

37-0-96

AN ORDINANCE

Granting a Special Use for a Type 2
Restaurant at 1307 1/2 Chicago Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on March 19, 1996 pursuant to proper notice in case no. 96-5-SU(R), wherein the applicant, The New World Bagel Company, as prospective lessee, sought a special use to permit installation of a Type 2 Restaurant on the property located at 1307 1/2 Chicago Avenue, on property located in a B1 Business District; and

WHEREAS, based upon the testimony, plans, and other evidence 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 The New World Bagel Company, as prospective lessee, for a special use to permit installation of a Type 2 Restaurant at 1307 1/2 Chicago Avenue, on property legally described as:

"LOT 11 IN BLOCK 38 IN EVANSTON, IN THE SE 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, 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 limitation are hereby imposed.

- a. The special use granted hereby shall be subject to compliance with all applicable provisions of the Zoning Ordinance and other applicable laws;
- b. Installation and operation of said Type 2 Restaurant shall be in substantial compliance with the testimony and documents placed on file in connection with this case;
- c. Compliance with the menu, and the trash collection plan attached hereto and identified as exhibit A, are required, except that the distance for such trash collection shall be 150 feet, instead of the 200 feet, stipulated in said plan;
- d. Approval of this proposal only authorizes the filing and processing of applications for such permits or such other approvals as may be required by the regulations of the City, including but not limited to, a building permit and a certificate of occupancy.

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 April 9, 1996

Adopted: May 6, 1996

Approved: May 8, 1996
Lorraine H. Norton
Mayor

ATTEST:
Lester A. Lewis
City Clerk

Approved as to form:
[Signature]
Corporation Counsel

EXHIBIT A

ZBA 96-5-SU(R)

TRASH COLLECTION PLAN

Active Service Corporation will be our trash service. Our trash bins will be located in back of the building next to other bins serviced by Active Service Corporation. We will actively recycle everything possible. We will also check the surrounding area within at least 200 feet for any trash or debris at least three times a day and whenever necessary. The trash schedule follows: Before the doors open-5:45am. After the breakfast period-10:00am. After lunch-3:00pm. In addition to our own trash we will pick up any trash to ensure that Evanston remains a clean city.

