

10/05/00

116-O-00

**AN ORDINANCE**

**Granting a Special Use for a Type 2 Restaurant  
At 2122 Central Street**

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on September 19, 2000 pursuant to proper notice in case no. ZBA 00-29-SU(R) on the application of Eric Fosse, owner of Homemade Pizza Company, with consent of Vincent Comerci and Paula Comerci, holders of beneficial interest in Harris Bank Winnetka Trust no. 774, property owner, for a special use to allow use of premises at 2122 Central Street as a type 2 restaurant in 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 recommendations at its October 10, 2000 meeting and recommended City Council approved thereof, and

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 Planning and Development Committee in the aforescribed case no. ZBA 00-29-SU(R) and grants said special use on property legally described as follows:

THE NORTH 70 FEET OF LOT 1 IN BLOCK 18 IN NORTH EVANSTON, BEING A SUBDIVISION OF LOTS 11, 12, 13, 14, 15 & 16 AND THE WEST 4.30 ACRES OF LOT 17 IN GEORGE SMITH'S SUBDIVISION OF THE SOUTH PART OF ARCHANGE OUILMETTE RESERVE, AND ALSO OF LOTS 1, 3 & PART OF LOT 12 OF ASSESSOR'S PLAT OF EVANSTON, IN COOK COUNTY, ILLINOIS (IN THE WEST ½ OF SECTION 12, T.41 N.R. 13E. OF THE 3<sup>RD</sup> P.M.).

**SECTION 2:** That pursuant to section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions on the grant of special uses, these conditions are hereby imposed:

- a. Development, use, and operation of the type 2 restaurant shall be in substantial compliance with the testimony presented by the Applicant, documents placed on file by the Applicant, and approved plans, all in connection with this case.
- b. This grant of special use authorizes the type 2 restaurant in the premises as described in the approved plans.
- c. The litter collection plan shall be implemented and maintained as described in the letter from Eric Fosse, four paragraph undated letter from Eric Fosse President of HomeMade Pizza Company attached hereto as Attachment 1 and made a part hereof, submitted to the City in connection with case no. ZBA 00-29-SU(R). The area described in said letter shall be policed once every three hours during the hours the use is in operation and shall be kept free of all litter, including, but not limited to, food, beverages, napkins, straws, containers, bags, utensils, plates, cups, bottles, cans, and all other litter of any type emanating from any source. This Ordinance shall prevail over any inconsistent or contrary provisions in the attached plan. "Litter" shall have the meaning in section 8-4-6-1 of the Evanston City Code of 1979, as amended, as it may be further amended.

d. The Applicant shall, prior to operation of the special use, submit a written request to the City's Parking System Division for two (2) parking permits for a City parking lot (2) located within 500 feet of the subject property. The Applicant shall keep said request on file with the City until the parking permits are obtained. Once obtained, said two permits are to be maintained permanently, provided, however, that the City may release this condition if either a) no City parking lot exists within 500 feet of the subject parking lot or b) conditions within the parking lot(s) change such that the City, in its sole judgment, determines that releasing this condition is appropriate and in the public interest.

e. This grant of zoning relief is subject to compliance with all applicable provisions of the Zoning Ordinance and all other applicable legislation, including but not limited to, Title 8, Health and Sanitation, of the City Code, as amended.

**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: October 10, 2000

Adopted: October 23, 2000

Approved: October 23, 2000

Lorraine A. Morton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:  
[Signature]  
Corporation Counsel

# HOMEMADE PIZZA CO.

1137 West Belmont Avenue Chicago, Illinois 60657  
Phone 773.529.5900 Fax 773.529.5903

Attachment 1  
Ordinance 116-O-00

To Whom it May Concern,

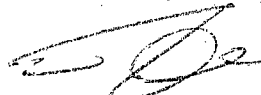
I am writing this letter in regards to the zoning variance applied for by HomeMade Pizza Co. We would like to sell pizza by the slice to go, in addition to our fresh unbaked pizza for which we do not require a variance. This letter will outline our litter collection plan as well as our parking plan for employees.

A) Litter Collection Plan: We at HomeMade run an extremely clean operation and nothing will change in Evanston. With regards to the possible litter outside of our store because of selling slices to go we will provide an outdoor garbage can, the details of which will be worked out with the appropriate city department. We will also clean up refuse, whether ours or not, within 250 feet of our store. This will be done by our employees and ourselves several times a day.

B) Parking Plan: All of our employees, most of whom don't own cars, will be instructed not to park in front of the store. This will be facilitated by the fact that there is a large public parking lot directly across the street from our store. Also most of our employees wont be arriving to work until the majority of the local businesses are closing, around 5:00 pm. In addition we will only have 3-7 employees total, so we are not talking about a lot of cars, if any.

We look forward to a long and mutually beneficial relationship with the city and residents of Evanston. Thank you for your consideration and support.

Sincerely,



Eric Fosse  
President