

52-O-04

AN ORDINANCE

**Amending the Zoning Map to Re-Zone the
Even Addresses of 500 through 550 Main Street,
Odd Addresses of 515 through 605 Main Street,
Even Addresses of 900 through 910 Chicago Avenue,
Odd Addresses of 835 through 933 Chicago Avenue,
and 860 Hinman Avenue
From B3 to C1a Zoning District**

WHEREAS, the Plan Commission held public hearings on September 10, 2003, September 17, 2003, October 8, 2003, November 12, 2003, December 10, 2003, January 14, 2004, January 27, 2004, February 11, 2004, March 10, 2004, and April 14, 2004 pursuant to proper notice in case no. ZPC 03-09 M & T to consider amending the Zoning Map to re-zone the area of even addresses from 500 Main Street through 550 Main Street, odd addresses from 515 Main Street through 605 Main Street, even addresses from 900 Chicago Avenue through 910 Chicago Avenue, odd addresses from 835 Chicago Avenue through 933 Chicago Avenue, and 860 Hinman Avenue from the B3 to the B3/oRD Zoning District; and

WHEREAS, the proposed text amendment was limited to properties currently zoned as B3 Business District, the property at 904 Hinman Avenue, zoned as B2 Business District and remaining B2, was not within the scope of the proposed amendment; and

WHEREAS, the Plan Commission made a written record of its proceedings, took testimony and received other evidence, made findings that amendment of the Zoning

Map from B3 Business Zoning District to B3/oRD Business Zoning District met the standards for Zoning Map amendments set forth in Section 6-3-4-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its April 26, 2004 meeting, the Planning and Development Committee of the City Council considered the record, evidence presented at the hearings, and recommendation of the Plan Commission and adopted the Plan Commission's findings to the extent consistent with C1a zoning, and voted to recommend that City Council deny the Plan Commission's recommendation and to rezone the subject area to C1a Commercial District; and

WHEREAS, the Planning and Development Committee discussed the bases for the rezoning to C1a at its April 26, 2004 meeting and made specific findings at its May 10, 2004 meeting; and

WHEREAS, the City Council adopted the Planning and Development Committee's record, findings, and recommendations at its April 26, 2004 and May 10, 2004 meetings, 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 made a part hereof.

SECTION 2: That the City Council hereby amends the Zoning Map cited in Section 6-7-2 of the Zoning Ordinance to rezone from the B3 to the C1a Commercial Zoning District, the properties legally described as:

LOTS 1 AND 2 IN BLOCK 1 OF GIBBS, LADD & GEORGE'S ADDITION
TO EVANSTON IN SECTION 19-41-14; AND LOTS 1, 2 AND 3 IN

BLOCK 2 OF GIBBS, LADD & GEORGE'S ADDITION TO EVANSTON IN SECTION 19-41-14; AND THE MAIN CONSOLIDATION LOTS 1, 2 AND 3 IN BLOCK 11 IN WHITES ADDITION TO EVANSTON IN SECTION 19-41-14; AND LOT 23 IN THE SUBDIVISION OF THE WEST ½ OF BLOCK 10 AND THE EAST ½ OF BLOCK 11 IN WHITES ADDITION TO EVANSTON IN SECTION 19-41-14, ALL IN COOK COUNTY, ILLINOIS, PINs: 11-19-213-019-0000 and 11-19-213-020-0000; 11-19-220-007-0000 through 11-19-220-010-0000; 11-19-401-008-0000 and 11-19-401-024-0000;

commonly known as:

- a) all even numbered Main Street addresses from 500 through 550 Main Street;
- b) all odd numbered Main Street addresses from 515 through 605 Main Street;
- c) all even Chicago Avenue addresses from 900 through to 910 Chicago Avenue;
- d) all odd Chicago Avenue addresses from 835 through to 933 Chicago Avenue; and
- e) 860 Hinman Avenue.
- f) Such rezoning includes all intervening rights of way and runs to the centerline of any adjacent right of way separating the rezoned properties from any other Zoning Districts.

SECTION 3: That the City Council finds that the rezoning from B3 Business District to C1a Commercial Districts meets the standards for a text amendment set forth in Section 6-3-4-5 of the Zoning Ordinance, as follows:

- A. The amendment is consistent with the goals, objectives and policies of the Comprehensive Plan in that the purpose of the C1a Commercial Mixed Use District is "to provide locations for the development of mixed use buildings consisting of retail-oriented and offices uses on the ground level and office uses and/or residential dwellings located above as well as multi-family residential."

The proposed text amendment will reduce the permitted building height, maintain the residential character of this neighborhood, and preserve the street level retail and commercial activity that is prevalent along Chicago Avenue.

Rezoning the subject properties within the C1a encourages a desirable range of housing types by increasing the permitted residential density and in turn, providing greater opportunity to create a more diverse range of housing options.

- B. The rezoning will produce development in accordance with the overall character of existing development within the subject area and in the immediate vicinity of the subject areas as the proposed amendment will rezone the area to the C1a district, which is the zoning district classification in effect for property in the immediate vicinity.
- C. The rezoning will not produce development that will adversely affect the value of properties in and in the immediate vicinity of the rezoned area as the amendment retains development potential in the subject area at similar levels while increasing the Floor Area Ratio and the permitted density on each site.
- D. The proposed rezoning will be located in an area of the City in which a major improvement of a component of the City's Sewer System has been completed. This improvement will enhance the capability of the Combined sewer system.

SECTION 4: That this ordinance 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: April 26, 2004

Adopted: May 10, 2004

Approved:

May 13, 2004
Lorraine A. Norton
Mayor

ATTEST:

Mary D. Harris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel