

63-0-96

AN ORDINANCE

Granting a Special Use for a
Type 2 Restaurant at 1740 Sherman 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. 96-8-SU(R), wherein the applicant, Xenophon Koliopoulos, sought a special use to permit a change in use from a Type 1 Restaurant to a Type 2 Restaurant at 1740 Sherman Avenue 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 Xenophon Koliopoulos to permit a Type 2 Restaurant at 1740 Sherman Avenue on property legally described as:

PARCEL ONE: THE NORTH 47.50 FEET OF THE EAST 110.0 FEET OF LOT 1 IN BLOCK 17 IN THE ORIGINAL VILLAGE OF EVANSTON, IN FRACTIONAL SECTION 18, TOWNSHIP 41 NORTH RANGE 14 EAST OF THE 3RD PRINCIPAL MERIDIAN.

PARCEL TWO: THE NORTH 45.0 FEET OF LOT 1 AND THE WEST 6.0 FEET OF THE EAST 110.0 FEET OF LOT 1 (EXCEPT THE NORTH 47.50 FEET THEREOF) AND THE WEST 51.0 FEET OF THE NORTH 40.0 FEET OF LOT 2 IN BLOCK 17 IN THE ORIGINAL VILLAGE OF EVANSTON, IN FRACTIONAL 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, set forth in Attachment 1, made a part hereof, 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. 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

Kristen Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

January 29, 1996

LITTER COLLECTION PLAN FOR THE 1740 SHERMAN AVENUE RESTAURANT

Upon approval of the Special Use Permit to operate as a Restaurant, Type II, the 1740 Sherman Avenue Restaurant will enforce its litter collection plan in the following manner:

The restaurant owners will maintain a list of the employees responsible for the litter clean up detail on an daily basis, seven days a week. Such employees will pick up all sidewalk litter at the south west corner of Sherman avenue and Clark Street, westward at the corner to the alley west of the building; further, from the southwest corner of Sherman and Clark south to the alley. The litter patrol will pick up all sidewalk litter in the aforementioned designated location at 10:00 a.m. and again at 2:30 p.m. each day, seven days a week, so long as the business is open for the day.