

9/28/94

112-O-94

AN ORDINANCE

Granting Approval to Relocate the Dining Area
in an Existing Special Use in a Type 2
Restaurant at 1001 Davis Street

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on September 13, 1994 pursuant to proper notice in case no. ZBA 94-13-SU(R), wherein Julio Andino, as beneficiary of Bank One, Trust no. 12-385, sought approval to relocate a portion of the dining area serving the existing Type 2 restaurant at 1005 Davis Street in a D2 Downtown Retail Core Zoning District from the Davis Street side of the restaurant to the Maple Avenue side; and

WHEREAS, the subject premises have the status of a legal special use under section 6-4-1-3 of the Zoning Ordinance; and

WHEREAS, under sections 6-4-1-1(B) and 6-3-5-15(B) of the Zoning Ordinance, a special use may not be expanded or relocated without City Council approval; and

WHEREAS, the Zoning Board of Appeals, after taking testimony and receiving other evidence, voted to recommend approval to the City Council of the proposed relocation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That based upon the testimony and other evidence presented to the ZBA in case no. ZBA 94-13-SU(R), the aforesaid application to relocate the dining area

within the existing special use of the Type 2 restaurant at 1005 Davis Street is hereby granted.

SECTION 2: This grant is subject to these conditions and limitations:

- a. The special use granted hereby shall be subject to compliance with all applicable provisions of the Zoning Ordinance and other applicable laws.
- b. The proposed construction and operation of the facility shall be in substantial compliance with the testimony and other evidence presented, and the plans placed on file in connection with this case.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced October 10, 1994

Adopted: October 24, 1994

Approved: October 25, 1994

Lorraine A. Morton
Mayor

ATTEST:
Kristen Davis
City Clerk

Approved as to form:
[Signature]
Corporation Counsel