

42-O-00

AN ORDINANCE**Amending the Text of the Zoning Ordinance
Relating to the C1a Commercial District**

WHEREAS, the Plan Commission held public hearings pursuant to proper notice in case no. ZPC 00-1 on January 12, 2000, January 26, 2000, January 27, 2000, February 2, 2000, February 9, 2000, February 22, 2000, and March 8, 2000 to consider amendments to Chapter 10, "Commercial Districts", Chapter 16, "Off-Street Parking and Loading", Chapter 17, "Landscaping and Screening", Chapter 18, "Definitions", Chapter 3, "Implementation and Administration", Chapter 7, "Zoning Districts and MAP", and any other related sections of the Zoning Ordinance regarding the C1a Commercial District, including lot requirements, building height, exclusion from certain bulk limitations of floors used for parking, yard requirements, lot coverage, and floor area ratio; and

WHEREAS, the Plan Commission, after hearing testimony and receiving other evidence, made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the application in the aforescribed case no. ZPC 00-2 met the standards for amendments to the text of the Zoning Ordinance; and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the Plan Commission's findings and recommendation at its March 27, 2000, April 10, 2000, and April 11, 2000 meetings, and

WHEREAS, at its April 11, 2000 meeting the Planning and Development Committee accepted the Plan Commission's recommendation, with modifications,

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 Plan Commission as modified by the Planning and Development Committee in the aforescribed case no. ZPC 00-1 and amends the text of the Zoning Ordinance, as more particularly described below.

SECTION 2: That Section 6-16-3 of the Zoning Ordinance of the Evanston City Code of 1979, as amended, be, and it hereby is further amended, to read as follows:

6-10-3: C1A COMMERCIAL MIXED-USE DISTRICT:

6-10-3-1: PURPOSE STATEMENT:

The C1a Commercial Mixed-Use District is intended to provide locations for the development of mixed use buildings consisting of retail-oriented and office uses on the ground level and office uses and/or residential dwellings located above as well as multi-family residential. A higher FAR and building height will be permitted in the C1a District in order to encourage this type of development.

6-10-3-2: PERMITTED USES:

The following uses are permitted in the C1a District:

Caterer; Commercial indoor recreation; Commercial shopping center; Cultural facility; Dwellings (except that within the C1a District lying between Lee Street on the north and Kedzie Street on the south dwellings are only allowed when located above the ground floor); Educational institution – private; Educational institution – public; Financial institution; Food store establishment (with hours of operation between 6:00 A.M. and 12:00 A.M.); Government institution; Hotel; Office; Public utility; Religious institution; Restaurant - Type 1; Retail goods establishment; Retail services establishment.

6-10-3-3: SPECIAL USES:

The following uses may be allowed in the C1a District, subject to the provisions set forth in Section 6-3-5, "Special Uses":

Assisted living facility; Commercial outdoor recreation; Convenience store; Day care center - Adult (subject to the general requirements of Section 6-4-3, "Adult Day Care Homes"); Day care center - Child (subject to the general requirements of Section 6-4-2, "Child Day Care Homes"); Drive-through facility (accessory only); Dwelling – Multiple family; Food store establishment; Independent living facility; Long term care facility; Media broadcasting station; Membership

organization; Recording studio; Residential care home - Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4, "Residential Care Homes") Residential care home - Category II (subject to the general requirements of Section 6-4-4, "Residential Care Homes"); Restaurant - Type II. Retirement hotel; Sheltered care home; Transitional shelter (subject to the requirements of Section 6-3-5-11, "Additional Standards for a Special Use for Transitional Shelters"); Wholesale goods establishment; Planned development (subject to the requirements of Section 6-10-1-9 and Section 6-3-6, "Planned Developments").

6-10-3-4: LOT SIZE:

The minimum lot size requirements for the C1a District are as follows:

- (A) Nonresidential Uses: There is no minimum lot size requirement for nonresidential uses in the C1a District.
- (B) Residential Uses: The minimum residential lot size in the C1a District is 350 square feet per dwelling unit.

6-10-3-5: LOT WIDTH:

The lot width requirements for the C1a District are as follows:

- (A) Uses when not incorporated within a commercial shopping center: None.
- (B) Commercial shopping centers 150'.

6-10-3-6: LOT COVERAGE: There is no maximum lot coverage in the C1a District.

6-10-3-7: FLOOR AREA RATIO: The maximum floor area ratio in the C1a District is 4.0.

6-10-3-8: YARD REQUIREMENTS: The yard requirements for the C1a District are as follows:

- (A) Front yard: Building, none; parking, landscaped setback required subject to site plan, review as set forth in Chapter 3, "Implementation And Administration"
- (B) Side yard abutting a street: Building, 0'; Parking, 5'
- (C) Side yard when abutting residential district Building, 15'; Parking 10'.
- (D) Rear yard when abutting residential district or when separated from a residential district by a public alley: Building, 10'; Parking 10'
- (E) Side yard when abutting nonresidential district: Building, 0' to a height of 25 feet above grade, above 25 feet, a 5-foot setback is required; Parking 5'
- (F) Rear yard when abutting nonresidential district except when separated from a residential district by a public alley: none.

6-10-3-9: BUILDING HEIGHT: The maximum building height in the C1a District is 67'.

6-10-3-10: SPECIAL REGULATIONS FOR PARKING: Within the C1a District, enclosed parking and appurtenant areas must be 20 feet set back from any front or street side lot line,

except for driveways. Enclosed parking may not be visible from any abutting streets. No devices or openings for automobile or other vehicle ventilation may be visible from abutting streets.

SECTION 3: That Section 6-18-3 of the Zoning Ordinance be amended by adding the following in appropriate alphabetical order:

6-18-3: DEFINITIONS

BUILDING, HEIGHT OF:

(A) The perpendicular distance at the center of a building's principal front measured from the established grade to the high point of the roof for a flat roof, and to the mean height level for gable, hip or gambrel roofs. Chimneys and spires shall not be included in calculating the height nor shall mechanical penthouses provided the penthouses can not be seen from the street.

(B) The height of any story of a building shall be excluded from the calculation of building height when seventy-five percent (75%) or more of the gross floor area of such story consists of parking required for the building (excluding mechanical penthouse). This exclusion of required parking from the calculation of building height shall be applicable to all permitted and special uses in the B3, D2, D3 and D4 zoning districts including planned developments, with the exception of planned developments in the D3 zoning district. Where the required parking exclusion is applicable, it shall in no case be greater than 4 stories or 40 feet, whichever is less.

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

SECTION 5: 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: March 27, 2000

Adopted: April 11, 2000

Approved: May 9, 2000

Lorraine H. Norton
Mayor

ATTEST:

Mary P. Morris
City Clerk

Approved as to form:
[Signature]
Corporation Counsel

