PUBLIC NOTICE

In accordance with the statutes of the State of Illinois and the ordinances of the City of Highland Park, a Regular Meeting of the ***Historic Preservation Commission*** of the City of Highland Park is scheduled to be held at the hour of 7:30 p.m., Thursday, June 11, 2015, at Highland Park City Hall, 1707 St. Johns Avenue, Highland Park, Illinois, during which meeting there will be a discussion of the following:

City of Highland Park
Historic Preservation Commission
Thursday, June 11, 2015
1707 St. Johns Avenue, City Hall
7:30 p.m.

REGULAR MEETING AGENDA

I. **Call to Order**

II. **Roll Call**

III. **Approval of Minutes**

A. April 9, 2015
B. May 15, 2015

IV. **Scheduled Business**

A. Certificate of Economic Hardship – 434 Marshman
B. Certificate of Appropriateness – 370 Beech

V. **Discussion Items**
A. Legal Review with Corporation Counsel

VI. **Business From the Public**

VII. **Other Business**
A. Next meeting scheduled for July 9, 2015

VIII. **Adjournment**

City of Highland Park
Historic Preservation Commission
Regular Meeting Minutes of April 9, 2015
7:30 p.m.

I. Call to Order

Chairman Thomas called to order the Regular Meeting of the Historic Preservation Commission at 7:30 p.m. in the Pre-Session Room at 1707 St. Johns Avenue, Highland Park, IL.

II. Roll Call

Members Present:	Thomas, Bramson, Curran, Temkin, Becker, Fradin
Members Absent:	Reinstein
City Staff Present:	Cross
City Council Liaison:	Blumberg
Park District Liaison Present:	Mike Evans
Student Commissioners:	Fraerman, Oviedo
Library Liaison Present:	Julia Johnas
Others Present:	Alon Melamed (1670 Ridgelee), Ross Friedman (2717 Ridge), Derek Lurie (481 Woodland), Neil Fortunato (863 Broadview), Leah Axelrod

III. Scheduled Business

A. Approval of Minutes

a. Commissioner Fradin made a motion to approve the minutes from the February 12, 2015 HPC meeting, as amended.
b. Second by Commissioner Bramson
c. Vote: 6-0
d. Motion Passes

e. Commissioner Fradin made a motion to approve the minutes from the March 12, 2015 HPC meeting, as amended
f. Second by Commissioner Temkin
g. Vote: 6-0
h. Motion Passes

B. Determination of Significance – 2717 Ridge Road

Staff gave a brief historical summary on the house. Applicant Ross Friedman indicated the house was in a state of considerable disrepair.

- Commissioner Fradin made a motion finding the house at 2717 Ridge Road does not satisfy any landmark standards
- Seconded by Commissioner Curran
- Vote: 6-0

- Motion passes

C. <u>Determination of Significance</u> – 1437 McDaniels Avenue

Leah Axelrod commented on this type of working class housing that originated around the turn of the century. Applicant Derek Lurie noted that the owner's original intent was to rehab the house, but as the extent of the deterioration of the house was uncovered, the costs became too high.

- Commissioner Fradin made a motion finding the house at 1437 McDaniels Avenue does not satisfy any landmark standards
- Seconded by Commissioner Becker
- Vote: 4-2 (Temkin, Curran voting nay)

D. <u>Determination of Significance</u> – 1670 Ridgelee Avenue

The Commission discussed this house briefly, noting it was a foreclosure that had been vacant for a year or more.

- Commissioner Bramson made a motion finding the house at 1670 Ridgelee Avenue does not satisfy any landmark standards
- Seconded by Commissioner Becker
- Vote 6-0

E. <u>Determination of Significance</u> – 863 Broadview Avenue

Staff provided a summary of the historic research on this property, noting it was designed by Salzman and Marshall. The Commission discussed the house in the context of the interest mid-century modern architecture. Commissioner Becker noted the house had some architectural interest, but did not demonstrate the quality of design evident in other midcentury houses such as 211 Maple Avenue.

- Commissioner Curran made a motion finding the house at 863 Broadview satisfied landmark standard #1.
- Motion failed for lack of a second.
- Commissioner Fradin made a motion finding that the house at 863 Broadview Avenue does not satisfy any landmark standards
- Seconded by Commissioner Becker
- Vote 5-1 (Curran voting Nay)

V. Discussion Items

- *Real Estate Rider:* the HPC discussed the rider drafted in 2002. Commissioner Temkin noted other communities use them currently. Council Liaison Blumberg suggested the rider include the nine landmark standards from Chapter 24. The idea of an annual open house for area realtors was discussed again.
- *Mid Century Modern Architectural project:* Commissioner Temkin invited everyone to share any mid century houses they may see around town. No firm date for the project has been set at this point.

IV. Other Business

V. Adjournment

Chairman Thomas adjourned the meeting at 8:32 pm.

City of Highland Park
Historic Preservation Commission
Regular Meeting Minutes of May 14, 2015
7:30 p.m.

I. Call to Order

Chairman Thomas called to order the Regular Meeting of the Historic Preservation Commission at 7:30 p.m. in the Pre-Session Room at 1707 St. Johns Avenue, Highland Park, IL.

II. Roll Call

Members Present:	Thomas, Reinstein, Curran, Temkin, Becker, Fradin
Members Absent:	Bramson
City Staff Present:	Cross
City Council Liaison:	Blumberg
Park District Liaison Present:	Mike Evans
Library Liaison Present:	Julia Johnas
Others Present:	Jean Sogin, Chris Armstrong (326 Central), Leon Bernstein, Sara Mindes, Neil Fortunato, John Panzica (434 Marshman), David Fettner (585 Hyacinth), Celeste Robins, Fifi Levin, Iris Kovarsky (21 Lakewood), Derek Lurie, Scott Mackenzie

III. Scheduled Business

A. Approval of Minutes

a. Commissioner Temkin made a motion to continue the consideration of the April 9 minutes to the June 11 HPC agenda.
b. Second by Commissioner Curran
c. Vote: (6-0)

B. Determination of Significance – 585 Hyacinth Place

Staff gave a brief historical summary on the house. Applicant David Fettner added a few notes about the house's poor condition.

- Commissioner Fradin made a motion finding the house at 585 Hyacinth Place does not satisfy any landmark standards
- Seconded by Commissioner Reinstein
- Vote: 6-0
- Motion passes

C. Determination of Significance – 558 Hill Avenue

Staff gave a brief historical summary on the house, noting it had the same architect and builder as the mid-century ranch at 585 Hyacinth Place.

- Commissioner Becker made a motion finding the house at 558 Hill does not satisfy any landmark standards
- Seconded by Commissioner Reinstein
- Vote: 6-0

D. <u>Determination of Significance</u> – 21 Lakewood Avenue

Staff provided a summary of the historical research on this property. Commissioner Becker indicated the architectural style of the house is confused. It has hints at a prairie style, but misses many opportunities to be more loyal to the style. Celeste Robins presented information on the house, also noting it isn't loyal to any specific style. Julia Johnas offered thoughts, nothing the house isn't really Bauhaus or any other prominent style. Commissioner Reinstein concurred, indicating he doesn't see the house satisfying any landmark standards.

- Commissioner Reinstein made a motion finding the house at 21 Lakewood Avenue does not satisfy any landmark standards
- Seconded by Commissioner Fradin
- Vote 6-0

E. <u>Certificate of Appropriateness</u> – 326 Central Avenue

Staff summarized the Historical Society's proposal to subdivide the property at 326 Central Avenue into two lots. Commissioner Fradin indicated it would be helpful to know what type of house would be built on the adjacent lot to determine if the Certificate of Appropriateness standards would be satisfied.

There was discussion about whether this subdivision application required a COA review, as well as other questions about the application. The Commission requested information on the following points:

- Does the subdivision require a Certificate of Appropriateness?
- Following the subdivision, would the empty lot still retain landmark status?
- Does the Historical Society need to complete the subdivision process before the landmark status on the vacant lot is removed?
- Further discussion on whether the subdivision is impactful on the historic nature of a property.

- Commissioner Curran made a motion to continue the discussion on a Certificate of Appropriateness for 326 Central Avenue to the June 11, 2015 HPC meeting.
- Seconded by Commissioner Fradin
- Vote 6-0

F. <u>Certificate of Appropriateness</u> – 434 Marshman

Staff summarized the request for a COA to demolish the house at 434 Marshman. Commissioner Temkin indicated the historical characteristic are still present on the house. Sara Mindes was present at the meeting representing the ownership of the property. She indicated the request was to demolish the house because it did not embody the justifications for a landmark and the architect of the house was not known. Commissioner Fradin noted the request appeared to be for the removal of the landmark designation, not for a COA. Property owner Neil Fortunato addressed the Commission and described the structural safety issues with the house.

Commissioner Fradin indicated that the Certificate of Economic Hardship is the best avenue for the applicants. Council Liaison Blumberg concurred, noting that the relief sought by the owners of 434 Marshman is best requested with a CEH.

- Commissioner Curran made a motion to deny a Certificate of Appropriateness for the demolition of 434 Marshman
- Seconded by Commissioner Becker
- Vote 6-0

John Panzica, 437 Marshman, addressed the Commission, noting the house at 434 Marshman is blighted and neighbors would like to see it replaced with a new house.

V. Discussion Items

IV. Other Business

V.

VI. Adjournment

Chairman Thomas adjourned the meeting at 9:07 pm.

Certificate of Economic Hardship – 434 Marshman Street

To: Historic Preservation Commission

From: Andy Cross, Planner II

Date: June 11, 2015

Application Summary

The owners of the house at 434 Marshman have applied for a Certificate of Economic Hardship. The intent of the Certificate of Economic Hardship process is to give the property owners the opportunity to demonstrate that their locally-landmarked house cannot be put to a reasonable beneficial use or that the owners cannot obtain a reasonable economic return from the house without the issuance of a Certificate of Appropriateness for a specific Regulated Activity. In the case of 434 Marshman, the Regulated Activity is the demolition of the house.

Previous Consideration

Neil Fortunato and Sarah Mindes, representing Green Building Technologies, Inc., approached the Historic Preservation Commission in May, 2015 with a request for a COA to demolish the house at 434 Marshman. As a local landmark, the house is considered a "Regulated Structure." Any modification, addition, or the demolition of the house is considered a *Regulated Activity* and a Certificate of Appropriateness is required from the HPC.

The Commission found that the request did not satisfy the standards for a Certificate of Appropriateness and denied the petition.

Certificate of Economic Hardship (CEH)

Following the denial of the COA, the owners submitted an application for a Certificate of Economic Hardship to allow the performance of a Regulated Activity for which a Certificate of Appropriateness has been denied. Section 24.035 of the City Code establishes the minimum application requirements for a CEH to assist the Commission in making its determination on the application. The full section of Code is included in the attachments to this memo, and the requirements are addressed individually below:

Sec. 24.035 (B): State Assistance: Applicants claiming economic hardship shall be required to apply to the State Historic Preservation Agency to determine eligibility for rehabilitation assistance. The eligibility for and availability of financial aid shall be considered by the Commission in making its decision.

The applicants have not provided any documentation that State assistance has been requested, in part because they have not indicated an intent to renovate or restore the house at this point. State assistance for the restoration or renovation of historic structures is typically sought in the form of Tax Assessment Freezes. Grants to rehabilitate or restore owner-occupied single-family homes are not currently offered by the State.

Sec. 24.035(C)(1): Purchase Information: The amount paid for the Property, the date of purchase, and the party from whom purchased (including a description of the relationship, if any, between the Owner and the person from whom the Property was purchased).

The current owners purchased the property on September 17, 2014 for $315,000. The property was purchased from the Starkey family, with whom the owners have no relationship.

Sec. 24.035(C)(2): The assessed value of the Property and its improvements according to the two most recent assessments.

Information provided by the applicants indicates the assessed value of the property in 2014 was $161,930. Lake County Tax Assessor's Office data indicates the 2013 assessment was $162,875.

Sec. 24.035(C)(3): Real estate taxes for the last two years.

Real estate taxes paid in 2014: $12,977.68

Real estate taxes paid in 2013: $12,424.38

Sec. 24.035(C)(4): Remaining balance on mortgage, if any, and annual debt service, if any, for the previous two years.

There is no balance remaining on the mortgage. The owners' application material provides other costs relating to the property.

Sec. 24.035(C)(5): All appraisals obtained within the previous two years by the Owner or Applicant or their lenders in connection with this purchase, financing, or ownership of the Property.

The owners have not obtained any appraisals of the property.

Sec. 24.035(C)(6): Any listing of the Property for sale or rent, price asked, and offers received, if any.

The owner has not listed the property for sale.

Sec. 24.035(C)(7): Any consideration by the Owner as to profitable adaptive uses and/or reuses for the Property.

As stated on the application narrative: "The Owner cannot consider any profitable adaptive uses and/or reuses for the Property, as the Structure on the Property cannot inhabited, renovated, or demolished."

Sec. 24.035(C)(8): If the Property is income-producing, the annual gross income from the Property for the previous two years, itemized operating and maintenance expenses for the previous two years.

The property is not income-producing.

Sec. 24.035(C)(9): Form of ownership or operation of the Property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.

The property is owned fee simple by Green Building Technologies, Inc., which is an Illinois LLC.

Sec. 24.035(C)(10): Evidence, if any, of any substantial decrease in the fair market value of the Landmark or Contributing Regulated Structure as a result of the denial of a Certificate of Appropriateness.

To satisfy this application requirement, the applicants provided the following statement:

"The Property currently has a negative net worth, as it is uninhabitable, not renovatable, and as a result of the denial of the Certificate of Appropriateness, not demolishable."

Sec. 24.035(C)(11): Any substantial decrease in the pre-tax or after-tax return to the Owner(s) or other investors in the Landmark or Contributing Regulated Structure as a result of the denial of a Certificate of Appropriateness.

Per the application: There is no pre-tax or after-tax return on the Property.

Sec. 24.035(C)(12): Any additional cost of work necessary to comply with the standards and criteria for the issuance of a Certificate of Appropriateness as set forth in Subsections 24.040(C) and (D) of this Chapter, as the case may be.

"The licensed professionals cannot devise any work necessary to renovate the Structure and there is no ability to meet any standards or criteria for the issuance of a Certificate of Appropriateness, other than complete demolition of the Structure, which was denied."

Sec. 24.035(C)(13): In the case of a proposed Demolition, the economic feasibility of Rehabilitation or reuse of the Landmark or Contributing Regulated Structure on its present site or elsewhere.

> *"There is no economic feasibility in Rehabilitation or reuse of the Landmark or Contributing Regulated Structure on its present site or elsewhere."*

Sec. 24.035(C)(14): Any other relevant information, including, without limitation, income tax bracket of the Owner, Applicant, or principal investors in the Landmark or Contributing Regulated Structure, reasonably necessary for a determination as to whether the Landmark or Contributing Regulated Structure can be reasonably sold or yield a reasonable return to present or future Owners.

> *The applicants offered the following in their application materials: "There is no other relevant information that is reasonable necessary for a determination as to whether the Landmark or Contributing Regulated Structure can be reasonably sold or yield a reasonable return to the present or future Owners."*

Study Period

Article 24 of the City Code identifies the next steps for the Historic Preservation Commission following the discussion of the Certificate of Economic Hardship:

- **Section 24.035(E) Study Period:** If the Commission finds that without the approval of the proposed Regulated Activity (in this case a demolition), the Landmark Structure cannot be put to a reasonable beneficial use, or the Landmark Structure cannot obtain a reasonable economic return from the use, then the application shall be delayed for a period not to exceed 60 days.

  During this period of delay, the Commission shall investigate plans and make recommendations to the City Council to allow for a reasonably beneficial use or a reasonable economic return, or to otherwise preserve the Landmark. Such plans and recommendations may include, without limitation, a relaxation of the provisions of this Chapter, a reduction in real property taxes, financial assistance, building code modifications, or relief from zoning regulations.

- **Section 24.035(F) Decision**: If, by the end of this 60-day period, the Commission has found that without approval of the proposed Regulated Activity, *the Landmark cannot be put to a reasonable beneficial use, or the Owner cannot obtain a reasonable economic return from the use*, then the Commission shall issue a Certificate of Economic Hardship approving the proposed Regulated Activity (in this case a demolition) and allowing the applicant to obtain the applicable permits under the City Code. If the

Commission find otherwise, it shall deny the application for a Certificate of Economic Hardship and the commission shall so notify the applicant in writing.

Third-Party Structural Analysis

As part of the application for a Certificate of Appropriateness, the owners submitted several exhibits documenting structural complications in the 434 Marshman house that render it uninhabitable. If the Commission feels this is an important part of the justification for a Certificate of Economic Hardship, then a third-party analysis of the house may be appropriate. An objective, outside party can, with the owner's consent, be hired to perform an analysis of the conditions documented in the petitioner's application materials.

Recommended Action

The Commission is asked to discuss the application for a Certificate of Economic Hardship for 434 Marshman. Specifically, the Commission is asked to discuss whether the house at 434 Marshman could be put to a reasonable use or whether the house can provide a reasonable economic return if the Certificate of Appropriateness for the demolition is not granted.

Attachments

Section 24.035 – Certificate of Economic Hardship

Certificate of Economic Hardship Application for 434 Marshman Street, dated May 26, 2015

p. 054-089, passed 4/11/05)

(3) If the application is denied, the Commission shall notify the Applicant in writing, by mail, return receipt requested, within 30 days after the close of the public hearing and shall specify the particular aspects in which the application is inconsistent with the criteria applicable to this Chapter. If the Commission denies the Certificate of Appropriateness, then no Regulated Activity shall be undertaken, and no permits shall be issued for the Regulated Activity, that involves the subject Landmark and/or Contributing Regulated Structure. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(4) A Certificate of Appropriateness shall be invalid (a) if the plans approved by the Commission or the City Council are changed in any material way, (b) if any conditions of the Certificate are not satisfied, or (c) if any building permit issued for the approved work becomes invalid. A Certificate of Appropriateness shall remain valid for a period of one year, unless the Regulated Activity is commenced with that year and diligently pursued thereafter until completed. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(5) Any interested party may appeal the decision of the Commission to the City Council by filing an appeal in writing with the Office of the City Manager within 15 days after the date of the Commission's decision. For the purpose of this Subsection, the term "interested party" shall mean and include any party who presents testimony at the public hearing before the Commission, as provided in Subsection (H) of this Section. The City Council may receive comments on the contents of the record, but no new matter may be considered by the City Council, unless such matter is new or was not known at the time of the hearing. After due consideration of the facts contained in the record submitted to the Council by the Commission and other authorized matter, the City Council (i) may affirm the decision in total, (ii) may approve changes, or (iii) may overturn the Commission's decision. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05; Ord. 46-06, J. 32, p. 244-252, passed 7/10/06)

Sec. 24.035 Certificates of Economic Hardship.

(A) Certificate. Notwithstanding any of the provisions of this Chapter to the contrary, the Commission may issue a Certificate of Economic Hardship to allow the performance of Regulated Activity for which a Certificate of Appropriateness has been denied. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(B) State Assistance. Applicants claiming economic hardship shall be required to apply to the State Historic Preservation Agency to determine eligibility for rehabilitation assistance. The eligibility for and availability of financial aid shall be considered by the Commission in making its decision. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(C) Application Requirements. An applicant for a Certificate of Economic Hardship shall submit an application, on a form prepared by the Commission, and shall provide, at a minimum, any or all of the following information in order to assist the Commission in making its determination on the application:

(1) The amount paid for the Property, the date of purchase, and the party from whom purchased (including a description of the relationship, if any, between the

Owner and the person from whom the Property was purchased).

(2) The assessed value of the Property and its improvements according to the two most recent assessments.

(3) Real estate taxes for the previous two years.

(4) Remaining balance on mortgage, if any, and annual debt service, if any, for the previous two years.

(5) All appraisals obtained within the previous two years by the Owner or Applicant or their lenders in connection with this purchase, financing, or ownership of the Property.

(6) Any listing of the Property for sale or rent, price asked, and offers received, if any.

(7) Any consideration by the Owner as to profitable adaptive uses and/or reuses for the Property.

(8) If the Property is income-producing, the annual gross income from the Property for the previous two years, itemized operating and maintenance expenses for the previous two years, and annual cash flow before and after debt service, if any, during the same period.

(9) Form of ownership or operation of the Property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.

(10) Evidence, if any, of any substantial decrease in the fair market value of the Landmark or Contributing Regulated Structure as a result of the denial of a Certificate of Appropriateness.

(11) Any substantial decrease in the pre-tax or after-tax return to the Owner(s) or other investors in the Landmark or Contributing Regulated Structure as a result of the denial of a Certificate of Appropriateness.

(12) Any additional cost of work necessary to comply with the standards and criteria for the issuance of a Certificate of Appropriateness as set forth in Subsections 24.040(C) and (D) of this Chapter, as the case may be.

(13) In the case of a proposed Demolition, the economic feasibility of Rehabilitation or reuse of the Landmark or Contributing Regulated Structure on its present site or elsewhere.

(14) Any other relevant information, including, without limitation, income tax bracket of the Owner, Applicant, or principal investors in the Landmark or Contributing Regulated Structure, reasonably necessary for a determination as to whether the Landmark or Contributing Regulated Structure can be reasonably sold or yield a

reasonable return to present or future Owners.

(D) Public Hearing Review.

(1) Public Hearing on Application. Following the proper filing of a complete application for a Certificate of Economic Hardship, a public hearing on the application shall be set, noticed, and conducted in accordance with the provisions contained in this Subsection. The hearing shall be commenced not less than 45 days following the filing of a complete application and may be continued upon request or consent of the Applicant.

(2) Notice of Public Hearings.

(a) The Commission shall cause notice to be given of public hearings set pursuant to this Section in the form and manner and to the persons herein specified.

(b) The Commission shall give written notice of the date, time, and place of the hearing on the proposed Regulated Activity for which a Certificate of Economic Hardship is sought to the Owner of the Property on which the Regulated Activity will take place. The Commission shall also cause to be posted, for a period of not less than 15 days immediately preceding the hearing, a notice stating the time, date, place, and matter to be considered at the hearing. The notice shall be prominently displayed on the Property on which the Regulated Activity will take place, or on the public way abutting the Property. In addition, not less than 15 days prior to the hearing, the Commission shall cause a legal notice to be published in a newspaper of general circulation in the City of Highland Park setting forth the nature of the hearing, the Property, Regulated Activity and Regulated Structures involved, and the date, time, and place of the scheduled public hearing. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(3) Procedures for Conduct of Hearings.

(a) Any Person may appear and testify at a public hearing conducted pursuant to this Section, either in person or by a duly authorized agent or attorney; provided, however, that the Commission may exclude irrelevant, immaterial, or unduly repetitious testimony.

(b) Any Person may at any time prior to the commencement of a hearing under this Section, or during such hearing, or within such time as may be allowed by the Commission following such hearing, submit written statements in support of or in opposition to any matter before the Commission.

(c) The Commission may at any time, on its own motion or at the request of any person, adjourn a hearing for a reasonable time and to a fixed date, time, and place, for the purpose of giving further notice, taking further evidence, gathering further information, deliberating further, or for such other reason as the Commission may find to be sufficient. The Commission shall notify in writing all Commissioners, all parties to the hearing, and any other Person designated on the vote of adjournment of the date, time, and place of the adjourned hearing. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(E) Study Period. If the Commission finds that without approval of the proposed Regulated Activity the Landmark or Contributing Regulated Structure cannot be put to a reasonable beneficial use, or the Landmark or Contributing Regulated Structure cannot obtain a reasonable economic return therefrom, then the application shall be delayed for a period not to exceed 60 days. During this period of delay, the Commission shall investigate plans and make recommendations to the City Council to allow for a reasonably beneficial use or a reasonable economic return, or to otherwise preserve the Landmark or Contributing Regulated Structure. Such plans and recommendations may include, without limitation, a relaxation of the provisions of this Chapter, a reduction in real property taxes, financial assistance, building code modifications, and/or relief from zoning regulations. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(F) Decision. If, by the end of this 60 day period, the Commission has found that without approval of the proposed Regulated Activity, the Landmark or Contributing Regulated Structure cannot be put to a reasonable beneficial use, or the Owner cannot obtain a reasonable economic return therefrom, then the Commission shall issue a Certificate of Economic Hardship approving the proposed Regulated Activity and allowing the Applicant to obtain the applicable permits under the City Code for the Regulated Activity. If the Commission finds otherwise, it shall deny the application for a Certificate of Economic Hardship and the Commission shall so notify the applicant in writing, by certified mail, return receipt requested. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(G) Appeal. When a Certificate of Economic Hardship for a Landmark or Contributing Regulated Structure is denied, the Applicant may appeal the Commission's decision to the City Council by filing an appeal in writing to the City Manager within 15 days after the Applicant is served with notice by personal delivery or certified or registered mail of the Commission's decision. For the purposes of this Section, the date of mailing or delivery shall be the date of service. The City Council may receive comments on the contents of the record, but no new matter may be considered by the City Council, unless such matter is new or was not known at the time of the hearing. After due consideration of the facts contained in the record submitted to the Council by the Commission and other authorized matter, the City Council (i) may affirm the decision in total, (ii) may approve changes, or (iii) may overturn the Commission's decision. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(H) Natural Destruction or Demolition. In the case of partial or complete natural destruction or Demolition of a Landmark or Contributing Regulated Structure, the Owner shall be required to obtain a Certificate of Appropriateness from the Commission prior to reconstruction. Although exact duplication of the previous structure may not be required, the exterior design of the property shall be in harmony with the exterior design of the Landmark or Contributing Regulated Structure prior to the damage. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(I) Conditions of Validity. A Certificate of Economic Hardship shall be invalid (a) if the plans approved by the Commission or the City Council are changed in any material way, (b) if any conditions of the Certificate are not satisfied, or (c) if any building permit issued for the approved work becomes invalid. A Certificate of Economic Hardship shall remain valid for a period of one year, unless the Regulated Activity is commenced

with that year and diligently pursued thereafter until completed. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

Sec. 24.040 Enforcement and Penalties for Violation

Any person who undertakes a Regulated Activity without first obtaining a Certificate of Appropriateness or a Certificate of Economic Hardship as required under this Chapter 24, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than $50 or more than $5,000. Every day each such violation shall continue to exist shall constitute a separate violation. In addition to monetary penalties, and any other penalties and remedies that may be provided by law or in this Code, in the event of any unauthorized Regulated Activity, the City Council may direct the Corporation Counsel to seek injunctive and other equitable relief to cause the immediate cessation of any such unauthorized Regulated Activity. The City may also order that the Landmark, Regulated Structure, or Contributing Regulated Structure be returned to the condition it was in immediately prior to the unauthorized Regulated Activity. (Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

(Chapter 24 added by Ord. 36-83, J. 15, p. 398, passed 8/8/83; amended in toto by Ord. 11-97, J. 24, p. 44-61, passed 2/10/97; amended in toto by Ord. 48-00, J. 26, p. 181-206, passed 8/14/00; Sections 24.015 and 24.020 repealed by Ord. 52-01, J. 27, p. 233-270, passed 8/27/01; amended in toto by Ord. 20-05, J. 31, p. 054-089, passed 4/11/05)

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MAY 26 2015

COMMUNITY DEVELOPMENT
CITY OF HIGHLAND PARK

May 26, 2015

Certificate of Economic Hardship (Sec. 24.035)

434 Marshman Street, Highland Park, IL 60035

Pursuant to Section 24.035(c)[1], Green Building Technologies, Inc., as Owner of 434 Marshman Street in Highland Park, herewith submits the following information to assist the Commission in making its determination on the Application for Certificate of Appropriateness, filed May 20, 2015:

(1) Amount paid for the Property: $315,000.00
Date of Purchase: September 17, 2014
Party from Whom Purchased: Donald R. Starkey, Jr. & Theresa M. Starkey
Relation Between Prior Owner and Current Owner: None

(2) The assessed value of the Property: $161,930.00

(3) Real Estate Taxes for 2014: $12,977.68
Real Estate Taxes for 2013: $12,424.38

(4) There is no mortgage; however, there are carry costs of owning the land, including, but not limited to, real property taxes, insurance, lost opportunity costs for the equity currently invested in the Property, and exposure to liability from harm/loss caused by the current unsafe condition of the Structure on the Property.

(5) The Owner has not obtained any appraisal of the Property.

(6) The Owner has not listed the Property for sale.

(7) The Owner cannot consider any profitable adaptive uses and/or reuses for the Property, as the Structure on the Property cannot be inhabited, renovated, or demolished.

(8) The Property is not income-producing.

(9) The Property is owned in fee simple by Green Building Technologies, Inc., which is an Illinois LLC.

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[1] The Highland Park Municipal Code does **not** require that the applicant for Certificate of Economic Hardship provide all of the fourteen (14) enumerated items in Section 24.035, but rather "***any or*** all of the [fourteen (14) enumerated pieces of] information. . . ." § 24.035(c) (emphasis added). Indeed, many of the items are not applicable or relevant to the instant application for economic hardship.

(10) The Property currently has a negative worth, as it is uninhabitable, not renovatable, and as a result of the denial of the Certificate of Appropriateness, not demolishable.

(11) There is no pre-tax or after-tax return on the Property.

(12) The licensed professionals cannot devise any work necessary to renovate the Structure; and there is no ability to meet any standards or criteria for the issuance of a Certificate of Appropriateness, other than complete demolition of the Structure, which was denied.

(13) There is no economic feasibility of Rehabilitation or reuse of the Landmark or Contributing Regulated Structure on its present site or elsewhere.

(14) There is no other relevant information that is reasonably necessary for a determination as to whether the Landmark or Contributing Regulated Structure can be reasonably sold or yield a reasonable return to present or future Owners.

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370 Beech Street
Ben Rose House aka "The Ferris Bueller House"
Local Landmark

Application for a Certificate of Appropriateness

TO:	The Historic Preservation Commission
DATE:	June 11, 2015
FROM:	Andy Cross, Planner II
SUBJECT:	Modifications to the House and Property

PETITIONERS / OWNERS:
Chris & Meghann Salamasick
370 Beech Street
Highland Park, IL

PROPERTY LOCATION:
370 Beech Street

STRUCTURE
Style: Miesian
Built: 1954 (house), 1974 (garage)
Original Architect: James Speyer (house)
David Haid (garage)

HISTORIC STATUS:
Local Landmark (1986)

ARCHITECT/BUILDER:
Baranski Hammer Moretta & Sheehy, Galena, IL

BACKGROUND OF THE SUBJECT PROPERTY
The house and garage at 370 Beech were designated as a local historic landmark in 1986. The landmark nomination, drafted by then-HPC Chairwoman Susan Benjamin, includes the following write-up:

> "In 1954, James Speyer designed this beautiful Miesian home for the Ben Rose family. Speyer, who recently died, was Curator of the American Art at the Art Institute of Chicago. This is one of only a few buildings Speyer designed on the North Shore. In 1974, David Haid, a student of Speyer's, designed a second structure for the family. It is an elegant steel and bronze glass pavilion which utilizes the typically Miesian open plan to house a private antique auto collection. Of particular interest is its construction. The entire structure was shop-fabricated in seventeen components an assembled in one day to fit its heavily-wooded site."

The house was in danger and was listed on Landmark Illinois' *2009-2010 Chicagoland Watch List* for threatened historical properties. Fortunately the right owners found the house and are working to improve it.

SUMMARY OF PROPOSAL
A series of three main improvements are proposed on the 370 Beech property:

1) The wooden frame garage (non-historical) will be removed from the property. No building permits could be located for the garage, so it's possible the structure was built without the benefit of permit following the landmark designation in 1986.
2) A new driveway will be installed to provide address to a new garage and storage area beneath the existing house.
3) The structural steel and steel-sash windows will be repainted to their original "Cherokee Red" color that was identified during research on the residence at the Ryerson Library at the Art Institute.

Other improvements with a smaller visual impact will be:

1) Windows on the house will be upgraded with more energy-efficient technology.
2) Insulation will be added underneath and on top of the house.

Jim Baranski is the lead architect on this project and has drafted a detailed narrative that provides more information about these improvements.

POLICY

The house at 370 Beech Street is a Regulated Structure because of its status as a Local Landmark. Any Regulated Activity on the house, such as the proposed modifications to the exterior, require a Certificate of Appropriateness from the Historic Preservation Commission.

STANDARDS FOR CERTIFICATES OF APPROPRIATENESS

The following are the Standards for Certificates of Appropriateness as listed in Section 24.030(D) of the City Code. These standards apply to modifications of all Regulated Structures that are not within historic districts. Not all will apply to the project at 370 Beech Street.

(1) Height. The height of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with properties, structures, sites, public ways, objects, and places to which it is visibly related.

(2) Proportion of front facade. The relationship of the width to the height of the front elevation of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with properties, structures, sites, public ways, objects, and places to which it is visually related.

(3) Proportion of openings. The relationship of the width to height of windows and doors of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with properties, structures, sites, public ways, objects, and places to which the building is visually related.

(4) Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with properties, structures, sites, public ways, objects, and places to which it is visually related. .

(5) Rhythm of spacing and structures on streets. The relationship of a Landmark, Regulated Structure, or a Contributing Regulated Structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the properties, structures, sites, public ways, objects, and places to which it is visually related.

(6) Rhythm of entrance porches, storefront recesses and other projections. The relationship of entrances and other projections of the proposed new Structure to sidewalks shall be visually

compatible with the properties, structures, sites, public ways, objects, and places to which it is visually related.

(7) Relationship of materials and texture. The relationship of the materials and texture of the façade of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with the predominant materials used in the structures to which it is visually related.

(8) Roof shapes. The roof shape of a Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with the structures to which it is visually related.

(9) Walls of continuity. Facades and Property and site structures, such as masonry walls, fences, and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street, to ensure visual compatibility with the properties, structures, sites, public ways, objects, and places to which such elements are visually related.

(10) Scale of a structure. The size and mass of a Landmark, Regulated Structure, or a Contributing Regulated Structure in relation to open spaces, windows, door openings, porches, adjacent structures, and balconies shall be visually compatible with the properties, structures, sites, public ways, objects, and places to which they are visually related.

> *The proposed new garage will be placed underneath the existing house and won't impact the mass of the Miesian house.*

11) Directional expression of front elevation. A Landmark, Regulated Structure, or a Contributing Regulated Structure shall be visually compatible with the properties, structures, sites, public ways, objects, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.

(12) Destruction or alteration of the historic features. The distinguishing historic qualities or character of a Landmark Regulated Structure or Contributing Regulated Structure and its environment shall not be destroyed. The Alteration of any historic or material or distinctive architectural features should be avoided when possible.

> *An old frame garage on the site is proposed for demolition. Its design is not historic and no building permits for it have been located.*

(13) Archaeological and natural resources. Every reasonable effort shall be made to protect and preserve archaeological and natural resources affected by, or adjacent to any project.

(14) Architectural Compatibility. In considering new construction, the Commission shall not impose a requirement for the use of a single architectural style or period, though it may impose a requirement for compatibility.

The new construction on site, limited to a new garage and storage area, is below ground and underneath the historic house. There may be a limited need to introduce classical architectural detailing into the new garage's design.

(15) Use compatibility. Every reasonable effort shall be made to provide a compatible use for a Regulated Structure or Contributing Regulated Structure that requires minimal alteration of the Regulated Structure or a Contributing Regulated Structure and its environment, or to use a Regulated Structure or Contributing Regulated Structure for its originally intended purpose.

(16) Maintenance of Time Period Appearance. All Regulated Structures or Contributing Regulated Structures shall be recognized as products of their own time and so alterations that have no historical basis and which seek to create an earlier appearance than is properly attributable to the particular Regulated Structure or Contributing Regulated Structure that is being altered shall be discouraged. However, contemporary design for Alterations and additions to Regulated Structures or Contributing Regulated Structures shall not be discouraged when such Alterations and additions do not destroy significant historical, architectural, visual, aesthetic, archaeological or cultural material, and such design is compatible with the size, scale, color, material, and character of the Regulated Structure or Contributing Regulated Structure, neighborhood or environment.

(17) Significance of changes made in the course of time. Changes that may have taken place in the course of time are evidence of the history and development of Regulated Structure or Contributing Regulated Structure and their environments. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(18) Sensitivity to distinct features. Distinctive stylistic features or examples of skilled craftsmanship or artistry, which characterize a Regulated Structure or Contributing Regulated Structure, shall be treated with sensitivity.

> *The introduction of more modern windows to the building will be done with the intent to match the frame profile of the existing windows as much as possible, and more so than the current windows installed in the 80's.*

(19) Repair to deteriorated features. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material need not be identical to but should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures;

(20) Surface cleaning. The surface cleaning of the Regulated Structure or Contributing Regulated Structure shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historically, visually, aesthetically, culturally or archaeologically significant materials used in such Landmark, Regulated Structure, or a Contributing Regulated Structure shall not be undertaken;

(21) Wherever possible, additions or Alterations to a Regulated Structure or Contributing Regulated Structure shall be done in such manner that if such additions or Alterations were to be removed in the future, the essential form and integrity of the Landmark, Regulated Structure, or Contributing Regulated Structure would not be impaired.

RECOMMENDATION

Staff recommends that the Historic Preservation Commission discuss the proposed alterations and whether the standards listed above are satisfied. The Commission may approve the plans, or recommend changes to the plans to meet the standards listed above.

ATTACHMENTS

- Written narrative by the architect
- Plan set for improvements at 370 Beech

370 Beech Street – Project Narrative

The house at 370 Beech Street, known as the Ben & Frances Rose Residence, was built in 1953 and was designed by A. James Speyer. The glass and steel building has cypress in-fill panels on the west-facing walls. The Roses added a glass and steel pavilion in 1974 to house their classic car collection. A one-story frame garage was added near the front of the house at a later date.

The 62-year old house has several challenges we are addressing in this project. One of main issues that we'd like to address is the condition of the existing windows. Some of the original fixed-sash windows were replaced in the 1980's with aluminum clad wood frame and sash windows. These have a narrower frame and sash profile than the 1953 windows. Also, all of the existing windows (except those that were replaced on the north façade) are single-pane glass. These windows have very low thermal performance, which makes the house very difficult to heat in the winter. Our goal is to replace all of the existing windows with new thermal-pane windows that more closely match the frame profile of the originals.

Also, in an effort to increase thermal performance, we intend to add rigid insulation to the underside of the existing cypress structural floor decking that is exposed to the exterior and add rigid insulation to the roof. Neither of these installations will be visible on the exterior when viewed at eye level.

Additionally, while researching the residence at the Ryerson Library at the Art Institute of Chicago, we discovered that all of the structural steel and the steel-sash windows were originally painted a dark reddish brown referred to as Cherokee red rather than the current charcoal gray. It is our intention to restore the building to its original color.

Finally, in an effort to restore the view of the original house from Beech Street and to add to its functionality, we propose removing the one-story frame garage located near the front of the house and adding a new garage and storage area below the existing structure. The new garage area will be approached via a descending driveway that will pass through a short, underground tunnel before heading inside. The concrete walls will be set back 20" from the outside face of the perimeter structural columns that the house rests on. The above-grade portion of the walls will be painted black so they blend into the shadows below the building to reduce their visibility. This will keep the relationship the house has with the surrounding grade and maintain the appearance of the house being perched on stilts.

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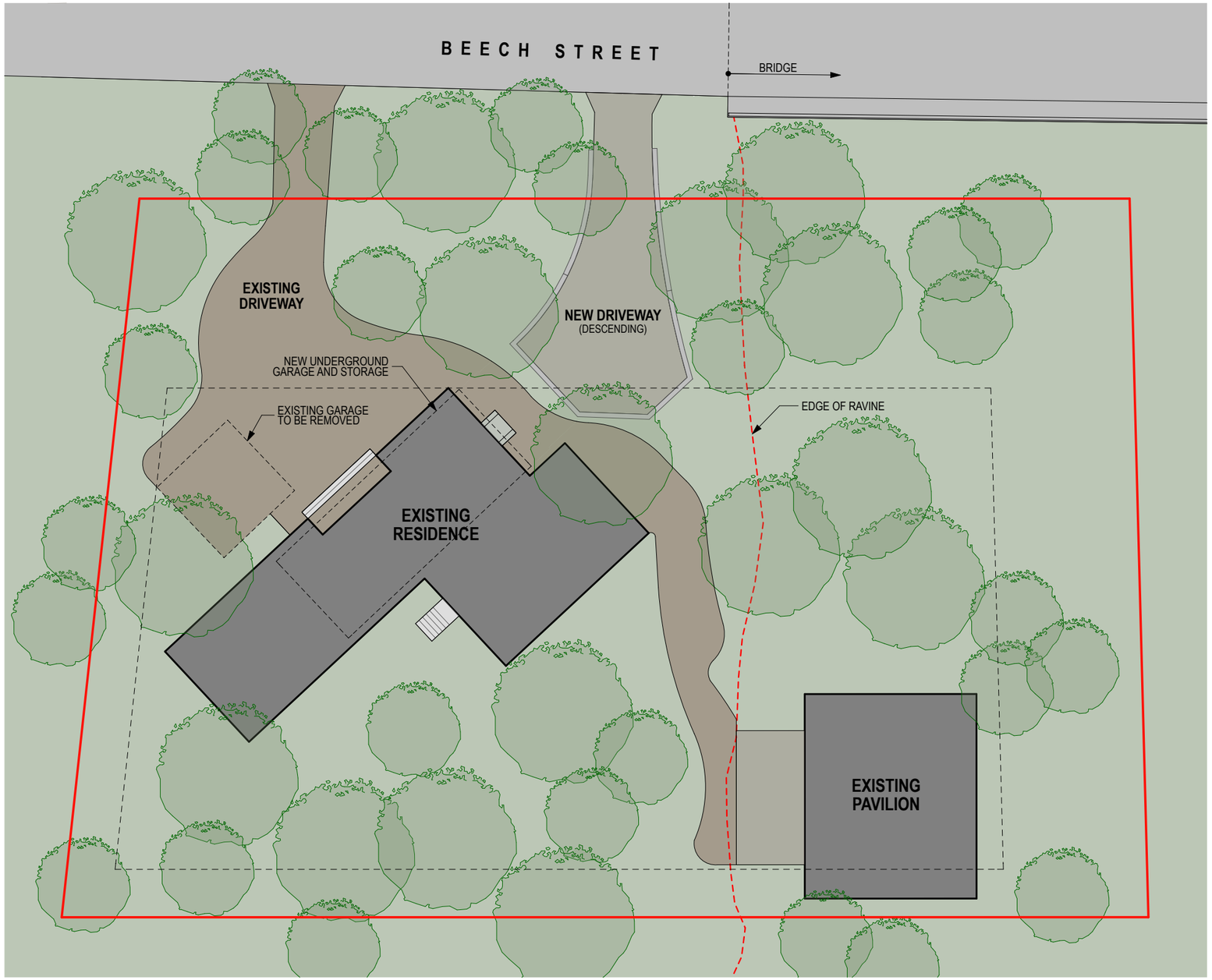

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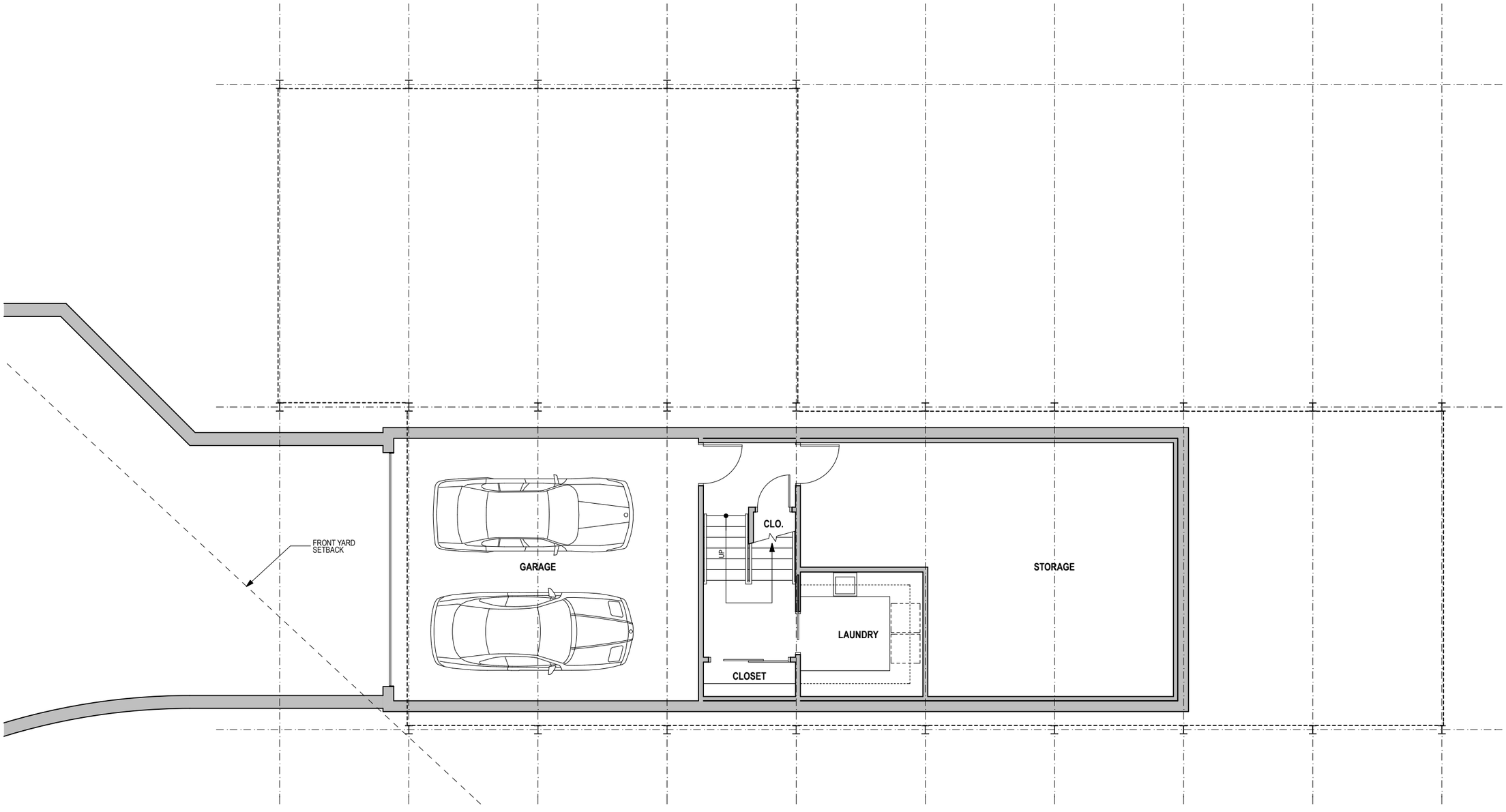
SALAMASICK RESIDENCE
370 BEECH STREET
HIGHLAND PARK, ILLINOIS

Site Plan
SCHEMATIC DESIGN May 26, 2015 revised



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SALAMASICK RESIDENCE
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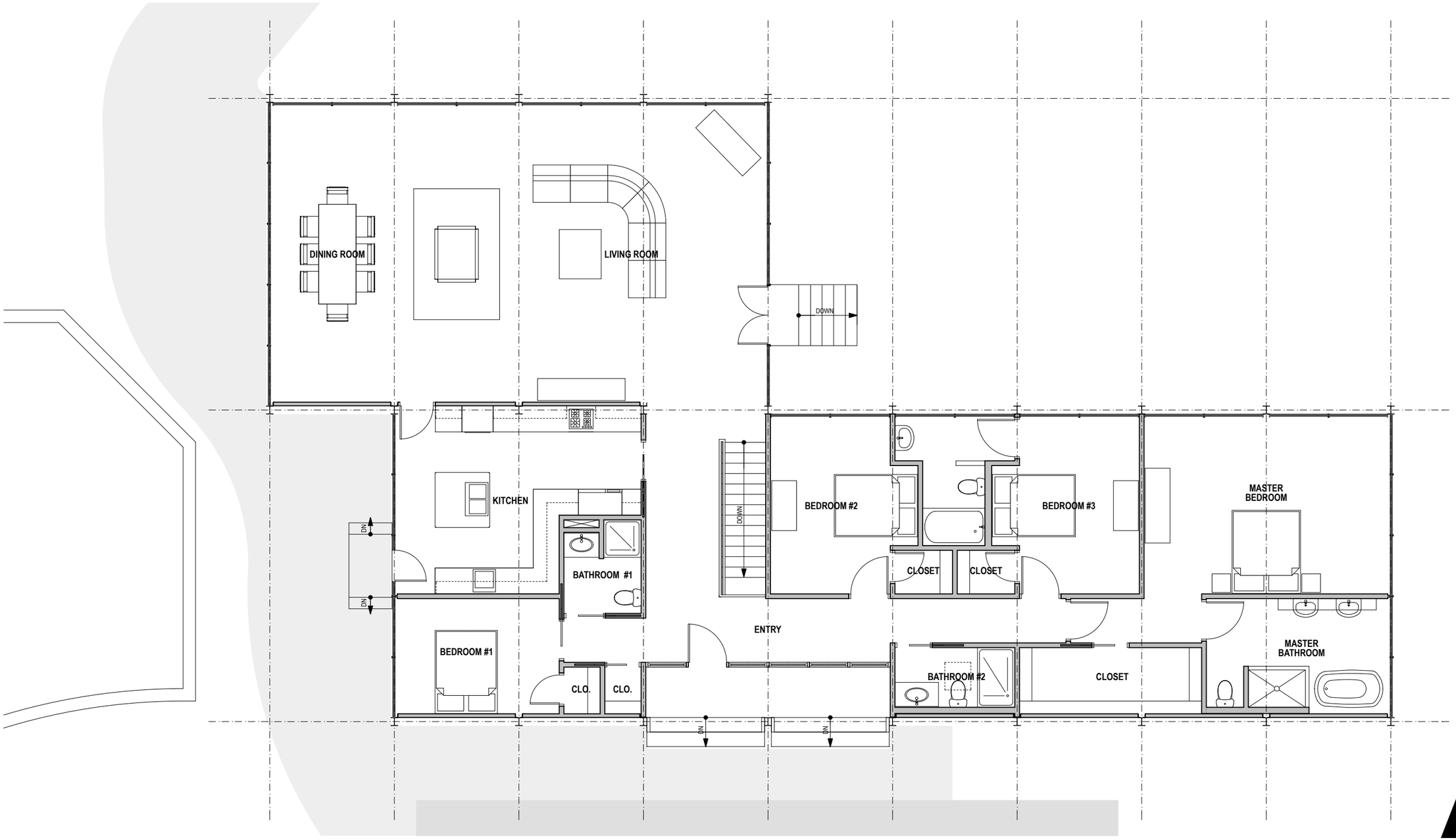
Lower Level Plan
SCHEMATIC DESIGN May 26, 2015 revised



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SALAMASICK RESIDENCE
370 BEECH STREET
HIGHLAND PARK, ILLINOIS

First Floor Plan
SCHEMATIC DESIGN May 26, 2015 revised

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SALAMASICK RESIDENCE
370 BEECH STREET
HIGHLAND PARK, ILLINOIS

View #1
SCHEMATIC DESIGN May 26, 2015 revised

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SALAMASICK RESIDENCE
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View #2
SCHEMATIC DESIGN May 26, 2015 revised

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SALAMASICK RESIDENCE
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View #3
SCHEMATIC DESIGN May 26, 2015 revised

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SALAMASICK RESIDENCE
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View #4
SCHEMATIC DESIGN May 26, 2015 revised