

42-O-01

**AN ORDINANCE**

**Establishing a Moratorium on the Issuance of  
Certain Building Permits for 150 Days  
On Portions of Main Street and Chicago Avenue  
In the B3 Zoning District**

WHEREAS, the City of Evanston has heretofore adopted height regulations for buildings constructed in its various zoning districts; and

WHEREAS, the maximum height permitted in the B3 Zoning District is eighty-five feet and a four-floor or forty-foot exemption for parking; and

WHEREAS, the B3 Zoning District is found in multiple locations in the City; and

WHEREAS, the City, through a Standing Committee of the Plan Commission, the Neighborhood Planning Committee, is considering whether the current permitted maximum height of buildings in the B3 District is appropriate when measured against the height permitted in adjacent zoning districts; and

WHEREAS, the Neighborhood Planning Committee held public meetings pursuant to notice on April 4, 2000, May 10, 2000, June 14, 2000, September 13, 2000, October 18, 2000, January 10, 2001, February 1, 2001, February 14, 2001, March 8, 2001, and April 12, 2001 to consider the optimum maximum permitted height in the B3 Zoning District; and

WHEREAS, the concern over the respective differences in permitted heights between the B3 Zoning District and adjacent districts is greatest in the B3 Zoning District along Chicago Avenue and on Main Street between Chicago Avenue and Sherman Avenue because this B3 Zoning District abuts residential and business zones with maximum heights of forty feet or less; and

WHEREAS, Main Street from the Metra/CTA tracks east to Hinman Avenue and on Chicago Avenue in the B3 District north and south of Main Street an area surrounded by four-story or taller multi-family structures and may be appropriate for development of greater height; and

WHEREAS, specific concerns regarding the B3 Zoning District are height, the effect of comparatively high new development in an area where existing buildings are much lower, density, and parking requirements; and

WHEREAS, owners and residents within 500' feet of the Main Street area B3 Zoning District and members of the Main Street Merchants Association were individually notified that the Neighborhood Planning Committee would consider B3 Zoning District heights specifically in the Main Street-Chicago Avenue area at its meeting of January 10, 2001; and

WHEREAS, members of the public appeared at the Neighborhood Planning Committee's meetings of January 10, 2001 and February 1, 2001 to participate in the Committee's discussions regarding B3 Zoning District height requirements; and

WHEREAS, it is in the best interests of the citizens of the City of Evanston that an optimum height restriction is established for all B3 Zoning Districts; and

WHEREAS, the above-described portion of Main Street-Chicago Avenue B3 Zoning District presents the aforescribed special concerns; and

WHEREAS, while the necessary studies have been undertaken and are underway, more time is necessary for the Neighborhood Committee of the Plan

Commission and the Plan Commission to conduct their review and make recommendations to the City Council concerning this matter;

WHEREAS, a moratorium on the issuance of building permits is necessary and appropriate during the pendency of City review of optimum building height in the B3 Zoning District in the Main Street-Chicago Avenue area;

WHEREAS, the proposed moratorium was before the Planning and Development Committee on March 26, 2001, and this Ordinance 42-O-01 was considered that body on April 10, 2001 and April 23, 2001;

WHEREAS, this Ordinance and the record of the aforescribed Planning and Development Committee were considered by the City Council on April 10, 2001 and April 23, 2001;

WHEREAS, this Ordinance 42-O-01 was considered by the Planning and Development Committee at its April 10, 2001 and April 23, 2001 meetings and by the City Council at its April 10, 2001 and April 23, 2001 meetings,

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 incorporated herein.

**SECTION 2:** That a moratorium is hereby imposed upon, and the City Manager and all other City officers and personnel are authorized hereby to deny, issuance of any permit for construction of a building:

- a) In excess of 45' high on Main Street between the Metra/CTA tracks and Sherman Avenue; and

- b) In excess of 67' on Main Street from the Metra/CTA tracks east to Hinman Avenue and on Chicago Avenue on the B3 Zoning District north and south of Main Street.

**SECTION 3:** That the Plan Commission and Neighborhood Planning Committee are hereby authorized and directed to continue to study and review the B3 Zoning District height regulations in the Main Street-Chicago Avenue area and City-wide and to make any recommendations they may have regarding amendment to such regulations to such related provisions to the City Council.

**SECTION 4:** That this moratorium shall continue in force and effect for one hundred fifty (150) days, until September 20, 2001.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced April 10, 2001

Adopted: April 23, 2001

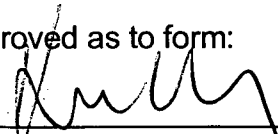
Approved: April 26, 2001

Lorraine H. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:



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Corporation Counsel