

**96-O-20**

**AN ORDINANCE**

**Granting a Special Use Permit for a Domestic Animal Daycare and Kennel Located at 900 Clark Street in the RP Research Park District (“Dogtopia of Northshore, LLC”)**

**WHEREAS**, the Zoning Board of Appeals (“ZBA”) met on September 15, 2020, pursuant to proper notice, to consider case no. 20ZMJV-0052, an application filed by Sarah Lewis (the “Applicant”), lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 900 Clark Street (the “Subject Property”) and located in the RP Research Park District, for a Special Use Permit to establish, pursuant to Subsection 6-12-2-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Domestic Animal Daycare and Kennel business 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 Domestic Animal Daycare and Kennel business 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 October 12, 2020, 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 approved the application in case no. 20ZMJV-0052; and

**WHEREAS**, at its meetings of October 12 and October 26, 2020, 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 Domestic Animal Daycare and Kennel business on the Subject Property as applied for in case no. 20ZMJV-0052.

**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, noncompliance or 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:

1. The applicant's special use permit is contingent upon adoption of the Plan Commission recommendation to add Daycare – Domestic Animal, and Kennel, as listed special uses in the RP Research Park Zoning District.
2. The applicant shall communicate plans for the space with neighboring stakeholders and lessees.
3. The applicant shall continue to work with Planning & Zoning Division Staff to provide solutions for beautification and activation of the front-facing façade and streetscape.
4. Hours of operation to be consistent with Plan Commission recommendations.
5. The project be developed in substantial compliance with the documents and testimony on record for the case.

6. 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.

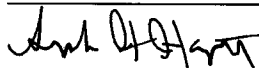
**SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: October 12, 2020

Approved:

Adopted: October 26, 2021

February 11, 2021



Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:



Kelley A. Gandurski, Corporation Counsel

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOT 1 IN DAVIS CHURCH SECOND RESUBDIVISION BEING A RESUBDIVISION OF LOT 1 IN DAVIS CHURCH RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT NUMBER 00766688, IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN CITY OF EVANSTON, ACCORDING TO THE PLAT OF DAVIS CHURCH SECOND RESUBDIVISION RECORDED APRIL 12, 2002 AS DOCUMENT NUMBER 0020426116 IN COOK COUNTY, ILLINOIS.

PIN: 11-18-125-014-0000

COMMONLY KNOWN AS: 900 Clark Street, Evanston, Illinois.