

1/28/2003

10-O-03

AN ORDINANCE

**Granting a Special Use to Allow
Performance Entertainment Venue
At 1029 Davis Street**

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on January 7, 2003 pursuant to proper notice in case no. ZBA 02-68-SU (R) on the application of Westwind Unlimited, Inc. lessee, for a special use to allow a performance entertainment venue at 1029 Davis Street, ("subject property") within the D2 Downtown Retail Core District; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, with a written record made thereof, made written findings pursuant to Section 6-3-5-10 of the Zoning Ordinance and recommended City Council approval of the application; and

WHEREAS, the Planning and Development Committee considered the record and recommendation of the ZBA at its January 27, 2003 and February 10, 2003 meetings and recommended City Council approval thereof with modifications; and

WHEREAS, the City Council considered the respective records and recommendations of the ZBA and the Planning and Development Committee at its January 27, 2003 and February 10, 2003 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 findings and recommendation of the ZBA as modified by Planning and Development Committee in

the aforescribed case no. ZBA 02-68-SU (R) and grants said special use to operate a performance entertainment venue on property commonly known as 1029 Davis Street and legally described as follows:

THE SOUTH 134 FEET OF LOT 7 AND THE SOUTH 134 FEET OF LOT 8 (EXCEPT THE SOUTH 134 FEET OF THE EAST 60 FEET OF LOT 8) IN BLOCK 67 IN EVANSTON, A SUBDIVISION IN THE WEST – SOUTHWEST OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SECTION 2: Pursuant to Section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions and limitations on the grant of a special use, the following conditions and limitations are hereby imposed. When necessary to effectuate said conditions, and limitations, “applicant” shall be read as “owner”.

- a. The special use granted hereby shall be subject to compliance with all applicable provisions of the Zoning Ordinance and other applicable laws and regulations.
- b. The approval is subject to construction and operation of the use in substantial compliance with testimony and representations of the Applicant to the ZBA, Planning and Development Committee and City Council, documents placed on file in connection with this case by the Applicant, and the plans, as approved by the City.

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 27, 2003

Adopted: February 10, 2003

Approved: February 11, 2003

Lorraine A. Morton
Mayor

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

