

62-0-96

AN ORDINANCE

Granting a Special Use to Permit
Establishment of a Type 2 Restaurant
at 1600 Orrington Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on April 16, 1996 and May 7, 1996 pursuant to proper notice in case no. 96-9-SU(R), wherein the applicants, Cole Taylor Bank, as trustee under Trust no. 956237, Monte Viner and A. Frederich Chapekis, beneficiaries, and La Madeleine of Illinois, prospective lessee, sought approval for a special use to permit establishment of a Type 2 Restaurant at 1600 Orrington 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, and

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 Cole Taylor Bank, as Trustee under Trust no. 956237, Monte Viner and A. Frederich Chapekis, beneficiaries, and La Madeleine of Illinois,

prospective lessee, to establish a Type 2 Restaurant at 1600 Orrington Avenue on property legally described as:

"LOT 8, 9 AND 10 IN THE SUBDIVISION OF BLOCK 28 IN THE VILLAGE OF EVANSTON IN THE WEST 1/2 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SECTION 2: That 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:

- a. Operation of the said Type II Restaurant shall conform to the evidence presented at the hearing.
- b. The Litter Collection Plan submitted at the hearing attached hereto as Attachment 1, shall be instituted by the operator of said Type II Restaurant subject to the proviso that the employees of said Type II Restaurant shall, not less than twice daily, but consistently throughout the day, collect all refuse, regardless of source, within 150 feet of the subject property;
- c. The Employee Parking Plan submitted at the hearing, attached hereto as Attachment 2, shall be instituted by the operator of said Type II Restaurant;
- d. Approval of this proposal shall only authorize 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: 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 June 10, 1996

Adopted: June 10, 1996

Approved: June 11, 1996

Lorraine H. Norton
Mayor

ATTEST:

Justin Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

ATTACHMENT 1

**La Madeleine French Bakery and Cafe
Litter Collection Plan
1601 Sherman/1600 Orrington**

La Madeleine French Bakery and Cafe strives to create a favorable ambiance and cleanliness of facilities, both interior and exterior, is a critical component of that goal.

La Madeleine demands that the facilities be clean at all times; to ensure such cleanliness there are " bus people" assigned during the daily operation of the restaurant to police not only the inside of the premises, but the exterior as well.

The routine is established to insure that all areas inside and out are free of trash and other unwanted items. These checks are made continuously through the day including, before opening and after closing. All refuse will be deposited into a dumpster on a daily basis.

Dumpsters shall be provided in sufficient numbers and size to hold all refuse accumulated between collections, shall be easy to clean and shall be maintained in a clean condition and shall be provided with tight fitting lids, which shall be closed unless in use. Refuse shall be collected and hauled away in intervals appropriate to prevent development of objectionable odors and attractions of insects and rodents.

The applicant shall schedule refuse collections to occur as often as necessary to assure the cleanliness of the facility. Employees of the La Madeleine Restaurant shall not less than twice daily, but, consistently through out the day collect all refuse, regardless of source within 100 feet of the subject property. The opening and closing managers will be responsible for this refuse collection at the beginning and end of their respective shifts.

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ATTACHMENT 2

**La Madeleine French Bakery and Cafe
Employee Parking Plan
1601 Sherman/1600 Orrington**

La Madeleine French Bakery and Cafe understands and appreciates the necessity of providing parking availability for its patrons that arrive by vehicle.

To accommodate this need, La Madeleine employees shall, as a condition of their employment, be compelled to park their vehicles in places other than the metered spaces on the streets adjacent and around the restaurant facility.

La Madeleine contemplates that most of its employees shall arrive by public transportation.

However, employees that are compelled to drive to work shall be ordered to park in the upper levels of the city parking garage and thereby leaving the lower levels for restaurant patrons and other visitors to the downtown area.

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