

Effective Date: December 20, 2014

11/7/2014

**144-O-14**

**AN ORDINANCE**

**Amending the Text of the Zoning Ordinance  
with Regards to the oCSC Central Street Overlay District**

**WHEREAS**, on November 12, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0102 to consider an amendment to the text of Title 6 of the Evanston City Code of 1979, as amended (the "Zoning Ordinance"), relating to the oCSC Central Street overlay District; and

**WHEREAS**, the Plan Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

**WHEREAS**, at its meeting of November 24, 2014, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 14PLND-0102 and recommended City Council approval thereof; and

**WHEREAS**, at its meetings of November 24, 2014 and December 8, 2014, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** The foregoing recitals are hereby found as fact and incorporated herein by reference.

**SECTION 2:** Section 6-15-14-5 of the Zoning Ordinance is hereby amended to read as follows:

**6-15-14-5. - ADDITIONAL USES.**

(A) Uses listed under "additional permitted uses" in Table 1 of this Section shall be permitted in the oCSC district, in the indicate subarea. These uses are in addition to those permitted in the base zoning district.

(B) Uses listed under "additional special uses" in Table 1 of this Section may be allowed in the oCSC district in the indicated subarea subject to the general provisions set forth in Section 6-3-5 of this Title, and the special provisions contained herein.

TABLE 1: ADDITIONAL USES

Subarea	Additional Permitted Uses	Additional Special Uses
1	None	None
2	None	None
3	Retail goods establishment (on ground floor only) Retail services establishment (on ground floor only) Specialty Food Store	Commercial indoor recreation Cultural facility Dormitory Performance entertainment venue
4	Specialty Food Store	Cultural facility Performance entertainment venue
5	Specialty Food Store	Cultural facility Performance entertainment venue
6	Automobile service station Specialty Food Store	Cultural facility Performance entertainment venue
7	Specialty Food Store	Commercial indoor recreation Cultural facility Performance entertainment venue

**SECTION 3:** Section 6-15-14-6 of the Zoning Ordinance is hereby amended to read as follows:

**6-15-14-6. - PROHIBITED USES.**

Uses shown in Table 2 of this Section shall be prohibited in the indicated subarea. This prohibition supersedes any permitted uses identified in the base zoning district.

TABLE 2: PROHIBITED USES

Subarea	Prohibited Uses
1	
2	
3	Drive-through facility
4	Drive-through facility
5	Drive-through facility
6	Drive-through facility (except at 2628 Gross Point Road)
7	Drive-through facility

**SECTION 4:** Section 6-15-14-7 of the Zoning Ordinance is hereby

amended to read as follows:

**6-15-14-7. - ACTIVE GROUND FLOOR USES.**

In subareas 3, 4, 5, 6 and 7, active uses shall occupy the ground floor level feet along the primary street frontage. "Active uses" are hereby defined in the table below along with the manner in which they are allowed in each subarea as either Permitted Use ("P") or Special Use ("S").

Uses:	Allowed in:		
	<i>B1A (Subareas 4, 5 and 6)</i>	<i>O1 (Subare a 3)</i>	<i>C2 (Subare a 7)</i>
<b>Current Active Uses:</b>			
retail goods establishments	P	P,	P
retail service establishments	P	P,	P
food store establishments	P		P
hotels		P	S
restaurants type 1	P	P	P
restaurants type 2	S		S
specialty food store			

indoor commercial recreation	S	S	S,
performance entertainment venue	S	S	S
cultural facility	S,	S	S,
<b><i>Proposed Additional Active Uses:</i></b>			
Dormitory		S	
Automobile body repair establishment.			S
Automobile repair service establishment.			S
Automobile Service Station	S		P
Animal Hospital	S		P
Artist's Studios and accessory dwelling units (provided the accessory dwelling unit shall not front upon any street)	P		
Convenience Store	S		S
Daycare Center - Adult	S		
Daycare Center-Child	S	S	
Daycare Center - Domestic Animal	S		S
Resale Establishment	S		S
Educational Institution - Private	P		P
Educational Institution - Public	P		P
Financial Institution (Ground Level)	S	S	P
Financial Institution (Above Ground Level)	P	P	P
Government Institution	P	P	P
Office (Ground Level)	S	S	P
Office (Above Ground Level)	P	P	P
Dwelling-Multiple Family	S	S	S
Micro-Distillery	S		S

**SECTION 5:** Section 6-15-14-8 of the Zoning Ordinance is hereby

amended to read as follows:

**6-15-14-8. - BUILDING HEIGHT.**

(A) **Maximum Building Height:** The maximum building height in the oCSC district, without bonuses, is shown under "maximum building height (the shorter of)" in Table 3, "Building Height," of this Section in both feet and number of stories. The maximum height is the shorter of the two.

TABLE 3: BUILDING HEIGHT

Subarea	Maximum Building Height (The Shorter Of)		Transitional Height Plane <sup>1</sup>	10% Required Stepback
	Feet	Stories		
1	35	2.5	None	None
2	45	4	R1, R2, R3, R4	None
3	52	5	R1, R2, R3, R4	3rd story and above
4	35	3	R1, R2, R3, R4	10%: 2nd story and above 15%: 3rd story and above <sup>C)2</sup>
5	45	4	R1, R2, R3, R4	2nd story and above
6	45	4	R1, R2, R3, R4	3rd story and above
7	45	4	R1, R2, R3, R4	3rd story and above

**Notes:**

1. Applies to properties adjacent to the districts listed.

2. See Subsection (C) of this Section, regarding the location of the additional 15 percent setback.

(B) **Transitional Height Plane:** A transitional height plane shall apply in those subareas as indicated under "transitional height plane" in Table 3 of this Section, for properties adjacent to or abutting the districts listed. See Chapter 18 of this Title for details on determining the transitional height plane. This height plane shall be used in place of any transitional height plane height restricting device required by the base district zoning code (for example, the O1 district, Section 6-15-2-9 of this Chapter).

(C) **Required Stepback:** As indicated under "10% required setback" in Table 3 of this Section, a setback from the required pedestrian area of ten percent (10%) of the lot width or depth, as applicable, or five (5) feet, whichever is greater, is required for upper stories. Ten percent (10%) of the lot depth or five (5) feet, whichever is greater, is

required for building front setback. Ten percent (10%) of the lot width or five (5) feet, whichever is greater, is required for building side setbacks.

1. An additional setback of fifteen percent (15%) of the lot depth or width from the required pedestrian area is required for third story and above in subarea 4 from Hartrey Street in the west to the north leg of Prairie Avenue in the east.
2. Buildings with front or side facades of seventy-five (75) feet or more are required to meet this requirement for sixty-five percent (65%) of the second floor front or side facade. Buildings with front or side facades less than seventy-five (75) feet must meet this requirement for one hundred percent (100%) of the second floor front or side facade. The requirements must be met for one hundred percent (100%) of the front or side facade for the third story and above.
3. Setbacks are required only for building facades that are adjacent to street rights of way.

**SECTION 6:** Section 6-15-14-10 of the Zoning Ordinance is hereby

amended to read as follows:

**6-15-14-10. - SITE DEVELOPMENT ALLOWANCES.**

Site development allowances for any overall building height increase, FAR increase or density (number of dwelling units) increase for planned developments in the oCSC district are not permitted.

**SECTION 7:** Section 6-15-14-11 of the Zoning Ordinance is hereby

amended to read as follows:

**6-15-14-11. - DEVELOPMENT BONUSES.**

Floor area ratio (FAR) bonuses are available and may be approved for developments in the subareas identified in Table 5, "Development Bonuses," of this Section:

TABLE 5: DEVELOPMENT BONUSES

Subarea	Extra Parking	Underground Parking
1		
2		
3		Available
4	Available	Available
5	Available	Available
6	Available	Available
7		Available

**(A) Bonus For Extra Parking:**

1. Bonus Formula: A floor area bonus may be approved for qualifying parking in excess of that required, in accordance with the following standards:

Bonus FAR = [(number of qualified parking spaces in excess of requirement × 350 square feet)/lot area]

2. Design Standards And Guidelines: A parking space is qualified if it meets the following standards:
  - (a) It is located on site, specifically identified in the development plan, and legal text indicating that the parking space shall be made available to the general public regardless of whether they are visiting any of the on-site uses shall be recorded with the property deed.
  - (b) It is in excess of the number of on-site spaces required by the zoning ordinance.
  - (c) It is made available for use to the general public, as well as to on site users.
  - (d) If parking spaces are posted as available for a limited time per user, the time period available to general public users shall not be less than the time period for on-site users.
  - (e) Aboveground parking garages must be concealed from public view.
  - (f) Pedestrian access to the garage must be provided from the public sidewalk.

**(B) Bonus For Underground Parking:**

1. Bonus Formula: A floor area bonus may be approved for qualifying underground parking in subareas as shown under "underground parking" in Table 5 of this Section, in accordance with the following formula:

Bonus FAR = [(number of qualified underground parking spaces × 350 square feet)/lot area]

2. Standards And Guidelines: An underground parking space is qualified if it meets the following standards:
  - (a) Parking spaces must be located entirely below the lowest grade level of any adjacent street frontage.
  - (b) Parking spaces must comply with all parking dimension and access requirements.
  - (c) Vehicular access to the parking garage must be located off an alley.

**SECTION 8:** Section 6-15-14-12 of the Zoning Ordinance is hereby amended to read as follows:

**6-15-14-12. - PEDESTRIAN AREA REQUIREMENTS.**

(A) Location: A pedestrian area shall be located between the front facade of all buildings and the curb along Central Street, Green Bay Road, Gross Point Road and

Crawford Avenue and along all intersecting streets for properties occupied by nonresidential uses. Each pedestrian area shall consist of two (2) zones parallel to the curb: a sidewalk clear zone and a parkway/street furniture zone. Each subarea shall have a minimum width as specified in Table 6, "Pedestrian Area Requirements," of this Section.

TABLE 6: PEDESTRIAN AREA REQUIREMENTS

Subarea	Minimum Width Along Central, Green Bay, Gross Point, Crawford			Minimum Width Along Side Street Frontage		
	(A) Clear Zone	(B) Parkway/Street Furniture Zone	(C) Minimum Pedestrian Area Width ((A) + (B))	(D) Clear Zone	(E) Parkway/Street Furniture Zone	(F) Minimum Pedestrian Area Width ((D) + (E))
1	5 feet	9 feet	14 feet	5 feet	9 feet	14 feet
2	5 feet	9 feet	14 feet	5 feet	9 feet	14 feet
3	8 feet	6 feet	14 feet	10 feet	10 feet	20 feet
4	8 feet	6 feet	14 feet	10 feet	10 feet	20 feet
5	8 feet	6 feet	14 feet	10 feet	10 feet	20 feet
6	15 feet	15 feet	30 feet	15 feet	15 feet	30 feet
7	8 feet	6 feet	14 feet	10 feet	10 feet	20 feet

(B) Sidewalk Clear Zone Requirements:

1. The sidewalk clear zone shall be a minimum width as specified in Table 6 of this Section, shall be located immediately contiguous to the parkway/street furniture zone and shall be continuous.
2. This zone shall be hardscape, and shall be unobstructed for a minimum height of eight (8) feet.
3. Building entryway doors shall not open in a manner that causes them to swing into or in any way obstruct the sidewalk clear zone.

(C) Parkway/Street Furniture Zone Requirements: The parkway/street furniture zone shall have a minimum width as specified in Table 6 of this Section. This zone shall be located immediately adjacent to the curb and shall be continuous. This zone shall be landscaped or hardscaped, and may be used for the placement of trees, street furniture, benches, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

(D) Vehicle Sightlines And Visibility: Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at

street intersections between the heights of two and one-half (2 1/2) feet and eight (8) feet above grade.

(E) Utilities: Every commercially reasonable effort shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.

(F) Relationship Of Building To Pedestrian Area: Each building with at least one (1) facade adjacent to the pedestrian area shall have a pedestrian entrance located on the ground floor of that facade and opening directly onto the pedestrian area. Such entrance shall be unlocked and accessible during business hours.

(G) Optional Sidewalk Setback Area: Buildings may be set back an additional distance up to ten (10) feet from the Pedestrian Area. The resulting area between the front facade and the sidewalk may be used for landscaping, seating, public art, street furniture, outdoor dining, outdoor display of merchandise during business hours, or other similar uses, provided they are permissible for that location otherwise.

(H) The Front Yard and Street Side Yard requirements by the Underlying Zoning District in Subareas 3, 4, 5, 6 and 7 is hereby replaced with the Pedestrian Area requirement and does not have to be satisfied.

**SECTION 9:** Section 6-15-14-13 of the Zoning Ordinance is hereby

amended to read as follows:

**6-15-14-13. - MINIMUM BICYCLE PARKING REQUIREMENTS.**

(A) All nonresidential developments which provide automobile parking facilities shall provide bicycle parking facilities (bike racks) at a ratio of at least one (1) bicycle parking space for every ten (10) automobile parking spaces.

(B) Multi-family developments shall provide interior bicycle parking facilities for building residents at a ratio of at least one bicycle parking space for every 1.5 multi-family units. Such bicycle parking facilities must be provided near the building entrance accessible to the street. Multi-family developments shall also provide bicycle parking facilities for visitors/public at a ratio of at least one bicycle parking space for every ten (10) automobile parking spaces provided and shall meet the location criteria under subsection (D) of this section.

(C) No development, except a one- or two-family development, shall have fewer than three (3) bicycle/moped parking spaces nor be required to exceed a maximum of ten (10) such spaces.

(D) Bicycle parking facilities for nonresidential developments and bicycle parking facilities provided for the visitors and/or public shall be located within the parkway/street

furniture zone a maximum distance of fifty (50) feet from the building entrance, or shall be located at least as close as the closest automobile space.

(E) Each bicycle parking facility shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user supplied lock.

**SECTION 10:** Section 6-15-14-14 of the Zoning Ordinance is hereby amended to read as follows:

**6-15-14-14. - FENESTRATION.**

(A) Ground level nonresidential uses that face a public way shall provide a minimum linear fenestration of sixty-five percent (65%), measured along the length of the street frontage. Corner buildings shall continue such fenestration around the corner of the building for at least forty (40) feet or the length of the building, whichever is shorter.

(B) Qualifying frontage shall meet the following conditions:

1. Lower edge of lite (sill) is no higher than three (3) feet above grade.
2. Upper edge of lite (header) is no lower than ten (10) feet above grade.

(C) Fenestration shall utilize clear glass. Painted glass, reflective glass or other similarly treated or opaque windows are not eligible. Entrances with glass elements may be counted towards fenestration requirement, as long as qualifying fenestration extends above the entrance to the minimum height specified above.

**SECTION 11:** Section 6-15-14-15 of the Zoning Ordinance is hereby amended to read as follows:

**6-15-14-15. - BUILDING FACADE ARTICULATION.**

For all building facades facing public streets:

(A) The length of facade without intervening fenestration or entryway shall not exceed twenty (20) feet.

(B) Building floors from ground level to third story above ground level shall be delineated through the use of windows, belt courses, cornice lines or similar architectural detailing.

(C) Facades wider than twenty-five (25) feet shall be vertically articulated to give the appearance of being composed of multiple buildings. Such articulation shall be

accomplished by using projections, recesses, material changes, parapets, cornices, varying roof heights/lines, or other similar architectural features.

(D) Prohibition Of Sheet Walls: No more than twenty-five (25) feet of width of any building facade shall form a "sheet wall" from ground level to the topmost floor. A "sheet wall" is defined as a vertical unbroken plane of facade that is unarticulated in depth.

**SECTION 12:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 13:** If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 14:** This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**SECTION 15:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: November 24, 2014

Approved:

Adopted: December 8, 2014

December 10, 2014

  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

  
Rodney Greene, City Clerk

  
W. Grant Farrar, Corporation Counsel