

11/18/99

140-0-99

AN ORDINANCE

**Granting a Special Use to
Permit a Portion of 2924 Central Street to
Operate as a Type 2 Restaurant**

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on October 19, 1999 in Case Number ZBA 99-51-SU(R), pursuant to proper notice on the application of Adam Bezark and Carol Bezark, lessees, for a special use pursuant to Section 6-9-3-3 of the Zoning Ordinance to permit a portion of the business at 2924 Central Street ("subject property") to operate as a Type 2 Restaurant, within a B2 Business District; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made written 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; 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: That the City Council hereby adopts the findings and recommendations of the Planning and Development Committee in the aforescribed Case Number 99-51-SU(R) and grants said special use on the property legally described as follows:

PARCEL 1: LOT 1 (EXCEPT THE WEST 20.15 FEET) IN BLOCK 1 IN ARTHUR T. MCINTOSH'S CENTRAL WOOD ADDITION TO EVANSTON, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 11, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: A 30 FOOT STRIP EAST OF AND ADJOINING LOT 1 IN BLOCK 1 IN ARTHUR T. MCINTOSH'S CENTRAL WOOD ADDITION TO EVANSTON, VACATED BY ORDINANCE PASSED BY THE CITY COUNCIL OF CITY OF EVANSTON ON JUNE 1, 1943 AND RECORDED JUNE 10, 1943 AS DOCUMENT NUMBER 1308963, IN FRACTIONAL SECTION 11, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 2924 CENTRAL STREET, EVANSTON, 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:

- a. Development and use of the subject property shall be in substantial compliance with the testimony of the applicants, documents filed by the applicants, and the plans as approved, all in Case Number 99-51-SU(R).
- b. The operator of the subject use shall institute and maintain compliance with a litter collection plan requiring policing of an area within 250 feet of the subject property as described in Attachment 1.
- c. The operator of the subject use shall take all reasonable steps to secure and maintain the maximum number of waste receptacles and the maximum number of scavenger service pickups necessary to assure that at no time will the subject property lack sufficient waste receptacle capacity to contain the waste generated by or present on the subject use prior to the next trash pickup. The operator of the subject use shall at all times maintain all waste receptacles on the subject use in good condition, with tight-fitting lids, and shall keep said receptacles on surfaces which meet applicable City Code requirements. At no time shall the operator of the subject use allow the volume of waste placed in a waste receptacle to exceed the capacity of the receptacle so that the lid of the

receptacle is not secure, and the operator shall assure that all waste is contained in City Code-complaint receptacles, and only therein.

- d. The subject facility shall be operated and maintained at all times in compliance with all applicable legislation, including but not limited to Title 8 of the City Code, relating to Health and Sanitation, as it may be amended from time to time.
- e. Violation of any of the above conditions or any other applicable legislation or regulations may void the special use permit granted herein.

SECTION 3: That all ordinances or parts of ordinances in conflict

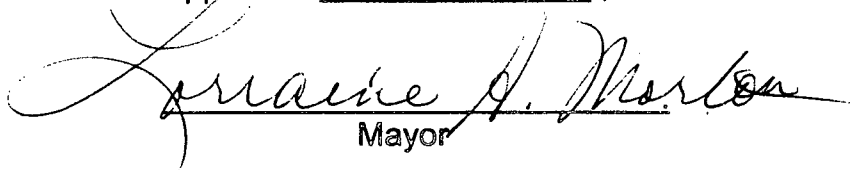
herewith are hereby repealed.

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.

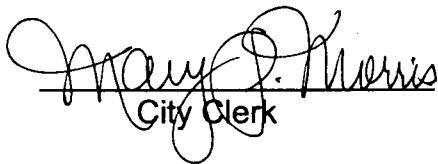
Introduced: November 22, 1999

Adopted: December 13, 1999

Approved: December 16, 1999


 Lorraine A. Norton
 Mayor

ATTEST:


 Mary J. Morris
 City Clerk

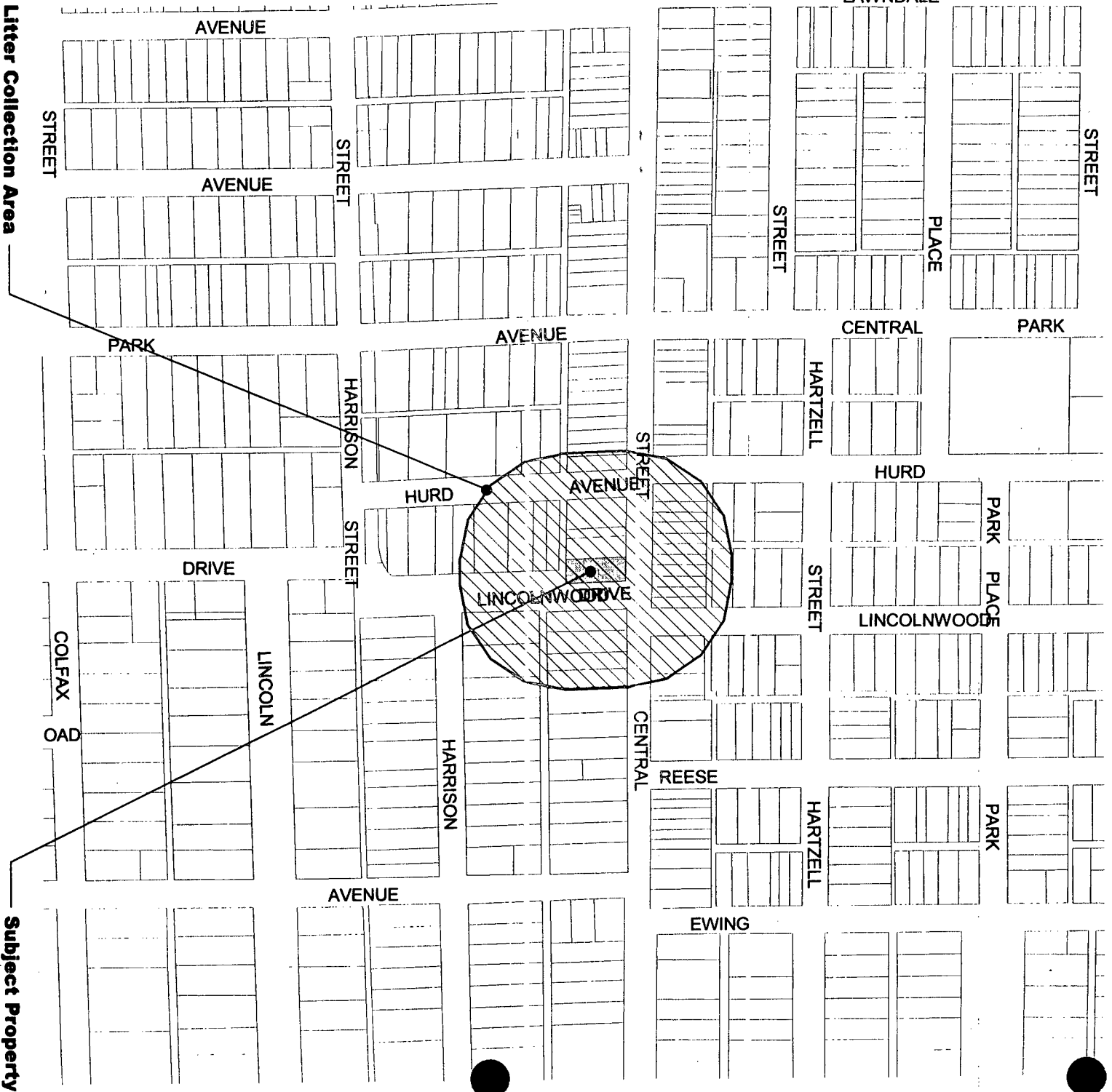
Approved as to form:


 Asst. Corporation Counsel

ATTACHMENT to ORDINANCE #140-0-99

Litter Collection Area for 2924 Central Street

(Within 250 Feet of Subject Property, Including Adjacent Right-of-Way)



Litter Collection Area

Subject Property

City of Evanston
November 15, 1999

Marc Mylott, AICP
Zoning Planner
Zoning Division of the Community Development Department

