

12/13/2010
12/6/2010

96-O-10

AN ORDINANCE

**Granting a Special Use Permit for a Micro-Distillery
Located at 918 Chicago Avenue in the
C1a Commercial Zoning District**

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on November 30, 2010, pursuant to proper notice, to consider case no. 10ZMJV-0104, an application by Paul Hletko (the “Applicant”), lessee, with permission from 920 Chicago LLC, owner of the property legally described in Exhibit A, attached hereto and made a part hereof, commonly known as 918 Chicago Avenue (the “Subject Property”) and located in the C1a Commercial Zoning District, for a Special Use Permit to establish, pursuant to Subsection 6-10-3-3 of Title 6 of the Evanston City Code, 1979, as amended, (“the Zoning Ordinance”), a Micro-Distillery on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Micro-Distillery met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of December 13, 2010, the Planning and Development Committee of the City Council (“P&D Committee”) considered and adopted the ZBA’s record and findings and recommended City Council approval thereof; and

WHEREAS, at its meeting of December 13, 2010, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee,

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

SECTION 1: That the foregoing recitals are found as fact and made a part hereof.

SECTION 2: That the City Council hereby approves the Special Use Permit for a Micro-Distillery on the Subject Property as applied for in case 10ZMJV-0104.

SECTION 3: That, pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the grant of a Special Use Permit, violation of any of which shall constitute grounds for revocation thereof pursuant to Subsection 6-3-10-6 of the Zoning Ordinance:

- A. Compliance with Applicable Requirements:** The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the testimony and representations of the Applicant to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. Licenses and Permits:** The Applicant must acquire all necessary license and permits from any applicable governing body before it may begin operation of the Micro-Distillery authorized by the terms of this ordinance.
- C. Hours of Operation:** The Applicant may operate the Micro-Distillery's tasting room only between 5:00 p.m. and 8:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and between 12:00 noon and 6:00 p.m. on any Saturday. The Applicant shall not operate said tasting room on any Sunday.

D. Trash Collection Plan: The Applicant and/or the owner of the Subject Property shall provide that trash shall be collected from the Micro-Distillery authorized by the terms of this ordinance no less than two (2) times per week.

SECTION 4: That, when necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

SECTION 5: That, before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

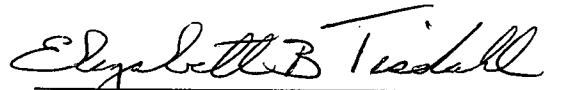
SECTION 6: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: That if any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 8: 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: December 13, 2010 Approved:

Adopted: December 13, 2010 December 15, 2010


Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:


Rodney Greene, City Clerk


W. Grant Farrar, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

THE NORTHERLY 75 FT. (EXCEPT THE WESTERLY 50 FT. THEREOF) OF LOT 4 IN BLOCK 1, IN GIBB, LADD & GEORGE'S ADDITION TO EVANSTON, BEING A SUBDIVISION OF PART OF THE SOUTH ½ OF THE NE ¼ OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 11-19-213-013-0000

COMMONLY KNOWN As: 918 Chicago Avenue, Evanston, Illinois.

