

2/2/2017

13-O-17

AN ORDINANCE

**Granting a Special Use Permit for a Micro-Distillery
Located at 600 Main Street in the B2 Business Zoning District
and the oDM Dempster-Main Overlay Zoning District**

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on January 24, 2017, pursuant to proper notice, to consider case no. 16ZMJV-0114, an application by Walter Clements (the “Applicant”), lessee of the property legally described in Exhibit A, attached hereto and made a part hereof, commonly known as 600 Main Street (the “Subject Property”) and located in the B2 Business Zoning District and the oDM Dempster-Main Overlay Zoning District, for a Special Use Permit to establish, pursuant to Subsection 6-10-3-3 of Title 6 of the Evanston City Code, 2012, 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 February 13, 2017, 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 February 13, 2017, 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: The foregoing recitals are found as fact and made a part hereof.

SECTION 2: The City Council hereby approves the Special Use Permit for a Micro-Distillery on the Subject Property as applied for in case 16ZMJV-0114.

SECTION 3: 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.

- C. Hours of Operation:** The Applicant may operate the Micro-Distillery's tasting room only between 10:00 a.m. and 12:00 a.m. on any given Sunday, Monday, Tuesday, Wednesday, or Thursday, and between 10:00 a.m. and 1:00 a.m. on any given Friday or Saturday.

SECTION 4: 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: 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: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

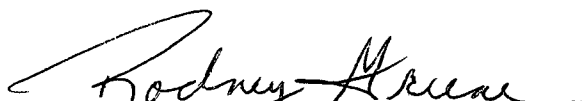
SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision,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

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: February 13, 2017 Approved:
Adopted: February 13, 2017 February 2, 2017


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

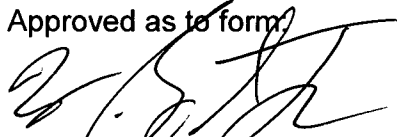
Approved as to form:

W. Grant Farrar, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF WASHINGTON STREET AND THE EAST RIGHT OF WAY LINE OF CUSTER AVENUE; THENCE NORTH 01 DEGREE 16'54" WEST, 374.14 FEET TO THE SOUTH RIGHT OF WAY LINE OF MAIN STREET; THENCE SOUTH 89 DEGREES 59'17" EAST, 100.62 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH 10 DEGREES 16'54" EAST, 374.46 FEET TO THE NORTH RIGHT OF WAY LINE OF WASHINGTON STREET; THENCE NORTH 89 DEGREES 48'34" WEST, 100.68 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN: 11-19-500-002-0000

COMMONLY KNOWN AS: 600 Main Street, Evanston, Illinois.