

90-O-03

AN ORDINANCE

**A Moratorium on the Issuance of
Building Permits for 120 Days On Portions of
Main Street and Chicago Avenue in the B3 Zoning District**

WHEREAS, the City of Evanston is a home-rule municipality pursuant to the Illinois Constitution of 1970; and

WHEREAS, the area described as "all properties, a portion of which abuts Main Street, East of the Union Pacific right-of-way, and West of Hinman Avenue, and all properties, a portion of which abuts Chicago Avenue, from a point approximately 200 feet South of the central line of Main Street, to a point approximately 200 feet North of the central line of Main Street", is located within a B3 Zoning District; and

WHEREAS, the City, through a Standing Committee of the Plan Commission, Zoning Sub-committee, is considering the possible re-map of the aforescribed area into the B2 Business District or the C1a Commercial Mixed-Use District, or other appropriate zoning district, or to apply the oRd Redevelopment overlay district, or other appropriate overlay district; and

WHEREAS, the Committee is considering amendments to Chapter 9 "Business Districts," Chapter 10 "Commercial Districts," Chapter 15 "Special Purpose and Overlay Districts," Chapter 16 "Off-Street Parking and Loading Districts," Chapter 17 "Landscaping and Screening," Chapter 18 "Definitions," Chapter 3 "Implementation and Administration," Chapter 7 "Zoning Districts and Maps," and any other related sections of the Zoning Ordinance to amend the text and/or the map of the Zoning Ordinance to

effect the regulations of the Zoning Ordinance as applied to aforescribed area of the City presently within the B3 District.

WHEREAS, the Plan Commission has scheduled consideration of these matters at its meetings of September 10, 2003, September 17, 2003 and October 8, 2003; and

WHEREAS, the Zoning Sub-committee has scheduled consideration of these matters at its meetings of September 17, 2003 and October 8, 2003; and

WHEREAS, the Committee has been unable, due to its extremely busy agenda, to fully consider the impact of such rezoning, text amendments, or other actions; and

WHEREAS, the City Council on September 10, 2001, adopted Ordinance 89-O-01, which did rezone certain property in the 900 block of Chicago Avenue from B3 to C1a, and did rezone certain property in the vicinity of Main Street and Sherman Avenue from B3 to B2, all said property within the vicinity of the aforescribed area; and

WHEREAS, since adoption of Ordinance 89-O-01, the City Council has approved a major new planned development in the aforescribed area; and

WHEREAS, such development is substantially and materially larger than development considered prior to September 10, 2001; and

WHEREAS, this major development includes a 77-unit mixed-use condominium project, which will commence construction during the pendency of the sub-committee's review of these proposed amendments; and

WHEREAS, such development will greatly alter the existing building height, density and bulk, and will change motor vehicle and pedestrian traffic volume in the area, as well as the uninterrupted flow of air and light at the intersection of Chicago Avenue and Main Street; and

WHEREAS, many members of the public and concerned citizens have appeared at the Zoning Sub-committee to express their interests on the impact of further development in the area; and

WHEREAS, it is in the best interests of the citizens of the City of Evanston that full, unhurried consideration be given to potential amendments or changes to the B3 Zoning District as it applies to the aforescribed area; and

WHEREAS, studies will and are being undertaken as to the impact of zoning changes in the area; and

WHEREAS, more time is necessary for the Plan Commission to conduct its review and make recommendations to the City Council concerning this matter; and

WHEREAS, a moratorium of a short, limited duration will protect the interests of affected land owners; and

WHEREAS, a moratorium on the issuance of building permits is necessary and appropriate during the pendency of the City review of these zoning matters; and

WHEREAS, the proposed moratorium was before the Planning and Development Committee on September 22, 2003, at which time the Committee made certain amendments; and

WHEREAS, the Planning and Development Committee after public discussion has recommended adoption of a moratorium; and

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 in the area described as all properties, except for any Planned Development which has been approved by Ordinance, located within a B3 Zoning District, a portion of which abuts Main Street, East of the Union Pacific right-of-way, and West of Hinman Avenue, and all properties, located within a B3 Zoning District, a portion of which abuts Chicago Avenue, from a point approximately 200 feet South of the central line of Main Street, to a point approximately 200 feet North of the central line of Main Street; and

SECTION 3: That the Plan Commission and the Zoning Sub-committee are hereby authorized and directed to continue to study and review the zoning regulations in the aforescribed area, and to make any recommendations that 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-twenty (120) days, until January 20, 2004.

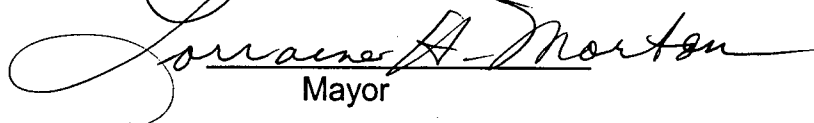
SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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.

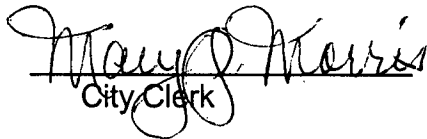
Introduced: September 22, 2003

Adopted: October 13, 2003

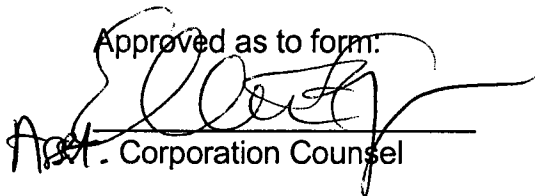
Approved: October 14, 2003


Mayor

ATTEST:


City Clerk

Approved as to form:


Asst. Corporation Counsel

