

10/29/2009

105-O-09

AN ORDINANCE

**Rescinding the Evanston Landmark Designation of
the Property Located at 1819 Dodge Avenue**

WHEREAS, the City of Evanston has enacted a Historic Preservation Ordinance, Title 2, Chapter 9 of the Evanston City Code of 1979, as amended (the "Ordinance"); and

WHEREAS, Section 2-9-6 of the Ordinance sets forth the process whereby the Preservation Commission can consider applications for rescission of landmark designations and recommend such rescissions to the City Council; and

WHEREAS, Pastor Richard Sylvester and Dorothy Archer, on behalf of Seventh Day Adventist Church, Lake Region Conference (the "Applicant"), owner of the property located at 1819 Dodge Avenue (the "Subject Property"), submitted an application on July 9, 2009, for rescission of the landmark designation for the Subject Property, citing that the original landmark historic house thereon, the one and one-half story, clapboard vernacular cottage with a gable roof, built in 1913, was demolished in early 2009 pursuant to a Certificate of Appropriateness granted by the Preservation Commission at its meeting of June 17, 2008; and

WHEREAS, on August 18, 2009, pursuant to proper notice, the Preservation Commission conducted a public hearing to consider the application pursuant to Section 2-9-6 of the Ordinance; and

WHEREAS, the Preservation Commission, after reviewing the application, hearing from the Applicant, and making a written record of the hearing, found that the Subject Property, without the original historic landmark house, no longer meets the criteria, found in Section 2-9-4 of the Ordinance, for designation as an Evanston Landmark; and

WHEREAS, at its meeting of August 18, 2009, the Preservation Commission voted to recommend that the City Council rescind Evanston Landmark designation for the Subject; and

WHEREAS, at its meeting of August 18, 2009, the Preservation Commission adopted a Resolution "Requesting the City Manager to Transmit the Evanston Preservation Commission's Report and Recommendation that the City Council Rescind the Evanston Landmark Designation from the Property at 1819 Dodge Avenue"; and

WHEREAS, at its meeting of November 9, 2009, the Planning and Development Committee of the City Council considered and adopted the record and recommendation of the Preservation Commission, and recommended that the City Council rescind the Evanston Landmark designation for the Subject Property; and

WHEREAS, at its meeting of November 23, 2009, the City Council considered and adopted the respective records and recommendations of the Preservation Commission and the Planning and Development Committee,

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 by reference.

SECTION 2: That, pursuant to Section 2-9-6 (B) of the Ordinance, the City Council hereby rescinds Evanston Landmark designation for the Subject Property and deletes the Subject Property address from Schedule B of the Ordinance and Appendix C of Section 6-18-3 of the Evanston City Code.

SECTION 3: That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications thereof.

SECTION 4: That all ordinances 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: November 9, 2009

Approved:

Adopted: November 23, 2009

November 25, 2009

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

Elke B. Tober-Purze
Elke B. Tober-Purze
Deputy City Attorney

