

11/28/95
12/14/95

111-O-95

AN ORDINANCE

Granting a Special Use to Permit
Establishment of a Type 2 Restaurant
at 1745 Benson Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on October 17, 1995 and November 21, 1995 pursuant to proper notice in case no. ZBA 95-23-SU(R), wherein the applicant, Dough Meisters LLC, sought approval for a special use to permit establishment of a Type 2 restaurant at 1745 Benson Avenue, on property located in the D2 Downtown Retail Core District; and

WHEREAS, based upon the testimony, plans, and other evidence presented, the ZBA made written findings of fact, determining that the proposed special use met each of the standards for special uses set forth in section 6-3-5-10 of the Zoning Ordinance; and

WHEREAS, the ZBA voted to recommend that the City Council grant the application,

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

SECTION 1: That based upon the testimony, plans, and other evidence presented to the ZBA, the City Council hereby adopts the findings and recommendation of the ZBA and grants the special use application of Dough Meisters LLC to establish a Type 2 restaurant, Papa John's Pizza, on property legally described as:

"LOT 1 IN NORDON'S CONSOLIDATIONS OF THE WEST 100 FEET OF LOTS 18 AND 19 AND 17 (EXCEPT THE EAST 5.19 FEET OF THE NORTH 1/2 THEREOF) IN NORTHWESTERN UNIVERSITY'S RESUBDIVISION OF BLOCK 17 IN EVANSTON IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 28, 1988 AS DOCUMENT 88042206, IN COOK COUNTY, ILLINOIS.

SECTION 2: Pursuant to section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions and limitations on the grant of a special use, these conditions and limitations are hereby imposed:

1. Refuse trash and garbage collection will be as follows:
 - a. Refuse will be deposited into a dumpster on a daily basis.
 - b. The dumpster(s) will be 1) provided in sufficient number(s) and size to hold all refuse accumulated between collections, 2) easy to clean, 3) maintained in a clean condition, 4) provided with tight-fitting lids and doors which shall be closed unless in use.
 - c. Refuse is to be collected and hauled away at intervals appropriate to prevent development of objectionable odors and attraction of insects and rodents. The Applicant will schedule refuse collections to occur twice each week, and will promptly institute appropriate changes if this schedule proves insufficient.
 - d. Employees of the subject Type 2 restaurant will, no less than twice daily, collect all refuse, regardless of source, within 100 feet of the subject property. The opening and evening managers will be responsible for refuse collection at the beginning of their respective shifts.
2. No seating for patrons is allowed.
3. Delivery personnel will be instructed that they are not to double-park in the 1700 Block of Benson Avenue or the 800 Block of Clark Street. Delivery vehicles are to park in legal spaces. Managerial personnel will monitor compliance with this condition and will promptly take appropriate corrective action.
4. Personnel other than delivery drivers will park in legal spaces, and are prohibited from parking in the 1700 Block of Benson Avenue or the 800 Block of Clark Street.

5. The proposed construction and operation of said Type 2 restaurant shall be in substantial compliance with the testimony presented and the plans placed on file in connection with this case, including, but not limited to, the floor plan and menu.

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

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

Introduced December 11, 1995

Adopted: December 11, 199~~6~~⁵

Approved: December 14, 199~~6~~⁵

Lorraine H. Morton
Mayor

ATTEST:

Lester Davis
City Clerk

Approved as to form:
[Signature]
Corporation Counsel

