that is consistent and appropriate to the neighborhood.
- E. Accessory Events:** Events that are accessory to the daycare use outside of regular daycare hours are permitted.

- F. Parking Lease Requirements:** A minimum of ten (10) parking space shall be leased from the Maple Avenue parking garage for employees.
- G. Alley Improvements:** Applicant shall repave the alley apron at Maple Avenue, patch the alley where needed, and add lighting as necessary.
- H. 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: January 13, 2020

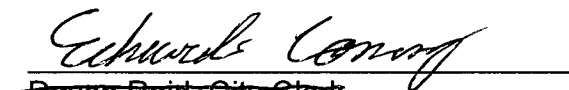
Adopted: January 13, 2020

Approved:

January 21, 2020


Stephen H. Hagerty, Mayor

Attest:


~~Devon Reid, City Clerk~~
Eduardo Gomez, Deputy City Clerk

Approved as to form:



Michelle L. Masoncup, Corporation
Counsel

EXHIBIT A

LEGAL DESCRIPTION

Lot 3 of Block 62 of Evanston in Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PINs: 11-18-309-026-0000
11-18-309-027-0000

COMMONLY KNOWN AS: 1012-1014 Davis Street, Evanston, Illinois.