

7/16/2014

93-O-14

AN ORDINANCE

**Granting a Special Use Permit for Three Scoreboards
Located at 1501 Central Street in the U2 University Athletic Facilities
Zoning District ("Ryan Field")**

WHEREAS, the Zoning Board of Appeals ("ZBA") met on July 15, 2014, pursuant to proper notice, to consider case no. 14ZMJV-0074, an application filed by Charles Davidson, property owner agent of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1501 Central Street (the "Subject Property") and located in the U2 University Athletic Facilities District, for a Special Use Permit to permit, pursuant to Subsection 6-15-7-3 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), the replacement of two existing scoreboards and the addition of one new ribbon-style scoreboards on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit to replace two existing scoreboards and add one new ribbon-style scoreboard met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of July 28, 2014, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA's record and findings and recommended the City Council accept the ZBA's recommendation and approve the application in case no. 14ZMJV-0074; and

WHEREAS, at its meeting of July 28, 2014, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

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

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

SECTION 2: The City Council hereby approves the replacement of two existing scoreboards and the addition of one new ribbon-style scoreboards on the Subject Property as applied for in case no. 14ZMJV-0074.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- A. Compliance with Applicable Requirements:** The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. Scoreboard LED Panels:** All three scoreboard LED panels must be black when in standby mode.
- C. Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

SECTION 4: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is ruled 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 8: 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: July 28, 2014

Approved:

Adopted: July 28, 2014

July 30, 2014

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

THE PART OF LOTS 18 AND 18 LYING EAST OF THE EAST LINE OF ASHLAND AVENUE, SOUTH OF THE SOUTH LINE OF ISABELLA STREET AND NORTH OF THE NORTH LINE OF CENTRAL AVENUE (EXCEPT THE EASTERLY 4 FEET OF THE SOUTHERLY 432.92 FEET OF THE NORTHERLY 465.92 FEET OF LOT 18) IN GEORGE SMITH'S SUBDIVISION OF THE SOUTH PART OF ARCHANGEL QUILMETTE RESERVATION IN TOWNSHIP 42 NORTH, RANGE 13, LYING EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 05-35-310-015-0000

COMMONLY KNOWN AS: 1501 Central Street, Evanston, Illinois.