

3-O-02

**AN ORDINANCE**

**Granting a Special Use to Allow a  
Type 2 Restaurant at 803 ½ Chicago Avenue**

**WHEREAS**, the Zoning Board of Appeals ("ZBA") held a public hearing on January 15, 2002 in case no. ZBA 02-03 SU (R) pursuant to proper notice, on the application of Eileen Gelman, lessee, with written approval from Evanston Property Management Company, subject property owner, for a special use to allow a Type 2 restaurant pursuant to Section 6-10-3-3 of the Zoning Ordinance at 803 ½ Chicago Avenue, in a C1a Commercial District; and

**WHEREAS**, the ZBA, after hearing testimony and receiving other evidence, made a written record and determined that the application met the standards for special uses set forth in Section 6-3-5 of the Zoning Ordinance, and recommended City Council approval thereof; and

**WHEREAS**, the Planning and Development Committee of the City Council after considering the ZBA's record at its January 28, 2002 meeting, recommended City Council approval of the application; and

**WHEREAS**, the City Council considered Ordinance 3-O-02 at its January 28, 2002 and February 11, 2002 meetings,

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 record, findings, and recommendation of the ZBA and the record and recommendation of the Planning and Development Committee and grants the special use sought in case no. ZBA 02-03 SU (R), to construct and operate a type 2 restaurant at 803 ½ Chicago Avenue on the subject property legally described as:

LOT 11 (EXCEPT THE NORTHERLY 7 FEET THEREOF) AND LOT 12 (EXCEPT FROM SAID LOT 12 PART THEREOF TAKEN FOR KEDZIE STREET) IN BLOCK 11 IN WHIT'S ADDITION TO EVANSTON IN THE SOUTHEAST QUARTER OF SECTION 19, 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 for imposition of conditions on the grants of special uses these conditions are hereby imposed:

Construction and operation of the subject use shall be in accordance with representations of the applicant to the ZBA, Planning and Development Committee, and City Council, the application and other evidence presented by the applicant in connection with this case, and with all applicable legislation.

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.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: January 28, 2002  
Adopted: February 11, 2002

Approved: February 12, 2002

Lorraine H. Motter  
Mayor

ATTEST:

Mary D. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel