

9/23/98  
11/24/98

95-O-98

**AN ORDINANCE**

**Granting an Application for Certificate of Special Merit  
for Demolition of the Structure at 912-918 Clark Street**

WHEREAS, in August, 1994, Commonwealth Edison Company, as owner and leaseholder of the landmark structure at 912-918 Clark Street ("subject property"), Northwestern University, as the landowner, and Research Park, Inc., collectively, "the Applicant", applied for a Certificate of Appropriateness pursuant to Section 2-9-8 of the Evanston Historic Preservation Ordinance ("the Ordinance"), Title 2, Chapter 9 of the Evanston City Code of 1979, as amended; and

WHEREAS, the Evanston Preservation Commission held a public hearing, pursuant to proper notice on September 20, 1994, and denied the application for a Certificate of Appropriateness; and

WHEREAS, the Applicant then applied for a Certificate of Special Merit ("CSM"), pursuant to Section 2-9-11 of the Ordinance; and

WHEREAS, public hearings on the application for CSM were held by the Planning and Development Committee of the City Council, and a record made, pursuant to proper notice on November 14, 1994, December 10, 1994, February 6, 1995, and March 20, 1995; and

WHEREAS, after reviewing the application and the record, the City Council denied the application for CSM by Resolution 17-R-95, adopted on March 27, 1995; and

WHEREAS, Resolution 17-R-95 stated the basis for denial as "conditions now existing, including representations at the public hearing that Northlight Theatre can raise the necessary capital to develop the subject structure"; and

WHEREAS, the City Council, pursuant to Resolution 17-R-95, retained jurisdiction over any later efforts to demolish the subject structure, conditioned upon a showing of a "substantial change in circumstances" by the Applicant; and

WHEREAS, the Northlight Theatre has declared that it has no interest in the subject structure as a performance venue; and

WHEREAS, the Northlight Theatre's declaration constitutes the aforesaid "substantial change in circumstances"; and

WHEREAS, reapplication for the CSM has been made; and

WHEREAS, the Planning and Development Committee of the City Council conducted public hearings pursuant to proper notice on the application on September 28, 1998, October 12, 1998 and October 26, 1998; and

WHEREAS, the Planning and Development Committee recommended approval after having made findings pursuant to Section 2-9-11-(B) and Section 2-9-11(C) of the Ordinance that the application met the standards for approval of the CSM; and

WHEREAS, the subject structure is located within the southern portion of the Research Park on one of the parcels to be developed pursuant to Resolution 96-R-97 into an urban retail/entertainment complex; and

WHEREAS, the subject structure is not suitable or appropriate for an adaptive reuse associated with the retail/entertainment complex; and

WHEREAS, demolition of the subject property is a necessary prerequisite to development of the said retail/entertainment complex and is in the best interest of the citizens of Evanston,

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

SECTION 1: That the City Council finds as facts the foregoing recitals.

SECTION 2: That the aforesaid record of public hearings and findings of fact are incorporated herein by reference and made a part hereof.

SECTION 3: That the City Council makes these determinations pursuant to section 2-9-11(B) of the Ordinance:

- a) The project, the aforescribed retail/entertainment complex, is consistent with the Comprehensive General Plan ("Plan") of the City. As found by the City Council in Resolution 17-R-95, the subject property, to be developed as part of the retail/entertainment complex, is located in the Downtown II section of the Plan, development of the subject property will enhance the economic vitality of the

Downtown II section, and demolition of the subject structure will make the site available for high-density development.

b) The project is necessary and in the public interest, in that it will provide significant cultural, social, and civic benefits. It will provide a public gathering place and foster a sense of civic pride. The project is particularly desirable at the location proposed, in that it will encourage street-level use in an area in which it is lacking, and will enhance the vitality of the area by attracting pedestrians after office hours.

SECTION 4: That the City Council hereby grants the application for CSM, finding that the standards for granting of a CSM set forth in section 2-9-11(C) have been met, namely:

a) There is no feasible and prudent alternative site for the proposed project of which the subject property is a part, as determined by the City Council in the "Downtown II Redevelopment Plan and Redevelopment Project", adopted on January 28, 1985 as Ordinance 152-O-84 and by the City Council's "Designation of a Developer for the Southern Portion of Research Park and Authorizing the Negotiation of the Redevelopment Agreement", adopted on December 15, 1997 in Resolution 96-R-97.

b) Use of the existing landmark or area, property, structure, site or object located in a district for the special merit use is not financially and physically feasible, in that incorporating the subject property into the project would significantly impact

the layout and design of the retail lease areas and the cinema auditoriums with respect to floor plan and connections between levels. The interior space is devoid of intrinsic details.

c) The proposed project includes all possible planning to minimize harm to the existing landmark or area, property, structure, site or object in a district resulting from such special merit use, in that professional architectural evaluation of the subject property found no feasible means of incorporating it into the project.

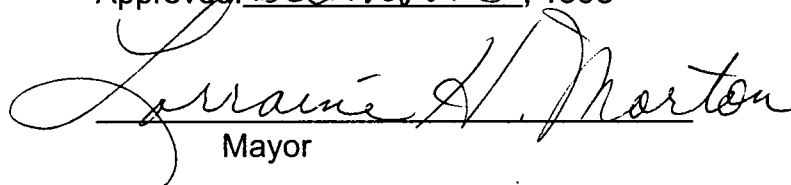
SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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 28, 1998

Adopted: November 23, 1998

Approved: December 3, 1998

  
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Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel