

5/19/99, 6/10/99

76-O-99

AN ORDINANCE

**Granting a Special Use for a Type 2
Restaurant for Michelini's at 2545 Prairie**

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on April 6 and May 4, 1999, in case number 99-12-SU(R), pursuant to proper notice, on the application of Sofia and Igor Grois, property owners, for a special use pursuant to Section 6-9-3-3 of the Zoning Ordinance, to allow a type 2 restaurant at 2545 Prairie within the B2 Business District to allow the restaurant to accommodate pick-up and delivery service in addition to consumption on the premises; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made written findings pursuant to Section 6-3-5-10 the Zoning Ordinance that the application met the standards for special uses and recommended that the City Council grant the application; and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the ZBA's findings and recommendation,

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

SECTION 1: The City Council hereby adopts the findings and recommendation of the Planning and Development Committee in the aforescribed case number 99-12-SU(R) and grants said special use on the property legally described as follows:

LOT 13 IN RANDEV'S SUBDIVISION OF LOTS 8 AND 9 IN BLOCK 19 IN NORTH EVANSTON, LYING IN THE NORTHWEST FRACTIONAL QUARTER OF FRACATIONAL SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, 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 upon the grant of special uses these conditions are hereby imposed:

1. Development and use of the property shall be in substantial compliance with the testimony presented by the applicant, documents placed on file and approved plans, all in connection with this case. Such development and use shall include, but not be limited to, a restaurant in which no less than 75% of the floor area to which customers normally have access will be operated as a Type 1 restaurant, which will have no fewer than ten dining tables used in the manner of dining tables in Type 1 restaurants, and which shall have wait staff service.
2. The land owner of the subject property and the proprietor of the type 2 restaurant shall not illegally park or cause to be illegally parked any vehicle so located owing to the use of the subject property as a restaurant, nor shall any employees of the restaurant on the subject property illegally park their vehicles or any other vehicles in conjunction with the operation of this restaurant use.
3. The land-owner of the subject property and the proprietor of the type 2 restaurant shall take all reasonable steps to encourage and inform its patrons that they are not to park illegally in conjunction with their use of this restaurant use.
4. The proprietor of the type 2 restaurant shall institute and maintain compliance with a litter collection plan requiring no less than twice daily policing of an area within 150 feet of the subject property for trash originating anywhere.

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: May 24, 1999

Adopted: June 14, 1999

Approved: June 15, 1999

Mayor pro tem

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:
[Signature]
Corporation Counsel