

3-16-93
3-30-93
4-15-93
4-20-93

38-0-93

AN ORDINANCE

Granting Variations at 635 Chicago Avenue
in Connection with a Walgreen Drug Store

WHEREAS, the Evanston Zoning Board of Appeals conducted public hearings on February 16, 1993 and March 2, 1993 upon the application of Lake South Point Properties, a general partnership, as beneficiary under the American National Bank and Trust Company of Chicago, Trust 59155, and the Bond Drug Company of Illinois, prospective tenant, for variation from the use, off-street parking and off-street loading berth regulations of the Zoning Ordinance to permit installation of a drive-through window to serve a proposed Walgreen's pharmacy, in a C-2 Commercial District; public hearings having been conducted pursuant to notice and publication thereof in the manner prescribed by law; and

WHEREAS, the Zoning Board of Appeals has recommended that the application for variations be granted;

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

SECTION 1: That, based upon the evidence and testimony presented at the hearings, and upon deliberations and findings of fact contained in the

transcript of the Zoning Board of Appeals Case No. 92-41-V(R), upon the application of Lake South Point Properties, a general partnership, as beneficiary under the American National Bank and Trust Company of Chicago, Trust 59155, and the Bond Drug Company of Illinois, prospective tenant, for variation from the use, off-street parking and off-street loading berth regulations of the Zoning Ordinance to permit installation of a drive-through window to serve a proposed Walgreen's pharmacy, a reduction in the number of off-street parking spaces serving the shopping center from 93 spaces to 87 spaces, and a reduction in the number of off-street loading berths serving the shopping center from two spaces to one space, on the property located at 635 Chicago Avenue, in a C-2 Commercial District, legally described as:

"LOT 1 OF THE SOUTH POINT CONSOLIDATION OF LOTS 11 TO 18, BOTH INCLUSIVE IN BLOCK 2 IN KEDZIE AND KEENEY'S ADDITION TO EVANSTON IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS", is hereby granted, subject to the following conditions and restrictions.

1. The proposed construction shall be in substantial compliance with the testimony presented and the plans placed on file in connection with this case;
2. Service at the proposed drive-through window shall be limited to the dispensing of prescription drugs and non-prescription drugs and medical devices, when these latter two are accompanied by prescription drugs. For purposes of this Ordinance, a "medical device" is:

"an article, other than a drug, which is used to diagnose, treat, cure, prevent, or mitigate human disease or other conditions."
3. All parking area lighting shall be of the full cut-off type and the light source shall be shielded so it will not be seen beyond the property lines;

- 4. The applicants in this case shall take steps to notify the residential property owners within a reasonable distance of the site that non-customer parking will be prohibited on the subject premises.
- 5. Signage shall be posted on the premises to prohibit non-customer parking prior to issuance of a certificate of occupancy for the proposed Walgreen's store.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: March 22, 1993

Adopted: April 13, 1993

Approved: April 26, 1993

Joe Kent
Mayor pro tem

ATTEST:

Kristen S. Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

