

7/8/97, 7/31/97

76-O-97

AN ORDINANCE

Granting a Special Use to Permit a Type 2
Restaurant at 1458 Sherman Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on June 17, 1997 in case no. ZBA 97-16-SU(R), pursuant to proper notice on the application of Charles Murray, as prospective lessee of the subject property at 1458 Sherman Avenue, located in a D4 Downtown Transition District, for a special use to permit a Type 2 restaurant; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made findings pursuant to section 6-3-5-10 of the Zoning Ordinance that the application met the standards for special uses, and recommended 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 the aforesaid application of Charles Murray, prospective lessee of the subject property, for a special use to permit a Type 2 restaurant at 1458 Sherman Avenue, is hereby granted, and the findings and recommendations of the ZBA hereby adopted, on property legally described as:

Consolidation of Lots 8, 9, and 10 (Except the Westerly 40.0 feet thereof) in block 52 in Evanston, in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in the City of Evanston, Cook County, Illinois.

SECTION 2: That the grant of special use is subject to these conditions:

(A) 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 operator of the type 2 restaurant shall institute and maintain compliance with the litter collection plan presented at the hearing, set forth as Attachment 1 hereto.

(C) The operator of the Type 2 Restaurant shall maintain the above-referenced litter plan within a radius of no less than 150 feet from all lot lines of the subject property and shall keep this area free of rubbish, litter, waste material, and debris including food, beverages, napkins, straws, containers, bags, utensils, cups, plates, bottles, cans and other similar waste material emanating from any source.

(D) The proprietor of the Type 2 Restaurant shall take affirmative action to discourage customers from double parking on Sherman Avenue.

(E) The proprietor of the Type 2 Restaurant shall insure that delivery personnel employed in conjunction with the Type 2 Restaurant shall not park in violation of any codes, ordinances or regulations while so employed.

(F) Violations of any of the above conditions or any other applicable laws or regulations may void the special use permit granted by this Ordinance.

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 July 14, 1997

Adopted: July 28, 1997

Approved: August 4, 1997

Lorraine A. Norton
Mayor

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:
Ellen Simanski
Asst. Corporation Counsel