

5/28/97, 6/26/97

**60-O-97  
AN ORDINANCE**

**Granting a Special Use to  
Permit Type 2 Restaurant at  
843 Dodge Avenue and Release  
of Certain Conditions in Ordinance 55-O-87**

**WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on May 20, 1997 in case no. ZBA 97-14-SU(R), pursuant to proper notice on the application of Adel Ubeid, lessee, for a special use to permit a Type 2 restaurant at 843 Dodge Avenue in the C1, Commercial District, and from release of certain conditions imposed by Ordinance 55-O-87; and**

**WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made findings that the aforesaid special use met the standards of section 6-3-5-10 of the Zoning Ordinance, and that release of the conditions in question was appropriate, and recommended that the City Council grant the requested relief,**

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

**SECTION 1: That the City Council hereby adopts the findings and recommendations of the ZBA and grants the aforesaid application of Adel Ubeid, lessee of the subject property at 843 Dodge Avenue, legally described as follows:**

**LOT 10 IN BLOCK 4 IN PITNER AND SON'S SECOND ADDITION TO SOUTH EVANSTON IN SECTION 24, TOWNSHIP 41, NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

**ALSO:**

**LOT 11 IN BLOCK 4 (EXCEPTING THAT PART THEREOF LYING WEST OF A LINE 40 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTH EAST QUARTER OF SAID SECTION 24); IN PITNER AND SON'S SECOND ADDITION TO SOUTH EVANSTON AFORESAID, 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 upon the grant of a special use, these conditions are hereby imposed.**

**(A) The operation of the type 2 restaurant will be in substantial compliance with the testimony presented and the plans and documents placed on file in connection with this case.**

**(B) The type 2 restaurant shall be limited to unit 3 of the subject property.**

**(C) The operator of the type 2 restaurant shall institute and maintain compliance with the litter collection plan presented at the ZBA hearing, as Attachment 1, made a part hereof.**

**(D) The operator of the type 2 restaurant shall limit the hours of operation from 9 a.m. to 10 p.m. Monday through Saturday and 11 a.m. through 8 p.m. on Sundays, provided the operator of the type 2 restaurant may extend the hours of operation upon approval of City Manager or his or her designee upon the City Manager's determination that the operator of the type 2 restaurant has taken all reasonable steps to prevent loitering within the type 2 restaurant and upon the subject property provided that: the restaurant otherwise be in compliance with all City codes and regulations; and the hours of operation at no time may be earlier than 6:00 a.m. nor later than 11:30 p.m.**

**(E) The sale of alcohol upon the subject property in conjunction with the type 2 restaurant is prohibited.**

**(F) Violation of any of the above conditions or any other applicable laws or regulations may void the special use permit to operate a type 2 restaurant.**


**SECTION 3: That all conditions imposed upon the subject property by Ordinance 55-O-87, and reflected in the covenant recorded as document number 87459028, are hereby released.**

**SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.**

**SECTION 5: 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 June 9, 1997

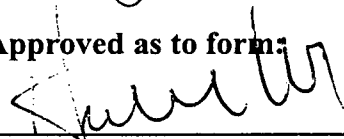
Adopted: June 23, 1997

Approved: July 1, 1997  
  
\_\_\_\_\_  
Mayor pro tem

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Corporation Counsel

ATTACHMENT I

PURPOSED PLAN TO MAINTAIN CLEANLINESS  
WITHIN 150 FEET OF THE FUN IN THE BUN

1. I WILL HAVE THE GARBAGE DISPOSAL SERVICE PICK UP 3 TIMES A WEEK.
2. I HAVE HIRED EMPLOYEES THAT WILL CLEAN THE STORE FRONT AS WELL AS THE PARKING LOT 3 TIMES A DAY. (MORNING, AFTER LUNCH AND BEFORE CLOSING NIGHTLY).
3. I WILL CONTINUE TO HAVE THE INSIDE OF THE RESTAURANT CLEANED CONTINUOUSLY THROUGH OUT THE DAY AS WELL AS A THOROUGH CLEANING BEFORE CLOSING NIGHTLY.
4. I WILL CONTINUE TO CLEAN WITHIN 150 FEET OF THE RESTAURANT AND FOR THAT PURPOSE I HAVE ALREADY HIRED PEOPLE TO PERFORM THESE DUTIES 3 TIMES A DAY.

ADEL UBEID  
FUN IN THE BUN