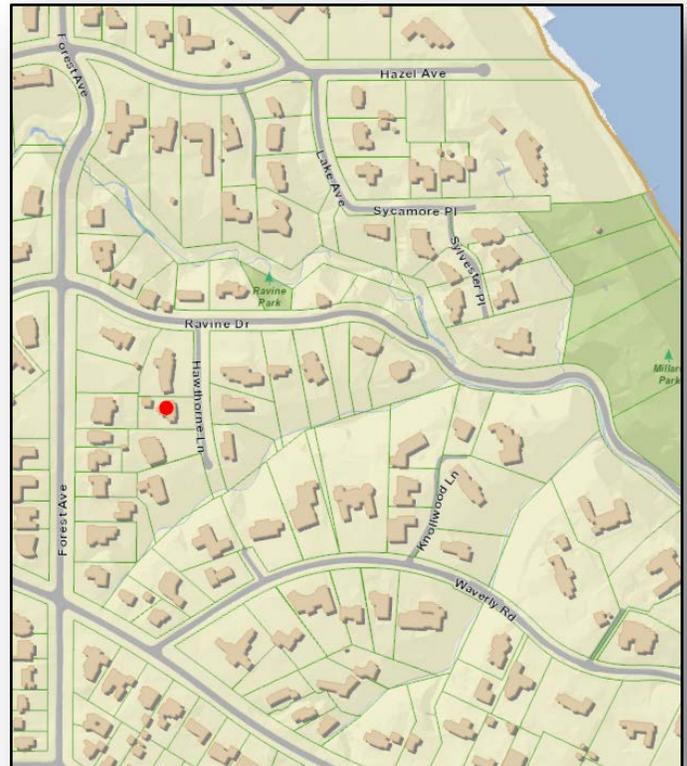


Historic Preservation Commission

Landmark Nomination for 1570 Hawthorne Lane – Public Hearing

To: Historic Preservation Commission
 From: Nusrat Jahan, Planner
 Date: October 25, 2016

<i>Year Built:</i>	c. 1922 (johnvanbergen.org)
<i>Style:</i>	Prairie Style
<i>Structure:</i>	Single Family Residence
<i>Size:</i>	2,790 square feet
<i>Historical Status:</i>	S – Significant
<i>Original Owner:</i>	Wilson Kline
<i>Architect:</i>	John S. Van Bergen
<i>Original Cost:</i>	Unknown
<i>Significant Features:</i>	Paired 4-light casement windows Soldiercourse lintels Ornamental brick front entry surround
<i>Alterations:</i>	<ul style="list-style-type: none"> • Room addition (1962) • Detached garage (1967) • Bathroom addition (1991) • Doorway modification (date unknown)
<i>Staff Recommendation:</i>	Staff recommends that the Commission consider the structure at 1570 Hawthorne Lane for Historic Landmark Designation.



A landmark nomination for 1570 Hawthorne Lane was submitted on May 16, 2016 by HPC Commissioner Lisa Temkin. The nomination was later withdrawn and a revised nomination was submitted on June 14, 2016 by architect and preservationist Christopher Enck, who represents “an individual with an interest in preservation,..” as authorized by Section 24.025(A)(1) of Highland Park’s City Code.

The Historic Preservation Commission first considered the nomination at the July 14, 2016 meeting. At the subsequent meeting on August 11, the Commission adopted a resolution making a preliminary landmark designation recommendation for the property. Following the adoption of the resolution, the property owner submitted a letter declining consent for the

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landmark designation. Because the owner has not provided consent, the HPC must hold a public hearing to “provide a reasonable opportunity for all interested persons to present testimony or evidence” regarding the nomination and the findings of the Commission. The intent of the public hearing is to allow additional testimony and evidence to be submitted for the Commission’s consideration before a recommendation is forwarded to the City Council.

Previous Consideration

In December 2015, the owner of 1570 Hawthorne appeared before the HPC for a demolition review. Following extensive discussion about the architectural style of the house and discussion about the architects of record for the house, John Van Bergen, the Commission found that the property satisfied landmark standards 1, 4, 5 and 6:

- (1) It demonstrates character, interest, or value as part of the development, heritage, or cultural characteristics of the City, county, state, or country.
- (4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use or indigenous materials;
- (5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;
- (6) It embodies, overall, elements of design, detailing, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative;

With the findings that four landmark criteria from Section 24.015 were satisfied, a mandatory 365-day review period was enacted for the property pursuant to Section 170.040(E)(2) of Highland Park’s City Code. The 365-days review period will expire on November 3, 2016. During this period, the house is considered a Regulated Structure and any Regulated Activity¹ on the property is subject to a Certificate of Appropriateness review by the Historic Preservation Commission.

About six months later, on July 14, 2016, a nomination to designate 1570 Hawthorne as a local historic landmark was presented to the Historic Preservation Commission per the requirements of Sec. 24.025(A) of the Historic Preservation Ordinance. The Commission considered the landmark nomination and determined by (6-0) vote that the property satisfied four of the landmark criteria established in Article 24. The Commission also found that the structure has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation. The commission directed that Staff Draft a Resolution and Planning Report.

On August 11, 2016 the Commission adopted Resolution R16-01 (see Attachments) making a preliminary landmark designation recommendation to the City Council. The Owner submitted a

¹ Regulated Activity: Any act or process involving the erection, Construction, reconstruction, Rehabilitation, repair, Relocation, Alteration, or Demolition of a Regulated Structure.

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written letter declining consent to the landmark designation on September 22, 2016. As a result, Section 24.025(D)(4)(E)(F) requires a public hearing before the Historic Preservation Commission.

Summary of Landmark Nomination Process & Public Hearing

The landmark designation process for 1570 Hawthorne Lave was initiated by the submission of a signed landmark nomination form. Section 24.025 of the City Code establishes who is authorized to sign and submit a landmark nomination:

- 1) One or more Historic Preservation Commissioners
- 2) The owners of the applicable property, structure, area, object, or landscape of significant
- 3) The City Council, by resolution duly adopted
- 4) The City Manager
- 5) An organization or individual with an interest in preservation, restoration, rehabilitation, local history, archaeology, modes of cultural of artistic expression, and/or neighborhood conservation or revitalization.

The landmark nomination for 1570 Hawthorne has been submitted by architect and preservationist Christopher Enck, who represents “an individual with an interest in preservation,..” as authorized by Section 24.025(A)(1) of Highland Park’s City Code.

The owner of the property was sent a certified letter on June 1st with information about the nomination and date, time, and location of the 7/14/2016 HPC meeting at which the Historic Preservation Commission considered the nomination materials.

Since the nomination is submitted by an individual or group *other* than the owner and the owner objects to the landmark nomination, the Historic Preservation Commission had to make the following determinations in order to make a recommendation and approve the resolution²:

<p>(i) Meets three or more of the Landmark criteria set forth in Section 24.015 of this Chapter</p> <p style="text-align: center;"><i>AND</i></p> <p>(ii) Either or both of Criterion No. 2 or Criterion No. 5 are among the three or more criteria determined to have been met.</p>	<u>AND</u>	<p>Has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or Rehabilitation.</p>
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² As required by Section 24.025(B)(2)

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The Commission's actions at the July and August meetings are summarized above. Following the August 11, 2016 meeting, a certified follow-up letter was sent to the property owner notifying them of the HPC's findings and the adopted resolution 16-01. The letter also requested that the owner provide written consent or objection to the landmark designation.

As noted above, the owner submitted a letter dated August 22, 2016 declining consent for the landmark designation and as a result, Section 24.025(D)(4)(E)(F) requires that the HPC shall schedule and hold a public hearing on the proposed designation.

Public Hearing

The intent of the HPC's public hearing is to "provide a reasonable opportunity for all interested persons to present testimony or evidence." At the conclusion of the hearing, the Commission may:

- 1) Vote to recommend to the City Council that the property should be designated as a landmark
- 2) Vote *not* to forward a recommendation to the City Council
- 3) May not take any action³.

If the Commission takes no action, then the property shall no longer be a Regulated Structure at the conclusion of 180 days after the passage of Resolution 16-01. The Resolution was adopted on August 11, 2016; 180 days after that date is February 7, 2017.

Within 30 days after the conclusion of the public hearing, if the Historic Preservation Commission recommends to the City Council the approval of the proposed landmark designation and if the Owner continues to oppose, or fails to give written consent to Landmark designation, the Historic Preservation Commission may not recommend approval of the Landmark designation ***without the affirmative vote of at least five members of the Historic Preservation Commission***. The Commission may also vote not to recommend to the City Council or may take no action at all.

Since, in this case, the owner has provided written objection to the landmark designation, the recommendation to the Council must be accompanied by findings of fact that address the criteria which qualify the property for landmark designation. This means a detailed explanation must be provided to the Council describing how the structure at 1570 Hawthorne meets landmark criteria 1, 4, 5 and 6.

If the Commission recommends approval of the landmark designation to the City Council, the Commission must direct staff to prepare draft Findings of Fact for the Commission's consideration and approval. The staff-drafted findings of fact will be reviewed by the Commission at a subsequent meeting, and amended as necessary prior to transmittal to the City Council.

³ Outcome of the Public Hearing: Commission Recommendation Section 24.025(G)-

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Upon receiving the Commission's recommendation, the City Council may, by Ordinance duly adopted, designate the Regulated Structure as a local landmark if they determine, based on the findings, recommendations, and official record of the HPC, that:

- 1) The property at 1570 Hawthorne Lane meets two (if owner consent given) or three (if owner not given) or more of the landmark criteria established in section 24.015, and
- 2) The property has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or rehabilitation.

If the owner continues to oppose or fails to give written consent to the landmark, then the Council must also find that the property meets three or more landmark criteria, and that either or both landmark criteria 2 or 5 are among the three in order to designate the property as a landmark.

Alternatively, the City Council may, by a resolution duly adopted, reject the HPC's recommendation to designate the property as a local landmark. This would constitute the final disposition of the nomination. No proposed landmark nomination that is substantially the same as one defeated can be resubmitted or considered for two years from the date of the final action on the current nomination.

Recommended Action

The Historic Preservation is asked to hold a public hearing to accept testimony from parties interested in the landmark nomination for 1570 Hawthorne Lane. Following the conclusion of the public hearing, the Commission is asked to vote on whether to recommend the proposed landmark designation to the City Council. It is important to remember that a vote in the affirmative, given that the Owner continues to oppose the landmark designation, must have **at least five members of the Historic Preservation Commission**.

- If the vote is in the affirmative, and in anticipation that the owner will not reverse his opposition to the designation, the HPC is asked to direct Staff to prepare draft Findings of Fact based on the landmark criteria that comprise the landmark nomination and any additional criteria the Commission finds applicable as a result of its deliberation of at the public hearing.
- The staff-drafted Findings of Fact will be placed on the agenda of the next available Historic Preservation Commission meeting for the Commission's review prior to transmittal to City Council.

Attachments

- Landmark Nomination for 1570 Hawthorne Lane
- Resolution 16-01 Preliminary Landmark Designation Recommendation
- Planning Report for 1570 Hawthorne Lane Landmark Nomination dated August 11, 2016
- Letter from Property Owner Declining Consent to the Landmark Designation dated August 22, 2016.
- Exhibits submitted by Property Owner

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- Transcript of July 14, 2016
- Transcript of August 11, 2016
- Slides for HPC Public Hearing
- Owner's Objection letter 7-12-16
- Minutes from all HPC meetings where this was discussed - dated July 14 and August 11, 2016

Criteria for Determining Highland Park Landmarks

In making decisions about which sites or structures qualify as Highland Park Landmarks the Historic Preservation Commission will decide within 45 days whether the nominated property meets one or more of the following criteria:

- (1) It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country;
- (2) It is the site of a significant local, county, state or national event;
- (3) It is associated with a person or persons who significantly contributed to the development of the City, county, state or country;
- (4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use of indigenous materials;
- (5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;
- (6) It embodies, overall, elements of design, detailing, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative;
- (7) It has a unique location or it possesses or exhibits singular physical and/or aesthetic characteristics that make it an established or familiar visual feature;
- (8) It is a particularly fine or unique example of a utilitarian structure or group of such structures, including, but not limited to farmhouses, gas stations or other commercial structures, with a high level of integrity and/or architectural, cultural, historical and/or community significance; and/or
- (9) It possesses or exhibits significant historical and/or archaeological qualities.

**Mr. and Mrs. James L. Whitehouse Residence and
Garage - 1937**

660 De Tamble - Highland Park, Illinois



A simple refined house - the plan is a variation of the earlier "square" plan broadened into a rectangle and turned sideways. Also, the stair/entry core has evolved and divides the house in two halves - a transit area that divides the living and dining rooms.

The outstanding aesthetic characteristic of this design is the symmetrical front facade with the arched entry at its center.

There are some alterations; the veranda (originally open) is now enclosed, the low brick planters on either side of the front stairs have been removed and the garage has had a second story added.

Blue prints exist and are dated April 23, 1937.

Wilson Kline Residence - ca. 1937

1570 Hawthorne Drive - Highland Park, Illinois



This house is very similar to the Whitehouse Residence, also in Highland Park.

Highland Park Landmark Nomination Form

- 1) Name of Property (original name): Wilson Cline House
- 2) Street Address: 1570 Hawthorne Ave., Highland Park
- 3) Legal description or PIN: 16-25-101-010
- 4) Name & address of Property Owner: William & Karen Silverstein, 1569 Forest Ave., Highland Park
- 5) Present use: house unoccupied since current owner purchased fall 2015
- 6) Past Use: Single Family Home
- 7) Architect: John S. Van Bergen
- 8) Date of Construction: 1922
- 9) Written statement describing property & setting forth reasons it is eligible for landmark designation:

The residence is built in the Prairie Style and reflects Van Bergen's unique and complex details, such as the intricate brickwork, quality local materials, and the siting and scale of the house on the property. The arrangement of the rooms, including the now enclosed porch on the south side of the house, demonstrate Van Bergen's intention to use the natural landscape as a design element, placing what was once the open "verandah" among the trees and ravine (a pool has been added, trees removed). The veranda (open porch) with no windows or screens, allowed natural light and fresh air, the concept of bringing the "outside in". The use of high quality materials and craftsmanship and the prominent detailed entrance are original. The quarry tiles at the exterior front entrance are Van Bergen's signature and can be seen on every one of his designs, including Braeside School (and all his other HP designs). The square (as a shape), as seen in the tiles, is repeated throughout each of Van Bergen's designs, as an interior and exterior architectural detail. These features appear in most of Van Bergen's designs in a variety of ways and are seen throughout his entire career. The north and west additions, neither of which were designed by Van Bergen, were done in 1962 and 1991, and the front door was moved forward to be flush with the east facade. Despite the changes, the house received a rating of S for Significant in the survey and do not detract from the integrity of the house.

10) This structure is eligible for designation on the basis of the following criteria:

(1) It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country;

(4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use of indigenous materials;

(5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;

(6) It embodies, overall, elements of design, detailing, materials and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative.

11) Name of Applicant: Lisa Temkin, 660 De Tamble Ave., HP

12) Affiliation (Commission Member, Owner, City Council, Preservation Organization): Historic Preservation Commission since January 2009

Criteria 1: It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country.

The Wilson Cline House at 1570 Hawthorne Lane was built in 1922 by John S. Van Bergen in the Prairie Style. Many of Chicago's great architects were living and working in Highland Park and the surrounding communities, leaving a large and excellent legacy for us to appreciate and study. The diversity of residential architectural styles is clearly evidenced in Highland Park and makes our neighborhoods particularly desirable. The house at 1570 Hawthorne is one of many design variations that evolved as Van Bergen matured as an architect.

The Prairie Style is known as a truly 'American' style of architecture developed by several very significant architects, including Frank Lloyd Wright, in the very early part of the 20th century. These architects were creating a style that dramatically diverged from the typical European architectural design and style that were commonly used all over the North Shore, Chicago, and the East Coast. The Cline House illustrates Van Bergen's ability to design well-built, well-designed houses for clients that were "middle-class", not necessarily the wealthy industrialists that many architects were seeking as clients. Van Bergen's sensibility was more about "good materials, good architecture, good siting" of the structure on the property to create the most natural, private and visually attractive environment. Van Bergen, like FLW, believed that a person didn't need to have tremendous wealth to have a well-designed house. This value is apparent in many of Van Bergen's designs and FLW's Ravine Bluffs in Glencoe, among others.

Criteria 4: It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use of indigenous materials.

The Prairie Style was made famous by FLW though he is only one of many architects in Chicago that worked in the style. The Prairie Style is most commonly seen in the Midwest and was inspired by the open prairie landscape that is prevalent in the Midwestern states. Prairie structures are easily identifiable by specific architectural details commonly seen on Van Bergen designs and others. A low-pitched roof, built in gutter system, bands of windows--oftentimes-including corner windows. The structures have a horizontal or squat feeling and the choice of materials and the way they're used all reinforce the horizontal lines of the structure. Chicago and the surrounding suburbs have a wealth of Prairie structures built by Van Bergen and many of the other architects that worked in the style. The sheer number of structures in Chicago is due to the fact that the style was truly developed here. The legacy we have in Highland Park and Chicago metro area are evidence of the quality materials, craftsmanship and design that Van Bergen consistently used.

It should also be noted that Van Bergen was friends, neighbors and colleagues with landscape architect Jens Jensen. They collaborated on many projects in Highland Park over a period of about 12-15 years, incorporating the Prairie concept into the design of entire properties, from the landscape to the structures (including garages).

Criteria 5: It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country.

The Cline House demonstrates Van Bergen's skill, creativity and versatility as an architect. Van Bergen built schools (Braeside, Ravinia/Lincoln remodels, West Ridge, Chicago Junior School, etc), a commercial building (1884 Sheridan Rd.), apartment buildings (Oak Park), and an estate (Lake Forest), just to mention a few. The Prairie Style was made famous by Frank Lloyd Wright. Van Bergen worked for Wright starting in 1909 and was the architect to complete all the projects when Wright left the country. Before working for FLW, Van Bergen started his career as a draftsman for Walter Burley Griffin, another innovative architect working in the Prairie Style and one of the "Chicago 18". Van Bergen's creative use of space, siting, and indigenous and quality materials are evidenced by the legacy of his large body of work that still exists today. Highland Park has the highest density of Van Bergen structures, likely due to the fact that he lived and worked in Highland Park for 20 years. Van Bergen lived in Ravinia on Cedar Ave. (234 Cedar), and paid particular attention to quality craftsmanship and materials. Van Bergen also built homes in Ravinia for his mother and mother-in-law (290 Cedar), his sisters (291 Cedar and 1141 Linden), and his brother (1184 Wade St.). Van Bergen worked in the Prairie Style longer than his colleagues, into the late 1930's.

There are dozens of Van Bergen homes all over the North Shore, Barrington, Oak Park, Northfield, Minnesota, Santa Barbara and Montecito, California, just to name a few. Of Van Bergen's 50+ designs and remodels in Highland Park, all but 3 are still very well maintained and lived in. One house was lost to a fire (corner of Cedar and Wade).

Criteria 6: It embodies, overall, elements of design, detailing, materials and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative.

The Wilson Cline house illustrates all the design elements that Van Bergen and the other Prairie architects used. The roofline, a low slung roof with deep eaves, create a visually horizontal structure. The materials in the Cline house are seen in all of Van Bergen's Highland Park designs--thin rectangular bricks laid in an unusual pattern create interest despite the simple material. The closed porch on the south side of the house would've been designed as an open veranda, to "to bring the outside in". There are many trees and plants around the east side of the veranda, creating shade, quiet and privacy--the idea of a "sanctuary", influenced by Van Bergen's friend Jens Jensen.

The lower two-thirds of the house are brick (a horizontal shape emphasized by horizontal mortar lines) with the upper third clad in wood. The visual effect of the two materials used in this way also accentuate the horizontal landscape. The windows all have horizontal panes of glass, mimicking the rectangular shape of materials and the house itself.

The front entrance also demonstrates Van Bergen's creative use of detailed and high quality brickwork. The entrance has been altered by making the door flush with the front facade (facing east) and could easily be restored to its original depth, recessed about 3 feet from its current location. Restoring the front entrance would draw the focus of the front facade to the door and entrance to the house. All the original brick is intact and in excellent condition.

The front entrance also has quarry tiles set into the cement entrance, Van Bergen's signature, which is seen on every one of his designs. Again, the use of the quarry tiles, an organic material that were found locally, repeats the square pattern. They are prevalent on Braeside School. One unusual element at the front entrance to the house is the transom window, now covered up. The transom was likely used to give light to the front hall since the property and neighborhood have dense tall trees. The

small windows flanking the door were common elements Van Bergen used, here, they are vertical rectangles.

The massing of the chimney is large and is in the center of the house. The living room fireplace is another tenet of Prairie style design--the fireplace is the gathering place for the family. FLW, Jensen and Van Bergen all used the concept of the hearth, the place people come together--same concept as the Council Ring.

Other Organic and quality materials commonly seen in Prairie style structures are stucco, wood—oak, cypress, flagstone and glass. All are present in the Cline house and remain in excellent condition. Again, the materials are used to emphasize the horizontal line. Little ornamentation or intricate design was used in Prairie designs either on the exterior or interior.

Additional information.

As mentioned, the small enclosed room on the north side of the house is not original to the house though the original brick was taken from the rear (west) wall of the house and reused on the front (east) facade of the north addition. The west addition in the rear was also added much later and is not sensitive to the style of the house or in the quality of materials or craftsmanship. The alterations could all easily be removed or modified without compromising the integrity of the original house.

The majority of Van Bergen's designs are not easily visible from the street. Valuing the siting of a house for purposes of natural light, privacy and the views from the interior, he built many of his designs on ravines, oftentimes at the intersection of 2 ravines—one reason many people are unaware of his large body of work as an architect (266 Delta Rd., 344 Bloom and many others). Awareness of siting is something seldom seen today. The placement of a house on a lot was, and still very important (garages, when they became useful due to cars, were always built behind the house. Van Bergen usually built houses set far back from the street—he wanted to create a feeling of being one with nature (Prairie Style tenet—remember Jens Jensen and FLW valued this as well). The Wilson house is set back from the street and likely had many more trees in 1922, providing privacy and quiet. Like many Van Bergen homes, this one is also in close proximity to a ravine where foliage creates

shade (no A/C in 1922) all around the house. The open veranda was strategically placed on the south side of the home, closest to the dense trees that provided screening, and had no windows or screens. Again, the concept of being in nature.

Every year the Frank Lloyd Wright Home & Studio host a house walk in Oak Park of some of the most significant private homes by FLW and others. The event is an Oak Park "tradition", drawing people from all over the world for the annual tour. This year on May 21 a Van Bergen house is being featured on the tour, evidence of Van Bergen's importance and talent.

<http://www.choosechicago.com/event/Wright-Plus-2016-The-Great-American-Housewalk/20839/>

In October of 2012, October became John Van Bergen Month when the HPC partnered with several other entities to create a large-scale month-long Public Education project, raising awareness in Highland Park and beyond. It was an honor to be nominated for a Governor's Hometown Award for Public Education for the Van Bergen project, which took a year to create. Mayor Rotering and I presented the project in Springfield.

Van Bergen Month was also the topic for a Landmarks Illinois Suburban Preservation Alliance meeting in December of 2012. I continue to receive emails from people all over Chicago and the country (recently someone in Denmark) inquiring about Van Bergen's work. To lose the Wilson Cline House would truly be a loss to our community, not to mention the body of Van Bergen's work. Marty Hackl's book about Van Bergen, his life, and his large contribution to Highland Park are well documented.

Van Bergen was civically minded and served on several local boards. He was the School District 108 architect for many years and consulted on many projects and repairs for the District.

Below is the entire list of known Van Bergen designed properties in Highland Park.

yr. built	Original Owner	Address
1920	John and Ruth Van Bergen	234 Cedar Ave.
1922	Wilson Kline Residence	1570 Hawthorne Dr.
1923	Paul Phelps Residence	1103 Linden Ave.
1924	Belle Bemis/Frank VB	295 Cedar Ave.
1924	Herman Pomper Residence	318 Maple Ave.
1924	Frank Von Geyso Residence	456 Woodland Ave.
1925	Herman Lanzl Residence	1635 Linden Ave.
1926	Moldaner & Humer Furriers	1894 Sheridan Rd.
1926	Clifford Raymond Remodel/Add	1050 Wade
1926 &	Harry S. Moses/Dudley Crafts	291 Marshman

'40	Watson	
1926	Jonas Steers Coach House Remodel.	132 Belle Ave.
1927	Ella Van Bergen/Frank VB	1184 Wade
1927 & '37	Ravinia School & Additions	763 Dean Ave.
1927 & '37	Braeside School & Additions	150 Pierce Rd.
1928	Raymond & May Watts	487 Groveland Ave.
1928	Herbert & Jessie VB Small	1141 Linden Ave.
1928	Mrs. Delia Fricke Residence**	1251 St. Johns Ave.
1929	Dr. Harry B. Roberts	344 Elm Pl.
1929	Lincoln School Clock	Lincoln Ave.
1930	Albert & Laura Stoddard	290 Cedar Ave.
1930	Frank Von Geyso Residence #2	450 Woodland Ave.
1935	Herman Black Residence	858 Baldwin
1935	John Shaver Residence	326 Delta Rd.
1936	R.K. Ohara Residence Remodel	319 Cedar
1936	E.L. Easton Residence Remodel.	575 Groveland
1936	Dr. George B. Lake Residence	344 Bloom St.
1937	James L. Whitehouse	660 De Tamble Ave.
1937	Lincoln School Additions	711 Lincoln Ave. West
1937	West Ridge School & Additions	636 Ridge Rd.
1938	Louis Haller Residence Remodel.	290 Marshman Ave.
1941	Albert Kurtzon Residence	266 Delta Rd.
1928/19 48	Oscar H. Plotkin Residence Remodel.	77 S. Deere Park Dr.
1946	Mabel McKee House	511 Ravine Dr.
1946	Dr. Helen Sadler Residence	20 Acorn Ln.
1947	Albert Ramond Residence Remodel.	1881 Old Briar
1950	Harold White Res. #2	297 N. Deere Park Dr.
1946		2366 Egandale
1927 & 45	Mary Helmhold Residence Remod	288 N. Deere Park
1939	Myron Hexter Residence Remod	910 Judson
1921	Pierre Martineau Residence Remod	233 Woodland
1947/19	Alex/Alec Ross Residence	1000 Half Day

65		Remod	Rd.
1937	Morton Abelson Residence	834 Green Bay	Remod
		Remod	Rd.

May 14, 2016 Landmark Nomination, 1570 Hawthorne Ave.

**CITY OF HIGHLAND PARK
HISTORIC PRESERVATION COMMISSION**

RESOLUTION NO. 16-01

**A RESOLUTION MAKING A PRELIMINARY LANDMARK DESIGNATION
RECOMMENDATION FOR 1570 HAWTHORNE LANE**

WHEREAS, on June 13, 2016, pursuant to Section 24.025(A) of "The Highland Park Code of 1968," as amended ("**City Code**"), the Chairman of the Commission received a written nomination to designate as a landmark the principal residential structure known as the Wilson Cline House ("**Structure**") that is located at the address commonly known as 1570 Hawthorne Lane in Highland Park, Illinois ("**Property**"); and

WHEREAS, pursuant to Section 24.025(B)(1) of the City Code, a public meeting of the Commission to consider preliminary landmark designation of the Structure was held on July 14, 2016, notice of which meeting was delivered on June 23, 2016 to the owners of the Property; and

WHEREAS, the owners of the Property have submitted a written objection to the proposed landmark designation of the Structure; and

WHEREAS, pursuant to Section 24.025(B)(2) of the City Code, to make a preliminary landmark designation recommendation for the Structure, to which the owners of the Property have objected, the Commission must, by resolution duly adopted: (i) find that the proposed landmark designation satisfies at least three of the criteria set forth in Section 24.015 of the City Code including either or both of the criteria set forth in Sections 24.015(2) and 24.015(5) of the City Code; and (ii) determine that the Property has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation; and

WHEREAS, the architect of the Structure, John Van Bergen, was a notable architect who trained under Frank Lloyd Wright and who was and remains known for his "Prairie Style" residences; and

WHEREAS, Van Bergen resided, and designed numerous Prairie Style residences, in the City, and thus had a significant impact on the development and characteristics of the City; and

WHEREAS, the Structure features a low-slung roof with deep eaves, patterned brick, a quarry tile-accented front entrance, and many other significant design and detail elements, and thus serves as a valuable example of the Prairie Style of Van Bergen's own creativity; and

WHEREAS, the Commission has determined that the proposed landmark designation of the Property satisfies the criteria for landmark designation set forth in the City Code;

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF HIGHLAND PARK, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as the findings of the Historic Preservation Commission.

SECTION TWO: PRELIMINARY LANDMARK DESIGNATION. In accordance with, and pursuant to, Section 24.025(B)(2) of the City Code, the Commission hereby: (a) finds that the Structure satisfies the criteria for landmark designation set forth in Sections 24.015(1), 24.015(4), 24.015(5), and 24.015(6) of the City Code; and (b) determines that the Structure has sufficient integrity of location, design, materials and workmanship to make it worthy of preservation. Pursuant to such finding and determination and Section 24.025(B)(2) of the City Code, the Commission hereby makes a preliminary recommendation to designate the Structure as a landmark.

SECTION THREE: EFFECT OF DESIGNATION. In accordance with and pursuant to Section 24.025(B)(3) of the City Code, upon the effective date of this Resolution, the Structure will be considered a "Regulated Structure," as that term is defined pursuant to Section 24.005 of the City Code.

SECTION FOUR: EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval in the manner provided by law.

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

RESOLUTION NO. _____

Barbara Thomas, Chairman

ATTEST:

Nusrat Jahan, Commission Secretary

HISTORIC PRESERVATION COMMISSION PLANNING REPORT FOR 1570 HAWTHORNE LANE

DATE REFERRED: August 11, 2016
ORIGINATED BY: Department of Community Development
SUBJECT: Planning Report for 1570 Hawthorne Lane Landmark Nomination

SUMMARY AND BACKGROUND OF SUBJECT MATERIAL

Address: 1570 Hawthorne Lane
The Kline, Wilson House

Owner: William and Karen Silverstein

Zoning: R4 Single Family Residential; Lakefront Density & Character Overlay Zone (LFOZ)

Style: Prairie Style

Date of Construction: c. 1922 (johnvanbergen.org)

Architects: John S. Van Bergen

ADMINISTRATIVE HISTORY

The owners of 1570 Hawthorne Lane appeared before the Historic Preservation Commission in December 2015 with a request to demolish the house. After extensive research and discussion, the HPC determined that the structure satisfied four landmark criteria enumerated in the City Code. As a result of the findings, the property was put under a 365-day demolition delay that expires on November 3, 2016.

On June 13, 2016, a landmark nomination was submitted to the City to designate 1570 Hawthorne Lane as a local landmark. It was submitted by architect and preservationist Christopher Enck of Winnetka.

The nomination was presented to the Historic Preservation Commission on July 14, 2016 per the requirements of Sec. 24.025(A) of the Historic Preservation Ordinance. The Commission considered the landmark nomination and determined that the property satisfied four of the landmark criteria established in Article 24 and has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation. The Commission adopted Resolution R16-01 making a preliminary landmark designation recommendation to the City Council.

In accordance with the landmark designation process established in the Code, the property at 1570 Hawthorne Lane remains a Regulated Structure until the landmark nomination process is complete. The Owner has declined to give consent to the landmark designation, so a public hearing will be scheduled for an upcoming meeting of the Historic Preservation Commission.

HISTORIC PRESERVATION COMMISSION PLANNING REPORT FOR 1570 HAWTHORNE LANE

DESCRIPTION OF THE PROPERTY

The William Kline House at 1570 Hawthorne Lane house is a 2,790 square-foot Prairie style house with quarry tile finished front entry. The design of 1570 Hawthorne Lane is credited to architect John S. Van Bergen Work, built in 1921 or 1922 for Milton Kline a lawyer from Chicago.

The intricate brick work, the projections on either side of the house, and the prominent detailed entrance appear in many of his designs from the early 20th century.

Marty Hackl is a published researcher of John Van Bergen's architectural career. His website, johnvanbergen.org, provides an inventory of Van Bergen's houses with notes for each design. The entry for 1570 Hawthorne Lane states the following:

Though very similar in plan to the Whitehouse Residence (660 DeTamble), this design is more than a decade earlier and is much more spacious.

There have been some heavy handed alterations and additions over the years and the house retains little original character. As seen in the above photo, the front door has been pushed out into what was a sheltered entry portal. This ruins the dimensions of the facade, flattening it, making it just a single flat surface. This also hides the interesting brick pattern around the portal.

That alteration along with the current monochromatic paint scheme and roof color blur the original rich textural character of the structure

Modifications and Alterations:

Research in City records identified three notable modifications to the house:

- 1) In 1962, bedroom addition on the back of the house and the outdoor pool was installed.
- 2) In 1967, a detached garage was built.
- 3) In 1991, bathroom addition

The front door was modified at some point by moving it forward within the entryway, nearly flush with the front façade. Bathroom addition on 1962 addition in 1991 neither of which were designed by Van Bergen.

Architect John S. Van Bergen

John Van Bergen (1885-1969) was a Prairie Style architect who lived and worked in Highland Park. He grew up in Oak Park, Illinois and worked as a draftsman under Walter Burley Griffin. He joined Frank Lloyd Wright's Oak Park studio in 1909 where he learned the tenets of the Prairie Style that would shape his career.

What makes Van Bergen especially noteworthy is that he designed within the Prairie Style longer than anyone else. In his Oak Park years (1911 – 1918), Van Bergen's designs look very much like Frank Lloyd Wright's. By 1920, when he moved to Highland Park, he had found his own personal style. His house and studio, located at 234 Cedar Street, are fine examples.

Van Bergen is not known for designing mansions or tall, imposing structures. Instead, his best works are schools and a series of modestly-sized single family homes. They show that a brilliant, innovative design can accompany affordability and livability. His excellent sense of proportion and use of

HISTORIC PRESERVATION COMMISSION PLANNING REPORT FOR 1570 HAWTHORNE LANE

stratified stonework is striking. The importance of John Van Bergen's work is just beginning to be appreciated and Highland Park is fortunate to have so many good examples of his mature style¹.

Julia Johnas, Library Liaison provided research information about Van Bergen work by James Muggenberg.

Muggenberg's article in *The Prairie School Review* noted that the Wilson Kline house is pictured (circa 1975), Van Bergen's career is divided into 3 sections - pre-World War I, the Highland Park years (1920-1947), and his later commissions. The Wilson Kline house, according to Muggenberg, is a typical design of Van Bergen's middle period. It was around this time that Van Bergen came under the influence of Jens Jensen and began using natural stone exterior walls rather than brick, so the Wilson Kline house is important in depicting a particular period of Van Bergen's development.

FINDING OF HISTORIC OR ARCHITECTURAL SIGNIFICANCE

At the July 14, 2016 meeting, the Historic Preservation Commission accepted a landmark nomination for 1570 Hawthorne Lane and by unanimous vote (6-0) found that the Property meets four Landmark criteria:

- (1) It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country;
- (4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use or indigenous materials;
- (5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;
- (6) It embodies, overall, elements of design, detailing, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative;

Further, the Commission also determined that the property retains sufficient integrity to qualify for local Landmark designation. Pursuant to the landmark designation process established in Chapter 24 of the City Code, the HPC directed staff to draft a Resolution making the preliminary landmark designation recommendation.

HISTORIC PRESERVATION COMMISSION POLICY

Upon adoption of Resolution R16-01, the property at 1570 Hawthorne Lane became a Regulated Structure. No building permits or demolition permits shall be issued per Section 24.025(B)(3):

¹ Narrative for the Highland Park, John Van Bergen 2012 Architectural Tour

HISTORIC PRESERVATION COMMISSION PLANNING REPORT FOR 1570 HAWTHORNE LANE

Upon adoption of the resolution making a preliminary landmark designation recommendation, and until provided otherwise in this Chapter, the nominated Property, Structure, Area, Object, or Landscape of Significance shall be a Regulated Structure.

The permit moratorium described above will conclude upon final disposition of the landmark nomination process.

HISTORIC PRESERVATION AND THE CITY OF HIGHLAND PARK MASTER PLAN

The City of Highland Park Master Plan establishes “a philosophy of preservation,” as a community value and principle, clarifying it with a call to “maintain Highland Park’s sense of place, character, and history; maintain quality of architecture in residential and public structures,” preserving “the quality of residential neighborhoods” and protecting the City’s “natural, historic and physical resources.”²

The Plan further states that the City should “pursue landmark nominations of individual properties and districts which have historic, architectural and/or cultural significance to protect them from inappropriate changes.”³ The Neighborhood Strategic Plan for the Lakefront District where 1570 Hawthorne Lane is located points out that “Lakefront District residents feel that public input should be a higher priority in community decision-making, and that information about public hearings for proposed development should be increased.”⁴ Any consideration of this Property should not only respect the issues raised by the master plan and give the plan’s recommendations careful deliberation, but should also respect any additional considerations raised by Lakefront community.

The Lakefront District Neighborhood Strategic Plan recognizes that “historic landmarks and landscapes, and winding streets that conform to the topography of the ravines significantly contribute to the character of the neighborhood. Four National Register Historic Districts and three Local Historic District have been designated in the eastside of Highland Park. Within these districts and scattered throughout the Lakefront District are numerous local and national landmarks. These include Yerkes Fountain/Horse Trough at Forest Avenue, donated in 1896 for the dedication of Sheridan Road; the Blumberg House at 1575 Hawthorne Lane, designed by Keck and Keck in 1962; an impressive log house built in 1893 at 1623 Sylvester Place; the Senior Center on Laurel Avenue.” The plan notes that although no distinct architectural style or house size dominates the Lakefront District, residents within the District generally feel that high quality architecture and “understated elegance” are its unifying elements.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Based on the information presented, the Department of Community Development recommends that the Historic Preservation Commission continue with the Landmark designation of the property at 1570 Hawthorne Lane.

² City of Highland Park, *A Comprehensive Master Plan*, Master Plan Amendment: New Goals & Objectives (1997), pg. 2

³ Ibid, pg.10

⁴ City of Highland Park, *Lakefront District Neighborhood Strategic Plan*, (1997), pg. 23.



Map created on August 4, 2015

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© VHT STUDIOS

1570 Hawthorne Ave

RECEIVED

NOV 4 2015

City of Highland Park
Building Dept.



1570 Hawthorne Ave

RECEIVED

NOV 4 2015

City of Highland Park
Building Dept.

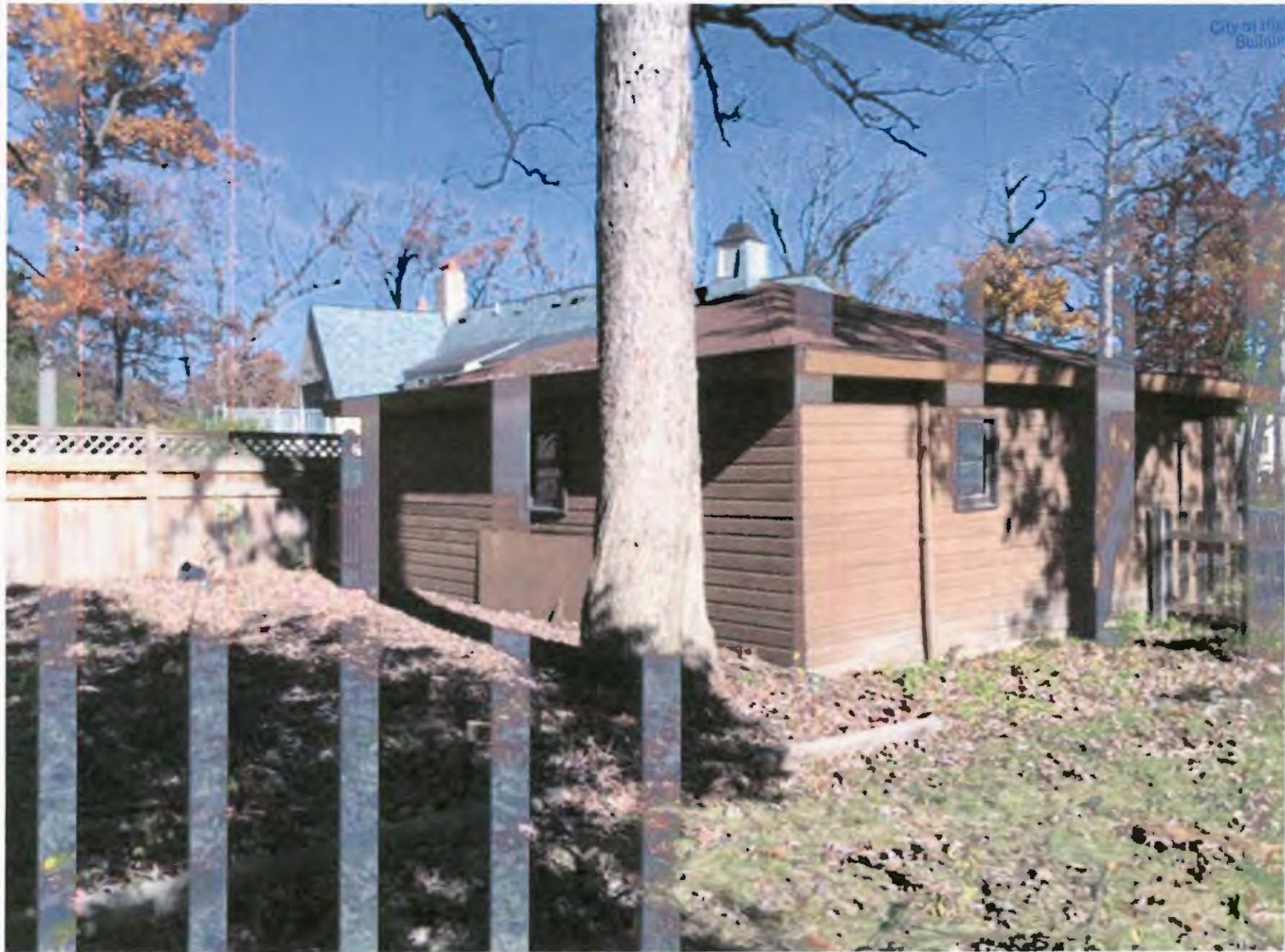


1570 Hawthorne Ave

RECEIVED

NOV 4 2015

City of Highland Park
Building Dept.



1576 Hawthorne Ave

RECEIVED

NOV 4 2015

City of Highland Park
Planning Dept.

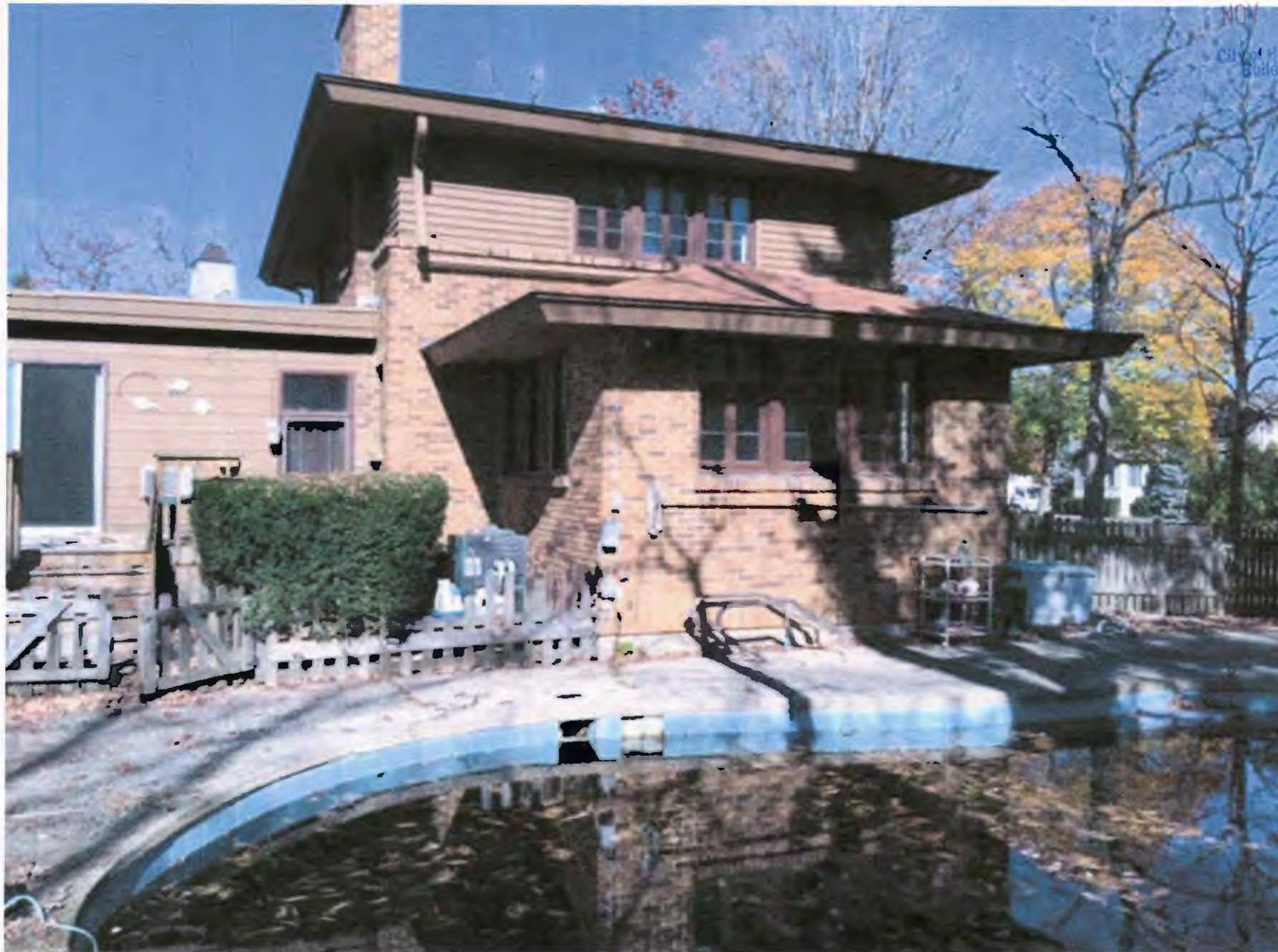


1570 Hawthorne Ave

RECEIVED

NOV 14 2015

City of Highland Park
Building Dept.



1570 Hawthorne Ave

RECEIVED

NOV 4 2015

City of Highland Park
Public Works Dept.



1570 Hawthorne Ave

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NOV 4 2015

City of Highland Park
Dept.



1570 Hawthorne Ave





Historic Preservation Commission

Landmark Nomination Memorandum for 1570 Hawthorne Lane

To: Historic Preservation Commission
 From: Nusrat Jahan, Planner
 Date: 7/14/2016

<i>Year Built:</i>	c. 1922 (johnvanbergen.org)
<i>Style:</i>	Prairie Style
<i>Structure:</i>	Single Family Residence
<i>Size:</i>	2,790 square feet
<i>Historical Status:</i>	S – Significant
<i>Original Owner:</i>	Wilson Kline
<i>Architect:</i>	John S. Van Bergen
<i>Original Cost:</i>	Unknown
<i>Significant Features:</i>	Paired 4-light casement windows Soldiercourse lintels Ornamental brick front entry surround
<i>Alterations:</i>	<ul style="list-style-type: none"> • Room addition (1962) • Detached garage (1967) • Bathroom addition (1991) • Doorway modification (date unknown)
<i>Staff Recommendation:</i>	Staff recommends that the Commission consider the structure at 1570 Hawthorne Lane for Historic Landmark Designation.



Location Map: 1570 Hawthorne Lane

A landmark nomination for 1570 Hawthorne Lane was submitted on May 16, 2016 by HPC Commissioner Lisa Temkin. The nomination was later withdrawn and a revised nomination was submitted on June 14, 2016 by architect and preservationist Christopher Enck, who represents “an individual with an interest in preservation,…” as authorized by Section 24.025(A)(1) of Highland Park’s City Code.

The house at 1570 Hawthorne Lane was designed by John S. Van Bergen and appears on the HPC’s 2012 Van Bergen architectural tour. It was built in 1921 or 1922 for Milton Kline, a lawyer from Chicago. The house appears in the 1999 Central East area architectural resource survey

Historic Preservation Commission

and was given an S – Significant historical status. That means the historical consultant deemed the structure worthy of designation as a local historic landmark.

Previous Consideration

In December 2015, the owner of 1570 Hawthorne appeared before the HPC for a demolition review. Following extensive discussion about the architectural style of the house, the Commission found that the property satisfied landmark standards 1, 4, 5 and 6:

- (1) It demonstrates character, interest, or value as part of the development, heritage, or cultural characteristics of the City, county, state, or country.
- (4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use or indigenous materials;
- (5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;
- (6) It embodies, overall, elements of design, detailing, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative;

With the findings of the Historic Preservation Commission of four landmark criteria within Section 24.015 being met, a mandatory one-year demolition delay was enacted for the property pursuant to Section 170.040(E)(2). The 365-days demolition delay will expire on November 3, 2016. During this period, the house is considered a Regulated Structure.

Historic Preservation Commission



Front View – 1570 Hawthorne Lane

Architectural Analysis

The house is designed in the Prairie Style, but it reflects Van Bergen’s unique details. The intricate brick work, the projections on either side of the house, and the prominent detailed entrance appear in many of his designs from the early 20th century. The architectural integrity of the house will be discussed in more detail at the upcoming HPC meeting.

The December, 2015 staff memo for the demolition review provides background about the house, as well as research supporting the significance and impact of architect John S. Van Bergen. The memo is included in the Appendix to this report.

Landmark Nomination Policy and Process

Nomination:

The designation process for a local landmark is initiated by the submission of a signed nomination form. Section 24.025 of the City Code establishes who is authorized to sign and submit a landmark nomination:

- 1) One or more Historic Preservation Commissioners
- 2) The owners of the applicable property, structure, area, object, or landscape of significant
- 3) The City Council, by resolution duly adopted
- 4) The City Manager

Historic Preservation Commission

- 5) An organization or individual with an interest in preservation, restoration, rehabilitation, local history, archaeology, modes of cultural or artistic expression, and/or neighborhood conservation or revitalization.

In this case, the landmark nomination for 1570 Hawthorne Lane has been submitted by an individual in the last category:” an individual with an interest in preservation....”

Preliminary Recommendation:

On June 22, 2016 the owner of the property was sent a certified letter with information about the nomination and date, time, and location of the HPC meeting at which the nomination will be considered. It is important to note that this process is simplified when the property owner consents to the landmark designation, which is not the case with 1570 Hawthorne Lane. The owner submitted a letter of objection of the nomination of their property on June 1, 2016.

During the previous demolition review in 2015, the HPC Commission determined that the property satisfied landmark standards 1, 4, 5 and 6 within Section 24.015 of the City Code addressing Historic Preservation. However, because the property owner submitted a letter objecting to the nomination prior to this meeting, the Historic Preservation Commission must make the following determinations to make a preliminary Landmark designation recommendation:

1. The property at 1570 Hawthorne Lane meets three or more of the landmark criteria established in section 24.015, **and**
2. Either or both of Criterion 2 or Criterion 5 are among the three or more criteria determined to have been met.

HPC Resolution:

Provided that the HPC makes the necessary determinations, the Commission may direct staff to draft a resolution making a preliminary landmark designation recommendation to the City Council. The resolution will be brought the Commission at the next available meeting.

- Once approved, the subject property will be a “Regulated Structure”. This means that the property will be under the protections of a local landmark or historic district until the nomination process has completed.
- This “Regulated Structure” status may extend past the 365-day demolition delay enacted as part of the demolition review in December, 2015.
- Together with the resolution, the HPC may request a Planning Report from City Staff that evaluates the relationship of the proposed designation to the City’s comprehensive plan and the effect of the proposed designation on the surrounding neighborhood. The Report will be reviewed at a subsequent meeting of the HPC, though it should be considered after the resolution making a preliminary recommendation has been adopted.
- Within fifteen days following the adoption of the resolution, a certified letter will be sent to the owner requesting written consent to the proposed landmark designation.

Historic Preservation Commission

- The owner will have the opportunity to respond in writing by consenting or objecting to the proposed landmark designation within 45 days after the date on which the certified letter is delivered.
- Note that the owner can make a written request for an extension of time up to 120 days to submit a response.

Public Hearing:

If the Owner declines or fails to give written consent to the proposed designation, then the Commission will schedule and hold a public hearing on the proposed designation.

- The public hearing will require notification in the newspaper, so its scheduling will be dependent on when feedback is received from the property owner. Once scheduled, it will provide a reasonable opportunity for all interested persons to present testimony or evidence regarding the landmark nomination.
- Within 30 days after the conclusion of the public hearing, the Historic Preservation Commission shall determine whether to recommend the proposed landmark designation to the City Council.
- If the owner continues to oppose, or fails to give written consent to the landmark designation, the HPC may not recommend approval of the designation without the following:
 1. The affirmative vote of at least **five** members of the Commission
 2. A determination by the HPC that the property meets three or more of the landmark criteria, **and** that either or both landmark criteria 2 or 5 are among the three.

Landmark Criteria

Below are the landmark criteria from the City Code:

- 1) It demonstrates character, interest, or value as part of the development, heritage, or cultural characteristics of the City, county, state, or country.
- 2) It is the site of a significant local, county, state, or national event.
- 3) It is associated with a person or persons who significantly contributed to the development of the City, County, State, or Country.
- 4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction, or use of indigenous materials.
- 5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, County, State, or Country.

Historic Preservation Commission

- 6) It embodies, overall, elements of design, details, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative.
- 7) It has a unique location or it possesses or exhibits singular physical and/or aesthetic characteristics that make it an established or familiar visual feature.
- 8) It is a particularly fine or unique example of a utilitarian structure or group of such structures, including, but not limited to farmhouses, gas stations or other commercial structures, with a high level of integrity and/or architectural, cultural, historical, and/or community significance.
- 9) It possesses or exhibits significant historical and/or archaeological qualities.

Recommended Action

The Historic Preservation Commission is asked to discuss the landmark nomination for 1570 Hawthorne Lane, the Wilson Kline Residence, and identify which Landmark Criteria are met. The Commission can formally accept the nomination and direct staff to schedule the Preliminary Determination of Significance and prepare the necessary resolution and Planning Report for the Commission to approve at the next meeting.

Attachments

Location Map
Landmark Nomination Form
Architectural Survey Entry
County Assessor Data
Hackl Book Entry
Demolition Review meeting packet of December, 2015

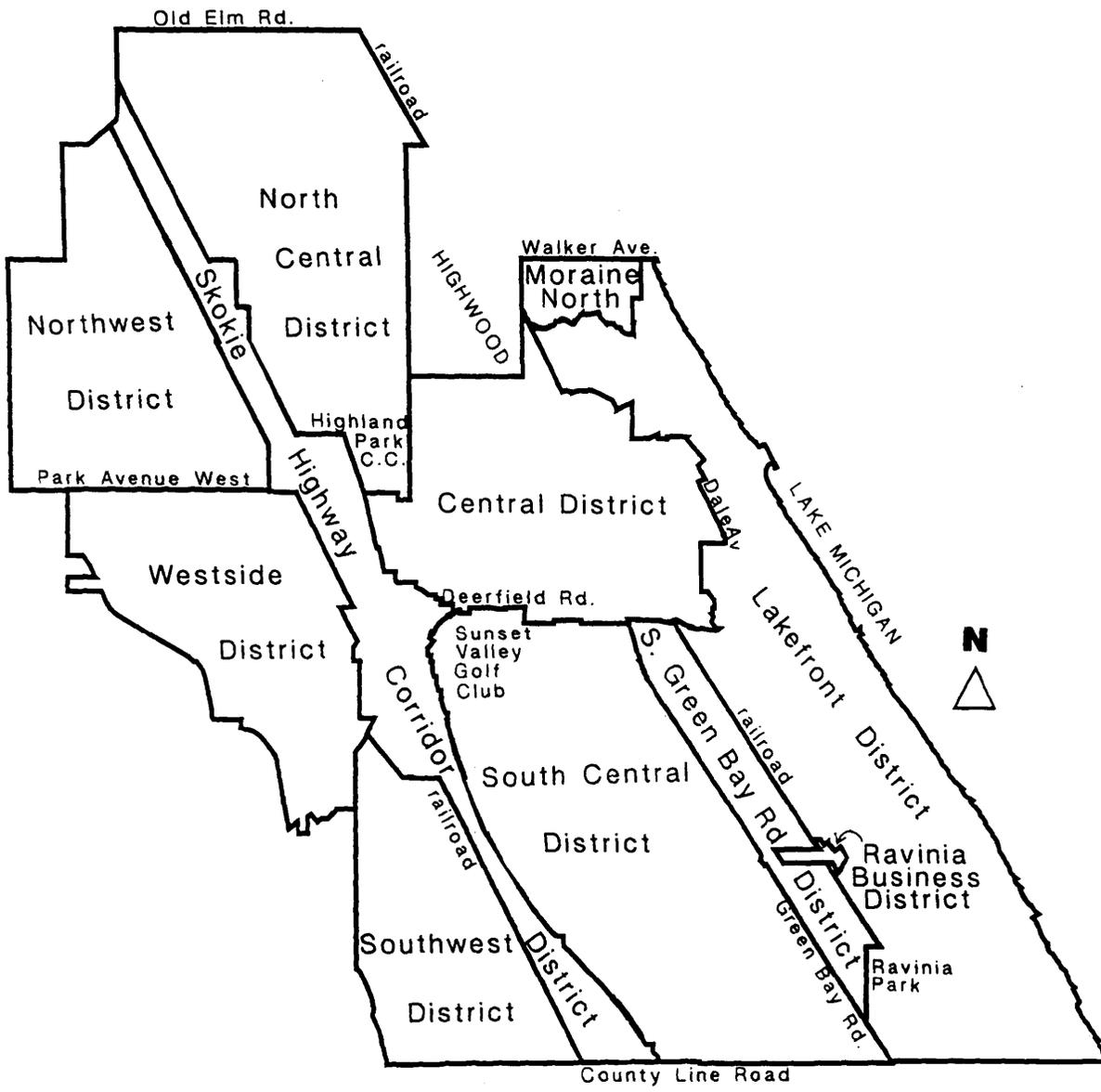
City of Highland Park

LAKEFRONT DISTRICT

**Neighborhood
Strategic
Plan**

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INTRODUCTION

Purpose

The Lakefront District is one of 11 planning districts that were created for the purpose of updating the City's Comprehensive Master Plan that guides land use and community development decisions in Highland Park. For additional information about the City's Comprehensive Master Plan, please refer to the "*Introduction to the City of Highland Park Master Plan*".

The Lakefront District Neighborhood Strategic Plan (the Plan) includes a **Vision Statement** describing positive qualities of the Lakefront District that should be preserved and enhanced in the future; **Issues and Recommendations** addressing concerns related to land use and community development in the Lakefront District; and **Action Steps** assigning responsibilities for implementing the recommendations within a specified timeframe to certain individuals or groups.

District Boundaries

The Lakefront District stretches along four miles of lakefront in Highland Park, from Fort Sheridan on the north to Lake Cook Road on the south. It is bounded by Lake Michigan on the east and primarily by the Metra/Union Pacific North Line railroad and the Central Business District on the west. It also encompasses Ravinia Festival Park west of the railroad, and the residential area south of Ravinia Park (see map).

Neighborhood Planning Process

The Lakefront District planning process began in December 1997 with a kick-off meeting attended by more than 80 residents. During that meeting and eleven subsequent meetings, residents identified neighborhood strengths and concerns, and evaluated recommendations and actions steps to include in the plan.

Public participation was an important element of the planning process, and through articles in the Highlander, school newsletters, and the local paper all Highland Park residents were encouraged to attend and participate in the meetings. Prior to the kick-off meeting, a mailing was sent to all Lakefront District residents, and everyone who expressed interest continued to receive mailings throughout the process. Before the Plan was finalized, a second district-wide letter urged all District residents to comment on the draft Plan.

Members of the Plan Commission and Community Development Department facilitated the meetings, and Public Works and Police Department staff presented additional background information about specific discussion topics, as did members of the Lakefront Commission, Environmental Commission, and Ravinia Festival Community Relations Commission.

Community Development staff drafted the Plan based on the meeting discussions and written comments from residents. The Neighborhood Planning Committee (NPC), made the final decisions about what to include in the Plan before it was submitted to the Plan Commission for the public hearing process. The NPC consisted of neighborhood volunteers who attended at least half of the planning meetings, and who agreed to set aside personal interests and consider the broad issues and input from all residents in making recommendations and approving the Plan.

LAKEFRONT DISTRICT VISION STATEMENT

“The rustic setting of East Highland Park is its most charming asset. The ravines, tall trees and winding streets create a feeling of openness and comfort. The variable appearances of the homes, the “non-development” look, is visually appealing and adds to the distinctiveness of the area.”

–Lakefront District Resident

The Lakefront District is a peaceful and scenic residential neighborhood enhanced by unique natural features, caring, involved citizens, and a high quality built environment. This section identifies in greater detail the qualities that define the character of the Lakefront District, and which should be preserved and enhanced in the future.

The Built Environment

Historic landmarks and landscapes, and winding streets that conform to the topography of the ravines significantly contribute to the character of the neighborhood. Four National Register Historic Districts and one Local Historic District have been designated in the eastside of Highland Park. Within these districts and scattered throughout the Lakefront District are numerous local and national landmarks. These include Yerkes Fountain/Horse Trough at Forest Avenue, donated in 1896 for the dedication of Sheridan Road; the Ward Willits House at 1445 Sheridan Road, designed by Frank Lloyd Wright in 1902; an impressive log house built in 1893 at 1623 Sylvester Place; the Senior Center on Laurel Avenue; Ravinia Festival Grounds; Braeside and Ravinia Schools; Rosewood Park; and many other unique landmarks and homes.

Although no distinct architectural style or house size dominates the Lakefront District, residents feel that high quality architecture and “understated elegance” are its unifying elements. Pride of ownership manifests itself in excellent property maintenance and frequent home improvements throughout the neighborhood, and the relative absence of new subdivisions with uniformly designed homes is also notable. In addition to the architecture of the houses, lot size and the proportion of house size to lot size are also important determinants of the character of each block.

“Not many localities in the country enjoy the vast ocean-like panorama of Lake Michigan at one’s doorstep, or the wooded and flowering beauty of ravines off one’s back yard. Because of this unique beauty, ravine and lakefront properties are desirable locations for homes. Some ravines contain rare and endangered plant species and may be justly considered ecological treasures.”

--Living in a Ravine & Lakefront Community. City of Highland Park Lakefront Task Force and the Department of Community Development, 1994.

Natural Features

The ravines, lake bluffs, beaches and abundance of mature trees create a natural setting unique to the Lakefront District. Natural landscaping, wildlife, and a lack of fences contribute to the sylvan quality of the neighborhood, and a sense of being in harmony with nature pervade the neighborhood. Residents wish to preserve and enhance the important relationship between the natural and built environment.

Public Amenities

Public amenities are abundant in and around the Lakefront District. These include numerous recreation areas, some of which have limited beach access. Moraine Park, Central Park, and Rosewood Park are just a few of the public parks in the neighborhood, and a boat ramp and sailboat storage is available at the end of Park Avenue. The privately owned Ravinia Festival Park provides another significant recreational opportunity to residents of the Lakefront, and throughout the Chicago region.

Other amenities located in the Lakefront District include the Senior Center, religious institutions and neighborhood schools. Also, the Central Business District, Ravinia Business District, the Highland Park Library and other facilities and cultural opportunities are within minutes of the neighborhood.

Transportation

The Lakefront District provides a pleasant environment for walking, biking and driving. The curving roads were platted in a manner that respects the area’s natural beauty and topography, and most of the roads in the Lakefront District remain relatively congestion-free. Sidewalks exist in many areas throughout the neighborhood, and the Green Bay Trail, although primarily used for recreation, also provides a transportation alternative for pedestrians and bikers.

In addition, Lakefront District residents have a range of public transportation options available to them. Train stations in downtown Highland Park, Ravinia Business District, and Braeside Neighborhood Commercial District are easily accessible, and the downtown train station is served by all of Pace bus routes for Highland Park. The *Senior Connector* bus offers another transportation alternative for the City’s senior citizens.

ISSUES AND RECOMMENDATIONS

Lakefront District issues and recommendations are presented in six primary categories:

<i>New Development Graphic</i>	New Development
<i>Environment Graphic</i>	Natural Environment
<i>Transportation and Infrastructure Graphic</i>	Transportation and Infrastructure
<i>Community Empowerment Graphic</i>	Community Empowerment
<i>Recreation Graphic</i>	Recreational Areas and Opportunities
<i>Braeside Neighborhood Commercial District Graphic</i>	Braeside Neighborhood Commercial District



New Development

Size and Appearance of New Homes

The most common issue raised during the Lakefront District planning process was the size and appearance of new homes and building additions. "Teardowns" - tearing down one or more older homes to be replaced with a new, larger house - was consistently cited as a problem. Although some Lakefront District residents felt this to be an acceptable or even desirable side effect of market forces, most residents want development regulations to do more to ensure that new development is consistent with the existing neighborhood character.

"Our area is subject to "teardowns" and the subsequent construction of large homes that cover more of the lot than the former houses did."

"The heterogeneity of the housing stock needs to be preserved. The current trend for "knockdowns" has resulted in structures which are garish and usually inappropriate for the lot size and other homes in the vicinity."

"The building of over-sized houses which infringe on green space and involve loss of trees, give the view of ostentation and over-privilege."

--Comments from Lakefront District Residents

Residents were concerned about some new and remodeled homes that they identified as "problem sites" because of:

- Excessive floor area ratio (FAR), or the ratio of the floor area of a home to lot size;
- New homes on ravine lots that appear too large in relation to the lot;
- The height of new homes exceeding older homes;
- Lack of design compatibility between new homes and existing, sometimes historic homes;
- Uniform house design in new subdivisions; and
- Prominent garages on new houses.

With the adoption of a new Zoning Ordinance in 1997, many provisions were tightened, including FAR, sideyard setbacks, garage door width and height limits. The effects of these changes may not yet be fully evident. Therefore, the controversial size or appearance of some "problem sites" is the result of old zoning regulations (or zoning ordinance variations) rather than inadequate current regulations. However, the neighborhood planning process identified some specific zoning ordinance amendments that are warranted, especially for FAR, uniform house design, and prominent garages.

In 1997, the FAR for the R5 zoning district was reduced by 4% and for the R4 district by 6%. Residents feel, however, that the recent reductions in FAR do not go far enough in limiting the size of new homes, and support a further reduction in FAR using the zoning regulations for Lake Forest as a model. Residents also favor reducing the maximum FAR for homes on ravine lots. Lake Forest, for example, allows only

GRAPHICS:
Map of Lakefront Single-family Residential Zoning Districts

“No two single-family dwellings of identical front elevation, or façade, shall be constructed or located on adjacent lots, nor shall there be constructed or located more than twenty-five (25) percent of single-family dwellings of the same elevation or façade in any block. A change of front elevation or façade shall be deemed to exist when there is a substantial difference in roof line, type and location of windows, and/or kind and arrangement of materials.”

--Tinley Park, IL Zoning Ordinance.

50% of “non-tableland” to be included in measuring overall lot size, reducing the maximum house size for that lot.

With the exception of Local Historic Landmarks, the City does not require design review for residential development. In 1998, the City passed a Demolition Delay Ordinance giving the Historic Preservation Commission the power to delay demolition of an architecturally or historically significant home for up to three months, in order to find an alternative solution to demolition.

Although the design of a new home can be controversial, especially when it replaces or neighbors a historic home, residents are divided about whether to recommend design review for new homes including replacements for “teardowns”. However, there is strong support for specific regulations that would address the issues of uniform house design and prominent garages but without the level of subjectivity associated with a full-scale design review.

Requiring that more subdivisions be reviewed as Planned Unit Developments is another mechanism the City has for regulating the size and appearance of new homes. The City should also continue to evaluate the height regulations and amend them as needed to protect the existing character of the neighborhood.

Recommendations

- ⇒ ~~*Reduce FAR for the lakefront neighborhood zoning districts using Lake Forest’s regulations for maximum house size as a model.*~~
- ⇒ ~~*Amend the Zoning Ordinance to allow only 50% of non-tableland of a lot to be included in measuring overall lot size.*~~
- ⇒ ***Revise dimensional controls for lakefront neighborhood zoning districts to ensure that new homes and building additions, including those on ravine lots, are more consistent with the scale of existing homes, and are appropriately sized to preserve and enhance the character of the neighborhood.***
- ⇒ *Continue to evaluate the height regulations and amend as needed to protect the existing character of the neighborhood*
- ⇒ *Decrease lot size or number of lots that triggers PUD process.*
- ⇒ *Adopt guidelines, such as those used in Tinley Park, Illinois, to discourage uniform design in new subdivisions.*
- ⇒ *Create incentives to reduce garage width facing the street, such as allowing modest FAR or impervious surface bonuses for facing garage away from street and at back of property.*
- ⇒ ***See additional recommendations under Code Enforcement.***
- ⇒ *Encourage residents to attend Plan Commission and City Council meetings to give public input regarding new development proposals and zoning amendments.*

“[M]any of the large lakefront properties have been further subdivided and built upon. Often this activity has been carried on exclusively to maximize profits, with little thought given to architectural or ecological sensitivities. Perhaps with greater interest in Highland Park’s fine architectural and landscape heritage, and with further public involvement in preservation issues, this disturbing trend can be reversed.”

--Highland Park: American Suburb At Its Best. An Architectural and Historical Survey edited by Philip Berger, 1982.

GRAPHIC: Sketch of a lot in depth.

Lot Density

The Lakefront District is zoned for low to moderate density single-family residential uses, with the exception of limited areas adjacent to Ravinia Business District that are zoned for medium to high density residential uses, and Braeside Neighborhood Commercial District.

Lot sizes along the lake are consistently larger than the minimum required for the next lower zoning district. These lots should be rezoned from R4 to R3 to preserve the existing density and character of the area. Because new development impacts steep slope areas, this will also help protect lake bluffs and ravines that are heavily concentrated on those lots.

In other areas of the Lakefront District current zoning designations are generally consistent with the existing lot density. Furthermore, provisions of the Zoning Ordinance prevent subdivision of lots in many instances when the resulting lots would meet the minimum lot size for the zoning district. An ordinance adopted in 1997 defines an “established lot width”, which may be greater than the minimum lot width for the zoning district. When 60% or more of the homes on a block have a lot width greater than the minimum required, the new lot must meet the average. This regulation limits the ability to subdivide property that would result in lots that are narrower than the majority of the existing lots on the block even if the new lot would meet the minimum lot width and lot area for the zoning district.

Many parcels in the Lakefront District that are large enough to be subdivided have a high proportion of steep slope areas. This further limits the potential for new subdivisions in the neighborhood, because new construction is prohibited on the slopes of the ravines and lake bluffs. Strict regulations on lots-in-depth (see figure) also prevent subdivision of lots that would otherwise meet lot size standards.

Recommendations

- ⇒ *Rezone from R4 to R3 those areas along the lake where lots are consistently 40,000 square feet or greater.*
- ⇒ *Continue to eliminate the approval of lots-in-depth, especially where there is potential for additional lots-in-depth that would ultimately change the existing character of the block.*
- ⇒ *Also see recommendation concerning PUD trigger under **Size and Appearance of New Homes.***

GRAPHIC:Map of Subdividable Lots in Lakefront District.

“Any construction of impervious surface - buildings, patios, driveways - covers the natural surface of soil which could otherwise absorb large quantities of water.”

--*Living in a Ravine & Lakefront Community*. City of Highland Park Lakefront Task Force and Department of Community Development, 1994.

Impervious Surfaces

There is strong support from Lakefront District residents as well as members of the Environmental Commission and Lakefront Commission for adoption of maximum impervious surface ratios for new development. Limiting impervious surfaces is particularly important in the Lakefront District because any increase in the volume or velocity of storm water increases erosion of the ravines and lake bluffs.

Recommendations

⇒ *Adopt impervious surface ratios for all zoning districts in the City, or failing that, an overlay zone establishing impervious surface ratios for those districts in the Lake Michigan watershed.*

“There is too much abuse of the variance process. The charm and character of the neighborhood is being negatively impacted.”

--Lakefront District Resident

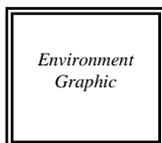
Enforcement of City Codes and Ordinances

Initially during the planning process, residents felt that many of the zoning regulations for new development in the Lakefront District needed to be tightened. However, many of those homes that residents identified as “problem sites” had been granted zoning variances, and therefore do not meet the standard regulations for development in the neighborhood.

Residents expressed concern that the frequency with which exceptions to the Zoning Ordinance are granted undermines the efficacy of the zoning standards and threatens the character of the neighborhood. They urged the Zoning Board of Appeals to reduce the number of zoning variations granted, especially in cases that would allow larger homes or smaller setbacks on ravine lots.

Recommendations

- ⇒ *Reduce the number of zoning variances granted, especially for development on ravine lots that would allow larger homes or smaller setbacks than would otherwise be permitted.*
- ⇒ *Amend the standards for granting a variance by redefining “hardship” and/or reducing the variance granting powers of the Zoning Board of Appeals.*
- ⇒ *Provide stricter overall enforcement of the City’s zoning regulations.*
- ⇒ *Encourage residents to attend Zoning Board of Appeals hearings to comment on whether requested zoning variations in their neighborhood should be granted or not.*



Natural Environment

Ravines and Lakefront

The ravines and lake bluffs play a unique and significant role in defining the character of the Lakefront District but are threatened by debris jams, stormwater run-off, new development and other activity that increases soil erosion in the area.

Although ravines and lake bluffs were created by the effects of erosion, urbanization has increased the volume and velocity of water flowing through the ravines eroding the soil at an alarming rate. According to the Lakefront Commission, erosion has claimed 50 to 100 feet of land from the lake bluff, and the ravines are deepening at a rate of approximately three to four feet every 60 years.

The City has become increasingly proactive in publicizing and addressing erosion of the ravines and lake bluffs. In 1994, the Lakefront Task Force prepared an educational brochure explaining the geology of the ravines and lake bluffs and the effects of erosion and other damage. The brochure provides tips for protecting the ravines and lake bluffs including best water management, good vegetation, and proper setbacks from the steep slope areas. Also, the Lakefront Commission and Public Works staff have mapped the ravines in a project to create a base line of ravine data.

The City is currently formulating a funding mechanism for a ravine remediation program. The program is expected to provide approximately \$200,000 per year for clearing debris jams and other maintenance activities to reduce the amount and velocity of water traveling through the ravines. These measures are expected to resolve a significant number of minor problems in the ravines, but additional funding is needed to address the major issues such as stormwater drainage improvements.

The City's Steep Slope Ordinance tries to protect steep slope areas by regulating grading, demolition, construction, landscaping, tree removal, steep slope maintenance, drainage and other activity within ten feet of the ravines and lake bluffs.

“Ravine and lakefront properties are fragile lands which require special care if they are to be preserved for current and future residents.”

“Water erosion is the most threatening force impacting ravine and lakefront property. It is a natural force which can be slowed, but cannot be stopped entirely.”

“The damage is accelerated when additional erosion is caused by human activity; this type of erosion-causing activity can and should be controlled.”

--Living in a Ravine & Lakefront Community. City of Highland Park Lakefront Task Force and the Department of Community Development, 1994.

GRAPHIC: Map of Ravines.

The Lakefront Commission has also been working with other municipalities and the U.S. Army Corps of Engineers to establish a shoreline protection program. This project will help protect the lake bluffs by dissipating wave energy before it reaches the bluff.

Recommendations

- ⇒ *Increase funding for capital improvements to address ravine erosion and maintenance.*
- ⇒ *Increase public education and information about available resources concerning lakefront and ravine issues, and encourage voluntary maintenance and protection of the steep slope areas.*
- ⇒ *Enforce the provisions of the steep slope ordinance and amend the ordinance as needed to protect the ravines and lake bluffs.*
- ⇒ *Continue to lead the North Shore community effort to secure Federal funding for completion of the U.S. Army Corps of Engineers' Shoreline Protection Study Report and to bring about the establishment of a regional shoreline protection program.*
- ⇒ *Encourage residents to attend Lakefront Commission meetings to raise concerns and learn about ravine and lakefront issues.*
- ⇒ *See additional recommendations under **Impervious Surfaces** and **Drainage Improvements**.*

Noise and Air Pollution

Clean air and the peaceful ambiance of the Lakefront District are important to neighborhood residents but are increasingly threatened by air and noise pollution. Air pollution is a regional problem and automobile transportation is one its leading sources. Noise pollution is a more localized issue and the use of leaf blowers for residential landscaping is one of the leading culprits. The City is currently seeking ways to reduce noise from leaf blowers.

Recommendations

- ⇒ *Continue to provide and/or promote alternatives to single occupancy car travel including public transportation, biking, and walking.*
- ⇒ *Increase public education regarding methods to reduce air and noise pollution.*
- ⇒ *Strengthen the City's ordinances to reduce noise from leaf blowers.*

“We know that from a cultural-carrying capacity, there are too many deer in certain areas of Highland Park. The clamor over damage to residential landscape and gardens is not the result of a few nibbles here and there.”

*--Deer Management Program
Recommendations for the City
of Highland Park, Highland
Park Deer Task Force,
November 1997.*

Deer

Lakefront District residents are eager to restore a balance between the deer population and the natural vegetation in the area. Relocation efforts have fallen short of expectations and the City has not received approval from the State for additional relocation projects. In 1997 the Highland Park Deer Task Force created a “Living with Suburban Deer” brochure that provides information about the deer population, and techniques to protect landscaping from deer such as repellents, auditory deterrents and scare devices, tree wraps, fencing and netting. It also offers extensive lists of plants that are preferred and not preferred by deer. However, many North Shore communities are faced with an over abundance of deer, and the issue cannot be overcome with individual efforts alone. A long-term regional solution is needed.

Recommendations

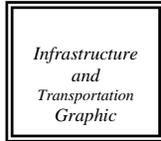
- ⇒ *Coordinate with other municipalities to adopt a regional approach to controlling the deer population.*
- ⇒ *Implement ~~all necessary~~ measures to reduce the deer population in ~~Highland Park~~ **the Lakefront District**, and actively manage it at a sustainable level.*

Trees

Mature trees are plentiful in the Lakefront District and greatly enhance the natural character of the neighborhood. Tree preservation and maintenance will continue to be an on-going concern of residents in the Lakefront District.

Recommendations

- ⇒ *Increase public education regarding mature tree maintenance on public and private property.*
- ⇒ *Increase enforcement of the City’s Tree Preservation Ordinance.*



Infrastructure and Transportation

Sidewalks and Bikepaths

The Lakefront District provides a pleasant environment for walking and biking which will be enhanced by providing additional sidewalks in the district and by minimizing conflicts between bikers, pedestrians and motorists.

Sidewalks and bikepaths are important for both transportation and recreation uses in the Lakefront District. The following recommendations for the neighborhood were included in 1995 as part of the *City of Highland Park Greenways Plan*:

“[R]elying solely on cars for transportation creates pollution, congestion, accidents, parking shortages, and deterioration in the community’s quality of life. The Greenways Plan can help to ease these problems by connecting open spaces, neighborhoods and business areas with trails, sidewalks, and bicycle routes. These facilities will make it easier to walk or ride around town and offer safe and scenic places for recreation close to home.”

--City of Highland Park Greenways Plan, 1995

Sheridan Road “Several blocks of Sheridan Road have no sidewalks which forces pedestrians into the street. This is hazardous due to the narrow width of the street and the curves and hills that create sight problems for drivers. This problem is most acute between Dean Avenue and Roger Williams Avenue where people often walk in the street to reach Rosewood Beach. Problems also occur near Ravinia Festival. Nearly 20% of the 1993 survey respondents identified Sheridan Road as the one street in the community where new sidewalks are most needed. Therefore, the Greenways Plan recommends that a sidewalk be built on at least one side of Sheridan Road to fill in the gaps that exist.”

Beech Street Trail “The City owns a strip of public right-of-way east of Sheridan Road at the end of Beech Street that was originally intended to continue Beech Street to Ravine Drive. The Greenways Plan recommends the construction of an off-street path within this right-of-way to provide access to Lake Michigan and Millard Park. Due to the topography of this area, it may not be possible to allow bicycles on this path but it is ideal for a pedestrian path that would allow access to the lakefront from the Green Bay Trail along Beech Street. Given the existing trees and vegetation on this land and the proximity of adjacent residences, this proposed path must be carefully designed to protect the vegetation and privacy of this neighborhood.”

“Lack of continuous sidewalks poses risks to children and limits access to other sections of neighborhood for those who want to walk versus ride a bike or drive.”

“There is a great need for sidewalks on Sheridan Road from Cedar to Ravinia Festival. This makes pedestrian travel to Rosewood Beach and Ravinia Festival dangerous.”

– Comments from Lakefront District Residents

GRAPHIC: Portion of Sheridan Road where sidewalks are needed and/or of the Beech Street extension.

Green Bay Trail Greenway “This is the most heavily used greenway in Highland Park. It includes three recommended routes: two segments of the Green Bay Trail and Green Bay Road. This Plan recommends that the Trail be maintained to make it consistently 10 feet wide and to remove hazards such as encroaching fences, bushes and tree limbs. Lake County recently received funds to build two new sections of the Green Bay Trail.... One segment includes a new bridge over Vine Avenue to connect the existing trail to Bloom Avenue. The second segment is in Highwood and will connect to the Lake Forest Bike Path at Old Elm Road. These improvements will significantly improve the Trail’s usefulness and safety.”

On-Street Bicycle Routes “[T]he Greenways Plan designates many streets as Bicycles Routes” to improve access to all parks, schools, neighborhoods, and shopping areas in the community. It is impossible to connect all parts of Highland Park with off-street trails because there is simply not enough vacant land in the proper locations. Therefore, it is necessary for bicyclists to use the streets for access. These bike routes were chosen based on the 1993 survey findings and the knowledge of the Greenways Committee members. Few improvements are needed to most of these routes besides properly identifying them with Bicycle Route signs.”

Recommendations

- ⇒ *Expedite implementation of the Greenways Plan recommendations for improvements in the Lakefront District.*
- ⇒ *Prioritize funding for a sidewalk along at least one side of Sheridan Road to improve pedestrian access and safety to Rosewood Beach and Ravinia Festival Park.*
- ⇒ *Maintain the Green Bay Trail to ensure its usefulness and safety.*
- ⇒ *Study the possibility of creating a designated pathway in the right-of-way extension of Edgecliff Drive for lakefront access.*
- ⇒ *See additional recommendations concerning pedestrians and bicyclists under **Traffic Safety and Enforcement and Ravinia Festival Park.***

“It was the intention of the Highland Park Building Company to build a gracious community of summer homes for nearby Chicagoans. They hired landscape architects Horace W.S. Cleveland and William French to plat the streets (1872), and by so doing initiated a tradition of landscape stewardship.... Cleveland and French took care to incorporate into their plans the beauty of the area’s natural attributes.”

--Highland Park, IL. Historic Landscape Survey Final Report, Highland Park Historic Preservation Commission, July 1998.

Sheridan Road

Sheridan Road is one of the oldest streets in the City and its winding, narrow contours have helped define the character of the Lakefront District. A significant amount of traffic travels along Sheridan Road, and residents feel that the road is being neglected by the Illinois Department of Transportation (IDOT) which owns and maintains it. There is strong support for improving maintenance of Sheridan Road, but in a manner that will not change its essential character.

Recommendations

⇒ *Reconstruct and maintain Sheridan Road at its current dimensions in a way that will not harm its unique character.*

Traffic Safety and Enforcement

Many roads are shared by cars and bikes, and in areas where sidewalks don’t exist, by joggers, pedestrians, and roller bladers as well. Potentially dangerous conflicts arise when rules of the road aren’t consistently followed. However, many people are unaware that the same laws apply to both drivers and bikers, or that bikers are required to ride single file adjacent to the edge of the road to keep from blocking traffic. Also, pedestrians, joggers and roller bladers are required to use sidewalks or other viable alternatives to the street whenever they are provided. The Police Department has initiated an educational campaign, which focuses on bike clubs and kids, to raise awareness about road rules and safety precautions.

Recommendations

- ⇒ *Continue education efforts and increase enforcement activities by the Police Department to improve compliance with rules of the road and to increase biker and pedestrian safety.*
- ⇒ *Encourage residents to attend Traffic Commission meetings to raise concerns regarding traffic safety in the neighborhood.*
- ⇒ *See additional recommendations under **Sidewalks and Bikepaths.***

Drainage Improvements

Stormwater management is important in all areas of the City, but drainage problems in the Lakefront District can create additional problems by eroding the ravines and lake bluffs that are so integral to the character of the neighborhood. Protecting the unique topography of the Lakefront District will

require additional financing for capital improvements such as storm sewers that protect the ravines.

Recommendations

- ⇒ *Provide funding in the capital budget for the repair and replacement of sanitary and storm sewer facilities in the ravines and other areas in a systematic manner.*
- ⇒ *See additional recommendations under **Impervious Surfaces and Ravines and Lakefront.***

Electric Utilities

Lakefront residents are concerned about the frequency of power outages and about tree trimming practices adjacent to power lines. Tree trimming concerns include neglected trimming, which results in downed power lines from fallen branches, and damage to trees from excessive trimming. City representatives have met with Com Ed to address these issues, and as a result, the City expects that there will be faster response to downed power lines, and improved tree-trimming practices.

In order to reduce the number of power outages from fallen tree limbs, and also for aesthetic reasons, there is strong support from neighborhood residents to bury existing power lines. Utility lines for new subdivisions are placed underground, but ComEd has no plans to bury existing power lines and the cost would prohibit the City or neighborhood residents from funding the project alone. The cost of burying utility lines is very high, and therefore would require a long-term financing plan and the involvement of the City and residents.

Recommendations

- ⇒ *The City should develop an action plan to provide high quality electric service and reduce power outages.*
- ⇒ *The City should ensure that tree trimming practices are appropriate to reduce power outages and to preserve the health and aesthetics of trees.*
- ⇒ *The City should work with Lakefront District residents to formulate a long-term financing program for burying electric utility lines in portions of the Lakefront District where residents are willing to share in the cost of such a project.*



Community Empowerment

Lakefront District residents feel that public input should be a higher priority in community decision-making, and that information about public hearings for proposed development should be increased. In 1997 the City approved the following *Goals and Objectives* related to this issue:

Goals

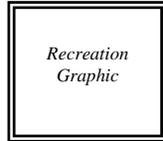
- "To ensure that information flows to all segments of the community, including the opportunity for citizen feedback."
- "To use the neighborhood strategic planning process as a forum to encourage active citizen participation early in the process of making planning policies and decisions."
- "To expand a community spirit which is characterized by civility and courtesy, common concerns and interests, trust and cooperation, and community-wide participation in civic and cultural programs."
- "To improve communications and better inform the residents of pending actions."

Objectives

- "Expand the use of modern technology to better inform residents of issues, meetings, decisions, and events including greater use of community-access cable-tv, e-mail, the Internet, and interactive Home Pages."
- "Work with committees of residents and business owners to complete all of the neighborhood and district strategic plans by the end of 1999."
- "Continue utilizing commissions and task forces composed of residents to conduct hearings and meetings to advise the City Council and staff on matters of interest to the community."
- "Provide the resources needed to achieve [the 1997] Goals and Objectives and the Actions recommended in the neighborhood strategic plans."

Recommendations

- ⇒ *Assign high priority to the 1997 Master Plan Goals and Objectives related to community input, implementing the neighborhood strategic plans, and distributing more detailed information to residents in advance of public hearings.*
- ⇒ *Refer to relevant sections of the neighborhood plan when preparing staff reports for the Plan Commission, Zoning Board of Appeals, and City Council concerning development in the Lakefront District to determine whether a development proposal is consistent with the community's master plan.*
- ⇒ *Encourage Lakefront District residents to attend meetings of the City Council, Zoning Board of Appeals, Plan Commission, Lakefront Commission, Environmental Commission, Ravinia Festival Commission, and Historic Preservation Commission to learn about the issues before the City and provide input regarding decisions that will affect their neighborhood.*



**“Ravinia
has become an
international center
for the performing
arts that enhances its
reputation with each
season.”**

*--Ravinia Strategic Plan: A
Vision for the Business District
and its Neighborhoods, City of
Highland Park, 1994*

Recreational Areas and Opportunities

Ravinia Festival Park

Ravinia Festival Park is a well-established cultural asset enjoyed by residents in the Lakefront District and throughout the Chicago region. Its proximity to residential homes requires that the Park be sensitive to the adjoining neighborhood. For that purpose, the Ravinia Festival Community Relations Commission meets four times a year between March and October to address residents concerns.

Recommendations

- ⇒ *Ravinia Festival Community Relations Commission should continue to be sensitive and proactive in addressing neighbors concerns regarding programming effects, access to grounds, traffic, parking, litter, crowds, or other issues that may affect the neighborhood.*
- ⇒ *Ravinia Festival Park is encouraged to work with the Environmental Commission to investigate environmentally-friendly pest control measures for the grounds.*
- ⇒ *Enforce the prohibition of the sale of parking spaces in private driveways and yards in residential neighborhoods surrounding Ravinia Festival Park.*
- ⇒ *Improve safety of bike path adjacent to Ravinia Festival.*
- ⇒ *Allow pedestrian access to Ravinia Park through east gate.*
- ⇒ *See **Sidewalks and Bikepaths** for additional recommendation.*
- ⇒ *Encourage residents to attend meetings of the Ravinia Festival Community Relations Commission to raise concerns regarding the Park.*

Lakefront Recreation

The Lakefront District is well served by passive recreation areas. Four large parks are situated along the lakefront, although beach access is generally limited. A boat ramp and sailboat storage is also available at the end of Park Avenue.

Recommendations

- ⇒ *Projects to provide additional recreational opportunities or access along the lakefront should be sensitive to the surrounding residential areas.*
- ⇒ *Improve bike and pedestrian access to recreation areas.*
- ⇒ *See **Sidewalks and Bikepaths** for additional recommendation.*



Braeside Neighborhood Commercial District

“To protect and strengthen all commercial areas in the community, including all neighborhood business districts, to meet the needs of residents and effectively capture Highland Park’s share of the region’s retail sales.”

-- City of Highland Park
Master Plan Goal, Adopted in
1997.

The Braeside Neighborhood Commercial District is located along the southern edge of the City of Highland Park adjacent to the Braeside train stop of the Chicago and Northwestern Railroad. The commercial district is zoned B1 for neighborhood commercial uses and occupies a portion of the irregularly shaped block bounded by St. Johns Avenue Lincolnwood Road, Braeside Road, and Pierce Road. The remainder of the block, along Pierce Road, is zoned R6 for medium density single family houses. Property adjacent to the Braeside train stop on the West of the tracks is developed with townhouses in compliance with the RM1 zoning for medium to high density multiple family development. (See map.)

The current zoning allows neighborhood commercial uses with residential units above the first floor, and multi-family residential uses adjacent to the train stop on the West. It also provides for a transition zone of medium density single-family between the commercial district and the surrounding moderate density single family homes. The zoning reflects the current uses and is appropriate for the area.

The only significant change that has been made in the Braeside Neighborhood Commercial District since the 1976 Comprehensive Master Plan is the establishment of Founder’s Park directly east of the Braeside train stop. The Park was dedicated in 1997 on the site of a former gas station. Its design, which symbolizes the “many layers of history concentrated at this unique location”, was the result of a competition sponsored by the City.

Any new development or redevelopment in the Braeside Neighborhood Commercial District should be sensitive to the surrounding residential areas. Improvements should enhance the character of the area as a pedestrian-friendly district that serves limited commercial needs of the neighborhood.

**GRAPHIC: Braeside
Neighborhood
Commercial District
with zoning**

“Improve the image of all business districts by creating an attractive and unified appearance, relating new construction to the architectural character of existing buildings. Establish urban design standards for business districts that provide for additional yet sensitive treatment of signage and expanded parking.”

--City of Highland Park
Master Plan Objective,
Adopted in 1997.

The neighborhood commercial district should be safer and more inviting to pedestrians, and a distinct path undisturbed by cars should link the Green Bay Trail north and south of the train station. Adequate car and bike parking should serve the neighborhood commercial uses and the train station. Currently, the street between the commercial uses and the Braeside train stop is wide and undefined with scattered parking that visually dominates the street.

Recommendations

- ⇒ *Encourage a mix of residential and commercial uses that are appropriate for the neighborhood.*
- ⇒ *Create a “gateway” into the community using paving materials and landscape materials.*
- ⇒ *Work with a committee of property owners, business owners, and design professionals to establish appropriate urban design standards for the neighborhood commercial district.*
- ⇒ *Improve sidewalks, create bump-outs and add street pavers to enhance pedestrian access connecting train platforms and the commercial area to the surrounding residential neighborhood.*
- ⇒ *Link the Green Bay Trail north and south of the train station, by creating a distinct path undisturbed by cars adjacent to the train station parking lot and along St. Johns Avenue.*
- ⇒ *Improve the configuration of the parking lot and street parking to provide adequate parking capacity and reduce conflicts between cars, bikes and pedestrians.*
- ⇒ *Screen parking lots with landscaping.*
- ⇒ *Provide a sufficient number of bike racks and park benches to serve the neighborhood commercial uses and train station.*
- ⇒ *Require that new development provide sufficient open space and/or other public amenities as well as adequate screening for adjacent residential homes with a landscaped buffer.*
- ⇒ *Require new development to provide underground parking whenever possible to reduce the visual impact of parking lots along the street.*
- ⇒ *Prohibit curb cuts to commercial uses from the residential streets.*

URBAN DESIGN AND PRESERVATION

GOALS	OBJECTIVES	POLICIES/ACTIONS
1. To maintain the natural ambiance, human scale, and pedestrian accessibility found in neighborhoods and business districts and to preserve and improve the community's character, public image, property values and the public health, safety, and welfare	a. Work with a committee of property owners, business owners, and design professionals to establish appropriate urban design standards and guidelines for all business districts.	Establish programs with the Park Districts and School Districts to educate residents about Highland Park's significant natural resources, landmarks and the characteristic of pedestrian-friendly neighborhoods.
2. Maintain Highland Park's character and identity by using established guidelines and procedures to protect properties that are of historic, architectural, and/or cultural value to the community, including structures and natural or man-made landscapes.	b. Explore methods to require or encourage contributions from developers and businesses for public art.	Pursue landmark nominations of individual properties and districts which have historic, architectural and/or cultural significance to protect them from inappropriate changes.
3. To increase community awareness and support for preservation of historically, architecturally, and/or culturally significant structures, properties, and landscapes.	c. Create more pedestrian-friendly streets with identified landmarks that reinforce the character of neighborhoods.	Create distinctive and attractive gateways into the community and public spaces that incorporate art, signs and landscaping.
4. To provide technical advice and support to property owners and City decision-makers regarding development proposals affecting historically, architecturally, and/or culturally significant properties.	d. Work with the telecommunications industry, property owners, an neighboring communities to create a plan and regulations to avoid harming the visual character of Highland Park with multiple towers, antennas, and similar facilities.	Design new public and private off-street parking facilities to include adequate green areas with trees and landscaping.
5. To assure continuity and maintenance of neighborhood character as renovation and redevelopment of existing properties occurs throughout the City.	e. Continue to work with developers, design professionals, contractors, residents, business owners, and the Design Review Commission to require sensitive designs in new development and remodeling projects.	Require owners of non-compliant properties to upgrade their sites over time in order to improve their appearance and bring them into compliance with current regulations
6. Preserve the cultural and historic places in Fort Sheridan by: 1. Maintaining an overall density appropriate to the integrity of the historic structures and landscaping 2. Relating new construction to the architectural character of existing buildings and locating new construction to preserve significant views and vistas; 3. Maintaining the parade grounds as open space.	f. Repeat and retain historic architectural details of existing structures in building new public structures to create consistency in styles.	Provide financial incentives to assist owners of historically or architecturally significant structures in repairing and restoring them including methods such as waiving permit fees, freezing municipal property taxes, and providing low interest loans.



CITY OF HIGHLAND PARK

Highland Park, Illinois 60035 • (847) 432-0800

OWNER CONSENT FORM FOR HIGHLAND PARK LANDMARK NOMINATION

PLEASE BE ADVISED THAT ONCE A PROPERTY HAS BEEN LANDMARKED IT BECOMES SUBJECT TO CHAPTER 24 OF THE HIGHLAND PARK CITY CODE WHICH REGULATES EXTERIOR ALTERATIONS.

Date: 8/21/14

The undersigned owner of the property located at
in the City of Highland Park, Illinois, hereby

approves for the above property to be nominated by the Highland Park Historic Preservation Commission for designation as a Highland Park Landmark

disapproves consent for the above property to be nominated by the Highland Park Historic Preservation Commission for designation as Highland Park Landmark.

(Please place an "X" in the appropriate space.)

If there are joint owners, or the property is owned in trust, all owners/trustees must sign.

Signature(s):  8/21/14
Karen Silvestri

Printed Name(s): Karen Silvestri

Address: 1569 Forest
Highland Park IL 60035

Phone no.: 847/266-0807

Please return this form to:
Department of Community Development
Historic Preservation Commission
1150 Half Day Road
Highland Park, IL 60035

FAX (847) 432-0964

Attn: Historic Preservation Liaison

TRANSMISSION VERIFICATION REPORT

TIME : 08/22/2016 09:45
NAME :
FAX :
TEL :
SER.# : BROH2J392908

DATE, TIME 08/22 09:45
FAX NO./NAME 18474320964
DURATION 00:00:27
PAGE(S) 01
RESULT OK
MODE FINE
ECM



CITY OF HIGHLAND PARK

Highland Park, Illinois 60035 • (847) 432-0800

OWNER CONSENT FORM FOR HIGHLAND PARK LANDMARK NOMINATION

PLEASE BE ADVISED THAT ONCE A PROPERTY HAS BEEN LANDMARKED IT BECOMES SUBJECT TO CHAPTER 24 OF THE HIGHLAND PARK CITY CODE WHICH REGULATES EXTERIOR ALTERATIONS.

Date: 8/22/16

The undersigned owner of the property located at _____
in the City of Highland Park, Illinois, hereby

approves for the above property to be nominated by the Highland Park Historic Preservation Commission for designation as a Highland Park Landmark

disapproves consent for the above property to be nominated by the Highland Park Historic Preservation Commission for designation as Highland Park Landmark.

(Please place an "X" in the appropriate space.)

If there are joint owners, or the property is owned in trust, all owners/trustees must sign.

Signature(s):

8/22/16

Printed Name(s):

Karen Silvestri



Highland Park

City of Highland Park
1707 St Johns Avenue
Highland Park Illinois 60035
847 432 0800
cityhpil.com

August 15, 2016

William & Karen Silverstein
1569 Forest Avenue
Highland Park

VIA CERTIFIED MAIL

Dear Mr. and Mrs. Silverstein:

As you may be aware, on August 11, 2016 the Highland Park Historic Preservation Commission adopted Resolution 16-01 and acted affirmatively on the nomination to designate the property at 1570 Hawthorne Lane as a local landmark. In accordance with Section 24.025 of the Highland Park City Code, the Commission made a preliminary determination that your property satisfies the following criteria for landmark designation:

Section 24.015 (1):

It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country;

Section 24.015 (4):

It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use or indigenous materials;

Section 24.015 (5):

It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country and

Section 24.015 (6):

It embodies, overall, elements of design, detailing, materials, and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative;

In addition, the Commission also found the house has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation.

With the adoption of the Resolution making the preliminary landmark designation recommendation, the property has become a Regulated Structure, meaning that any Regulated Activities that impact the Structure require a Certificate of Appropriateness from the Historic Preservation Commission.

Pursuant to Section 24.025(D)1, this letter requests consent for landmark designation by the titleholders of the nominated property. Please complete the enclosed form indicating either consent or objection to the landmark designation and return it to my attention at the following address: 1150 Half Day Road, Highland Park, IL 60035.

Section 24.025(D) provides a 45-day response period, which may be extended to 120 days at your request. If you object to the landmark designation or fail to respond within the response period, the Historic Preservation Commission will schedule a public hearing to provide a reasonable opportunity for all interested persons to present testimony or evidence regarding the landmark nomination.

Please feel free to contact me at 847-926-1858 with any questions you may have.

Sincerely,

Nusrat Jahan
Planner
Staff Liaison to the Historic Preservation Commission



LAND PARK
Community Development
Road
Illinois 60035

RETURN RECEIPT
RECEIVED

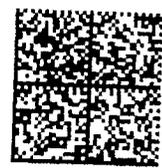
CERTIFIED MAIL



7015 1660 0001 0058 8372

TO,
M W/S
William and Karen Silverstein
1569 Forest Avenue
Highland Park, IL 60035

FIRST CLASS



UNITED STATES POSTAGE
EAGLE
PITNEY BOWERS
02 1R \$ 06
0002005826 AUG 11
MAILED FROM ZIP CODE

60035\$3436 0031



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



4689444

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William and Karen Silverstein
1569 Forest Avenue
Highland Park, IL 60036



9590 9401 0196 5234 8944 44

2. Article Number (Transfer from service label)

7015 1660 0001 0058 8372

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

5
16
35

CITY OF HIGHLAND PARK
HISTORIC PRESERVATION COMMISSION
1707 St. Johns Avenue
Highland Park, Illinois

August 11, 2016
7:30 O'Clock P.M.

RE: Landmark Nomination
for property located at
1570 Hawthorne Lane.

PRESENT:

BARBARA THOMAS, Chairwoman

KATHLEEN ILLES, Commissioner

LISA TEMKIN, Commissioner

JOE REINSTEIN, Commissioner

MEGHANN SALAMASICK, Commissioner

LEAH AXELROD, Ex-Officio Member

NUSRAT JAHAN, Staff Liaison

ANDY CROSS, Senior Planner

ANTHONY BLUMBERG, City Council Liaison

HART PASSMAN, Corporation Counsel

GALE CERABONA, Minute Taker

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EXHIBIT:

There were no additional exhibits marked and entered into the record.

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1 CHAIRWOMAN THOMAS: Next item is the
2 Landmark Nomination at 1570 Hawthorne Lane.

3 MS. JAHAN: 1570 Hawthorne Lane, tonight
4 we are here for resolution making the
5 preliminary landmark designation recommenda-
6 tion.

7 So this is the house at 1570
8 Hawthorne Lane, known as Wilson Kline
9 residence. And last month Historic
10 Preservation Commission meeting, July 14th,
11 Commission considered the landmark nomination
12 and the findings were determined by a
13 six-zero vote that it meets four of the
14 landmark criteria, and also the sufficient
15 integrity of location, design, is worthy to
16 preserve.

17 A resolution draft was
18 presented to the Commission for review
19 tonight, and also, the planning report has
20 been prepared by staff for HPC review.

21 This map is showing the effect
22 on surrounding neighborhood. So some of the
23 significant houses around the neighborhood

1 still, some is demolition since 2002, and
2 some still there, and some local landmark
3 property around the house at 1570.

4 The four criteria that was
5 determined that the structure meets is (1),
6 (4), (5) and (6) criteria for landmark
7 designation.

8 Tonight Commission is asked to
9 review the resolution. If there is no
10 changes requested, then resolution may be
11 approved by a majority vote.

12 After that, Commission is
13 requested to review the planning report. The
14 report gives the Commission an opportunity to
15 review the landmark designation around the
16 surrounding property.

17 And the planning report
18 doesn't conflict with the comprehensive
19 planning of City of Highland Park.

20 And if there is no changes
21 required, then the Commission is requested to
22 approve the planning report.

23 The summary, as I mentioned,

1 the landmark designation upholds the City of
2 Highland Park master plan philosophy of
3 preservation of the community. And also it
4 doesn't conflict with the Lakefront District
5 Neighborhood Strategic Plan.

6 Next step, after the adoption
7 of the resolution, the house at 1570
8 Hawthorne Lane will become a regulated
9 structure.

10 A certified letter will be
11 mailed to the owner for their consent for the
12 landmark.

13 If owner denies to give
14 written consent, then there will be an option
15 to a public hearing will be held.

16 And if still the owner
17 continues to oppose, then HPC may not
18 recommend the approval to the City Council
19 if there is not five affirmative votes for
20 the recommendation.

21 The resolution will be
22 forwarded to City Council along with the
23 planning report that has been prepared, and

1 within the 30 days after the public hearing.

2 And the landmarking process
3 will be complete when City Council approves
4 the ordinance, or they might approve or
5 reject the ordinance by a majority vote.

6 And City Council has 90 days
7 to act on HPC's recommendation. If not done,
8 then it deems as a rejection of the recommen-
9 dation. That's the process.

10 And the letter that we
11 received from one of the Waukegan Historical
12 Society, somebody concerned about preserva-
13 tion, the copies are here.

14 Our recommendation for the
15 Commission tonight, to consider the
16 resolution making the preliminary landmark
17 designation, followed by planning report
18 regarding the landmark designation of the
19 structure at 1570 Hawthorne Lane.

20 Following notification after
21 adoption of the resolution, owner has 45 days
22 to object, consent to the proposed designa-
23 tion.

1 With the consent, Commission
2 will make a final determination and forward
3 its recommendation to City Council.

4 If owner denies or declines,
5 the Commission can request to have a public
6 hearing. And the possible date for public
7 hearing will be November 10, 2016.

8 That concludes my presenta-
9 tion.

10 CHAIRWOMAN THOMAS: So at this point we
11 call for an adoption of the resolution, or do
12 we have discussion of this beforehand or --

13 MR. CROSS: It is really at the
14 discretion of the Chair. The motion the HPC
15 will be asked to make is to approve the
16 resolution making the preliminary landmark
17 designation or recommendation. It's a
18 mouthful.

19 MR. MACKNIN: We object and we would
20 like to voice our objection, we would like to
21 have that opportunity, on behalf of the
22 owners, if we may.

23 CHAIRWOMAN THOMAS: Okay.

1 MR. MACKNIN: Thank you very much.

2 My name is Mitch Macknin. I
3 have lived at 936 Rollingwood Road since 2000
4 in Highland Park. Along with Harvey Barnett
5 and Cal Bernstein -- Mr. Barnett is here next
6 to me -- we represent Bill and Karen
7 Silverstein, the owners of the house at 1570
8 Hawthorne Lane.

9 Welcome to Commissioner Illes
10 and Councilman Blumberg. We missed you at
11 the July 14 meeting. I will be making
12 references to that meeting. We do have a
13 Court Reporter transcript of it.

14 COUNCILMAN BLUMBERG: There is also a
15 recording of the meeting that's available to
16 us.

17 MR. MACKNIN: Good. Thank you.

18 Make no mistake, we appreciate
19 your mission. The beautiful historical
20 structures we have in Highland Park are a
21 great resource for our community.

22 Also make no mistake that Bill
23 and Karen Silverstein, our clients, have

1 personally stepped up and supported that
2 mission, when appropriate, including such as
3 with the Stupey Cabin.

4 But your actions in this
5 matter do not further your mission. They are
6 an overreach. No doubt you are granted much
7 power under the ordinance, but to whom much
8 power is given, much is required. At a
9 minimum, you must follow the rules and the
10 criteria that are set forth and established.
11 You can't change them midstream or seek ways
12 around them, particularly when you are trying
13 to encumber one's property without their
14 consent, as here.

15 In Highland Park's history
16 there's been one landmark designation without
17 consent: 405 Sheridan. That was a very
18 unique situation. The property included not
19 just a beautiful large tudor revival designed
20 by Howard Van Doren Shaw, but it was on the
21 lakefront, and also included acres of Jens
22 Jensen-designed landscaping. Six landmark
23 criteria were met.

1 Other than that one-of-a-kind
2 situation, no other involuntary landmark
3 designation has been successful in the
4 history of Highland Park, to our knowledge.
5 And that includes the Van Bergen house at 295
6 Cedar, John Van Bergen, even though it had
7 far more distinctive architectural and
8 historical significance than the house in the
9 matter before you. It was the only example
10 in Highland Park unique prairie sub-style,
11 and the home of Van Bergen's brother and also
12 his mother. The involuntary failed in that
13 case.

14 From the time I moved here 16
15 years ago I have been a regular watcher of
16 the televised proceedings of our City. They
17 happen to be the City Council and Plan
18 Commission. I always come away with such
19 appreciation for their professionalism and
20 the work they do. They are always well
21 versed on the applicable criteria and facts,
22 stay focused on the issues, and are
23 respectful of those that appear before them.

1 I may disagree with outcomes,
2 but watching them, I am proud I live in
3 Highland Park. And I make sure whenever I
4 have had opportunity to let them know their
5 work is appreciated.

6 But what occurred before this
7 Commission at our matter at the July 14
8 meeting would not overwhelm the community
9 with pride. Some of you treated the matter
10 as a foregone conclusion, shaped the rules
11 and facts to fit that conclusion and rushed
12 us along unfairly. That's not your mission.

13 Before you cast your vote on
14 the resolution before you, we ask that you
15 think hard about the following.

16 Before you can recommend
17 a landmark designation, the nominated
18 structure must have, quote, sufficient
19 integrity of design, end quote. That's a
20 criteria in the ordinance. This Commission
21 hired a historical consultant to assist
22 it in establishing the applicable criteria
23 for integrity of design. Historical

1 Certification Consultants. They established
2 in writing specific objective standards that
3 determine whether a house has, quote,
4 sufficient integrity of design, end quote,
5 under the landmark ordinance. You rely on
6 those criteria regularly. They are even
7 included in the meeting packet for the
8 property you just heard, 1148 Lincoln Avenue
9 South. But they weren't applied or even
10 referenced in our case.

11 Here are the established
12 criteria as they pertain to our house, as
13 established by the Historical Certification
14 Consultants for integrity of design: Quote,
15 must have a high degree of integrity, end
16 quote. This means, quote, no unsympathetic
17 and/or overpowering additions, end quote.
18 Quote, no modern siding materials, end quote.
19 And quote, no historic materials or details
20 covered up, end quote. If any one of these
21 criteria is not met, the house is dis-
22 qualified from, quote, sufficient integrity
23 of design, end quote.

1 And by the way, this was all
2 in our written objection that we submitted to
3 the Commission.

4 The criteria separately
5 singled out additions to a house as a
6 particularly significant disqualifying
7 factor. Quote, integrity, that is, degree of
8 original design and historic material
9 remaining in place, was factored into the
10 evaluation. No building was considered
11 locally significant if it had more than minor
12 alterations, end quote.

13 The uncontested record at the
14 July 14 meeting was that there are six
15 additions and alterations on all four sides
16 of the house, none of which are Van Bergen's.
17 On the west side there are two wood siding
18 additions of significant square footage
19 constructed 29 years apart, in 1962 and in
20 1991. On the north side there is an addition
21 constructed in 1967 that uses brick, mis-
22 matched from the original Van Bergen home.
23 On the south end a swimming pool was added in

1 1962. And on the east side, that's the
2 front, the recessed front door portal and
3 transom were eliminated and covered up, date
4 unknown. A garage was added in 1967.

5 These changes to the house are
6 the antithesis of, quote, minor alterations.
7 For the most part, they are largely un-
8 sympathetic to the style of the house and use
9 materials like siding and sliding patio doors
10 that are not up to Van Bergen's quality of
11 workmanship and design.

12 The nomination admits this,
13 quoting from the ninth page. The west
14 additions are, quote, not sensitive to the
15 style of the house or in the quality of
16 materials and craftsmanship.

17 Add to that the fact that the
18 exterior brick on the north side addition is
19 largely mismatched. And it is the original
20 brick work, significantly, in the nomination
21 on which the nomination relies to support the
22 distinctiveness of Van Bergen's original
23 design.

1 Add to that the fact that the
2 east side alterations, including the front
3 door portal and transom, not only change the
4 design of the house, but they covered up
5 historical details and materials. That's
6 another fact by itself that is a disqualify-
7 ing factor for sufficient integrity of
8 design.

9 How could this structure
10 possibly meet the established criteria? Only
11 by changing the rules. The Commission
12 suggested that it really not need concern
13 itself, only with the changes that can be
14 seen from the street. But there is no such
15 limitation in the rules. They require you to
16 take into account the changes to the house in
17 its entirety, not just the one side of it.

18 The nomination is of the,
19 quote, Wilson Kline house, end quote. Not
20 quote, the portion of the Wilson Kline house
21 that you can see from the street, end quote.

22 The requirements in the
23 ordinance, including integrity of the design,

1 apply to the designated structure -- I'm
2 sorry -- the nominated structure, not to
3 only, quote, the portion of the structure you
4 can see from the street.

5 There is nothing in the
6 ordinance that permitted you to apply the
7 criteria in the manner you did, and you cited
8 none.

9 To an insult to injury, the
10 nomination itself highlights the fact that
11 one distinctive feature of a Van Bergen house
12 is that it is not easily visible from the
13 street.

14 The rules also didn't allow
15 you to ignore the evidence that we submitted
16 of record, from the biographer of Mr. Van
17 Bergen, that stated that Van Bergen was
18 particularly concerned, amongst other
19 architects, about the structure staying true
20 to his original design. Our objection, as I
21 said, included this source evidence, but you
22 brushed over it. You even rebuked us for
23 suggesting what Van Bergen would say about

1 the changes to his design. But the
2 documented historical record told us.

3 The criteria for integrity of
4 design also did not allow you to take into
5 account whether the changes could be
6 reversed. The criteria established to
7 determine integrity of design make no
8 allowance for whether or not the additions to
9 the house, or the covering up of historic
10 detail, or the use of mismatched or modern
11 siding materials, or the more than minor
12 alterations can be reversed or undone.

13 The criteria do in other
14 places spell out the limited situation when
15 the Commission can consider the reversal of
16 changes. The criteria for a rating of
17 contributing, which is not what we have here
18 -- here we have significant -- provides for
19 that.

20 And I am quoting from the
21 criteria in your consultant's report. Quote,
22 if it has been altered it must be in some
23 ways that can be reversed.

1 When the criteria allow for
2 reversal, they say so. There is no such
3 allowance for considering integrity of design
4 for purposes of rating a house significant.

5 Worse, you ignore the un-
6 contested evidence that in some cases as to
7 this house reversal was not even possible, as
8 well as the cost of reversing those changes
9 that could be reversed, which we also
10 submitted of record.

11 Mr. Ted Cohn, an expert
12 builder, submitted a written report and he
13 came here personally to speak with you at the
14 July 14 meeting. He answered all your
15 questions, including those questions that
16 revealed his experience in historical
17 preservation when you tried to suggest he had
18 no such experience. Again, you just ignored
19 his work. That wasn't just rude; that was
20 contrary to the criteria.

21 At the end of the day,
22 the uncontested evidence is that the
23 disqualifying changes will not be reversed.

1 That was what we said at the meeting. The
2 Silversteins won't reverse the changes. Any
3 other assumption is pure speculation by the
4 Commission. The only thing the community
5 will see is a disqualified structure. That's
6 not your mission.

7 You also were not allowed to
8 ignore the condition of the house in
9 determining sufficient integrity of design,
10 workmanship and materials.

11 We came in with Mr. Cohn's
12 itemized written statement of repairs
13 totalling \$537,800. We also presented
14 photos. As has been indicated this evening,
15 deterioration of a house is never a good
16 thing.

17 There was no rule that allowed
18 you to ignore the cost of renovating the
19 house. The rules provided otherwise. The
20 rules say the house must have, quote,
21 sufficient integrity of materials and
22 workmanship to make it worthy of preservation
23 and rehabilitation.

1 Rehabilitation is defined as
2 the process of returning a regulated
3 structure to a state of utility through
4 repair which makes possible an efficient
5 contemporary use, cost effective contemporary
6 use.

7 You can't have it both ways.
8 The nomination relies on its face on the
9 interior of the house to support the landmark
10 criteria. For example, it cites to the
11 living room fireplace, oak wood and the
12 arrangement of the rooms. We have pointed
13 that out to the Commission.

14 Having done that, you can't
15 then ignore the uncontested evidence of the
16 actual condition of the house. It needs new
17 heating, new electrical, new plumbing,
18 doesn't have a drain tile system, it needs
19 new floor joists, new roof, the foundation
20 needs to be shored up, all the walls and
21 ceilings have to be replaced in order to add
22 insulation.

23 Commission also relied on a

1 fact that was not supported of record. The
2 Commission had no basis to determine that the
3 house was built in 1922, but nonetheless you
4 prominently relied on that fact in your
5 deliberations.

6 Your July 14 deliberations
7 relied heavily on the house being a rare
8 example of Van Bergen's earliest work. The
9 Commission could turn the house into such a
10 rare example only by concluding that the
11 house was built in 1922, which is what the
12 nomination -- I don't know if the nomination
13 states -- I think the planning report states
14 that there is no source document. The
15 record, in fact, contains no source document
16 that the house was built as early as 1922.
17 There are no blueprints, there are no
18 original design documents of record.

19 What the documents did show
20 and what we put of record is that the house
21 was built no earlier than 1930 and as late
22 as 1937. The Commission in its final
23 deliberations chose to ignore the evidence

1 and rely on an unsupported date.

2 The tax assessor records say
3 the house was built in 1930. That document
4 was also part of the staff's July 14, 2016
5 planning report to this Commission, but you
6 paid no heed to it.

7 By 1930 there were already
8 over 20 Van Bergens in Highland Park. In
9 your deliberations you relied on the fact
10 that this was the second Van Bergen in
11 Highland Park, relying on that 1922 date.

12 Marty Hackl's book, the
13 published biographer of Van Bergen, states
14 that the house was built circa 1937. That
15 document is included in the nomination
16 itself. You ignored that, too, and just
17 simply concluded, without any evidence that
18 we saw, that the house was built in 1922.

19 By 1937 there were already
20 over 30 Van Bergen structures in Highland
21 Park.

22 Commissioner Temkin stated in
23 her November 24, 2015 e-mail to Andy Cross

1 and Barbara Thomas that the house was built
2 in 1936. Quote, I believe it was built a
3 year before my house, in 1936, end quote.

4 We put that of record in our
5 objection. The Commission ignored it.
6 Ignoring all the evidence to the contrary,
7 the Commission has instead used an un-
8 supported 1922 date.

9 The only reference to 1922 of
10 which we are aware is in Marty Hackl's notes
11 on the house, not in the document that was
12 included in the nomination. The nomination,
13 in fact, selectively excluded those notes.
14 They were the notes where Mr. Hackl freely
15 observed that, quote, the house retains
16 little original character because of the,
17 quote, heavy-handed alterations and
18 additions. That wasn't included in the
19 nomination.

20 Ignoring all the evidence to
21 the contrary, the Commission has instead used
22 an unsupported 1922 date.

23 To compound the error, that

1 date then became the sole underpinning for
2 the Commission's historian urging the
3 Commissioners to find the criteria were met.
4 She weighed in at a crucial moment of the
5 deliberations when you were trying to justify
6 how this Van Bergen could be distinctive
7 among the other 40 Van Bergens in Highland
8 Park. Relying on a 1922 construction date,
9 she stated that it was Van Bergen's second
10 oldest work in Highland Park, and therefore,
11 it was a rare representation of Van Bergen's
12 earliest work. And it has snowballed from
13 there.

14 Just a few days ago,
15 Commissioner Temkin represented to the
16 public on her personal Facebook page that,
17 quote, this is the second house Van Bergen
18 built in H.P.

19 What's occurring here is not
20 right. The rules here require you to rely on
21 facts, not misstatements or unsupported
22 suppositions. And you should be especially
23 careful to do so when you are trying to take

1 away the owner's free use of his property
2 without his consent.

3 And then we had put of record
4 that Commissioner Temkin was prohibited from
5 voting and also should have recused herself.
6 We pointed to three prohibitions that are
7 contained in both the Ethics Guidelines and
8 the City Code.

9 She was prohibited from voting
10 by the Ethics Guidelines because she is an
11 applicant. She is an applicant of the
12 nomination.

13 Quote, in the event that the
14 official is the applicant appearing before
15 the official's commission, the official may
16 not cast a vote in connection with any
17 proposed official action regarding the
18 matter.

19 She was also prohibited from
20 voting by the Highland Park City Code, this
21 is Section 33.1705(A)(3), quote, no Historic
22 Preservation Commissioner may vote on any
23 matter that may materially or apparently

1 affects the property, income or business
2 interest of that Historic Preservation
3 Commissioner.

4 She also should have recused
5 herself from any participation under the
6 Ethics Guidelines. Quote, in the following
7 circumstance an official must recuse himself
8 or herself from any deliberation, discussion
9 or official action of the commission -- and
10 then on to number 7 -- the official has a
11 connection to the applicant or matter before
12 the official's Commission such that the
13 official's participation in any deliberation,
14 discussion or official action related to the
15 applicant or matter would appear improper.
16 That's also in the Ethics Guidelines.

17 The efforts to avoid the fact
18 -- So what we have here is two prongs. One
19 is that Commissioner Temkin is the applicant;
20 the other is her connection to the matter,
21 separate from being an applicant.

22 The efforts to avoid the fact
23 that Commissioner Temkin is the applicant

1 were outside the rules. The pending
2 nomination before you specifies Commissioner
3 Temkin as the applicant in two different
4 places, on the first page and on the fifth
5 pages.

6 And she, not Mr. Enck,
7 obviously wrote the nomination. It is a
8 photocopy of the nomination she had submitted
9 on May 14, 2016, I believe, or May 18 -- in
10 May, 2016, even to the point of including
11 references to what, quote, I, end quote,
12 accomplished on the Van Bergen project --
13 which was Ms. Temkin's admirable project --
14 and e-mails, quote, I, end quote, receive and
15 the legacy, quote, we enjoy in Highland Park.

16 The nomination includes
17 descriptions of interior details of the house
18 that Mr. Enck testified to the Commission
19 that he had never been inside the house.
20 How is it that someone who has never stepped
21 foot in the house could attest to it meeting
22 landmark criteria, over the owner's objec-
23 tion?

1 Nor do the rules allow
2 Commission Temkin to change her nomination
3 orally. The rules require nominations to be
4 in writing, Section 24.025(A). The written
5 nomination before you contradicted her
6 representation at the July 14 meeting that
7 she is not the applicant. The nomination
8 before you says she is the applicant.
9 Nothing else has been put of record and we
10 have seen nothing else.

11 Subsequently, she even
12 resorted to the newspapers to try to get out
13 from under the Ethics Guidelines. She is
14 quoted as saying she added Mr. Enck as a co-
15 applicant and then she, quote, withdrew
16 myself, end quote. That is in the Daily
17 North Shore, just a few, couple weeks ago,
18 July 28, 2016.

19 There is nothing in the
20 written nomination about her withdrawing
21 herself, and it is the written nomination
22 that controls, at least according to the
23 rules.

1 The Ethics Guidelines are
2 not there to try to find ways around them.
3 That, too, is not your mission. On their
4 face, they are designed to avoid even the
5 appearance of impropriety.

6 Quoting from the guidelines,
7 in all circumstances City officials should
8 conduct themselves in a manner that prevents
9 impropriety as well as the appearance of
10 impropriety, end quote.

11 They, quote, also set forth
12 the proper course of conduct for City
13 officials, when presented with a situation
14 that may give rise to such incompatibility or
15 to a conflict of interest, end quote.

16 The only thing accomplished by
17 the statements of Ms. Temkin trying to
18 withdraw herself was that Commissioner
19 Temkin's proposed landmark designation for
20 the house, the one first sought by her
21 nomination dated May 16, 2016, prior to being
22 withdrawn, failed to be approved.

23 The matter before the

1 Commission also affects Commissioner Temkin's
2 property such that she had to recuse herself
3 from the proceedings under the Ethics
4 Guidelines and could not vote under the City
5 Code.

6 As we showed, Commissioner
7 Temkin's connection to this matter is not
8 simply that she owns a Van Bergen house.
9 There may be other Commissioners that own a
10 Van Bergen house. She owns the one Van
11 Bergen among 40 in Highland Park whose
12 distinctive form and feature has been
13 injected directly into the middle of these
14 proceedings. Commissioner Temkin's has been
15 singled out as the Van Bergen most similar to
16 the house under consideration.

17 The nomination states this and
18 relies on this, as does Commissioner Temkin's
19 November 24, 2015 e-mail to Andy Cross.
20 Quote, 1570 appears most similar to my house,
21 end quote.

22 The July 14 proceedings
23 demonstrate the inextricable connection

1 between this matter and her house and the
2 conflict it causes when she necessarily
3 became the subject of questioning about how
4 her house compared to ours.

5 To bolster the supposed
6 distinctiveness of the symmetrical front
7 facade, the center front door, Commissioner
8 Temkin noted that her house was the only
9 other Van Bergen in Highland Park to share
10 that distinction. This shared distinction is
11 also shown with a photo of her house in the
12 nomination itself.

13 As a result, the Commission's
14 determinations of the architectural signifi-
15 cance of the form, styling and details of the
16 house you have under consideration has a
17 direct impact on Commissioner Temkin's
18 interests. These determinations could be
19 equally applicable to her house.

20 Now on her personal Facebook
21 page she touts that her house is not just
22 similar in form to our house, now she states
23 it has the same form. And I'm quoting now,

1 quote, it has the same form as Hawthorne.

2 This is the full post on her
3 Facebook page where she mixed her personal
4 hat with her public official hat. Quote --
5 and this is available to the public, just go
6 on Facebook -- August 11 is HPC meeting!
7 This is the second house Van Bergen built in
8 H.P. It has the same form as my house, but
9 my house is newer, 1937!

10 Due to this apparent effect on
11 Commissioner Temkin's property, the City Code
12 prohibited her from voting, and the Ethics
13 Guidelines prohibited her from participating
14 at all. She should have been recused.

15 In conclusion, we request
16 you to reconsider. Consider what we just
17 demonstrated. Consider our evidence we
18 presented, and vote nay on the proposed
19 resolution. It's the result compelled under
20 the applicable criteria, for so many reasons.

21 Thank you for your considera-
22 tion.

23 CHAIRWOMAN THOMAS: I believe the

1 counsel at the last meeting spoke to the
2 issue of recusal and said it was not
3 necessary.

4 MR. PASSMAN: That's correct, Chairman
5 Thomas. As noted at the July 14 meeting we
6 confirmed at the time that prior to that
7 meeting Commissioner Temkin had withdrawn her
8 application.

9 COMMISSIONER TEMKIN: In writing.

10 MR. PASSMAN: You will recall that we
11 had it directly in writing. She confirmed it
12 here on the record on July 14th.

13 Our office has determined that
14 because she is not the applicant and had
15 withdrawn as applicant, there was no
16 remaining need for her to recuse or otherwise
17 refrain from participation in this matter.

18 CHAIRWOMAN THOMAS: Okay. Is there any
19 other discussion from the table, from the
20 Commission?

21 COMMISSIONER REINSTEIN: So given that
22 the attorney made that same statement before
23 the previous meeting and now has made that

1 same statement after hearing your remarks, do
2 you want to comment on that? I don't want to
3 hear your argument all over again. I just
4 think that you heard him say that in the
5 first meeting and you are accusing either the
6 City's attorneys or their legal framework as
7 being false or inaccurate. Is that what
8 you're accusing the City of?

9 MR. MACKNIN: I am not accusing the City
10 of anything. I am stating the facts.

11 COMMISSIONER REINSTEIN: We just had to
12 listen for quite a long period of time that
13 Temkin is somehow behaving inethically, or
14 unethically --

15 CHAIRWOMAN THOMAS: As well as the whole
16 Commission.

17 COMMISSIONER REINSTEIN: And the City
18 Attorney gave us an opinion on that, which
19 could have been a different opinion, but it
20 happened to be the opinion that it was that
21 she could participate in this proceeding.

22 So I am just asking, do you
23 disagree with that?

1 COUNCILMAN BLUMBERG: I am going to
2 interject for just a minute. I think the
3 question overall is appropriate. It is
4 important to understand that the response to
5 the application appropriately addresses both
6 the factual issues relative to the nomination
7 itself as well as ethical issues. So if he
8 is disagreeing with our Corporation Counsel,
9 he has a right to state that on the record.
10 I think your question asking him to respond
11 to those findings is appropriate. But to
12 suggest that it is an accusation is not what
13 the process involves.

14 COMMISSIONER REINSTEIN: I am totally
15 with you. Just a question: Were you at the
16 last meeting?

17 COUNCILMAN BLUMBERG: I was not at the
18 last meeting but I was aware of the findings
19 of Corporation Counsel. I was advised of
20 that prior to that meeting which is
21 consistent with what he stated tonight. What
22 he stated tonight I think is in response to
23 the Chair's re-inquiry to the previous

1 findings.

2 What you are asking is for the
3 applicant to respond to the fact that those
4 findings by our Corporation Counsel are out
5 there. And I think that's an appropriate
6 inquiry.

7 COMMISSIONER REINSTEIN: Just backing
8 up, I just felt that the -- I didn't
9 appreciate the combative pejorative tone
10 about the way we are conducting business and
11 what we are trying to accomplish here. And I
12 just would like a comment that we all had to
13 sit through 90 minutes of your case last
14 week, which we did with binders open, taking
15 notes, listening to every word.

16 And part of that discussion
17 was the City Attorney weighing in on this
18 issue that you now spent another 20 minutes
19 of our time refuting. So I don't think it
20 was time well spent. And I think it is
21 disrespectful to the City attorneys. So that
22 was my point.

23 The other thing is you

1 referenced a paid expert. Who is the paid
2 expert and who is paying the paid expert?

3 COMMISSIONER TEMKIN: I think we were
4 referring to the surveyor.

5 MR. MACKNIN: Historical Certification
6 Consultants that was under contract with the
7 Preservation Commission and was funded
8 through and administered by the Commission.

9 COMMISSIONER REINSTEIN: You are talking
10 about the historical survey that was done.

11 MR. MACKNIN: The expert I am talking
12 about is Historic Certification Consultants.
13 They have prepared a report that included a
14 survey of all the homes in Highland Park.
15 They established criteria. Those criteria
16 are used by the Commission as recently as the
17 meeting on July 14 and including it in the
18 meeting packet for today. Not on our case,
19 on 1148 South Lincoln.

20 COMMISSIONER REINSTEIN: So another
21 thing that you did in your case last meeting
22 was to quote the author who had written a
23 book that had referenced the Van Bergen

1 house. That author then appeared before us
2 and went on the record to refute your
3 finding.

4 MR. BARNETT: I don't believe he did
5 that at all.

6 COMMISSIONER REINSTEIN: I think he
7 absolutely did.

8 MR. BARNETT: He tried to back off of
9 some of the things he said. But when he
10 wrote the biography, Mitch quoted it, and it
11 is right in your report. This house does not
12 retain the integrity.

13 And can I just respond to
14 something? Because it is not our intent to
15 be disrespectful to this Commission. When I
16 spoke last time I said I have served on the
17 School Board in Highland Park a long time. I
18 appreciate your services. No one is paying
19 you tonight. We are getting paid. We are
20 advocates for our clients; okay?

21 And when it comes to ethics
22 issue, if there is an ethics issue that we
23 think disqualifies someone, we are obligated

1 to bring that to someone's attention. And if
2 the tone was too forceful, I am sorry about
3 that. But the fact is I have argued before
4 judges in trial courts, appellate courts and
5 supreme courts and told them they were wrong.
6 And sometimes they agree with me; sometimes
7 they didn't. So that's all we're doing with
8 this Commission.

9 And the whole thrust of what
10 Mitch was saying was -- and I guess there is
11 no way to say it that isn't somewhat
12 disrespectful -- is you are obligated to
13 follow the rules. Because you are here not
14 only to preserve things; you are here also to
15 protect the citizens of Highland Park.

16 So there is a symmetry between
17 what just happened before our case and this
18 case. Those nice people came in. They
19 bought that property right next door to them,
20 to preserve it. Mr. Silverstein bought this
21 property right behind his house, to preserve
22 it. It happened to be a Van Bergen. He
23 didn't know it. It was advertised as a

1 teardown.

2 Mr. Cohn came in and told you
3 -- unlike those people, but we spent the
4 money -- Mr. Cohn came in and told you there
5 is 530 some thousand dollars to repair the
6 house, and laid out all the things that are
7 wrong with that house. I mean, it is a
8 teardown, and it is deteriorating, and it's
9 been dilapidated on a gorgeous street.
10 Hawthorne, that dead end Hawthorne, it is an
11 absolutely beautiful street. And that house
12 is just a shambles. And that's what we are
13 faced with here.

14 And what is Mr. Silverstein
15 going to do? The same things those other
16 people are going to do. He is going to tear
17 down the house, and he is going to landscape
18 it and continue to beautify the street,
19 instead of this dilapidated Van Bergen being
20 there.

21 CHAIRWOMAN THOMAS: We heard that
22 argument.

23 MR. BARNETT: I know you did.

1 COMMISSIONER TEMKIN: I just want to
2 say, for the record, 405 Sheridan Road was --
3 the applicant was Elliott Miller in 2006.
4 And at that time Elliott Miller was the Chair
5 of the Commission. He wasn't asked to recuse
6 himself. He voted and participated just like
7 I did. And that is the precedent. So, you
8 know --

9 CHAIRWOMAN THOMAS: In fact, Susan
10 Benjamin has stated she was the first Chair
11 to have all of the nominations for landmark-
12 ing that first time came from the Commission.
13 So --

14 COMMISSIONER TEMKIN: Right.

15 MR. PASSMAN: I should say, Chairman
16 Thomas, guidelines are in place now that were
17 not in place then.

18 CHAIRWOMAN THOMAS: True.

19 MR. PASSMAN: Having said that, our
20 opinion is underneath the rules and
21 ordinances that apply today.

22 CHAIRWOMAN THOMAS: All right.

23 MR. MACKNIN: May I ask one thing? I

1 believe you made reference to a written
2 withdrawal of the application by Commissioner
3 Temkin.

4 MR. PASSMAN: Correct.

5 MR. MACKNIN: We have never seen it.
6 That's not in any record. We have asked
7 about it. I made reference to the fact
8 during our presentation that we haven't seen
9 it. We had a FOIA request pending.

10 COMMISSIONER TEMKIN: I also will say,
11 for the record, that Chris Enck helped me
12 write the nomination in the first place. So
13 if I referred to "I", it was because I wrote
14 it, but he helped me. But anyway --

15 CHAIRWOMAN THOMAS: So move to --

16 MR. CROSS: Well, certainly if the Chair
17 feels that conversation has come to a conclu-
18 sion, then the next thing to do would be to
19 move on with the business at hand, which is
20 the consideration of the resolution making
21 the designation.

22 MR. SCHWARZ: Could I make a comment?

23 CHAIRWOMAN THOMAS: Patrick?

1 MR. SCHWARZ: I am Patrick Schwarz. I
2 own the Mary Adams house, Frank Lloyd Wright,
3 at 1923 Lake Avenue in Oak Park -- Highland
4 Park. I do want to say something about Oak
5 Park, though. Bill Levy and I purchased the
6 home in December, 2010, and during the entire
7 year of 2011 and part of 2012 we restored the
8 home.

9 Everything that was shared
10 that was needed to restore the home that we
11 are talking about right now are things we
12 did. We also replaced two foundation walls,
13 and we made the home green.

14 I was a resident prior to the
15 time I lived here in Oak Park for 20 years.
16 I gave tours of the Frank Lloyd Wright home.
17 There are 32 Frank Lloyd Wright homes in Oak
18 Park and River Forest.

19 I believe the relationship of
20 Frank Lloyd Wright to Oak Park is the same as
21 John Van Bergen to Highland Park. And I
22 believe that things can be done as this
23 Historic Preservation Commission that we

1 appeared before to preserve the integrity of
2 the home.

3 There were things that were
4 modified in our home, also. We were able to
5 get the original plans and bring the home
6 back to what it was in 1905.

7 And I really believe that the
8 history of this community tells the story of
9 the community, and I support the landmark
10 nomination as a resident of Highland Park.

11 CHAIRWOMAN THOMAS: Yes, Tony?

12 COUNCILMAN BLUMBERG: Madam Chairman,
13 just as a suggestion or rule of procedure --
14 and Andy, if I am incorrect about this, let
15 me know -- it might be a good idea to get a
16 motion on the floor. You can continue to
17 argue the motion. And at some point if you
18 want to just open up the floor for additional
19 public comment, if there is anybody else here
20 to speak, that might be appropriate.

21 CHAIRWOMAN THOMAS: Is there a motion?

22 Andy, you will have to repeat this.

23 COMMISSIONER REINSTEIN: Before we do

1 the motion on the resolution, can you just
2 describe all the events that occur following
3 this?

4 MR. CROSS: You bet. And so, let me
5 see --

6 MR. PASSMAN: Let me clarify, for the
7 record. This is if the resolution is
8 adopted.

9 MR. CROSS: Precisely.

10 MR. PASSMAN: If the resolution is not
11 adopted, the process stops.

12 COMMISSIONER REINSTEIN: Thank you.

13 MR. CROSS: Thank you, Hartman. That's
14 worth repeating.

15 So there are two documents
16 tonight for the Commission's consideration.
17 The first is the resolution making the
18 nomination, and the second is the planning
19 report.

20 And the planning report is a
21 very straightforward document that is simply
22 intended to provide a clarification and
23 confirmation that the possible designation of

1 a property as a local landmark will not
2 conflict with future long-term master or
3 comprehensive planning on the part of the
4 City. That's all.

5 And so, Chapter 24, I should
6 note, says that following the adoption of the
7 resolution, the Commission may ask for a
8 planning report in the future.

9 In the effort of or in the
10 spirit of expediency, staff's practice has
11 been to write this planning report and bring
12 it to the same meeting, because otherwise you
13 are waiting another 30 days to approve a
14 fairly straightforward document.

15 COMMISSIONER REINSTEIN: The planning
16 report then is at this meeting?

17 MR. CROSS: It is.

18 COMMISSIONER REINSTEIN: Okay.

19 MR. CROSS: And would only be considered
20 by the Commission if the resolution is
21 adopted and the property is recommended for
22 landmark designation.

23 Does that make sense?

1 COMMISSIONER REINSTEIN: Will we only
2 see the planning report if we vote to
3 nominate it?

4 MR. CROSS: It is in your packet. But
5 it simply wouldn't be under the consideration
6 by the Commission if the property were not
7 recommended for landmark status because then
8 the information isn't worth anything.

9 And so the order of events is
10 this: The Commission is asked to consider
11 the resolution, which really simply places in
12 an adoptable framework the findings from the
13 last meeting. So the findings at the last
14 meeting were that the house meets these four
15 landmark standards. And so it was a motion
16 and staff was directed to make this resolu-
17 tion making this an official document. And
18 so with the help of Corporation Counsel, the
19 staff drafted this resolution embodying what
20 the Commission said.

21 So the first motion tonight
22 would be to consider -- or really, better
23 said, the first consideration of the

1 Commission tonight would be consideration
2 of this resolution.

3 If adopted, then the
4 Commission is asked to review this planning
5 report. And as Nusrat pointed out in the
6 second bullet point, the report doesn't
7 identify any conflicts with master planning
8 in the City.

9 And so then the Commission is
10 asked to have a follow-up approval of this
11 planning report.

12 So, what happens then? The
13 house is a regulated structure, and that just
14 means it can't be -- it is under protections
15 and can't be harmed.

16 So following the adoption, if
17 adopted, a certified letter will be sent to
18 the owners saying, will you provide consent
19 to this? Of course, they have already
20 indicated that no consent will be given. And
21 so a public hearing will be scheduled. And I
22 think it can be scheduled the very next
23 meeting. So that's the next important step.

1 A non-owner consent land-
2 marking, as you know, is a very serious
3 undertaking. And so the next step is a full
4 public hearing.

5 The items up to tonight have
6 been public meetings. You know, all of these
7 are public meetings. But an official public
8 hearing is something different. There is a
9 different notification; there's an ad in the
10 newspaper. And so there is an official
11 public hearing where the public has a chance
12 to provide testimony.

13 At the conclusion of that
14 public hearing, the Historic Preservation
15 Commission will make a recommendation to
16 the City Council based on this landmark
17 designation.

18 And here's what's important:
19 Because it is non-owner consent, there has to
20 be what's called a super majority. Five of
21 the seven Commission members need to vote
22 aye, need to vote in the affirmative. So
23 that's the big takeaway.

1 MR. PASSMAN: To clarify that, majority
2 vote does not apply to the resolution
3 tonight. If there is a hearing, if there
4 is a recommendation at that time, that
5 recommendation must be by super majority
6 vote.

7 MR. CROSS: Thank you.

8 So following that recommenda-
9 tion -- or following the public hearing, the
10 recommendation will be presented to the City
11 Council, assuming it is a recommendation to
12 nominate the structure as a local landmark.

13 So, Joe, does that help?

14 COMMISSIONER REINSTEIN: Yes.

15 MR. CROSS: Good. And this is in the
16 staff report. You can read through it. But
17 I am happy to go through it tonight in a
18 public venue.

19 This process, there aren't
20 many municipalities that have this mechanism
21 in the code. We do, but it's important that
22 we clarify.

23 And so, bullet point 5 there,

1 number 5, is about the Council consideration.

2 And number 6 says what can
3 happen at the City Council.

4 Number 7 is the fail-safe, if
5 the City Council should not act on it for 90
6 days, it is the same as a rejection.

7 So that's it. I am happy to
8 go through it again. This just simply
9 doesn't happen very often.

10 COMMISSIONER TEMKIN: And there's a lot
11 of things.

12 MR. CROSS: And there is a lot of steps,
13 especially when you are wading through these
14 very difficult waters of a non-owner consent
15 landmark. So this is the second one I have
16 been involved with in my time here. It's
17 rare, and it's arduous for everyone,
18 certainly. So, is that answers your
19 question, then, Madam Chairman, you can take
20 it.

21 CHAIRWOMAN THOMAS: All right. Is there
22 a motion to adopt the resolution?

23 COMMISSIONER TEMKIN: I will make a

1 motion to adopt the resolution.

2 CHAIRWOMAN THOMAS: Is there a second?

3 (No response.)

4 CHAIRWOMAN THOMAS: There is no second?

5 May I second?

6 MR. PASSMAN: Yes, the Chair may second.

7 CHAIRWOMAN THOMAS: I second that.

8 Motion has been made and
9 seconded. We need a roll call vote on this.

10 A yes vote means we accept.

11 MR. CROSS: Yes. And let's be old
12 fashioned and say aye or nay.

13 MS. JAHAN: Chair Thomas?

14 CHAIRWOMAN THOMAS: Aye.

15 MS. JAHAN: Commissioner Illes?

16 COMMISSIONER ILLES: Okay, so let me ask
17 a question. I was not at the last meeting.
18 And a lot -- obviously, a lot of issues have
19 come up and you guys discussed a lot of stuff
20 that I went through the notes and I read
21 through all the minutes and everything, but I
22 am not sure exactly -- I guess what I am
23 voting for is the resolution itself. At this

1 point the criterias have already been set.
2 So I guess under those circumstances, with
3 the criterias already set, I would say that,
4 yes, I would vote for the resolution, I would
5 support it.

6 MS. JAHAN: Commissioner Reinstein.

7 COMMISSIONER REINSTEIN: Is an absten-
8 tion a vote?

9 COUNCILMAN BLUMBERG: If you vote
10 present, the present goes with the majority.

11 COMMISSIONER REINSTEIN: So the only
12 option is to vote present?

13 COUNCILMAN BLUMBERG: You can vote yes,
14 no or present.

15 MR. PASSMAN: You may abstain. Your
16 vote will be weighted some import depending
17 on how the rest of the Commissioners vote.

18 MR. CROSS: I would ask if you are going
19 to abstain, that you give justification.

20 MR. PASSMAN: I was just going to say,
21 if I may, he has no obligation to explain his
22 vote. You may abstain.

23 COMMISSIONER REINSTEIN: I abstain.

1 MS. JAHAN: Commissioner Salamasick.

2 COMMISSIONER SALAMASICK: Aye.

3 MS. JAHAN: Commissioner Temkin.

4 COMMISSIONER TEMKIN: Aye.

5 MS. JAHAN: So you have four yea and one
6 abstention. So it has passed on the resolu-
7 tion.

8 COUNCILMAN BLUMBERG: The next process
9 is they have to vote on the planning report.
10 That's tonight?

11 MR. CROSS: Yes, please.

12 MS. JAHAN: Does that need a roll call?

13 MR. CROSS: No, that can just be a
14 majority because it's -- the planning report
15 does not discuss or have any historical
16 impact. It is just an analysis of what
17 preservation of this house would mean within
18 the master plan of the City. And as we found
19 here, the report does not indicate that the
20 landmark will conflict with any planning
21 efforts on the part of the City.

22 CHAIRWOMAN THOMAS: So is the issue we
23 accept the planning report?

1 MR. CROSS: A motion to accept would be
2 very helpful.

3 CHAIRWOMAN THOMAS: A motion to accept
4 the planning report.

5 COMMISSIONER TEMKIN: Make a motion to
6 accept the planning report.

7 CHAIRWOMAN THOMAS: Is there a second?

8 COMMISSIONER SALAMASICK: Second.

9 CHAIRWOMAN THOMAS: Motion is made and
10 seconded. Do we want to take a voice vote on
11 this or -

12 MR. CROSS: I think just a voice vote,
13 all in favor.

14 CHAIRWOMAN THOMAS: All in favor?

15 (Whereupon there was a
16 unanimous chorus of ayes.)

17 CHAIRWOMAN THOMAS: Any nays?

18 (No response.)

19 CHAIRWOMAN THOMAS: No nays.

20 COMMISSIONER TEMKIN: This is an aside.
21 When Waverly -- I don't know who was on when
22 Waverly was nominated -- the planning report,
23 it affected the planning report if it was

1 STATE OF ILLINOIS)
2)
3 COUNTY OF L A K E)
4
5

6 I, RANDY BARINHOLTZ, a Certified
7 Shorthand Reporter, so certified by the State
8 of Illinois, do hereby certify that on the
9 11th day of August, 2016, I reported in
10 shorthand the hearing of the above-entitled
11 matter before the Highland Park Historic
12 Preservation Commission at 1707 St. Johns
13 Avenue, Highland Park, Illinois, and that the
14 foregoing is a true and correct transcript of
15 my shorthand notes so taken at said hearing.

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Randy Barinholtz,
Certified Shorthand Reporter

CITY OF HIGHLAND PARK
HISTORIC PRESERVATION COMMISSION
1707 St. Johns Avenue
Highland Park, Illinois

July 14, 2016
7:30 O'Clock P.M.

RE: Landmark Nomination
for property located at
1570 Hawthorne Lane.

PRESENT:

- BARBARA THOMAS, Chairwoman
- LISA TEMKIN, Commissioner
- NANCY BECKER, Commissioner
- JOE REINSTEIN, Commissioner
- MEGHANN SALAMASICK, Commissioner
- GERALD FRADIN, Commissioner
- LEAH AXELROD, Ex-Officio Member
- NUSRAT JAHAN, Staff Liaison
- ANDY CROSS, Senior Planner
- HART PASSMAN, Corporation Counsel
- GALE CERABONA, Minute Taker

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EXHIBIT:

There were no additional exhibits marked and entered into the record.

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1 CHAIRWOMAN THOMAS: The next is landmark
2 nomination for 1570 Hawthorne. Hart, I
3 believe you wanted to make a statement.

4 MR. PASSMAN: Good evening, Madam
5 Chairman and members of the Commission and
6 the public.

7 Just as a matter of house-
8 keeping before we continue to the subject of
9 this application, I think there may be some
10 confusion as to the identify of the nominator
11 for this landmark. Specifically, I know that
12 Commissioner Temkin had previous filed a
13 nomination.

14 I would like to clarify for
15 the record, and if I may ask Commissioner
16 Temkin directly, would you confirm that you
17 have withdrawn your nomination of this
18 property as a landmark?

19 COMMISSIONER TEMKIN: I am no longer the
20 applicant.

21 MR. PASSMAN: I would like to again
22 ask, for the record, Commissioner Temkin,
23 would you confirm for the record that your

1 nomination was withdrawn and you are not at
2 this time, and have not been for some time,
3 a nominator for the landmark of the property?

4 COMMISSIONER TEMKIN: Correct. I am no
5 longer the applicant for this property.

6 MR. PASSMAN: Thank you very much.
7 That's all I have, Madam Chairman.

8 CHAIRWOMAN THOMAS: Thank you.

9 MR. CROSS: So, Madam Chair, with your
10 kind permission, it would be my pleasure --
11 it was really a team effort to do the
12 research on this property, and it would be my
13 pleasure to kind of summarize the report for
14 the Commission.

15 The report staff put together
16 for you was very thorough. Nusrat did a
17 great job writing it. Hopefully, you had a
18 chance to read it. There's certainly a lot
19 of information in there and in the nomination
20 that we have abbreviated in this report. So
21 this is not intended to be a thorough. We'd
22 be here for an hour just going through this.
23 So this is an abbreviated discussion here.

1 Here we find an aerial photo-
2 graph of the subject property as well as a
3 location map to give you an idea of where it
4 is in town.

5 The property was commissioned
6 in 1922 by John Van Bergen. It is one of his
7 designs, a prairie style design, and it has a
8 lot of the notable features of the prairie
9 style design, certainly of Van Bergen's own
10 characteristic design.

11 There are a lot of pictures
12 and photographs of the property in your
13 packet, so we'll just go through a few of
14 them here.

15 It is important to note that
16 the property -- and the Commissioners may
17 remember, this came before the Commission not
18 even a year ago for a demolition review. And
19 at that time the property was placed under a
20 365-day demolition delay, what's called a
21 review period in the code. That one-year
22 delay started from the date of the original
23 demolition permit application. And that was

1 submitted to Highland Park's Building
2 Division, and that was November 3, 2015.
3 So the one-year delay goes to November 3,
4 2016. So the property is still under the
5 one-year demolition delay and is considered
6 a regulated structure.

7 The house is known as the
8 Wilson Kline house. He built it, he
9 commissioned it. Wilson Kline commissioned
10 Van Bergen to design the house for him. He
11 was an attorney downtown and moved up here
12 close to the turn of the century, and was
13 active around town but moved away, and passed
14 away in 1955.

15 Van Bergen is a very well
16 recognized architect. I don't need to tell
17 the Commission really much about him. But
18 for the benefit of the public, here is a few
19 pictures of his most popular works around
20 town.

21 He did not just single-family
22 residential, but some institutional
23 structures, and has quite a collection around

1 town. And the Commission may recall that we
2 dedicated an architectural tour to his work a
3 number of years ago. And this house, the
4 subject property, 1570 Hawthorne, is a part
5 of that tour.

6 The landmark nomination
7 suggests that the house meets the same
8 standards that were identified in the one-
9 year demolition delay that took place last
10 year.

11 So the following slides just
12 really summarize how the nomination paper
13 suggests that the structure meets those
14 standards.

15 And again, this is para-
16 phrased, this is really shortened. So I hope
17 you had a chance to read through the nomina-
18 tion itself.

19 Number 1 has to do with its
20 association with Van Bergen and his prairie
21 style as a part of the development of the
22 community.

23 Again, Highland Park has the

1 largest collection of Van Bergen houses in
2 the country. So the nomination suggests that
3 the standard is met because of that. It is
4 certainly well worded in the -- and I am by
5 no means trying to usurp what's written in
6 the nomination. This is just a summary.

7 Item 4, again having to do
8 with the prairie style.

9 Item 5, because it has to do
10 with a notable architect, that being John Van
11 Bergen. Van Bergen not only worked for Frank
12 Lloyd Wright, but before that was a draftsman
13 under Walter Burley Griffin, who's an icon in
14 the prairie style and also very well known in
15 architectural studies.

16 And then number 6 because of
17 a lot of the details that go into the house
18 itself, it really personifies our exhibits, a
19 lot of the characteristics not only of the
20 prairie style, but also has a lot of Van
21 Bergen's own unique stylings in it. Or not
22 in it, rather, but as part of the exterior.

23 Closing slide here, nominator

1 itself, Chapter 24, the Historic Preservation
2 Ordinance identifies who is authorized to
3 submit a landmark nomination. And the last
4 on the list is what qualifies for this
5 particular case, an individual with an
6 interest in preservation. So that's who
7 submitted the nomination under consideration
8 this evening.

9 So, some closing slides on the
10 process. We don't go through this process
11 often, so I am happy to go through it so the
12 Commission is very clear about the process
13 and where we are tonight.

14 This is the very first stage
15 of the process where the Commission is asked
16 to make a preliminary recommendation by way
17 of directing staff to draft a resolution that
18 will come to a subsequent meeting.

19 Now, the code is very clear
20 that if an owner objects to the nomination
21 before the resolution is drafted, then there
22 are additional criteria that have to be met.
23 And those are identified there in (A), (B)

1 and (C). We'll go through those again in a
2 minute.

3 And so if the HPC makes that
4 determine, staff will be directed to draft a
5 resolution making a preliminary recommenda-
6 tion based on the findings that are discussed
7 tonight, and that resolution will come back
8 at a subsequent meeting.

9 And along with that, to speed
10 things up, staff is happy to draft a planning
11 report to bring that back and bring that to
12 the same meeting. The code doesn't demand
13 that those happen at the same meeting, but it
14 can just save time and it's straightforward
15 to do that.

16 The planning report is
17 intended to allow staff to see if a property
18 that's been designated as a landmark will get
19 in the way of any long-term plans, capital
20 improvement plans, on the part of the City.

21 The example I like to use is
22 if a house is built where a street is planned
23 in the future, it wouldn't benefit the City

1 to have that designated as a local landmark,
2 because then the street could never get
3 built. It's rare that that ever happens, but
4 that's what that planning report is intended
5 to, among other things, intended to identify.

6 So following the adoption of a
7 resolution, if that ends up happening, a
8 certified letter will be sent to the property
9 owner letting them know that the property is
10 designated as a local landmark. I imagine
11 the property owners will know ahead of time.
12 But that's the process.

13 And that certified letter
14 requests a consent be given. And if consent
15 isn't given, then at that point a public
16 hearing is scheduled, and it has to be fully
17 noticed and is held here and is intended to
18 give a chance for the public to have comment
19 on this.

20 Following the public hearing,
21 the Historic Preservation Commission will
22 send a recommendation on to the City Council.

23 And it is important to note

1 that if the property owners continue to
2 object to it, the affirmative vote from the
3 public hearing needs to have a super majority
4 or affirmative vote of at least five members
5 of the Commission. And the findings are
6 there.

7 And then it is passed on to
8 the City Council for final consideration. So
9 it is important to note that the HPC does
10 remain in the end a recommending body to the
11 City Council.

12 And the recommendation
13 following a public hearing after owners do
14 not provide consent needs to have a super
15 majority.

16 So the recommendation for
17 this evening, I'll boil it down for the
18 Commissioners. The motion or the action the
19 Commission is asked to make this evening is
20 to direct staff to draft a resolution
21 formulating the recommendation, the
22 preliminary recommendation, to the City
23 Council. So that's it.

1 MR. CROSS: And as a point of interest,
2 Madam Chair, there is a hard copy there of
3 that document that's there for public
4 viewing.

5 MR. BARNETT: You are asking for more
6 paper. We have a lot to say. We would like
7 to be heard. We have no more paper to hand
8 you.

9 CHAIRWOMAN THOMAS: If there is informa-
10 tion above and beyond what you provided us,
11 please go ahead and do so.

12 MR. CROSS: Madam Chair, before the
13 public comment, you can ask the Commission if
14 there is any discussion.

15 CHAIRWOMAN THOMAS: We will start with
16 the discussion from the Commissioners. Any
17 issues on this? You have been provided with
18 a lot of background information on both
19 sides. Any issues that you would like to
20 discuss?

21 COMMISSIONER TEMKIN: Do you want the
22 applicant to talk about, go through the
23 application, the nomination?

1 CHAIRWOMAN THOMAS: Absolutely. And the
2 applicant is where? Chris?

3 MR. ENCK: I am here. I can go through
4 that. I am Chris Enck; I'm a historic
5 preservation architectural engineer. I have
6 experience in analyzing and detailing and
7 overseeing preservation projects related to
8 historic buildings. I also worked at the
9 Illinois Historic Preservation Agency. So I
10 am fairly familiar with the criteria overseen
11 by the National Park Service, specifically
12 the Secretary of Interior Standards for
13 Historic Rehabilitation, and that really is
14 the basis, I think, on which these criteria
15 are based locally. And I am also -- I
16 appreciate historic buildings and the work
17 of John Van Bergen.

18 I recently undertook the
19 process to basically dismantle and move a
20 1928 Irving house designed by John Van Bergen
21 that was in Wilmette, and now it is in
22 Evanston, that was going to be torn down by
23 a builder there.

1 And I know the information is
2 in the submission, but I can go through a
3 couple of highlights on the Wilson Kline
4 house at 1570 Hawthorne.

5 It was designed by John Van
6 Bergen, constructed in 1922. He is an
7 important architect in the prairie school
8 movement, spearheaded primarily by midwestern
9 architects, mostly you see Frank Lloyd
10 Wright. The prairie school architects
11 rebelled against European revival styles and
12 sought to create a truly American style of
13 architecture that was unique to the midwest
14 and to the United States.

15 Van Bergen was a prolific
16 architect and constructed a large body of
17 work, as Andy mentioned as well.

18 So briefly about the criteria,
19 my findings are the criteria 1, it
20 demonstrates character, interest or value,
21 development heritage or cultural characteris-
22 tics of the City, to paraphrase.

23 As mentioned already, the

1 Wilson Kline house is an excellent example of
2 a house by an architect of the prairie school
3 movement, one of the most important
4 architectural movements of the 20th century,
5 and a particularly important one for the
6 midwest and locally. There is a large body
7 of work by prairie school architects in this
8 area.

9 Highland Park was Van Bergen's
10 home for nearly three decades and includes a
11 number of his built projects, and this is an
12 excellent example of them.

13 Going into criteria 4, about
14 embodying distinguishing characteristics and
15 architectural or landscape style, the Wilson
16 Kline house is indicative of the prairie
17 school of architecture with many identifiable
18 features that differentiate those designs
19 from European revival styles, as I mentioned.
20 The low-pitched roof with wide eaves,
21 casement windows, the lack of traditional
22 ornamental details are expressive of the
23 movement. Andy touched on that as well.

1 Criteria 5, it is identifiable
2 as the work of a notable builder, designer,
3 architect, artist, et cetera, and that's
4 pretty clear by Van Bergen's design of the
5 building.

6 Van Bergen is one of the most
7 notable architects of the prairie school and
8 is well known, but not only because of his
9 association with time spent working in the
10 architectural offices of Walter Burley
11 Griffin, as I mentioned, but also E. E.
12 Roberts, Frank Lloyd Wright and William
13 Drummond, but he was also a respected and
14 talented architect with a keen sense of
15 proportion and scale and use of materials.
16 And the sheer number of built Van Bergen
17 designs is a testament to the skill and his
18 fame as an architect at that time.

19 Finally criteria 6, embodies,
20 overall, elements of design, detailing,
21 materials and/or craftsmanship that renders
22 it architecturally, visually, aesthetically
23 and/or culturally significant and/or

1 innovative.

2 As previously mentioned, the
3 Wilson Kline house exhibits a number of
4 characteristics common to the prairie school
5 of architecture. The relationship between
6 these elements and the natural landscape of
7 Highland Park serves as an important part of
8 the architectural fabric of the community.

9 And the house is largely as
10 constructed, with the exception of later
11 additions and enclosure of previously open
12 space. And while these alterations are not
13 required to be reversed, by any means, as
14 part of the ordinance, the National Park
15 Service generally considers these to be
16 reversible, each of these additions on a
17 house, and this is not to preclude it as
18 a consideration as a landmark. So that
19 shouldn't be because of these later
20 additions.

21 And interestingly, the dates
22 of the majority of additions on the house can
23 be considered historic by the National Park

1 Service because of them being over 50 years
2 old, and I know the same consideration is
3 usually given to when considering for a local
4 landmark as well. So whether or not those
5 are considered contributing or not, the date
6 alone factors in as well.

7 So because of the four
8 criteria I mentioned, I urge the Commission
9 to consider the Wilson Kline house as
10 eligible for listing as a Highland Park
11 landmark.

12 CHAIRWOMAN THOMAS: Thank you, Chris.

13 Comments? Yes, Jerry.

14 COMMISSIONER FRADIN: I have a question
15 for the applicant. So can you point out what
16 the elements are on this specific house that
17 are significant or innovative?

18 MR. ENCK: So the examples of the
19 prairie school movement, as well as Van
20 Bergen's designing elements, are the wide
21 overhanging eaves that protrude out beyond
22 the facades, the emphasis on horizontality in
23 the architecture, the use of casement windows

1 as architectural elements, the low-pitched
2 hip roof with flared eaves, and also the use
3 of natural materials as well. The board-on-
4 batten siding, it is difficult to tell in
5 this photo, it is from the second floor
6 level, as well as an important element of a
7 lot of Van Bergen's work.

8 COMMISSIONER SALAMASICK: Can you
9 identify the alterations that would be
10 considered reversible?

11 MR. ENCK: So what was mentioned in the
12 nomination is the additions themselves, the
13 west wing which was built largely in 1962 and
14 then later extended in 1991, from that photo
15 there you see on the left side of the image
16 is the rear addition, which is probably least
17 significant to the property.

18 And then the north wing that
19 you don't see in this photo, but it is sort
20 of a mirror image of what was originally a
21 sunroom space on the front of the photo
22 there, is on the other side of the house, and
23 that was added in 1967.

1 And it appears that the brick
2 that was on that facade of the house was
3 actually dismantled at that time and reused
4 on the front face of the house, because it
5 appears very much identical to the historic
6 masonry.

7 So here a great deal of effort
8 was done at that time to match the architec-
9 tural character of the main facade and not
10 detract from that. Whereas, the rear
11 additions do not carry it through the same
12 use of the materials with the brick and some
13 of the architectural elements.

14 The front entryway as well was
15 originally recessed, and that was at one
16 point brought forward with a new doorway.
17 And that's, you know, I think largely can be
18 considered a reversible change because it is
19 just the location of the doorway itself.

20 And then the pool and garage
21 that were mentioned as later additions to the
22 property don't necessarily factor into this
23 nomination itself.

1 CHAIRWOMAN THOMAS: Thank you, Chris.

2 Questions?

3 COMMISSIONER FRADIN: So the original
4 brick work, is that significant in any way?

5 MR. ENCK: Well, the brick work, I think
6 if you look at Van Bergen's wide body of
7 work, he used a variety of different
8 materials, wood framing with wood siding, you
9 see some of it here, as well as stucco,
10 brick, a lot of flagstone as well. So that
11 the brick work that you see here with the
12 varied color and texture of the brick itself
13 was something that Van Bergen used on a
14 number of projects.

15 COMMISSIONER FRADIN: And do you
16 consider it to be significant to the
17 historical nature of the home?

18 MR. ENCK: Well, it is original and
19 intact, largely, so that is an important
20 feature of the house, as well as the brick
21 work being used as a characteristic of a lot
22 of prairie school buildings as well. So I
23 would say that that is one of the important

1 materials present on the primary facade of
2 the building.

3 COMMISSIONER FRADIN: And if changing
4 the front doorway was not reversible, would
5 that be an alteration that would compromise
6 the architectural integrity of the home?

7 MR. ENCK: Well, I think it is important
8 to consider that it is a fairly simply
9 irreversible thing when considering a
10 nomination because basically it was just a
11 recessed porch where a new doorway was just
12 brought forward. So that's not -- doesn't
13 significantly detract from the architecture.
14 You still have the original massing of the
15 materials of the building itself, and the
16 doorway itself could be considered as a
17 reversible alteration. Not that it has to be
18 by the ordinance, by any means, but it
19 doesn't permanently alter the architecture.

20 COMMISSIONER TEMKIN: Also, the brick
21 work around the front door if all original.
22 It's kind of an unusual pattern. So if you
23 look at the Van Bergen building in downtown

1 Highland Park, commercial building, any Van
2 Bergen building, they always have slightly
3 different brick patterns. So I think that's
4 sort of a signature -- I think the brick
5 around the front door is kind of a signature
6 Van Bergen thing. All of them have a
7 different kind of pattern.

8 COMMISSIONER FRADIN: Could I see the
9 picture of the front again? I don't have any
10 further questions.

11 CHAIRWOMAN THOMAS: Nancy, do you have
12 any comments on this?

13 COMMISSIONER BECKER: The only thing I
14 would add is that because this photo is so
15 far back -- it seems like the one in the back
16 is a little more close up to us -- another
17 couple details are the chimney, which is a
18 prairie style, where it is very wide, which
19 translates to it being a hearth probably down
20 at the main level, which is emblematic of the
21 prairie style.

22 And the other thing, as we
23 have talked about, are casement windows and

1 ribbon windows. What was different with the
2 prairie style is that, typical for brick, you
3 have what is called like a puncture for the
4 window so it would be individual pieces
5 within brick. Whereas, here they have
6 headered off and they have three windows
7 ganged together. That's another example of
8 the prairie design.

9 And here you see more than the
10 front, the extreme overhangs of the eaves,
11 easily 2 plus feet.

12 CHAIRWOMAN THOMAS: Meghann, any
13 comments from you?

14 COMMISSIONER SALAMASICK: I guess I kind
15 of have a question, just because I wasn't on
16 the Commission when the delay was imposed.
17 So the Commission's already found that this
18 meets certain criteria. Was that at any
19 point taken to the City Council on sort of an
20 appeal? So in some respects that was
21 accepted by the owner at that point or just
22 not -- no further action was taken by them
23 with respect to that finding?

1 CHAIRWOMAN THOMAS: No further action
2 was taken.

3 COMMISSIONER SALAMASICK: Okay. So in
4 some respects, I think, from my perspective,
5 the Commission's already sort of weighed in
6 on the factors and whether it meets those,
7 and now we are looking at B, the factors,
8 from my perspective.

9 COMMISSIONER FRADIN: Does the year it
10 was built have any bearing on its signifi-
11 cance or not? Just because I was struck in
12 the list of all the other buildings that it
13 was very early, it was one of the earlier --

14 MR. ENCK: Well, Van Bergen did have a
15 very long prolific career beginning -- he
16 served for about a year at Frank Lloyd
17 Wright's office in Oak Park, his last
18 architect there, and then went on to do his
19 own practice, first in Oak Park, then
20 Highland Park, and then eventually ending up
21 in California, and had a very large body of
22 work that was built.

23 He also -- one thing

1 interesting to note is he carried on the
2 ideas of the prairie school a lot longer than
3 a lot of architects in that era. They sort
4 of tended to fizzle out in the 1920's, for
5 the most part. But Van Bergen was doing
6 projects much later as well with some of the
7 same principles. So this is sort of right in
8 the really prime time of his career, I would
9 say, where he was building a lot of things,
10 especially in the Highland Park area.

11 CHAIRWOMAN THOMAS: No other comments
12 from the Commission?

13 (No response.)

14 CHAIRWOMAN THOMAS: From the represen-
15 tatives of the owners?

16 MR. BARNETT: Thank you. Good evening.
17 My name is Harvey Barnett. With me is fellow
18 counsel Mitch Macknin. We are partners in
19 the law firm of Sperling & Slater. Trevor
20 Scheetz is with us. And we represent Bill
21 and Karen Silverstein, along with Cal
22 Bernstein, who you all know.

23 I live at 1511 Sheridan Road,

1 Highland Park for 46 years, Mitch lives at
2 936 Rollingwood, and you all know Cal lives
3 here. I totalled it up, we have a total of
4 102 years in Highland Park.

5 I have never been to one of
6 these meetings. I have served on the
7 Highland Park School Board, District 107, for
8 many years, but I've never had the pleasure
9 of being at one of these meetings.

10 The Silversteins have been
11 residents of Highland Park for over 20 years.
12 They live at 1569 Forest, and the back yard
13 of their home abuts the back of 1570
14 Hawthorne.

15 They purchased the property in
16 September, 2015, and it was advertised as a
17 teardown. I have been in that house. It is,
18 trust me, a teardown. And you will hear more
19 about it. You have seen our report.

20 Ted Cohn, who is a well-known
21 builder, has been in that house and estimates
22 that the cost of repairing the interior of
23 that house structurally, et cetera, is over

1 \$500,000, and you saw his view that it is
2 nothing more than a teardown.

3 The Silversteins' intent was
4 to tear down the house, have it demolished,
5 and then extend their back yard into
6 Hawthorne Street, which as you all know, it
7 is a dead-end street, there is only about six
8 houses on the entire street, and construct a
9 very aesthetically beautiful landscaped yard
10 which would beautify Hawthorne even further.

11 The Silversteins, as you know,
12 have been involved in numerous activities in
13 Highland Park, charitable and otherwise.

14 And we are here because we
15 filed an objection. We think this ought not
16 to be landmarked. And we will address that.
17 I have a couple procedural things, and Mitch
18 Macknin is going to talk about some of the
19 merits.

20 Counsel, I didn't get your
21 name.

22 MS. PASSMAN: Hart Passman.

23 MR. BARNETT: So a question was asked, I

1 believe you asked Ms. Temkin, as to whether
2 she is still the applicant. And I believe
3 on the record the answer was you are not;
4 correct?

5 COMMISSIONER TEMKIN: Correct.

6 MR. BARNETT: And I just have a question
7 for the Commission, and that is: Am I
8 correct that there was no action taken in
9 terms of approval of a landmark designation
10 prior to this withdrawal? Is that correct?
11 Because there was another meeting and I
12 wasn't sure -- I just want to make sure,
13 the Commission never approved a landmark
14 designation on this.

15 CHAIRWOMAN THOMAS: No, we approved a
16 delay, a demolition delay.

17 MR. CROSS: This has appeared on no
18 agendas outside of the demolition delay last
19 year.

20 MR. BARNETT: Thank you. And then we
21 have never received a formal response. As
22 you know, we filed a request in writing that
23 Ms. Temkin be recused from these proceedings

1 in accordance with the Ethics Guidelines of
2 the City of Highland Park.

3 And I actually want to add to
4 that, Article 18 of the Highland Park Code,
5 Historic Preservation Commission, provides
6 in Section 33.1705(A) (3): No Historic
7 Preservation Commissioner may vote on any
8 matter that may materially or apparently
9 affects the property, income or business
10 interest of that Historic Preservation
11 Commissioner.

12 And since Ms. Temkin owns the
13 very home which is constantly compared in Mr.
14 Hackl's report and in her own nomination,
15 which she has now withdrawn, but Mr. Enck has
16 basically, as you know, signed the same
17 nomination form, we believe that that would
18 apply as well as the other grounds for
19 recusal. We ask that she be recused from
20 deliberating, and also under this ordinance
21 that I just cited, and what we also cited,
22 that she should not be allowed to vote.

23 We never received a formal

1 response to that, counsel.

2 CHAIRWOMAN THOMAS: Is the question to
3 the counsel?

4 MR. BARNETT: I guess the question I am
5 addressing to the Chair. It is your meeting.

6 CHAIRWOMAN THOMAS: We have not
7 responded to that. But one can argue that
8 any Van Bergen house here, because she owns a
9 Van Bergen house, this has no effect on her,
10 according to the ethics that you cited. She
11 is not going to gain anything by this house
12 being landmarked. There is nothing that will
13 come to her in any way that is unethical.
14 And therefore, this was never an issue for
15 us.

16 Does our counsel wish to
17 comment on that?

18 MR. PASSMAN: The Corporation Counsel
19 office serves as the ethics officer of the
20 City, and on review -- we did receive
21 counsel's letter -- I determined that there
22 was no requirement in the Ethics Guidelines
23 or in the code that Commissioner Temkin

1 recuse herself from these proceedings.

2 MR. BARNETT: Okay, thank you. So I am
3 going to it turn over to Mr. Macknin.

4 MR. MACKNIN: To the Chair and the
5 members of the Commission, thank you for the
6 opportunity to talk about the reasons why we
7 believe that the Commission should not adopt
8 a resolution to make a preliminary recommen-
9 dation of landmark designation.

10 We have, if it would be
11 easier, because I will be referring to
12 materials that we have submitted through the
13 City Planner, we have binders available that
14 you can each have so you can actually
15 physically see all the exhibits that I refer
16 to during my remarks. You can hand those
17 out, if you like.

18 CHAIRWOMAN THOMAS: Are these different
19 than what we have already seen?

20 MR. MACKNIN: No, they are what we have
21 sent, but this is a physical -- we aren't
22 going to have a PowerPoint.

23 CHAIRWOMAN THOMAS: I think we have all

1 seen them.

2 MR. MACKNIN: Like we have better
3 pictures.

4 CHAIRWOMAN THOMAS: Unless anybody feels
5 the need to have them?

6 COMMISSIONER FRADIN: I would like to
7 see a binder.

8 CHAIRWOMAN THOMAS: Go ahead. And we
9 have asked that since we have all seen this,
10 please let's not go over material we have
11 already seen, in the interests of brevity.

12 MR. MACKNIN: Okay. As was remarked
13 during the 1218 Glencoe review by
14 Commissioner Fradin and here by Commissioner
15 Salamasick, the key criteria that the
16 Commission must address in order to adopt
17 a resolution that it's being asked to adopt
18 is the integrity of design and integrity of
19 workmanship and materials in the code, in
20 Section 24.025. That's separate and apart
21 from the landmark criteria 1, 4, 5, 6 that
22 the nomination relies upon.

23 But the code makes very clear,

1 the Section 24.025, that an additional
2 element that must be satisfied to the
3 satisfaction of the Commission is that the
4 house has sufficient integrity of design,
5 materials and workmanship to make it worthy
6 of preservation or rehabilitation.

7 So I would like for the first
8 part of these remarks to focus on that and
9 get the Commission focused on that. And I
10 would be happy to, if you want to focus on
11 the language of the ordinance itself, I would
12 be happy to present that to you in a one-page
13 exhibit. But I presume we are all familiar
14 with that.

15 CHAIRWOMAN THOMAS: Yes.

16 MR. MACKNIN: And in Mr. Enck's
17 presentation I heard him focus on 1, 4, 5, 6
18 criteria. I didn't hear him focus on the
19 integrity of design. So that's what I would
20 like to focus on a little bit.

21 Now, we have some additional
22 information as to what that means. What does
23 integrity of design mean? We have two

1 further benchmarks that will guide the
2 Commission as to what integrity of design
3 means in the context of finding architectural
4 significance.

5 One is in the Architectural
6 Resources report that the done at the behest
7 of the Commission on, as I understand it,
8 every house in Highland Park. And that is
9 Exhibit 5 in our book. They have a valuation
10 criteria set forth in their report that
11 guides the determination of architectural
12 significance, and specifically, what
13 constitutes integrity of design. So that's
14 Exhibit 5, the final page in the exhibit. It
15 is a four-page exhibit.

16 So going to the final page,
17 and in the first paragraph at the top, in the
18 middle of it it states: Integrity, that is,
19 the degree of original design, was factored
20 into the evaluation. No building was
21 considered locally significant if it had more
22 than minor alterations. Similarly, buildings
23 that might otherwise be considered contribut-

1 ing because of age and historic style but
2 that have been greatly altered were ranked as
3 non-contributing.

4 So integrity of design cannot
5 be found under the criteria set forth by the
6 Architectural Resources report if there are
7 more than minor alterations to a house.

8 Now, we have acknowledgements
9 in the record already that there are more
10 than minor alterations to the house under
11 consideration.

12 Mr. Hackl, in his biography of
13 Van Bergen, where he has notes on every
14 house, including the house under considera-
15 tion, states: There have been some heavy-
16 handed alterations and additions over the
17 years and the house retains little original
18 character. As seen in the above photo, the
19 front door has been pushed out into what was
20 a sheltered entry portal. This ruins the
21 dimensions of the facade, flattening it,
22 making it just a single flat surface. This
23 also hides the interesting brick pattern

1 around the portal. That alteration, along
2 with the current monochromatic paint scheme
3 and roof color, blur the original rich
4 textural character of the structure.

5 So Mr. Hackl, in his notes
6 on Van Bergen -- and he is the noted Van
7 Bergen biographer -- that was noted in the
8 demolition review, as he's the published
9 biographer -- states that the house retains
10 little original character due to alterations.

11 CHAIRWOMAN THOMAS: Excuse me. Is he
12 here? He is. He's here. Did you wish to
13 comment on that, Marty?

14 MR. ENCK: Not now.

15 CHAIRWOMAN THOMAS: Okay.

16 MR. MACKNIN: Then we have an
17 acknowledgment in the nomination itself --

18 CHAIRWOMAN THOMAS: Just a comment. You
19 mentioned this house was not contributing.
20 This house was rated as significant in the
21 survey. So your comment that this was not
22 contributing isn't correct. This is a S
23 significant in the survey.

1 MR. MACKNIN: I was just quoting the
2 Architectural Resources report as to their
3 statement of standards. I wasn't suggesting
4 that this house was deemed non-contributing
5 or that it wasn't deemed S significant in
6 that survey.

7 As we explain in our papers, I
8 think it is fairly obvious that the rating
9 given by the Architectural Resources report
10 as S significant relies on a survey for the
11 house.

12 They did an individual
13 database for each house that they reviewed.
14 And that house, that survey, listed
15 alterations. And in this house, the dated
16 survey, the two-page survey that was to list
17 all the alterations omitted virtually every
18 alteration: The 1962 alteration to the rear,
19 the west side, that entire structure on the
20 west side of the house; it omitted the 1967
21 addition to the house, which put another
22 addition to the north side of the house,
23 which you see from the front; it omitted the

1 1967 addition of the garage; it omitted the
2 1962 addition of the pool; it omitted the
3 1991 addition to the west side addition; that
4 which had been done in 1962 was further added
5 on in 1991.

6 All of those are never
7 referenced and they are omitted in the survey
8 on which the report relied when it rendered
9 an S significant rating. So it did not
10 consider the changes to the house, contrary
11 to what the nomination says. The nomination
12 says, and I quote: Despite the changes, the
13 architectural survey gave it an S rating.

14 So that's inaccurate. The
15 survey that was used in the Architectural
16 Resources report omitted seven of the
17 alterations. The one alteration that they
18 list in there says front door, those two
19 words, front door. It doesn't describe at
20 all the significant alteration of the front
21 door, so much so that, per the biography of
22 the house by the published biographer, the
23 house retains little original character.

1 So there is still more in
2 terms of what do we know about what does
3 integrity of design mean? What does that
4 mean exactly? We have the evaluation
5 criteria. It is pretty clear in the
6 Architectural Resources report, which I
7 understand was hired by the Commission to do
8 these surveys.

9 We then have an explanation of
10 local significance ratings given by the
11 Architectural Resources report. I would like
12 to hand that out because that's not in our
13 materials. We saw that, it is included in
14 your meeting packet for tonight in connection
15 with 1148 South Lincoln demolition review.
16 And I will just take a brief pause to allow
17 you to take a look, because this will give
18 you clear illumination as to what will
19 constitute integrity of design.

20 Again, this is in your packet
21 for tonight prepared by the City Planner,
22 page 48 of 143 of the pdf, July 14, 2016
23 meeting packet which is in connection with

1 the demolition review for 1148 South Lincoln.

2 And it is described in the
3 demolition review for 1148 South Lincoln as
4 an exhibit, and it says, in characterizing
5 the exhibit, it says: Explanation of local
6 significance ratings. That's what this
7 document is.

8 And if you look down in the
9 middle of the page, there is a section called
10 Integrity, at the left, with a bullet point.
11 Integrity, and I'll quote, must have a high
12 degree of integrity. Most architectural
13 detailing in place. No historic materials or
14 details covered up. We'll check that one
15 off. We can't hit that one because we know
16 the door was moved forward.

17 We also know from the
18 nomination that the transom in the front
19 door, which the nomination described as a
20 unique element of Van Bergen in this house,
21 is covered up.

22 Next it says no modern siding
23 materials. That addition on the rear of the

1 house is a wood siding materials. That one
2 gets checked off.

3 Next one, this is in order to
4 have integrity of design, to have no historic
5 details covered up. Doesn't meet that.

6 I can have no modern siding
7 materials. Doesn't meet that.

8 Go on. No unsympathetic
9 and/or overpowering additions. Well, we have
10 the west addition to the house. That's the
11 rear, which the nomination at Page 9 states
12 as follows: The west addition is not
13 sensitive to the style of the house or in the
14 quality of materials or workmanship.

15 That's in the nomination
16 itself, 9th page, which we have cited in our
17 materials. That's exhibit -- the nomination
18 is at Exhibit 4, I think. The west addition
19 is not sensitive to the style of the house.

20 The criteria for no integrity
21 of design is no unsympathetic additions.

22 Then it goes on, the last
23 sentence: In some rare cases where a

1 particular structure is one of the few
2 examples of a particular style, more leniency
3 in integrity was permitted.

4 We have already heard in the
5 nomination, I believe, and in the presenta-
6 tion by the City Planner, that Highland Park
7 has the most density of Van Bergen structures
8 of anywhere in the country. There are more
9 than 40. They are listed at the end of the
10 nomination.

11 And by the way, there is only
12 one prairie style Van Bergen in Highland Park
13 that has been landmarked, none over the
14 objection of the owner.

15 And I think Commissioner
16 Fradin in a prior matter this evening, where
17 Mann was the architect -- I mean, there is a
18 factor here, you have to look at: Are there
19 other structures here available? I mean,
20 that does factor in. It's valuable for study
21 criteria.

22 So clearly, there are other
23 structures valuable for study. Those that

1 don't have all the alterations, the heavy-
2 handed alterations, those that don't have
3 such a situation where they don't retain
4 their character.

5 The front door, we heard some
6 testimony about the front door. Now, that's
7 described in the nomination as the outstand-
8 ing aesthetic characteristic of this design.
9 That's in the third page.

10 Now, we have submitted as part
11 of our materials a signed statement from Ted
12 Cohn, referred to by Mr. Barnett, a well-
13 known builder in Highland Park, and he has
14 stated there not only the cost of reversing
15 all these additions that can't be reversed,
16 but that particularly the front door, it is
17 not simply something that can be done.

18 And we have pictures to show
19 that in the book, at Exhibit 11, we have
20 photos to explain this.

21 And the problem is that the
22 door, when it was moved forward to where it
23 currently sits, sits on a different level of

1 the house than the level of the house that it
2 would have to be moved into in order to be
3 recessed. Exhibit 11.

4 So that the door with the
5 transom above it would have to go up, it's
6 about 8 inches, according to Mr. Cohn's
7 report. It can't even be done without
8 lowering the floor of the entire main floor
9 of the house. And the height would violate
10 the building code. It is in Ted Cohn's
11 report.

12 So the front door, aside from
13 being -- it's the outstanding aesthetic
14 characteristic of the design --

15 COMMISSIONER FRADIN: Where does it say
16 it is the outstanding?

17 MR. MACKNIN: In the nomination, on
18 page -- the third page, it is in connection
19 with describing the Whitehouse, which is
20 Commissioner Temkin's house. So the
21 nomination on the third page there, they
22 have two pictures.

23 First, the Wilson Kline

1 residence, as it states underneath it: This
2 house is very similar to the Whitehouse
3 residence.

4 Then you go to the Whitehouse
5 residence, it says: The outstanding
6 aesthetic -- this is in the second paragraph
7 -- characteristic of this design is the
8 symmetrical front facade with arched entry at
9 is center.

10 COMMISSIONER FRADIN: This doesn't refer
11 to the door of the property we are consider-
12 ing today; does it?

13 MR. SCHEETZ: The property doesn't even
14 have an arched door.

15 COMMISSIONER TEMKIN: Correct.

16 COMMISSIONER FRADIN: This is not what
17 we are referring to, 1570 Hawthorne.

18 MR. MACKNIN: Right.

19 COMMISSIONER FRADIN: It doesn't even
20 refer to the door; it refers to the facade.

21 MR. MACKNIN: No, I am referring to
22 this -- I am connecting the two because the
23 nominations state that the two houses are

1 similar in design.

2 COMMISSIONER FRADIN: Is the actual
3 door, the thing that you open and close, the
4 original door?

5 COMMISSIONER TEMKIN: Yes, the door
6 itself. Not that screened door. But yes.

7 MR. MACKNIN: But the design feature, as
8 I understand it, is that when this door was
9 recessed there was a portal that existed of 3
10 feet that was one of the central features of
11 a Van Bergen design.

12 If you look at his houses, I
13 think most of them have this -- or some of
14 them, including the Whitehouse.

15 COMMISSIONER TEMKIN: I think mine is
16 the only one, actually.

17 MR. MACKNIN: Right. And yours is the
18 one similar to --

19 COMMISSIONER TEMKIN: The form of my
20 house is most similar. Mine is the only one
21 that I am aware of that has an arched door.

22 MR. CROSS: I think we understand.

23 MR. SCHEETZ: Could I ask, how did you

1 verify it was the same door?

2 COMMISSIONER TEMKIN: Because we look at
3 these things all the time. And because Chris
4 is an architect and engineer and recognizes
5 this stuff. And I think that when you do
6 this long enough, you kind of recognize the
7 materials that are the old materials.

8 MR. MACKNIN: The transom in the door,
9 though, is the unusual element, as stated in
10 the nomination. And that is covered up.

11 The photographs that show
12 these alterations and additions are in
13 Exhibit 3, that show the rear alteration in
14 1962, that show the north alteration in 1967,
15 that show the front door being brought
16 forward 3 feet and eliminating --

17 And by the way, the front door
18 -- I don't want to belabor the point -- it is
19 the feature that is relied upon to say that
20 the house retains little of its original
21 character, by Mr. Hackl.

22 So we would submit that
23 heavy-handed alterations that result in a

1 house retaining little original character are
2 the antithesis of minor alterations, and
3 therefore, would not qualify under integrity
4 of design.

5 CHAIRWOMAN THOMAS: Everything you have
6 presented is what you have presented to us
7 previously, Mr. Macknin.

8 MR. MACKNIN: No. We have added -- it
9 what was in your meeting packet in terms of
10 criteria. It tells us about no historic
11 details covered up and so on.

12 COMMISSIONER FRADIN: Is there a picture
13 of the original transom on the door that we
14 have from what it looks like today?

15 COMMISSIONER BECKER: How about this?
16 From here it looks like it is decorative --

17 COMMISSIONER TEMKIN: Yes, it is still
18 there.

19 COMMISSIONER BECKER: Whereas this one,
20 you don't see anything.

21 COMMISSIONER TEMKIN: This is all
22 original. We have don't have a historic
23 picture.

1 COMMISSIONER FRADIN: We don't know what
2 it looked like before this --

3 MR. MACKNIN: All we have is Marty
4 Hackl's description of it, where he talks
5 about it destroyed the facade, the front
6 facade, in his words.

7 So these remarks, I would
8 emphasize, go to integrity of design, which
9 is a threshold issue, before you get to the
10 landmark criteria.

11 We next go to integrity of
12 workmanship and materials. Now, we have
13 demonstrated, we have the evidence here, we
14 have a Ted Cohn report itemizing the repairs
15 that have to be done to this house. And
16 these are not just repairs. These are
17 repairs to the structural -- virtually every
18 structural aspect of this house:

19 The foundation is crumbling.
20 The structural joists are warped. The
21 plumbing pipes are all corroded and need
22 replacing. The electrical is not up to code,
23 needs replacing. The water service to the

1 house needs to be replaced. There is no
2 drain tile system in the house, which has
3 caused some flooding. The heating ducts all
4 have to be replaced.

5 And there are several other
6 structural infirmities, all of which are
7 detailed in the report of Mr. Cohn that's
8 Exhibit 10 to our report, that totalled, I
9 think, \$537,000, in his estimate, just to
10 bring the house to repair.

11 That's on top of our discus-
12 sion of trying to reverse the alterations.
13 Because if you don't reverse the alterations,
14 what are you left with? What are you land-
15 marking?

16 It has been acknowledged, I
17 think by Mr. Enck, there is no obligation on
18 the owner to reverse the alterations. They
19 will not be reversed. The owners are not
20 going to reverse the alterations. So you
21 will have a house that has no integrity. And
22 I think the code acknowledges that, because
23 they don't impose that on the owner.

1 And the evaluation criteria of
2 the Architectural Resources report, they
3 don't talk about whether the alterations can
4 be reversed. They simply get to, are there
5 no covering up? Is there are no un-
6 sympathetic additions? They use no; that
7 means zero.

8 Now, we also know, we have
9 cited -- I don't want to belabor it -- we
10 have references, historical references, two
11 biographies, talking, for example, why you
12 get this house, does it meet integrity of
13 design, how proportionality and scale are
14 important to Van Bergen.

15 And when you add additions
16 that consume about one-third of the square
17 footage of the house, you are altering
18 greatly the proportion and scale,
19 particularly how it sits on the property.
20 Also, when you build a garage, alters the
21 proportionality and scale and siting of the
22 house, which even Mr. Enck in his presenta-
23 tion acknowledges, and he emphasized,

1 proportionality and scale were important to
2 Van Bergen.

3 MR. ENCK: Can I clarify a point on
4 that? I did say that those elements are true
5 to proportionality and scale. But I did say
6 that the north elevation that's visible from
7 the street is done sympathetically with the
8 design of the house and is nearly at a 50
9 year historic point itself. But the
10 materials are very comparable and the design
11 proportions are very comparable to the
12 original design. So I just wanted to make
13 sure I emphasized that.

14 MR. MACKNIN: As you can see in all the
15 Van Bergen materials, the siting of these
16 properties was part of the Van Bergen design,
17 how it sits in the property. When you have
18 garage and when you have additions built, it
19 alters the siting of the property and the
20 proportionality of the house as it sits on
21 the property.

22 The brick work, you know,
23 even if these additions were to try to be

1 reversed -- and Mr. Cohn explains what he
2 would have to do in order to try to disengage
3 the rear addition of the house, for example,
4 in terms of the electrical and so on -- you
5 would have to then get the brick work. You
6 would have to find the brick work, which
7 again is featured in every one of his
8 biographies, an intricate brickwork; not just
9 intricate brickwork, but the type of brick, a
10 particular unique thin rectangular brick
11 that's in a unique design. And as Ted Cohn
12 has said, in his opinion, that cannot be
13 replicated.

14 You can see, in fact, on the
15 additions of the house, in Exhibit 3, the
16 very first picture -- this is Exhibit 3 --
17 the first photo at the top shows the rear
18 addition to the house, but it also shows the
19 north addition. And you see the brick is
20 totally different color. You can see the
21 change in the lighter brick to the north,
22 that's to the left of the picture, that's the
23 north side of the house. And the west is the

1 other addition. That's the frame that did
2 not use the same materials, clearly, as Van
3 Bergen.

4 And just for the record, and
5 this has been acknowledged, none of these
6 additions, of the six additions and the front
7 door, none are Van Bergen design.

8 MR. HACKL: May I speak to this?

9 CHAIRWOMAN THOMAS: Yes, Marty.

10 MR. HACKL: Since he cited me several
11 times, just about the front door. I have
12 been in the house, I looked at the front
13 door. Actually, when I wrote the book
14 originally I had been in the house, I was,
15 in a sense.

16 The front door is an easily
17 reversible change to the house. I have been
18 working at historic preservation for 30
19 years, 40 years, I don't remember how long.
20 And it's just not -- it hasn't altered any of
21 the original structure. Nothing has been
22 removed to make that change. And to us
23 that's just a clearly reversible alteration,

1 and it is just not that difficult, especially
2 if it has the original front door, which also
3 could be replicated if you really wanted to.

4 And I didn't understand what
5 you were talking about the floor having to be
6 lowered in the house. I just didn't under-
7 stand that.

8 MR. BARNETT: Mr. Cohn is here. Let Ted
9 Cohn explain it.

10 MR. CROSS: Could you please introduce
11 yourself? For the minute taker, Mr. Cohn.

12 MR. COHN: Ted Cohn, C-o-h-n.

13 MR. MACKNIN: For the record, Mr. Cohn's
14 report is in Exhibit 10 to our materials.

15 MR. COHN: So this gentleman said it
16 could be easily reversible. It can't be,
17 from my experience, being a contractor for 30
18 years, general contractor, and I have worked
19 in Highland Park probably since that long,
20 the brick has been removed that was such a
21 focal point for Van Bergen. There is no
22 brick there. That was removed on the
23 entranceway of the house.

1 On top of that, if you -- from
2 what I measured, if you move it back, you are
3 not so sure that there wasn't any alterations
4 in the house, you know, done to it. But if
5 you move it back, you have the ceiling
6 height, which there is no way the door, the
7 front door, could possibly fit and serve to
8 meet the code of Highland Park.

9 Again, I looked in when I
10 walked in, I looked in and I measured, and
11 there is a step-up. Whether that step-up was
12 there or not, there is a step-up. And 4 feet
13 would be right on that step-up right there.

14 But again, one of the big
15 things is the brick. And that brick was
16 removed and is nowhere to be found. That's
17 just on the front entranceway.

18 MR. BARNETT: Any other questions of Mr.
19 Cohn?

20 COMMISSIONER TEMKIN: How often do you
21 work on historic houses and landmark houses?

22 MR. COHN: I have worked on several. I
23 worked on a home in Glencoe on Palos that was

1 a historic house. And I know everything that
2 had to go into restoring a historic house.

3 COMMISSIONER TEMKIN: Like all of the
4 National Register criteria?

5 MR. COHN: Exactly. I worked with the
6 architect on a daily basis. And the little
7 details. So yes, I have had experience with
8 working with historic houses.

9 I have been in this house.
10 Not that I am jumping the gun, but there is
11 not one thing in this house that I saw, as a
12 contractor, that I could -- I wouldn't
13 remove. I mean, there is just hundreds of
14 thousands of dollars of work to try and just
15 bring this back up to code.

16 COMMISSIONER TEMKIN: Okay.

17 MR. HACKL: There is brick taken out
18 inside the portal?

19 MR. COHN: Yes.

20 MR. HACKL: Well, typically only the
21 facade would be brick. Those walls and
22 ceiling in there would have been stucco
23 probably, not brick.

1 MR. COHN: Well, they said there was
2 brick in the portal on the north and west
3 side of the entranceway.

4 MR. HACKL: And then when you go in the
5 front door, you go through the existing door
6 and there is a little vestibule there; right?

7 MR. COHN: Right.

8 MR. HACKL: And on the sides of that you
9 said the brick was missing?

10 MR. COHN: Yes.

11 MR. HACKL: Initially it was probably
12 not brick; it was probably stucco. Looking
13 at examples of other houses, including the
14 Whitehouse, that interior area was not brick.
15 I mean, if I was doing an alteration, I
16 wouldn't have taken out the brick. There
17 would be no reason to do that. So
18 stylistically, it was probably stucco.

19 CHAIRWOMAN THOMAS: Jerry?

20 COMMISSIONER FRADIN: I have a question
21 for Mr. Hackl. So the applicants are -- I'm
22 sorry, not the applicants -- the owners are
23 quoting you as saying that this particular

1 house retains little original character, and
2 that leads into a discussion of the front
3 door and some other things.

4 And I'm wondering what was the
5 -- I mean, looking at the front facade of the
6 house, what leads you to say that it retains
7 little original character?

8 MR. HACKL: The one that was my photo?
9 I'm pretty sure. At the time I didn't have
10 access to go into the property, so I was
11 looking at it from the street.

12 And number one, we talked
13 about covering up. Paint, I don't think
14 paint is considered an alteration of
15 architectural detail or structure. So one
16 of the things that makes it non-character is
17 the color of the paint.

18 I talked about the roof color.
19 That's also not something that affects
20 permanently. I don't think that's considered
21 an alteration.

22 So if we are talking about
23 just the facade -- I won't even get into the

1 additions; that's a whole nother issue -- the
2 facade can be restored because it actually
3 retains probably most of the original fabric
4 and just would not be involved in a key
5 restoration.

6 COMMISSIONER FRADIN: I am trying to
7 figure out why you had made the point that
8 the house retains little of the original
9 character. Were you comparing it to other
10 Van Bergens or were you --

11 MR. HACKL: Yes, I was looking at a lot
12 of houses that were original. They had never
13 been -- kept the original colors. A lot of
14 houses or buildings, for example, stucco was
15 painted. And when you paint stucco it
16 usually is way off.

17 And a lot of Frank Lloyd
18 Wrights, by the way, have been much more
19 altered and brought back. Sometimes you have
20 to repaint or replace -- stucco, by the way,
21 is considered a sacrificial element because
22 it's easily replaced. So a house can be
23 re-stuccoed and not considered a loss of

1 integrity.

2 So I was referring to it --
3 again, that was so long ago -- I was
4 referring to visually what I was looking
5 at from the street and looking at other
6 buildings.

7 But I also understand, as a
8 contractor, that those types of things,
9 especially paint, can be reversed. And I
10 don't think anybody would ever judge a paint
11 job as something that would condemn a
12 building.

13 MR. SCHEETZ: I worry that a bigger
14 point is being missed in that discussion.
15 Mr. Cohn, who has 30 years as a contractor,
16 said he is unable to fit the front door into
17 the original space. One, it won't meet code.
18 But you and Mr. Enck have said that it is
19 easily restorable. What's your basis?

20 MR. HACKL: I have done so many of them.
21 And sometimes -- mostly, when I have seen a
22 door that doesn't fit anywhere it's because
23 it is too small because it's been cut.

1 MR. COHN: If you haven't seen it, how
2 do you know it can be restored?

3 MR. HACKL: Because I was in the house.
4 It was a long time ago and I don't have the
5 those details, but I had access to it.

6 MR. BARNETT: As long as Mr. Cohn is
7 here, can I just refer one thing to Mr. Cohn?
8 The cost to just demolish all these additions
9 -- just demolish, not replace -- came to
10 what?

11 MR. COHN: I would have to take a look.

12 MR. BARNETT: Was it 66,000?

13 CHAIRWOMAN THOMAS: I think in the
14 interests of moving this along, is there more
15 that you would like to present?

16 MR. MACKNIN: Yes. Exhibit 11 does have
17 the photos of this front vestibule, so you
18 can see for all yourselves as to what door
19 has to go into what space, along with the
20 transom.

21 So moving on -- and I want to
22 get to the criteria, because now we've gone
23 through -- in our view, there is no more to

1 discuss. There is no more to put the owner
2 through at this point, to have to object
3 further, given the lack of integrity of the
4 design, which is the fundamental threshold of
5 your work tonight.

6 The landmark criteria relied
7 upon by the nomination is 1, 4, 5 and 6.

8 Now, at the demolition review
9 stage at which these landmark criteria were
10 initially discussed, I have a few comments
11 about that.

12 Number one, the comments at
13 the Commission to support the criteria being
14 met for the demolition review were all that
15 the alterations could be easily restored.
16 That was what was relied upon.

17 Now, we in our objection have
18 now come forward and shown they can't be
19 easily restored, number one.

20 There was no discussion that
21 in fact Marty Hackl's report, his statements
22 that he just commented on, were part of that
23 demolition review and showed the lack of

1 integrity of design. So it was really about
2 -- the issue then was and the statements, I
3 believe, by Commissioner Temkin and by Mr.
4 Hackl, that the alterations could be easily
5 reversed.

6 Also at that point, as you'll
7 recall, at the meeting Mr. Bernstein attended
8 along with -- I don't know if the owners were
9 there -- but that the feeling of the owners
10 at that time was to respect the work of the
11 Commission, go along with a one-year delay,
12 because based on the experience of those who
13 practice in this area of Mr. Bernstein, it
14 is very rare for there to be a landmark
15 nomination, particularly knowing what they
16 knew about this house: It was sold as a
17 teardown, they knew about the lack of
18 integrity of design, they knew that there was
19 nothing workable in the house and it needs
20 over \$500,000 in repairs. So they would live
21 with a one-year demolition delay. That
22 wasn't the issue.

23 But once the landmark nomina-

1 tion came in, that then triggered a separate
2 ordinance, separate provision than the
3 demolition review provision. This provision
4 has its own set of rules and process which is
5 identified in the exhibit. So we would like
6 to address those criteria and really focus
7 only on two of them, 4 and 5.

8 Now, 4 -- I am sorry -- As far
9 as criteria goes, there is two hurdles you
10 must clear, assuming you can clear integrity
11 of design.

12 Moving on to criteria, the
13 first is it has to meet either or both of
14 criteria number 2 or 5. This is in the event
15 of an objection by the owner, which we object
16 to.

17 So criteria number 2 is not
18 even relied upon by the nomination. So the
19 Commission is left with criteria number 5 in
20 order to satisfy this threshold.

21 And criteria number 5 states
22 that the house be identifiable as the work of
23 a notable architect whose individual work has

1 influenced the development of the city,
2 county, state or country.

3 That a house is verifiable as
4 having been originally designed by a notable
5 architect, and we don't that issue here of
6 Mr. Van Bergen being a notable architect.
7 That's not the issue here.

8 It does not make it identifi-
9 able as that of the work of that architect
10 once you have done what you have done to this
11 house. Otherwise, no matter what alterations
12 are done to a house, as long as it was
13 originally designed by that architect, would
14 be identifiable as the work of that
15 architect. And I don't think that's what's
16 intended by the criteria that the Commission
17 has set up. Otherwise, you know, what's the
18 purpose of having the criteria? It must be
19 recognizable as the work of Van Bergen.

20 So, for example, I heard a
21 comment, I think it was by Commissioner -- it
22 may have been Mr. Enck -- talking about the
23 chimney. No, I think it was Commissioner

1 Becker. You commented upon the chimney as
2 being reflective of the prairie style.

3 Well, there is lots of prairie
4 style homes in Highland Park. This standard,
5 though, is not a notable style; it is a
6 notable architect. It's got to be Van Bergen
7 in particular as to the prairie style.

8 COMMISSIONER FRADIN: Excuse me. Are
9 you saying that this property at issue is not
10 identifiable as the work of Van Bergen?

11 COMMISSIONER TEMKIN: Do you recognize
12 the --

13 COMMISSIONER FRADIN: That's just a
14 simple question.

15 MR. MACKNIN: Yes.

16 COMMISSIONER FRADIN: That's going
17 nowhere. Why don't you move on to something
18 that you haven't said already?

19 MR. MACKNIN: Okay. So criteria number
20 4, assuming 2 and 5 are met, assuming
21 integrity of design is met, assuming 2 or 5
22 is met, then you need three of the remaining
23 -- three landmark criteria. You rely on 1,

1 4, 5, 6.

2 We contend that number 4 is
3 not valid. Number 4 requires that the house
4 embodies distinguishing characteristics of an
5 architectural style, valuable for the study
6 of a specific time period, type, method of
7 construction.

8 This house is no longer
9 valuable for the study, given its alterations
10 and additions, and given the fact that there
11 are over 40 other Van Bergen structures in
12 Highland Park. And we're toured around
13 looking at the Van Bergen structures. There
14 are some beautiful Van Bergen structures
15 valuable for the study. Not this one. This
16 one is not it.

17 COMMISSIONER FRADIN: Why does it matter
18 how many there are?

19 MR. MACKNIN: Well, we see from the
20 criteria in the Architectural Resources study
21 -- okay, we will overlook integrity of
22 design, if it is necessary, if there are very
23 few examples.

1 COMMISSIONER FRADIN: We are not decid-
2 ing whether or not the evaluation by that
3 study was accurate or not. We're just
4 deciding whether it falls under these
5 criteria.

6 MR. MACKNIN: Well, I would think an
7 element of valuable for study, in our
8 reading, is that it's --

9 COMMISSIONER FRADIN: If it was the only
10 one, it might be more valuable.

11 MR. MACKNIN: Right.

12 I would like to sum up and
13 turn it over for Mr. Barnett for final
14 remarks, but I appreciate your time.

15 We believe very strongly and
16 I think have presented compelling evidence
17 that the integrity of design element of
18 24.025(B) (2) (B) is not met, and the
19 Commission, therefore, should not adopt a
20 resolution to make a preliminary determina-
21 tion of landmark designation.

22 And in addition, the repairs
23 needed for the house demonstrate a lack of

1 workmanship and materials. We have got a
2 house that needs in excess ever \$530,000 in
3 repairs.

4 CHAIRWOMAN THOMAS: Yes, Jerry?

5 COMMISSIONER FRADIN: Can I ask a
6 question of the applicant at this point?

7 CHAIRWOMAN THOMAS: Certainly.

8 COMMISSIONER FRADIN: The question I
9 have of the applicant is: Are you familiar
10 with Van Bergen's body of work?

11 MR. ENCK: Yes, on a wide range.

12 COMMISSIONER FRADIN: Are you familiar
13 with all of the Van Bergens in Highland Park?

14 MR. ENCK: A great number of them, yes.

15 COMMISSIONER FRADIN: And do you have a
16 view as to the integrity and the distinguish-
17 ing characteristics of this piece of property
18 compared with the rest of the body of work,
19 where it rates? Top quarter? Bottom
20 quarter?

21 MR. ENCK: Well, I think to speak to the
22 point of valuable for study, I think because
23 Highland Park has the largest collection of

1 Van Bergen buildings anywhere in the world is
2 very significant, and so I think his large
3 body of work is significant and has value for
4 study, a broad study of --

5 COMMISSIONER FRADIN: My question is:
6 Do you have an opinion on where this one
7 falls as compared to the other ones?

8 MR. ENCK: As I mentioned, I think it is
9 very much intact. I think the additions as
10 viewed from the street is sympathetic with
11 the original architecture. The majority of
12 the original facade materials are there. The
13 paint has been altered, the doorway has been
14 altered. But it is my opinion that there is
15 integrity to the existing building.

16 COMMISSIONER FRADIN: Let me ask it this
17 way: Is it a better example of Van Bergen
18 than most of the Van Bergens in Highland
19 Park?

20 MR. ENCK: I think that it fits into the
21 broad collection of his buildings in Highland
22 Park in a significant way.

23 COMMISSIONER FRADIN: So you don't have

1 a view as to whether it is better or worse
2 than any other?

3 MR. ENCK: I think it wouldn't -- To
4 give my opinion of ranking, the quality of
5 his buildings is completely subjective. I
6 think saying this is his best building and
7 this is his worst I don't think has
8 significance to this vote tonight. But I
9 think it is a significant contributing
10 building to his body of work, which makes it
11 valuable for study.

12 COMMISSIONER FRADIN: And that would be
13 true of every Van Bergen in Highland Park;
14 right?

15 MR. ENCK: I feel so.

16 MR. BARNETT: May I just make a few
17 closing remarks?

18 CHAIRWOMAN THOMAS: Yes.

19 COMMISSIONER REINSTEIN: Could I ask a
20 question?

21 CHAIRWOMAN THOMAS: Sure.

22 COMMISSIONER REINSTEIN: Have you been
23 inside the house?

1 MR. ENCK: I have not been inside the
2 house.

3 CHAIRWOMAN THOMAS: That's not our
4 function anyway. We only deal with the
5 exterior.

6 MR. BARNETT: So I have heard the word
7 reversible mentioned 20, 30 times in this
8 proceeding. As Mitch pointed out, there is
9 nothing in the ordinance that requires an
10 owner to reverse these various defects and
11 deficiencies and alterations in this house.
12 It would be \$66,000 to demolish, hundreds of
13 thousands of dollars to repair this house,
14 over \$500,000 to make it habitable. No one's
15 lived there for a couple years. It is not
16 going to be habitable. Silversteins aren't
17 moving in there.

18 And frankly, if an ordinance
19 required someone to spend hundreds of
20 thousands of dollars just because the home
21 they bought was a Van Bergen, it would be a
22 unconstitutional taking. You can't make a
23 private citizen spend that kind of money, or

1 any money, to restore a house that was a
2 house built by a notable architect.

3 And I really think, from
4 listening to the applicants and what's been
5 said here, very perceptive questions have
6 been asked, that the reason this house is
7 potentially -- you want to landmark it is for
8 one reason: It is a Van Bergen.

9 But you cannot -- the citizens
10 of Highland Park are entitled to the benefit
11 of the laws. What you do as a preservation
12 committee is very laudable. I really believe
13 that.

14 I also believe that you are
15 also in what I call the legacy business. You
16 are helping to carry on the legacy of well-
17 known architects, of well-known builders,
18 just like other people who are able to carry
19 on legacies, authors and movie stars. Most
20 of us normal people, best we can leave is
21 some children or grandchildren and we've done
22 something good in our life.

23 And really the question is, as

1 I have looked at it -- and I have been in
2 this house and I have seen the additions and
3 I have looked at the law and I have looked at
4 these criteria. Because the criteria, you
5 are judge and jury here. And I heard you
6 deliberate earlier. These criteria are very
7 serious.

8 And the threshold criteria, as
9 Mitch has said, is integrity of design and
10 workmanship, which this doesn't have. It
11 doesn't have. And if it doesn't have it and
12 the rest of it is dilapidated, I honestly
13 believe that John Van Bergen, if he were
14 standing here right now, would say there is
15 40 beautiful pristine Van Bergens in the City
16 of Highland Park. Don't put people on a tour
17 bus and take them to this dead-end street and
18 look at this monstrosity that all these
19 people who owned it bastardized.

20 And you know what? I've
21 represented a lot of architects, engineers,
22 contractors. And the one thing about them is
23 -- I believe it was true of Mr. Van Bergen,

1 from reading his biography -- Van Bergen was
2 a humble man. He was a businessman. And he
3 knew that when he built something for
4 someone, he did it, and his homes were
5 reasonably priced. I could see he could be
6 very proud of it. Proud of a home like Ms.
7 Temkin has that's very pristine.

8 But he also knew, like all the
9 architects and contractors that I've worked
10 with and builders, that once you sell it,
11 it's theirs. And if they are going to add an
12 addition on, if they are going to change the
13 door, if they're going to change the
14 character of that house, that's that owner's
15 prerogative. And I am telling you John Van
16 Bergen would stand here and say: Don't take
17 that tour bus to my house on Hawthorne.

18 CHAIRWOMAN THOMAS: I don't think any of
19 us can talk for what John Van Bergen would
20 say. So I don't think that's germane.

21 MR. BARNETT: I am talking about legacy,
22 I am talking about the architect's legacy.

23 Thank you very much.

1 CHAIRWOMAN THOMAS: All right. Is there
2 a motion that this property meets any of the
3 criteria?

4 COMMISSIONER TEMKIN: I make a motion
5 that it meets 1, 4, 5, 6.

6 MR. PASSMAN: If I may, Madam Chairman,
7 you can take it that way, if you want.
8 Ultimately what you have to do is pass a
9 resolution, which is not on your agenda
10 tonight. The motion tonight would be to
11 direct staff to prepare a resolution.

12 What I would suggest is -- and
13 it is up to you whether you want to bifurcate
14 this -- if you find that at least three
15 criteria -- We do have an objection from the
16 owner, so prong one is you must find at least
17 three criteria are met, one of which has to
18 be 2 or 5. And then there's the prong about
19 sufficient integrity of location, design,
20 et cetera. Those are up on your screen right
21 now. I'll leave it up to you whether you
22 want to ask the Commission to take each
23 prong --

1 CHAIRWOMAN THOMAS: Well, we start with
2 meeting the criteria. Then we can --

3 MR. HARTMAN: Absolutely.

4 COMMISSIONER REINSTEIN: And just a
5 question. The Commission has already
6 determined that it does meet the criteria.

7 MR. PASSMAN: The Commission has reached
8 that determination at a separate meeting.
9 Ultimately your resolution, if you direct
10 one, will constitute your findings now. It
11 has to be reduced to that resolution pursuant
12 to the code. So I would suggest, at a
13 minimum, you reaffirm as a Commission.

14 CHAIRWOMAN THOMAS: Should the motion be
15 do we reaffirm?

16 COMMISSIONER FRADIN: Let me ask a
17 question. So are we bound by the finding
18 that was already made by the Commission as to
19 the landmark criteria?

20 MR. PASSMAN: I would say that from a
21 technical legal answer, no, because as
22 counsel did point out, there are two separate
23 ordinances. They rely on the same landmark

1 criteria, demolition delay is Chapter 170.

2 This is all Chapter 24.

3 Whether substantively the
4 Commission believes there is any information
5 that's different or the Commission has
6 learned anything that makes the case stronger
7 or weaker, that is for you to determine.

8 CHAIRWOMAN THOMAS: So should the
9 question then be do we want to change from
10 our finding?

11 MR. PASSMAN: I would treat it as a new
12 finding. The only true motion I think you
13 need to make -- and again, it is your
14 discretion, Madam Chair -- is a motion to
15 either direct the resolution or find that the
16 resolution is not in order, either way.

17 COMMISSIONER TEMKIN: So does somebody
18 have to make that motion to direct staff or
19 does the Chair --

20 MR. PASSMAN: Ultimately someone would
21 have to make a motion and the Chair
22 recognizes the drafting of a resolution.
23 And inherent in that resolution must be both

1 of these prongs, the standard criteria you
2 are familiar with as well as what I will call
3 the sufficient integrity prong, which is
4 indeed unique to landmark applications.

5 COMMISSIONER FRADIN: I would point out
6 that there is significant additional
7 information in the record about whether
8 landmark criteria has been met that wasn't
9 considered originally, both from the
10 applicant and the owners. So I am agreeing
11 with the point that we decide now whether the
12 criteria was met based on what's been put
13 before us both initially and in this hearing.
14 So I think that's the way to do it.

15 And I think the point is we
16 are not being asked to vote on that
17 individual thing, but we can decide on that
18 and then we can decide on the integrity
19 question. And if we decide yes on both of
20 them, we can make a motion that everything is
21 met.

22 MR. PASSMAN: I think that's a clean way
23 to do it. There is a lot of ways to get you

1 to the ultimate decision tonight of whether
2 or not directing the drafting of the resolu-
3 tion is in order.

4 CHAIRWOMAN THOMAS: So we are going to
5 go back to, is there a motion that the
6 property meets any of the criteria here?

7 COMMISSIONER TEMKIN: Yes, I make that
8 motion, and it meets -- Do I say the ones I
9 believe it meets? I believe it is meets 1,
10 4, 5 and 6. And do I continue and say I
11 believe it does meet Part B of the --

12 COMMISSIONER FRADIN: We can do them one
13 at a time.

14 CHAIRWOMAN THOMAS: Okay. Is there a
15 second that it meets 1, 4, 5 and 6?

16 (No response.)

17 CHAIRWOMAN THOMAS: May I second?

18 MR. HARTMAN: You may second it for
19 purposes of discussion, yes.

20 CHAIRWOMAN THOMAS: I am seconding.

21 MR. CROSS: Madam Chair, I think what I
22 would like to recommend is you do a voice
23 vote.

1 CHAIRWOMAN THOMAS: Absolutely.

2 MS. JAHAN: So roll call vote?

3 CHAIRWOMAN THOMAS: Roll call vote.

4 MS. JAHAN: Chair Thomas.

5 CHAIRWOMAN THOMAS: Aye, yes.

6 MS. JAHAN: Commissioner Becker.

7 COMMISSIONER BECKER: Aye.

8 MS. JAHAN: Commissioner Fradin.

9 COMMISSIONER FRADIN: Aye.

10 MS. JAHAN: Commissioner Reinstein.

11 COMMISSIONER REINSTEIN: Aye.

12 MS. JAHAN: Commissioner Salamasick.

13 COMMISSIONER SALAMASICK: Aye.

14 MS. JAHAN: Commissioner Temkin.

15 COMMISSIONER TEMKIN: Aye.

16 CHAIRWOMAN THOMAS: It's unanimous.

17 Now the second thing that we

18 do --

19 MR. CROSS: The sufficient integrity is

20 the second prong that Counsel Passman was

21 talking about.

22 CHAIRWOMAN THOMAS: Is there a motion?

23 MR. CROSS: That it meets sufficient

1 integrity --

2 CHAIRWOMAN THOMAS: That it meets
3 sufficient integrity of location, design,
4 et cetera. Is there a motion that that meets
5 that?

6 COMMISSIONER TEMKIN: Make a motion.

7 CHAIRWOMAN THOMAS: Okay. Is there a
8 second?

9 COMMISSIONER BECKER: I would second
10 that.

11 CHAIRWOMAN THOMAS: Becker seconds that.

12 Should we take a roll call
13 vote on that?

14 COMMISSIONER FRADIN: Is there any
15 discussion?

16 CHAIRWOMAN THOMAS: Is there any
17 discussion?

18 COMMISSIONER REINSTEIN: Well, I am
19 interested because there is a lot of Van
20 Bergen experts in the room.

21 COMMISSIONER TEMKIN: There are.

22 COMMISSIONER REINSTEIN: And I am not
23 one.

1 COMMISSIONER TEMKIN: What do you need
2 to know?

3 COMMISSIONER REINSTEIN: I do know
4 enough that when I look at this house I
5 recognize it as Van Bergen. And I am aware
6 of many other Van Bergen structures in the
7 City that seem to represent the original
8 glory of his design better than this one in
9 that I do think that the alterations do
10 impact the structure.

11 And so I do just wonder if
12 there is any agreement to that even, or that
13 there is relative levels of quality. There
14 is no denying it is Van Bergen. It is
15 representative of Van Bergen and you can see
16 those elements clearly. Help me.

17 COMMISSIONER BECKER: I wanted to make
18 a couple comments. One -- and more people
19 may be familiar with Frank Lloyd Wright than
20 Van Bergen -- but many architects in the span
21 of their career, their styles evolved. And
22 with Frank you might see in 1890 what he did
23 in Oak Park is different than what he did in

1 1950 in California. Yet you would say they
2 are all Frank Lloyd Wright and they are
3 important for different stages of his career.

4 So I am not saying this looks
5 like Braeside School or necessarily identical
6 to Lisa's, but it is definitely, like you
7 said, a recognizable building that he
8 designed.

9 And I know a lot of talk has
10 been on this front door and the transom that
11 seems to have been lost. To me personally,
12 if you look on their second page of the
13 demolition review, I would say the brick
14 surround is much more magnificent than
15 anything that that door might have been.

16 And again, comparing it to
17 Frank Lloyd Wright, a lot of his landmark
18 preserved houses, no one has any issue with
19 replicating designs that have been demolished
20 or thrown away.

21 So I would think, with
22 original drawings, if somebody wanted to push
23 the entrance in, clearly it's got to be a

1 to-code door height, but maybe in this
2 particular thing a door will be created that
3 maybe doesn't have this 1 foot transom, it
4 may have a 6 foot transom. Or maybe the door
5 needs to just be the door, like with the
6 stucco surround or whatever.

7 Again, to me, I think this
8 beautiful brick surround and the undulation
9 and the stepping and so forth is really the
10 drama of this house. And it's still very
11 much there.

12 And the other thing is, you
13 know, nobody has seen the back of the house
14 or the west side which, unfortunately, had
15 an addition that, as much as they tried,
16 certainly can't compare to the rest of the
17 house. But my guess is when you see the back
18 of, I guess, what's that north addition,
19 where the brick isn't a match, I am thinking
20 that what they took off the middle of the
21 house to put the addition is what they put on
22 the front of the house. Because in fact,
23 when you see that and the two flanking

1 symmetrical pieces, that brick is all one
2 piece.

3 And one other thing. I know
4 we have got pricing here, and this is a very
5 substantial comprehensive quote, and it is a
6 lot of money, but if these things were taken
7 off and plumbing replaced and windows
8 replaced, et cetera, for this area of town, a
9 \$1.2 million house is not unheard of, a \$1.5,
10 a \$1.8, I mean, this land can accommodate
11 those kind of numbers.

12 CHAIRWOMAN THOMAS: Yes, Jerry?

13 COMMISSIONER FRADIN: So here is my
14 struggle. When we talk about the fact that
15 the structure has to have sufficient
16 integrity to make it worthy of preservation,
17 I think that has to be read in the context
18 of landmarking the home as opposed to
19 delaying a demolition for six months or a
20 year. So it is to make it worthy of
21 essentially preservation for all time.

22 And I think that makes it a
23 more serious question in terms of whether the

1 integrity is there or not than it would if we
2 were just saying is it good enough to survive
3 to justify a demolition delay. So I think
4 you somehow have to read in, I think, even --

5 Well, the last point I was
6 going to make is that the other side of that
7 is that the criteria is the same whether the
8 landmarking is against the owner's wishes or
9 not.

10 So if an owner came here and
11 voluntarily wanted this done, would we find
12 sufficient integrity to make it worthy of
13 preservation? I think we would. At least I
14 think I would. If somebody said I want this
15 house landmarked, I think I'd say sufficient
16 integrity to make it worthy of preservation.
17 Sure, there's been some stuff that's gone on
18 with it, but it is sufficient.

19 So I guess I have a -- We have
20 to live with the standard. I think the
21 standard, it has an unfortunate effect here
22 because I do think that among other Van
23 Bergen's this one doesn't stand out. This

1 one isn't the last, second to last or 25th to
2 last that somebody could use to study Van
3 Bergen.

4 You know, I would feel much
5 better about preserving this property if I
6 thought that this one was different in some
7 significant way than all the other ones we
8 have.

9 CHAIRWOMAN THOMAS: I just have to make
10 a comment that may not impact on this vote
11 at all. But there has been this comment
12 repeatedly: Well, there is 40 of them, so is
13 this one that important?

14 And I think that this could
15 come before us every time. Well, now there
16 is 39 of them, is this that important? Now
17 there is 38 of them, is this one that
18 important? And I think that to look at it
19 in those terms of numbers is the wrong way to
20 look at the house.

21 COMMISSIONER TEMKIN: We have seen many
22 houses, those of us who have been here for a
23 long time. The Mary Adams house was a dive,

1 barely livable; right? Looks unbelievable,
2 fabulous; right? The Ward Willis house when
3 we were growing up, totally a dive, not
4 maintained, a mess; right? Look at what that
5 is now. So you have to have a little vision.

6 None of us have recently been
7 inside the house, have no idea what it looks
8 like, and it doesn't matter because it isn't
9 what we are here to talk about.

10 So is it the best Van Bergen?
11 Is it the worst Van Bergen? I don't know.
12 Doesn't matter. We are talking about this
13 one house. This is the one before us.

14 Does it meet the criteria?
15 It's all about the criteria. I would say it
16 does.

17 CHAIRWOMAN THOMAS: Let's have Leah, who
18 is our historic --

19 EX-OFFICIO MEMBER AXELROD: I just want
20 to go back to something that Nancy said about
21 body of work that an architect does. When
22 you look at the list in Highland Park, this
23 is the second home that he did after he did

1 his own home. And this is an early period.
2 And he developed in Highland Park for such a
3 long time and continued historically with his
4 career.

5 To have that full body of work
6 and be able to see the growth, the develop-
7 ment, the changes, is an unusual opportunity.

8 MR. CROSS: I simply want to iterate,
9 Madam Chairman, that there is a motion on the
10 table.

11 CHAIRWOMAN THOMAS: Yes. And it was
12 seconded?

13 MR. CROSS: It was. It was seconded by
14 Commissioner Becker.

15 CHAIRWOMAN THOMAS: Can you call the
16 roll, Nusrat?

17 COMMISSIONER SALAMASICK: Can you repeat
18 the motion?

19 CHAIRWOMAN THOMAS: Would you repeat the
20 motion?

21 MR. CROSS: Gale, are you able to do
22 that from the minutes?

23 MS. CERABONA: Lisa Temkin has stated

1 she believes this has sufficient integrity of
2 design, et cetera. And then Nancy Becker
3 seconded the motion.

4 COMMISSIONER REINSTEIN: Just for the
5 record, it has sufficient integrity of
6 location, design, materials and workmanship
7 to make it worthy of preservation.

8 COMMISSIONER TEMKIN: Yes.

9 CHAIRWOMAN THOMAS: Nusrat will call the
10 roll on this vote.

11 MS. JAHAN: Chair Thomas.

12 CHAIRWOMAN THOMAS: Yea.

13 MS. JAHAN: Commissioner Becker.

14 COMMISSIONER BECKER: Yea.

15 MS. JAHAN: Commissioner Fradin.

16 COMMISSIONER FRADIN: Yea.

17 MS. JAHAN: Commissioner Reinstein.

18 COMMISSIONER REINSTEIN: Yea.

19 MS. JAHAN: Commissioner Salamasick.

20 COMMISSIONER SALAMASICK: Yea.

21 MS. JAHAN: Commissioner Temkin.

22 COMMISSIONER TEMKIN: Yea.

23 CHAIRWOMAN THOMAS: So six yea.

1 Unanimous.

2 MR. CROSS: So the following motion will
3 be to direct staff to draft a resolution.

4 CHAIRWOMAN THOMAS: Do we call for --

5 MR. CROSS: Yes, it requires a motion.

6 MR. HARTMAN: And a planning report.

7 MR. CROSS: And a planning report,
8 exactly.

9 COMMISSIONER SALAMASICK: I will move to
10 direct the planner to create a draft report
11 and a resolution.

12 CHAIRWOMAN THOMAS: Is there a motion to
13 do so?

14 COMMISSIONER REINSTEIN: That was the
15 motion.

16 CHAIRWOMAN THOMAS: Oh, you made the
17 motion. I'm sorry.

18 Is there a second?

19 COMMISSIONER TEMKIN: I second it.

20 CHAIRWOMAN THOMAS: All in favor?

21 (Whereupon there was a
22 unanimous chorus of ayes.)

23 CHAIRWOMAN THOMAS: Passes unanimously.

1 draft a preliminary recommendation. And you
2 will have ample opportunity to further delve
3 into information to continue your review of
4 it.

5 MR. CROSS: And just for further
6 clarification, if I may, Madam Chair, it
7 would not be the intent at this point to have
8 the public hearing at the next meeting. That
9 would be the intent at a subsequent meeting.
10 Because there is a chain of events that has
11 to happen after the preliminary designation
12 is approved.

13 MR. BARNETT: We understand.

14 MR. MACKNIN: Thank you.

15

16 (End of hearing.)

17

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23

1 STATE OF ILLINOIS)

2)

3 COUNTY OF L A K E)

4

5

6 I, RANDY BARINHOLTZ, a Certified
7 Shorthand Reporter, so certified by the State
8 of Illinois, do hereby certify that on the
9 14th day of July, 2016, I reported in
10 shorthand the hearing of the above-entitled
11 matter before the Highland Park Historic
12 Preservation Commission at 1707 St. Johns
13 Avenue, Highland Park, Illinois, and that the
14 foregoing is a true and correct transcript of
15 my shorthand notes so taken at said hearing.

16

17

18

19 Randy Barinholtz,
20 Certified Shorthand Reporter

21

22

23 →

**CITY OF HIGHLAND PARK
HISTORIC PRESERVATION COMMISSION**

Case No. 16-06-HPC-023

**OWNERS' OBJECTION TO PRELIMINARY
LANDMARK DESIGNATION RECOMMENDATION FOR
1570 HAWTHORNE LANE**

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Attorneys for Owners, William and Karyn Silverstein

Summary of Owners' Objection

The owners, William and Karyn Silverstein (“Owners”), object to the adoption of a resolution to make a preliminary Landmark designation recommendation for 1570 Hawthorne Lane (“House”). The House fails to satisfy several necessary requirements for a preliminary recommendation of Landmark designation. The House must meet all of these criteria; it meets none of them:

- I. The House lacks sufficient “integrity of design.” (“There have been some heavy handed alterations and additions over the years and the house retains little original character.”)
- II. The House lacks sufficient “integrity of workmanship and materials.”
- III. The House fails to meet either or both of Landmark criteria Nos. 2 or 5.
- IV. The House fails to meet three or more Landmark criteria.

In addition, there are other bases for the Owners’ objection:

- V. A Landmark designation would not serve an essential purpose of landmark legislation, because the House is largely unseen by the public.
- VI. The information presented to date in support of Landmark designation comprises inaccurate, incomplete, or conclusory statements unsupported (or undercut) by the actual facts.
- VII. Additional equities also favor rejection of a preliminary Landmark designation recommendation for the House.

For these reasons, each of which is detailed further below, the Highland Park Historic Preservation Commission (“Commission”) lacks grounds to adopt a resolution to make a preliminary Landmark designation recommendation for the House.

I. **The House lacks sufficient “integrity of design”** — which is a necessary threshold for a preliminary recommendation of Landmark designation. In the words of Van Bergen’s biographer: “There have been some heavy handed alterations and additions over the years and the [H]ouse retains little original character.”

A. Applicable standard under the Ordinance:

Section 24.025.B.2.b. requires (apart from the Section 24.015 Landmark criteria) that the House has “sufficient integrity of ... design ... to make it worthy of preservation or Rehabilitation.”

B. The House has undergone at least six significant alterations and additions to Van Bergen’s design, none designed by Van Bergen:

1. 1962 Addition of rooms to the west side of the House. (*See* Ex. 1, *1570 Hawthorne Lane Demolition Review*, dated December 10, 2015 (“Demolition Review”), first page and building permit at 26-27th pages.)
2. 1962 Addition of swimming pool. (*Id.*, first page and building permit at 19-25th pages.)
3. 1967 Addition to north side of the House. (*Id.*, building permit at 28th-33rd pages.) The text of the Demolition Review fails to include this Addition.
4. 1967 Addition of garage. (*Id.*, building permit at 28th-33rd pages.)
5. 1991 Addition of bathroom to Addition on west side of the House. (*Id.*, first page.)
6. The front doorway portal was eliminated when the front door was moved forward within the entryway so that it is now nearly flush with the front façade (date unknown). (*Id.*, first and second pages; *see also* Ex. 2, *Landmark Nomination*, by Lisa Temkin dated May 16, 2016, and *Landmark Nomination*, by Christopher Enck dated June 13, 2016 (“Nomination”), fourth page.)¹

We have included photographs that show these alterations and additions. (*See* Ex. 3, taken June 5, 2016 and July 6, 2016.)

¹ The June 13 Nomination is a photocopy of the May 16 Nomination except for its first page, where the **Name(s) of Applicant(s)** section adds Mr. Enck’s name and address to Commissioner Temkin’s address. The remainder of the June 13 Nomination is a photocopy of the May 16 Nomination. Thus, the June 13 Nomination still specifies Commissioner Temkin as the **Applicant** and includes her first-person accounts of “*our* [Highland Park] neighborhoods,” “the legacy *we* have in Highland Park,” and “*our* community,” as well as her personal activities in promoting Van Bergen (“I presented”; “I continue to receive”). (*See* Ex. 2, *Nomination*, fifth, sixth and tenth pages; emphasis added.)

- C. As a result of these significant alterations and additions, the House lacks “sufficient integrity of ... design ... to make it worthy of preservation or Rehabilitation.”
1. As written by Van Bergen’s biographer, Marty Hackl, “the [H]ouse retains little original character” due to these “heavy handed alterations and additions.” *See Demolition Review (Ex. 1, second page):*

Marty Hackl is a published researcher of John Van Bergen’s architectural career. His website, johnvanbergen.org, provides an inventory of Van Bergen’s houses with notes for each design. The entry for 1570 Hawthorne Lane states the following:

Though very similar in plan to the Whitehouse Residence (660 De Tamble), this design is more than a decade earlier and is much more spacious.

There have been some heavy handed alterations and additions over the years and the house retains little original character. As seen in the above photo, the front door has been pushed out into what was a sheltered entry portal. This ruins the dimensions of the façade, flattening it, making it just a single flat surface. This also hides the interesting brick pattern around the portal.

That alteration along with current monochromatic paint scheme and roof color blur the original rich textual character of the structure. (emphasis added)²

2. The Nomination itself acknowledges that “the west addition in the rear [1962 and 1991 additions] ... is not sensitive to the style of the house or in the quality of materials or craftsmanship.” (*See Ex. 2, Nomination, ninth page.*)
3. Under the criteria used by the July 15, 1999 Architectural Resources Report to rate the architectural significance of houses in Highland Park, the House lacks “integrity of design.” The “more than minor alterations” disqualify the House from being considered architecturally significant.
 - a) The **EVALUATION CRITERIA** section of the Architectural Resources Report states: “*Integrity, that is, the degree of original design and historic material remaining in place, was factored into the evaluation. No building was considered locally significant if it had more than minor alterations.*”

² Mr. Hackl’s notes on the House appear on his website page for the “Wilson Kline Residence.” (*See Ex. 4, which is a copy of what appears at <http://johnvanbergen.org/johnvanbergenarchitect/kline.html>*)

(emphasis added) (*See Ex. 5, excerpt from Architectural Resources in Highland Park: A Summary and Inventory Central East Area, dated July 15, 1999 (“Architectural Resources Report”), pp. 9-10.*)

- b) “Heavy handed” alterations that result in the House retaining “little original character” are the antithesis of “minor alterations.” That alone should disqualify the House from any further Landmark consideration.
- c) When the Architectural Resources Report rated the House “S-Significant,” it did not take into account the alterations to the House. The two-page information survey for the House, on which the Report relied for its rating, failed to include the alterations. The section in the survey for **ALTERATIONS** omitted the 1962 west addition, the 1962 swimming pool addition, the 1967 north addition, the 1967 garage addition, and the 1991 west addition. (*See Ex. 6, City of Highland Park Illinois Urban Architectural and Historical Survey for 1570 Hawthorne Lane, dated December 8, 1998, (“Survey”), first of two pages.*)

The only alteration noted in the Survey was “Front door.” Even then, the Survey did not describe the alteration, let alone the fact that it was not some minor change, but such a “heavy handed” alteration as to obliterate the Van Bergen design of the front door portal. (*Id.*) No surprise, then, that the section of the Survey labeled **INTEGRITY** stated “minor alterations.” (*Id.*)

- d) Nonetheless, the Nomination relies on the flawed “S” rating as its only basis to satisfy the integrity-of-design requirement. The Nomination compounds the error by further suggesting that the rating took into account the changes to the House: “*Despite the changes*, the house received a rating of S for Significant in the [Architectural Resources Report] and do not detract from the integrity of the house.” (*See Ex. 2, Nomination, fourth page.*) In actuality, as shown above, the rating was based on a Survey for the House that *did not* take into account the changes.

The Demolition Review likewise relied on the inaccurate Survey of the House and resulting flawed rating given by the Architectural Resources Report. (*See Ex. 1, Demolition Review, first and 15-16th pages.*)

- 4. Van Bergen’s biographical record underscores that the House’s alterations and additions undermine his integrity of design.
 - a) Van Bergen’s biographer points out that Van Bergen was particularly concerned about his structures staying true to his original design specifications. The biography on Marty Hackl’s Van Bergen website states

Van Bergen was concerned about contractors trying “to slick over their work” rather than building to his specifications, and by Frank Lloyd Wright’s use of materials that would not be permanent. Per Mr. Hackl, Van Bergen lamented that “F.L.W. many times used much inferior materials in order to get his selection of color. Cost or permanency didn't matter much.” (See Ex. 7, which is a copy of what appears at

<http://www.johnvanbergen.org/johnvanbergenarchitect/bio7.html>.)

Commissioner Temkin appears as the lead “Contact” on the website. (See <http://johnvanbergen.org/blog1/contact/>.)

- b) The Van Bergen biography at the Highland Park Historical Society website reflects that “proportionality” was particularly important to Van Bergen and his integrity of design. (“His excellent sense of proportion”) (See Ex. 8, which is a copy of what appears at <http://highlandparkhistory.com/highland-park-legends-program/john-van-bergen/>) The Nomination itself asserts that Van Bergen’s “unique and complex” design for the House was largely due to its sense of scale, room arrangement, and “prominent detailed entrance.” (See Ex. 2, Nomination, fourth page.) The House now exhibits none of those design features, due to the additions, alterations, and resulting changes in the House’s footprint, square footage, and design of the front entrance.
- c) That same biography reflects that when Van Bergen’s design included a garage, it was an attached garage. (“By this time [1920’s and 1930’s] the automobile is a part of suburban life and Van Bergen’s designs started to include *attached garages*.” (emphasis added)) The garage added to the House in 1967 is detached. (See Ex. 8, which is a copy of what appears at <http://highlandparkhistory.com/highland-park-legends-program/john-van-bergen/>)

- D. The prohibitive cost of reversing the alterations and additions underscores that there is not sufficient integrity of design to be “worthy of preservation or Rehabilitation.”
 - 1. “Rehabilitation” is defined under the Ordinance to incorporate cost efficiency. Section 24.005 defines Rehabilitation as: “The process of returning a Regulated Structure to a state of utility, through repair or Alteration, which makes possible *an efficient contemporary use* while preserving those portions and features of the Regulated Structure which are significant to its historic, visual, aesthetic, cultural, archaeological, and/or architectural values.” (emphasis added). “Efficient” means “satisfactory or economical to use.” <http://www.dictionary.com/browse/efficient>. “Cost effective” is a synonym. <http://www.synonym.com/synonyms/efficient>.

2. In any event, the Ordinance does not require an owner to incur the cost of reversing the House to its original design. Such a requirement would be of dubious enforceability as an improper “taking.” The Commission must evaluate the House as it is, not as it might be if the alterations and additions were undone.
3. There is no evidence that the alterations and additions can be undone cost efficiently. At the December 10, 2015 Commission meeting (at which the one-year demolition delay was imposed), Marty Hackl stated that the “[a]dditions are easily reversible.” (*See* Ex. 9, Minutes of December 10, 2015 Commission meeting, approved at January 14, 2016 Commission meeting (“December 10, 2015 Minutes”), p. 3). The Nomination states that “[the front door] could easily be restored to its original depth.” (*See* Ex. 2, Nomination, eighth page).
4. Each of these conclusions is bereft of any factual support. If anything, they acknowledge that the House, as it exists today, lacks integrity of design.
5. The only evidence is that the alterations and additions cannot be reversed cost efficiently. The estimated cost is \$66,000 — and it still would not restore the original Van Bergen design. (*See* Ex. 10, Report of Ted Cohn (TRL Construction) (“Ted Cohn Report”).) Moreover, this is just the cost of reversing the changes — over and above the in-excess-of \$530,000 it would cost to bring the House up to repair (*see* Section II below).
6. Features central to Van Bergen’s design are otherwise not “easily restored.”
 - a) For example, restoring the front door portal to its original design is problematic. The space into which the door would be recessed is not tall enough. The flooring sits above the landing on which the door now sits. (*See* Ex. 10, Ted Cohn Report.) And that is not taking into account the transom window that sits above the door, currently covered up (which transom was supposedly such an “unusual element” of the House – *see* Ex. 2, Nomination, eighth page). That transom would also have to fit in the space in which the door alone cannot fit without lowering the entire floor. (*See* Ex. 11, photographs of the inside front vestibule, taken July 6, 2016.) These restoration problems concern not just some minor design feature. The original front door façade was, in the words of the Nomination, “[t]he outstanding aesthetic characteristic of this design.” (*See* Ex. 2, Nomination, third page.)
 - b) Another example concerns reversing the additions on the west and north sides of the House. Bricks matching the original bricks would have to be located in order to rebuild the facades to their original design. Indeed, the Nomination relies in significant part on the unique materials used by Van Bergen, including specifically the “thin rectangular bricks laid in an unusual pattern,”

as part of the House’s “intricate brickwork.” (*See* Ex. 2, Nomination, fourth and eighth pages.) The mismatched bricks used for the 1967 addition on the north side exemplify the difficulty in locating a match. (*See* photograph in Ex. 3; *see also* Ex. 10, Ted Cohn Report.)

II. The House also lacks sufficient “integrity of workmanship and materials” — which is another necessary threshold for a preliminary recommendation of Landmark designation. The House is in such a state of disrepair – to its foundational core – that the necessary repairs would cost in excess of \$530,000. (The entire purchase price was \$682,500, for the House *and* lot.)

A. Applicable standard under the Ordinance:

Section 24.025.B.2.b. requires (apart from the Section 24.015 Landmark criteria) that the House has “sufficient integrity of ... materials, and workmanship to make it worthy of preservation or Rehabilitation.”

B. The House is in need of significant repair in every respect: the foundation is crumbling, has major cracks and needs underpinning; there is no drain tile system; the walls and ceilings are not insulated, so they (and the drywall) need replacing; the plumbing is corroded (such that all pipes and water service to the House need replacing); the electrical is largely not up to code and needs replacing; the heating needs all new duct work; the flooring and joists need replacing; the windows need replacing; the roof leaks; and there is significant, long-existing mold (which would require remediation throughout the House). And these are just some of the needed repairs, which pre-date the current ownership (and recent flood). In fact, the prior owners had already moved out of the House well prior to the current ownership.

C. We have included photographs that show some of the needed repairs. (*See* Ex. 12, taken July 6, 2016.)

D. The estimated repair cost exceeds \$535,000, over and above reversing the alterations. (*See* Ex. 10, Ted Cohn Report.) This sizable amount underscores that there is not sufficient integrity of workmanship and materials to make the House “worthy of preservation or Rehabilitation.” (*See* Section I.D above.) There is no contrary evidence. Commissioner Temkin has stated that “there is nothing wrong with this house” (*see* Ex. 9, December 10, 2015 Minutes, p. 3), but she provided no facts to support her conclusion.

III. The House also fails to meet either or both of Landmark criteria Nos. 2 or 5 — which is still another a necessary threshold for a preliminary recommendation of Landmark designation.

A. Applicable standard under the Ordinance:

Section 24.025.B.2.ii. requires (in the event, as here, that the owner objects in writing to the proposed Landmark designation) that the House must meet, among other Landmark criteria, “either or both of Criterion No. 2 or Criterion No. 5.” The Nomination does not rely on Criterion No. 2, so the Commission is left with Criterion No. 5, which requires the House to be “identifiable as the work of a notable ... architect ... whose individual work has influenced the development of the City, county, state, or country.” (See Section 24.015(5)).

- B. Criterion No. 5 is not met for largely the same reasons that the House lacks sufficient integrity of design. Due to the significant number of heavy-handed alterations, the House “retains little original character” and thus is not “identifiable” as the work of a notable architect. This shortfall is not even mentioned in the section of the Nomination that tries to make the case for Criterion No. 5. Nor does that section ever mention the House itself, other than in its conclusory first sentence. (See Ex. 2, Nomination, seventh page.)
 - 1. “Identifiable” in this context more appropriately means “recognizable,” as opposed to simply “verifiable.” Only “recognizable” properly incorporates the degree of original design that remains. Architectural significance is lacking absent “[i]ntegrity, that is, the degree of original design....” (See Ex. 5, Architectural Resources Report, p. 10). Otherwise, even a house with complete alteration of its original design would be suitable for Landmark status as long as it could be documented as having been originally designed by a notable architect.
 - 2. Separately, the language of Criterion No. 5 requires that the House be identifiable as the work of a notable “architect,” not simply a notable “style.” Thus, that a house may be reminiscent of the Prairie style would be insufficient to meet Criterion No. 5 unless it is also recognizable as the work of Van Bergen in particular. The House is not, due to its additions, elimination of the front door portal, swimming pool, detached garage, roof color, and monochromatic paint scheme.

IV. **The House also fails to meet three or more of the Landmark criteria** — which is yet another a necessary threshold for a preliminary recommendation of Landmark designation.

- A. Applicable standard under the Ordinance:

Section 24.025.B.2.i. requires (in the event, as here, that the owner objects in writing to the proposed Landmark designation) that the House must meet “three or more of the Landmark criteria set forth in Section 24.015.” The Nomination relies upon Criteria Nos. 1, 4, 5 and 6. (See Ex. 2, Nomination, first page.)

Criterion No. 5 is not met for the reasons above. Criterion No. 4 is also not met (below) and thus, the House fails to meet three or more Landmark criteria (and there is no need to address Criteria Nos. 1 and 6, which we do not concede are met).

- B. Criterion No. 4 requires that the House “embodies distinguishing characteristics of an architectural and/or landscape style *valuable for the study* of a specific time period, type, method of construction or use o[f] indigenous materials.” (See Section 24.015(4); emphasis added.)
- C. Criterion No. 4 is not met because the House is no longer “valuable for the study” of an architectural style. Like many houses in Highland Park, the House was originally designed in the Prairie style. But unlike many other houses in Highland Park, the House is no longer representative of the Prairie style and is otherwise not valuable for the study of that style today.
 - 1. Commissioner Temkin acknowledges that the House today “is not consistent with the Prairie Style” in the manner it is painted and decorated. (See Ex. 13, Commissioner Temkin email to Andy Cross cc: Barbara Thomas, dated November 24, 2015.)
 - 2. Also detracting from its utility as a Prairie style house valuable for study are the significant alterations to the House over the last fifty years, as well as the fact that the House is crumbling from within, as detailed above.
 - 3. At the same time, there are many other local Prairie style houses. There are more than forty Van Bergen structures in Highland Park, which the Nomination states has the “highest density” of them. (See Ex. 2, Nomination, seventh and 11-13th pages.) There are also many other local Prairie style houses in Highland Park, including those designed by Frank Lloyd Wright, whose name is synonymous with the style. If more Prairie style landmarks are needed in order to study the style, then there are a multitude of houses available that remain representative, unlike the House.

V. **In all events, a Landmark designation would not serve an essential purpose of landmark legislation, because the House is largely unseen by the public.**

- A. The House sits near the end of a dead end street on which there are only six houses. To limit entry, the street is marked “DEAD END.” The public does not travel there.
- B. As previously stated to the Commission by Professor Stuart Cohen (Professor of Architecture and Fellow of the American Institute of Architects): “My understating is that landmark legislation exists to protect structures of historic importance and artistic merit as they contribute to the public domain. The stipulation in most landmark

provisions covering structures and portions of the structures are that they can be seen from a *public way*.” (See Ex. 14, Professor Stuart Cohen’s letter to the Commission, dated August 13, 2013, p. 2 (emphasis original), submitted in connection with the Landmark Nomination of 1427 Waverly Road, which is a copy of what appears at <https://www.cityhpil.com/documentcenter/view/906> (pp. 213-215 of 1149); see also Section 24.002(4) of the Ordinance.)

VI. All these reasons, standing alone or together, should lead to a rejection of the Nomination.

- A. The result would be no different than the conclusion reached by the National Register of Historic Places when it considered Landmark status for the House and the House failed to make the Register. (See Ex. 15, *National Register of Historic Places Nomination Collection, Finding Aid Published 2012*, p. 9/17, submitted as part of the Planning Report dated August 13, 2013, in connection with the Landmark Nomination of 1427 Waverly Road, which is a copy of what appears at <https://www.cityhpil.com/documentcenter/view/906> (pp. 20-36 of 1149).)
- B. Any other result would also be inconsistent with the current lack-of-landmark status of other Van Bergen structures in Highland Park. Of the over forty structures, only *two* are designated local Landmarks.³ And neither of those two was over the objection of the owner, and only one is Prairie style.⁴ Most if not all of the over 28 Van Bergen structures that have not been designated local landmarks would be more deserving candidates for such designation than a house that retains little of its original character, needs an additional \$535,000 in repairs, is not cost effective to restore to its original design, is not seen by the public, and whose owners object to the designation.

³ Even the Landmark nomination for the Van Bergen house at 295 Cedar was unsuccessful (see Ex. 16, Commissioner Temkin’s email to Andy Cross, Marty Hackl, and Tony Blumberg, dated November 30, 2015), despite both its architectural and historical significance. In stark contrast with the House currently under consideration, 295 Cedar was the only example in Highland Park of a distinctive Prairie sub-style, and Van Bergen’s brother and mother had lived there. (See Ex. 17, Marty Hackl notes on the Bemis/Frank Van Bergen Residence, which is a copy of what appears at <http://www.johnvanbergen.org/johnvanbergenarchitect/bemis.html> and http://www.johnvanbergen.org/blog1/wp-content/uploads/2012/03/Addenda_part-1.pdf)

⁴ Without owner consent, only one house (of any architect or style) has ever been designated a landmark by the Commission. (See Ex. 18, *Highland Park City Council OKs Dart house teardown*, Chicago Tribune, Feb. 10, 2015, which is a copy of what appears at <http://www.chicagotribune.com/suburbs/highland-park/news/ct-hpn-dart-teardown-1l-0212-20150210-story.html>)

- C. The Landmark criteria should not be applied indiscriminately, regardless of whether they are satisfied, solely because the house was originally a Van Bergen design. The criteria are there for a reason, particularly where the owners object.

VII. The deliberations of the Commission should not rest on incomplete or inaccurate information, or an unfair process.

- A. The Nomination fails to include Marty Hackl’s notes that the House has undergone such “heavy handed alterations” that “the structure retains little original character.” The only note of Mr. Hackl about the House that the Nomination includes is the statement in his book that it is similar to Commissioner Temkin’s house: “This house is very similar to the Whitehouse Residence, also in Highland Park.”⁵ (*Compare* the Hackl notes on the House that the Nomination omits (*see* Ex. 4, a copy of what appears at <http://johnvanbergen.org/johnvanbergenarchitect/kline.html>), with the one Hackl note that the Nomination includes (*see* Ex. 2, Nomination, third page).)
- B. The Nomination also unfairly relies on the “S” rating in the Architectural Resources Report to support the assertion that the House satisfies the integrity-of-design requirement (indeed, the rating is the *only* support provided). The Nomination suggests that the Report took into account the changes to the House (*see* Ex. 2, Nomination, fourth page: “Despite the changes, the house received a rating of S for Significant in the survey ...”), even though the Survey used in the Report for the House demonstrates the opposite. There is a section in the Survey to describe **ALTERATIONS**, but it omits the 1962 west addition, the 1962 swimming pool addition, the 1967 north addition, the 1967 garage addition, and the 1991 west addition. (*See* Ex. 6, Survey, first page.)
- C. The Demolition Review likewise relied on the inaccurate Survey of the House and resulting flawed rating. (*See* Ex. 1, Demolition Review, first and 15-16th pages.)
- D. The one-year Demolition Delay, which was the impetus for the Landmark Nomination, appears to have been a pre-determined outcome. A month before the Demolition Review report was issued, Commissioner Temkin wrote as follows to Andy Cross and Chairwoman Thomas: “There’s no question this house will meet criteria.” This was Commissioner Temkin’s reply to Andy Cross’s email that in order to allow an “informed discussion” on the criteria at the upcoming meeting he would be providing information about the House. (*See* Ex. 13, an email chain that includes both Commissioner Temkin’s email to Andy Cross cc: Barbara Thomas, dated November 24, 2015, and the email from Mr. Cross to which she was replying.)

⁵ The address of the Whitehouse Residence is the same as Commissioner Temkin’s residence. (*See* Ex 1, Demolition Review, second page.)

At the meeting one month later, which was supposed to be the “informed,” open-minded discussion, Commissioner Temkin stated “there is nothing wrong with this house.” (*See* Ex. 9, December 10, 2015 Minutes, p. 3.) Marty Hackl – Commissioner Temkin’s colleague in promoting Van Bergen – was also at the meeting. He stated that the House “is structurally sound.” He also stated that the alterations are “easily reversible.” None of these statements to the Commission was supported by any evidence; each is refuted by the Ted Cohn Report. (*See* Ex. 9, December 10, 2015 Minutes, pp. 2-3; Ex. 10, Ted Cohn Report.)

- E. Given all the circumstances, Commissioner Temkin’s connection to this matter is such that her participation in these proceedings would appear improper, as we previously noted (*see* Ex. 19, our June 1, 2016 letter to the Commission). Commissioner Temkin not only owns a Van Bergen house, but it is her house alone that the Nomination singles out for its supposed similarity to the House under consideration. (*See* Ex. 2, Nomination, third page.) We since learned that prior to the Demolition Review report, she made it a point to highlight that similarity to Andy Cross (the author of the report) and Chairwoman Thomas: “Interestingly, the house at 1570 appears most similar to my house in form....” (*See* Ex. 13, Commissioner Temkin’s email to Andy Cross cc: Barbara Thomas, dated November 24, 2015.) Commissioner Temkin’s house is also featured in the Van Bergen video by the Highland Park Historical Society as representative of a Van Bergen design. [In contrast, the House under Nomination did not make the cut. (*See* Highland Park Van Bergen Month Website <http://highlandparkhistory.com/van-bergen-month/>).] Commissioner Temkin also has been for years (and remains today) very active in personally promoting Van Bergen’s works, as detailed in both our June 1, 2016 letter and the Nomination.

VIII. Additional equities favor rejection of any Landmark designation for the House.

- A. At the time the Owners bought the House, they were expressly told the House could be torn down. The MLS listing stated: “Build your own” . . . “Property . . . is perfect to build HOME OF YOUR DREAMS.” (*See* Ex. 20, MLS listing for 1570 Hawthorne Ave.) Commissioner Temkin has acknowledged the problem of trying to landmark a house that has been sold on this basis: “This [the listing] leads a buyer to believe that they can just tear the house down.” (*See* Ex. 13, Commissioner Temkin email, dated November 24, 2015, to Andy Cross cc: Barbara Thomas.)
- B. The Owners will donate any materials from the House that can be reasonably salvaged (and recycle any materials reasonably capable of being recycled).

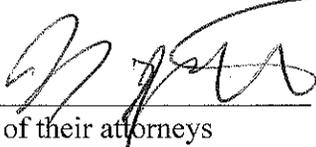
- C. The Owners will implement a Landscape Plan that will put the property to an aesthetically pleasing use. (See Ex. 21, Landscape Plan for 1570 Hawthorne Lane.)
- D. The Owners do not take lightly historical preservation efforts in Highland Park. That is evidenced by their significant support of the restoration of Stupey Cabin. (See Ex. 22, Rob Rotering email dated May 28, 2016, Subject: Stupey Cabin Update.)
- E. Finally, the Owners are strong, long-standing supporters of Highland Park, the local community and associated charities. They have lived in Highland Park since 1997, and are significant supporters of the Highland Park Community Trust, College Bound Opportunities, Illinois Holocaust Museum, and many other charities.

* * *

For all these reasons, the Commission lacks grounds to adopt a resolution to make a preliminary Landmark designation recommendation for the House. The Owners respectfully request that the Commission vote against adoption of such a resolution.

Respectfully submitted,

WILLIAM AND KARYN SILVERSTEIN, Owners
1570 Hawthorne Lane, Highland Park, Illinois 60035

By: 
One of their attorneys

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(847) 433-1980
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Harvey J. Barnett
Mitch Macknin
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1 Planner Jahan reviewed this house:

- 2 • Built in 1925; addition in 1977
- 3 • Tudor-style
- 4 • Architect is unknown
- 5 • Gable roof, dormer over garage
- 6 • Elevations were shown
- 7 • Landmark standards were illustrated

8
9 Petitioners are Ben & Jody Fiss who advised they lived next to this home for 30 years and bought this property 7
10 months ago. The house is uninhabitable; would like to preserve it. Asphalt shingles are on half of the roof,
11 plumbing doesn't work; it is unsafe.

12
13 Some HPC comments are:

- 14 • Meets landmark criteria 1 & 6
- 15 • Has unique details; could be renovated; meets criteria 6

16
17 Commissioner Temkin moved that the house meets landmark criteria 1 & 6. After some discussion, Commissioner
18 Temkin withdrew the motion.

19
20 Commissioner Becker moved that the house meets landmark criteria 6. Commissioner Fradin seconded the motion.

21
22 On a roll call vote

23 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

24 Voting Nay: None

25
26 Chairwoman Thomas declared that the motion passed unanimously. Senior Planner Cross advised there will be
27 a demolition delay. Mrs. Fiss stated everything will be donated.

28
29 2. Certificate of Appropriateness

- 30
31 • 1120 Ridgewood Drive

32
33 Planner Jahan reviewed the house:

- 34 • Commissioned in 1958
- 35 • Local landmark
- 36 • Elevations were shown
- 37 • Proposed improvements were shared; soffit will wrap around the house and terminate at SW side;
38 existing wood will extend down

39
40 Petitioner, Paul Cox, stated he loves this house. He noted the same materials would be used.

41
42 Some HPC comments are:

- 43 • Changes are consistent with the architecture
- 44 • Is the wood flush? Petitioner advised – just a little lower

45
46 Commissioner Fradin moved to grant the Certificate of Appropriateness. Commissioner Temkin seconded
47 the motion.

48
49 On a roll call vote

50 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

51 Voting Nay: None

52
53 Chairwoman Thomas declared that the motion passed unanimously.

1 3. Landmark Nomination

- 2
3 • 1218 Glencoe Avenue

4
5 Planner Jahan reviewed the house:

- 6 • Local landmark
7 • Built in 1926
8 • Tudor Revival-style
9 • Exterior is maintained; interior is in poor condition
10 • Photos including original shed were shown
11 • Architect who designed the addition in 1933 is William David Mann
12 • Meets landmark criteria 1, 5, & 6
13

14 Attorney, Chris Berghoff, advised the interior was packed with momentos and in deplorable condition (ceiling
15 is collapsing, etc.). Original architect is unknown. The property will be listed for sale.
16

17 Some HPC comments are:

- 18 • Don't know if this is worthy of a landmark
19 • Meets 5 & 6 criteria
20 • Is it livable? Mr. Berghoff advised – no
21 • Do we know why the owner didn't landmark it while she was alive? Mr. Berghoff advised – possibly
22 due to cost
23 • How long has it been vacant? Mr. Berghoff advised – 2 years
24 • Don't think the property meets the criteria
25

26 Julia Johnas advised the property was built in 1927; it possibly was built originally by William Mann.
27

28 Commissioner Reinstein moved to reject the nomination as it does not meet standard B. Commissioner Fradin
29 seconded the motion.
30

31 On a roll call vote

32 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Fradin, Salamasick
33 Voting Nay: Temkin
34

35 Chairwoman Thomas declared that the motion passed 5-1.
36

37 Back to....
38

39 2. Determination of Significance

- 40
41 • 909 Sheridan Road
42

43 Planner Jahan reviewed the house:

- 44 • Commissioned in 1957
45 • Architect is Dubin and Dubin
46 • International-style
47 • Site photos were illustrated; has lake view
48 • Landmark criteria was referenced
49

50 Petitioner Cal Bernstein, Attorney, 491 Laurel Avenue, Highland Park, IL advised this has been on and off the
51 market since 2010. The owner wishes to demolition the home and build a new one.
52

53 Some HPC comments are:

- 54 • Meets criteria 4, 5, & 6; unique one-of-a-kind

1 Commissioner Temkin moved that the house meets landmark criteria 4, 5, & 6. Commissioner Becker seconded
2 the motion.

3
4 On a roll call vote

5 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

6 Voting Nay: None

7
8 Chairwoman Thomas declared that the motion passed unanimously.

9
10 Back to....

11
12 3. Landmark Nomination

- 13
14 • 1570 Hawthorne Lane

15
16 There is a court reporter present for this petition. Corporation Counsel, Hart Passman, asked and Commissioner
17 Temkin confirmed she is no longer the Applicant for this house.

18
19 Senior Planner Cross summarized the report:

- 20 • Commissioned in 1922
21 • Architect is John Van Bergen
22 • Prairie-style
23 • This house was placed on a 365-day demolition delay
24 • Meets landmark criteria 1, 4, 5, & 6
25 • An individual submitted the nomination

26
27 Senior Planner Cross explained the process (Commissioners would request that Staff Draft a Resolution, review
28 Planning Report, have a Public Hearing, Recommend to City Council for Final Consideration).

29
30 Applicant Chris Enck, Architectural Engineer, noted he appreciates the work of John Van Bergen and gave a
31 brief history of the architect. He advised why this house meets criteria 1, 4, 5, & 6; would like the HPC to
32 deem this house a historic landmark.

33
34 Some HPC comments are:

- 35 • Please identify some criteria. Mr. Enck advised – wide overhanging eaves, casement windows,
36 architecture, low-pitch hip roof
37 • Please identify the reversible components. Mr. Enck advised – the West Wing was extended; the North
38 Wing was added in 1967 (brick was dismantled and reused), front entryway was recessed then brought
39 forward.
40 • How is the brickwork significant? Mr. Enck advised, it is original, intact, and indicative of Prairie-style
41 • Could the doorway be considered a reversible situation? Mr. Enck advised – yes, and continued that
42 the chimney is wide and Prairie-style, there is a puncture for windows with 3 windows together
43 • Believe we are considering B
44 • How is the architect significant? Mr. Enck explained the architect worked for Frank Lloyd Wright then
45 opened his office in Oak Park, IL then in CA.

46
47 Harvey J. Barnett, Attorney of Counsel to Sperling & Slater, 55 W. Monroe, Suite 3200, Chicago, IL introduced
48 himself and Mitch Macknin who are representing the Silverstein's and Cal Berstein.

49
50 Mr. Barnett advised the Silverstein's backyard abuts this house, and was deemed a teardown. The cost to repair
51 is estimated at \$500,000. The Silverstein's intent was to expand their backyard.

52
53 Mr. Barnett filed an objection as they don't believe the house should be landmarked. He asked if this house has
54 been landmarked. Senior Planner Cross stated there was a demolition delay.

1 Mr. Barnett asked that Commissioner Temkin be recused from these proceedings and not be allowed to vote.
2 Chairwoman Thomas advised that because Commissioner Temkin owns a Van Bergen house, there is no gain or
3 unethical intent. Hart Passman, Corporation Counsel, stated there is no requirement to the ethics code.
4

5 Mr. Macknin advised there are binders for Commissioners to follow along. He stated the objections (in
6 not adopting a Resolution):

- 7 • One purview of the HPC is design and integrity of materials, workmanship, etc.
- 8 • In the Architectural Resources Report (Exhibit 5), integrity was noted (with more than minor
9 alterations). An account by Mr. Van Bergen's biographer, Mr. Marty Hackl, was read.

10 Chairwoman Thomas reminded this house is significant. Mr. Macknin continued:

- 11 • Alteration information was omitted
- 12 • Explanations of local significant ratings were shared (handouts were distributed)
- 13 • The definition of integrity (transom, modern siding materials, unsympathetic additions) on this
14 document was read
- 15 • There are more than 40 Van Bergen homes in Highland Park (and some that may be eligible for
16 landmark status)
- 17 • The front door (Exhibit 11) sits on a different level
- 18 • Photos were noted (Exhibit 3)
- 19 • Structural repairs (crumbling foundation, corroded pipes, no drain-tile system, heating duct
20 replacement (Exhibit 10). He noted the owner is not going to reverse the alterations.
- 21 • Historical references are available (regarding integrity of design)

22 Mr. Enck stated the North elevation is visible from the street and is sympathetic to the original design.
23

24 Mr. Macknin continued:

- 25 • Locate brick (thin rectangular brick which cannot be replicated); see Exhibit 3
- 26 • None of the 6 additions are Van Bergen design.

27 Mr. Hackl stated the front door is easily reversible.
28

29 Ted Cohn, builder, (Exhibit 10) stated as a contractor, the brick has been removed (on the entranceway); the
30 front door could not fit and meet code. He noted there is a step-up (4 ft.). Commissioner Temkin asked how
31 long Mr. Cohn has worked on historic houses in Glencoe. He advised he is quite familiar with historic houses.
32 Mr. Hackl noted the area inside the vestibule is probably not brick but rather stucco.
33

34 Commissioner Fradin asked why this has little character. Mr. Hackl noted the paint, roof color is not considered
35 an alteration; the façade could be restored (when comparing to other Van Bergen houses). He stated he is
36 referring to his visual view from the street.
37

38 Trevor Sheetz, Attorney with Sperling & Slater reiterated Mr. Cohn's contracting experience. Mr Macknin
39 referenced Exhibit 11.
40

41 Mr. Macknin referenced landmark criteria 1, 4, 5, & 6:

- 42 • Regarding #1, alterations cannot be easily restored. He noted the owners concurred with the HPC and
43 the 1-year demolition delay. This landmark application triggered a separate ordinance.
- 44 • Regarding #5, the house must be identifiable – and is not due to the alterations
- 45 • Regarding #4, this relates to a house valuable for the study – which this does not

46 Mr. Macknin stated the integrity of design is not met and therefore the HPC should not Adopt a Resolution –
47 not to mention repairs, etc.
48

49 Commissioner Fradin asked if the Applicant is familiar with Van Bergen's work. Mr. Enck advised – yes, this
50 house is valuable for study; this house is very much intact; there is integrity.
51

1 Commissioner Reinstein asked if Applicant has been inside the house. Mr. Enck advised he has not.

2
3 Mr. Barnett closed by saying the owner would not reverse the alterations; it is and will not be habitable. A
4 private citizen is not subjected to repair a house by a notable architect; believes the HPC wants to landmark this
5 house because it's a Van Bergen. Based on the house, the law, etc., this house does not have integrity of design.
6 He stated he believes Van Bergen would not want this landmarked due to the alterations. The owner has the
7 prerogative to alter his/her home.

8
9 Commissioner Temkin moved that the house meets landmark criteria 1, 4, 5, & 6. Chairwoman Thomas seconded
10 the motion.

11 On a roll call vote

12 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

13 Voting Nay: None

14
15 Chairwoman Thomas declared that the motion passed unanimously.

16
17
18 Commissioner Temkin moved that the house has significant location, integrity of design, and workmanship to make
19 it worthy of preservation. Commissioner Becker seconded the motion.

20
21 Commissioner Reinstein stated he recognizes this house as Van Bergen, and there are other homes in Highland
22 Park that represent his design better. Commissioner Becker stated architects evolve. She stated the brick
23 surround is much more significant than what the door might have been; some bricks match (via additions).

24
25 Commissioner Fradin discussed integrity. The criteria is the same regardless of the owner's wishes. He believes
26 the home has sufficient integrity.

27
28 Chairwoman Thomas stated regardless of 40 other homes, this is the wrong way to look at this house.

29
30 Commissioner Temkin noted other houses in previous awful conditions and the beauties they have become after
31 restoration.

32
33 Ex-Officio Member Axelrod noted Van Bergen's second home during that period.

34
35 On a roll call vote

36 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

37 Voting Nay: None

38
39 Chairwoman Thomas declared that the motion passed unanimously.

40
41 Commissioner Salamasick moved that Staff Draft a Resolution and Planning Report. Commissioner Temkin
42 seconded the motion.

43
44 On a roll call vote

45 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick

46 Voting Nay: None

47
48 Chairwoman Thomas declared that the motion passed unanimously.

49
50 Matt Passman, Corporation Counsel, reminded that preliminary recommendation have not yet been made. Senior
51 Planner Cross advised the Public Hearing will not be at the next meeting.

52
53 At 9:59 p.m., a 5-minute recess was called. The meeting resumed at 10:05 p.m.

1 **DISCUSSION ITEMS**
2 Senior Planner Cross stated next year's work plan items will be discussed soon along with 2017's meeting dates.
3
4 **BUSINESS FROM THE PUBLIC**
5 There was no Business from the Public.
6
7 **OTHER BUSINESS**
8 Next meeting is scheduled for August 11, 2016.
9
10 **ADJOURNMENT**
11 Commissioner Fradin moved to adjourn the meeting at 10:06 p.m. Commissioner Salamasick seconded the motion.
12
13 On a roll call vote
14 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Becker, Temkin, Fradin, Salamasick
15 Voting Nay: None
16
17 Chairwoman Thomas declared that the motion passed unanimously.
18
19
20 Respectfully Submitted,
21
22
23
24 Gale Cerabona
25 Minute Taker
26
27
28 **MINUTES OF JUNE 9, 2016, WERE APPROVED WITHOUT CORRECTIONS**

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**MINUTES OF A REGULAR MEETING OF
HISTORIC PRESERVATION COMMISSION
OF THE CITY OF HIGHLAND PARK, ILLINOIS**

MEETING DATE: Thursday, August 11, 2016

MEETING LOCATION: Pre-Session Conference Room, City Hall, 1707 St. Johns Avenue, Highland Park, IL

CALL TO ORDER

At 7:30 p.m., Chairwoman Thomas called the meeting to order & asked Staff to call the roll.

ROLL CALL

Commissioners Present: Chairwoman Thomas, Commissioners Reinstein, Temkin, Illes, Salamasick

Commissioner Absent: Becker, Fradin,

Ex-Officio Member Present: Axelrod

Park District Liaison Absent: Mike Evans

Library Liaison Absent: Julia Johnas

Councilman Present: Blumberg

Student Council Present: Burroughs

Staff declared that a quorum was present.

Staff Present: Cross, Jahan
Hart Passman, Corporate Counsel

Also Present: Cerabona

Commissioner Reinstein arrived at 7:31 p.m.

APPROVAL OF MINUTES

1. Commissioner Temkin moved to approve the July 14, 2016, regular meeting minutes as presented. Commissioner Salamasick seconded the motion.

On a roll call vote

Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Temkin, Illes, Salamasick

Voting Nay: None

Chairwoman Thomas declared that the motion passed unanimously.

SCHEDULED BUSINESS

1. Request for Termination of a Demolition Delay

- 1148 Lincoln Avenue S.

Planner Jahan reviewed this house:

- Built in 1925; addition in 1977

- 1 • Tudor Revival style
- 2 • Architect is unknown
- 3 • Significant status

4
5 Planner Jahan advised the Demolition Review application did meet one of the criteria. After the 180-day review,
6 the expiration date is December 2016. Based on conditions, the Demolition Delay could be terminated. The
7 Applicant submitted a letter with construction costs (\$450-550,000 though not itemized). Photos were shown.

8
9 Staff is asked to review two code conditions and if any are met, the Termination of Delay may be granted.

10
11 Petitioners are Ben & Jody Fiss who advised they've lived next to this home for 30 years and bought this
12 property 8 months ago.

13
14 Some HPC comments are:

- 15 • Home wasn't updated; typical
- 16 • Repairs appear normal for a house of its age
- 17 • Has it been on the market? Mr. Fiss advised – no
- 18 • What was your original intent? Mr. Fiss advised – to preserve it
- 19 • Do you live in the house now? Mr. Fiss advised – no, next door
- 20 • It's sad; has a significant rating

21
22 Code conditions were highlighted by Senior Planner Cross.

23
24 Mr. Hart Passman, Corporation Counsel, arrived at 7:41 p.m.

25
26 Councilman Blumberg advised a concern is there is not an itemized list of construction costs (only a range). Mr.
27 Fiss advised an architect would have had to be hired for \$30,000.

28
29 More HPC comments are:

- 30 • Why did you buy the house? Mr. Fiss advised – we bought the house to preserve it and ensure a large
31 home wouldn't be built; a garden will be planted
- 32 • Were you buying the house to sell it? Mr. Fiss advised – no, we wish to protect the property (ponds,
33 ducks, trees)

34
35 Discussion took place on an earlier Termination Delay. Senior Planner Cross reminded the intention is to
36 preserve the house (there is no marketing involved).

37
38 More HPC comments are:

- 39 • What was the purchase price? Mr. Fiss advised -- \$600,000

40
41 Discussion took place that the home meets landmark criteria #6. Chairwoman Thomas asked for a motion to
42 terminate the 180-day Delay. There was no motion then more discussion.

43
44 Commissioner Salamasick moved to terminate the delay. Commissioner Illes seconded the motion.

45
46 Ex-Officio member Axelrod stated she is not in favor of enabling teardowns. She noted the Commission is
47 suppose to preserve homes. Councilman Blumberg stated the delay could impose landmark status.

48
49 Other Commissioner comments are:

- 50 • We have seen homes in worse condition; would not support the motion

51
52 Mrs. Fiss responded in support of their rationale.

1 On a roll call vote

2 Voting Yea: Chairwoman Thomas, Commissioners Illes, Salamasick

3 Voting Nay: Reinstein, Temkin

4
5 Chairwoman Thomas declared that the motion passed 3-2.

6
7 2. Landmark Nomination

- 8
9 • 1570 Hawthorne Lane

10
11 Planner Jahan reviewed the house:

- 12 • Meets four landmark criteria - #1, 4, 5, & 6
13 • Significant status
14 • Resolution Draft was completed for HPC review along with Planning Report
15 • Planning Report doesn't conflict with HPC's Comprehensive Master Plan
16 • Process and next steps were provided
17 • City Council may approve or reject the Ordinance
18 • Possible Public Hearing on November 10, 2016

19
20 Petitioners are Mitch Macknin, Harvey J. Barnett, Attorney of Counsel to Sperling & Slater, 55 W. Monroe,
21 Suite 3200, Chicago, IL, Cal Bernstein, and Bill and Karen Silverstein.

22
23 Mr. Macknin noted his clients object and recited same including:

- 24 • rules cannot be changed mid-stream
25 • properties at 405 Sheridan and 295 Cedar were identified
26 • believe they were rushed along
27 • that the HPC consider:
28 ○ sufficient integrity of design (criteria was referenced); contextual houses were identified
29 ○ voting Nay
30 • the house is not easily visible from the street
31 • expert builder submitted report and it was ignored (cost for repairs, photos were submitted)
32 • the Silverstein's won't reverse the changes
33 • house needs new heating, new walls/ceiling, etc.
34 • house was not necessarily built in 1922; there is no source document (blueprints, etc.); taxes state
35 house was built in 1930
36 • Published biographer noted the house was built circa 1937 (more than 30 Van Bergen homes by then in
37 Highland Park); Mr. Hackl noted there is little historical significance
38 • Facts should be adhered to – not misrepresented assumptions
39 • Prohibitions from ethics guidelines were referenced
40 • Commissioner Temkin should have recused herself (due to being initial Applicant and connection to
41 current Applicant)

42
43 Chairwoman Thomas clarified with Mr. Passman, Corporation Counsel, that Ms. Temkin was allowed to
44 participate in this petition. Mr. Passman concurred and stated based on Ms. Temkin's withdrawal from the
45 petition, the findings were that she was not restricted to participate in this petition.

46
47 Some HPC comments are:

- 48 • Don't appreciate the combative tone
49 • We sat through 90 minutes at a previous meeting; isn't respectful to repeat/refute for another 20
50 minutes at this meeting

51
52 Mr. Barnett commented as well. Ms. Temkin advised in 2006, regarding 405 Sheridan, Elliott Miller, Chair of
53 the HPC did not recuse himself for that petition.

1 She advised the new Applicant helped her write the initial petition.

2
3 Audience member Patrick Schwarz, 1923 Lake Avenue, Highland Park, IL advised the house was purchased in
4 2010. He noted that Frank Lloyd Wright is to Oak Park what John Van Bergen is to Highland Park. He supports
5 the status of this home.

6
7 Mr Passman advised that if the Resolution is not adopted, the process stops. Senior Planner Cross explained
8 what the Commission is charged with this evening including:

- 9 • making resolution/nomination (of landmark status)
- 10 • review Planning Report (will not conflict with future planning)

11 He noted steps would be:

- 12 • a certified letter will be sent to owners (regarding landmark designation)
- 13 • a Public Hearing will be scheduled

14
15 Senior Planner Cross reminded the owner has not given consent in this case.

16
17 Commissioner Temkin moved to Adopt the Resolution. Chairwoman Thomas seconded the motion.

18
19 On a roll call vote

20 Voting Yea:	Chairwoman Thomas, Commissioners Becker, Temkin, Fradin, Salamasick
21 Voting Nay:	None
22 Abstain:	Reinstein

23
24 Chairwoman Thomas declared that the motion passed 4-1 (Abstain).

25
26 Commissioner Temkin moved to accept the Planning Report. Commissioner Salamasick seconded the motion.

27
28 On a roll call vote

29 Voting Yea:	Chairwoman Thomas, Commissioners Reinstein, Temkin, Illes, Salamasick
30 Voting Nay:	None

31
32 Chairwoman Thomas declared that the motion passed unanimously.

33 34 **DISCUSSION ITEMS**

35 Commissioner Temkin stated a regulated structure is used inconsistently. She asked about the 180-day Demolition
36 Delay and regulated structures. Mr. Passman advised he will review the code.

37 38 **BUSINESS FROM THE PUBLIC**

39 There was no Business from the Public.

40 41 **OTHER BUSINESS**

42 43 **1. Updates on the Educational Outreach Project for 2016**

44 45 **a. Mid-Century Modern**

46
47 Commissioner Temkin distributed design event information. Planner Jahan advised she received
48 two sign quotes and is waiting for another.

49 50 **b. Code**

51
52 Councilman Blumberg asks that the HPC identify weaknesses in the Code. He noted there is a new
53 Ethics Code since the HPC was enacted. He referenced why the Code needs a Demolition Delay.
54 Chairwoman Thomas stated revisions were made in the past but all HPC members were not
55 conferred with.

1 Commissioner Reinstein suggests 20 minutes per meeting be allotted for this subject.
2 Commissioner Temkin asks that Commissioners submit their comments.

3
4 c. Coloring Book

5
6 It was noted a digital draft (28 pages) would cost \$3.00 each. Commissioner Illes advised she will
7 obtain another quote.
8

9 **2. Considering & Approving Meeting Resolution for 2017**

10
11 Commissioner Temkin moved to approve the Meeting Resolution for 2017. Commissioner Reinstein seconded the
12 motion.
13

14 On a roll call vote

15 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Temkin, Illes, Salamasick

16 Voting Nay: None
17

18 Chairwoman Thomas declared that the motion passed unanimously.
19

20 **3. Next meeting is scheduled for September 8, 2016.**
21

22 **ADJOURNMENT**

23 Commissioner Temkin moved to adjourn the meeting at 9:10 p.m. Commissioner Salamasick seconded the motion.
24

25 On a roll call vote

26 Voting Yea: Chairwoman Thomas, Commissioners Reinstein, Temkin, Illes, Salamasick

27 Voting Nay: None
28

29 Chairwoman Thomas declared that the motion passed unanimously.
30

31
32 Respectfully Submitted,
33
34
35

36 Gale Cerabona

37 Minute Taker
38
39

40 **MINUTES OF JULY 14, 2016, WERE APPROVED WITHOUT CORRECTIONS**

1570 HAWTHORNE LANE

***SLIDES FOR SILVERSTEINS' OBJECTION
TO HPC'S PROPOSED LANDMARK DESIGNATION
RECOMMENDATION***

HPC PUBLIC HEARING, OCTOBER 25, 2016

Harvey J. Barnett
Mitch Macknin
Trevor K. Scheetz
SPERLING & SLATER
55 W. Monroe St. – Suite 3200
Chicago, IL 60603
312-641-3200

Cal Bernstein
SAMUELS & BERNSTEIN
491 Laurel Ave.
Highland Park, IL 60035
847-433-1980

A LANDMARK DESIGNATION WITHOUT THE OWNER’S CONSENT IS RESERVED FOR THE RAREST OF PROPERTIES (405 SHERIDAN)

“. . . four nomination[s] for landmark designation were submitted involuntarily, which means the nomination was submitted **without the owner’s consent**:

Year	Address	Applicant	Demolition Delay	Landmarked
2006	405 Sheridan Road	HPC – Commission Member	[none]	2007
2007	295 Cedar Ave	HPC – Advisory Member	365 days Demo Delay	[No]
2013	1427 Waverly Road	Highland Park Resident (Previous Family Friend)	365 days Demo Delay	[No]
2015	1021 County Line Road	HPC – Advisory Member	365 days Demo Delay	[No]

“. . . **405 Sheridan Road** is a lakefront property with a large red brick Tudor Revival home designed by Howard Van Doren Shaw. The property also features a Jens Jensen signature-designed landscape plan. The property met six of the Landmark criteria set forth in the City’s Historic Preservation Ordinance for preliminary landmark designation: #1, #3, #4, #5, #6 and #7.”

EVEN THE LANDMARK NOMINATION FOR VAN BERGEN'S HOUSE AT 295 CEDAR WAS UNSUCCESSFUL WITHOUT OWNER CONSENT

“... and then there's the 295 Cedar – Susan B. nominated the house, but Danny Kahn refused to even[] discus[s] the nomination”

November 30, 2015 email from L. Temkin to A. Cross, M. Hackl and T. Blumberg

The Nomination was unsuccessful despite both its architectural and historical significance. It was the only example in Highland Park of a distinctive Prairie sub-style design, and Van Bergen's mother and brother both lived there.

*See M. Hackl notes on 295 Cedar, which appear at
<http://www.johnvanbergen.org/johnvanbergenarchitect/bemis.html>, and
http://www.johnvanbergen.org/blog1/wp-content/uploads/2012/03/Addenda_part-1.pdf*

**HOUSE MUST HAVE
“SUFFICIENT INTEGRITY OF DESIGN”**

[In addition to meeting certain landmark criteria, the Structure must have:]
“sufficient integrity of ... design ... to make it worthy of preservation or Rehabilitation.”

Section 24.025(B)(2)(b) of the City Code

SPECIFIC STANDARDS TO DETERMINE “INTEGRITY OF DESIGN”

“Integrity. Must have a high degree of integrity:

- most architectural detailing in place
- **no historic materials or details covered up**
- **no modern siding materials**
- **no unsympathetic and/or overpowering additions**
- only minor porch alterations permitted.”

Historic Certification Consultants' report for the HPC, p. 12 (standards used by the HPC in its July 14, 2016 Meeting Packet)

GENERAL STANDARD TO DETERMINE “INTEGRITY OF DESIGN”: DISQUALIFIED IF “MORE THAN MINOR ALTERATIONS”

“EVALUATION CRITERIA

“All principal buildings in the areas surveyed were evaluated for local architectural significance using the criteria for architectural significance as stated in the Highland Park Ordinance. . . . Integrity, that is, the degree of original design and historic material remaining in place, was factored into the evaluation. No building was considered locally significant if it had more than minor alterations.”

Historic Certification Consultants’ report for the HPC, pp. 9-10

THE APPLICABLE STANDARDS WERE ESTABLISHED BY THE HPC IN CONJUNCTION WITH A HISTORIC PRESERVATION CONSULTANT

“This report was prepared by Historic Certification Consultants, 1105 West Chicago Avenue, Chicago, IL 60622, under contract to the City of Highland Park Historic Preservation Commission. Funding was provided by a Certified Local Government Grant administered by the Illinois Historic Preservation Agency and the Historic Preservation Commission.”

Historic Certification Consultants’ report for the HPC, p. 70

WEST SIDE ADDITIONS (1962 AND 1991)

Called for fee 10/15/62 WRB

City of Highland Park, Illinois
Building Department

RECEIVED
City of Highland Park
OCT 11 1962

C5
F

APPLICATION FOR BUILDING PERMIT

NOTE: No permit will be issued until this application has been approved by the Building Department

Date _____ PRINT OR TYPE Permit No. 13024

I, BONDED BUILDERS, the undersigned owner, hereby apply to the building department of the City of Highland Park, Illinois, for a permit to erect, alter, construct or enlarge the structure or part thereof hereinafter described and, if granted the permit applied for, I will comply with all the requirements of the City ordinances relating thereto and pay the fees required by said ordinances.

Actual or proposed use of building or structure ROOM ADDITION & Street Address 1572 HAWTHORN, HIGHLAND Pk.

Actual or proposed location NEW KITCHEN CABINETS.

Lot No. _____ Block _____ Subdivision _____

CONSTRUCTION DATA

Average Lot Width	Type of Building	Overall Width	Overall Length	Total Height	Ground Area	Volume (cu. ft.)
120' ft	BRICK & FRAME	32'-0"	50'-0"	22'-0"	1600 sq ft	
Average Depth 210' ft	FRAME	24'-0"	28'-0"	12'-0"	498 sq ft	
Lot Area 25200 sq ft						

NEW BUILDINGS

Type of construction planned	Number	Number	Type	Does Building Have	Yes	No
Stories						
Shower Stalls			Heat	Basement		
Kitchen Sinks			Pool	Attic		
Sleep Sinks			Air Conditioning	Utility Room		
Laundry Tubs			Roof	Attached Garage		
Floor Drains				Unattached Garage		
				Carport		

ALTERATIONS - ADDITIONS - ETC.

NOTE: Show number of buildings existing, lot data, etc. under CONSTRUCTION DATA above.

Work contemplated consists of NEW FRAME ADDITION + REPLACE KITCHEN WINDOW & CABINETS.

ALTERATIONS - ADDITIONS - ETC. (CONT'D)

Type of construction planned	Number	Number	Type	Does Building Have	Yes	No
No. of rooms in present building			New Lavatories	New Electrical Work	Yes	No
No. of rooms being added	1		New Toilets	Explain	OUTLETS & LIGHTS	
Existing ground area	25200		New Showers			
Ground area of additions	498		New Kitchen Sinks	Painting Additions	Yes	No
New Bath Rooms	2		New Laundry Tubs	Explain	FROM PREVIOUS FURNACE	
New Bath Tubs	1			Pool (Type)		

Remarks clarifying work _____

The items are more fully set forth in the plans submitted with this application. The total cost, as estimated, of the work contemplated includes all labor, materials, appliances and other necessary expenses to completely erect, alter, construct or enlarge the building or structure. Such cost is itemized as follows:

	Full Name of Contractor	Address	Phone	Amount of Contract
General	BONDED BUILDERS	2 N 451 Mildred St.	Res 8-8884	\$ 9,000.00 (Total)
Excavating		720 E. 1st		\$
Concrete				\$
Masonry		26th page		\$
Plumbing	KALASIAKY PLUMBERS	HAWTHORN, ILL.	515-1054	\$
Carpentry	BONDED BUILDERS			\$

PLOT PLAN

Draw below, to scale, an accurate plat of the lot or parcel. Show all existing or proposed buildings and additions to existing buildings. Make said plat complete with all dimensions of premises, overall dimensions of buildings, and show distances of buildings from all lot lines.

← HAWTHORN AVE →

C6
F

NOTE: Although the fee for building is based on all of the value for all classes of work, additional applications shall be filed before work can be started on new and water taps, electrical work, tank and oil burning equipment, sidewalk construction, driveway construction and such other work for which permits are required. There is a street deposit required (to be furnished by the contractor) guaranteeing replacement of any existing improvements damaged by reason of the work and for the maintenance of the public streets and surrounding property in a clean and orderly condition. Any work done by the City to repair or maintain such conditions will be deducted from said deposit. A street obstruction bond is required whenever use is made of any portion of the City streets, including walks, parkways and/or paving.

APPLICATION FOR CERTIFICATE OF OCCUPANCY AND CONFORMITY OF PREMISES

The undersigned owner of the herein described property and buildings thereon hereby applies for a certificate of occupancy of said buildings and premises and hereby agrees not to occupy them until the Certificate of Occupancy has been issued. Said buildings and premises are to be used exclusively for _____

RESIDENTIAL Single Family Dwelling - Addition

No person or contractor, other than the owner, who has said plans and specifications have been approved by the Building Department or not, shall permit or relieve the applicant from commencing the work in any other manner than that provided for in the ordinances of this City relating thereto. The owner, having read the application for the building permit and for certificate of occupancy and having checked the plot plan herein shown and fully understanding the intent thereof, declares that the statements made in the drawings shown are true to the best of his or her belief.

DO NOT SIGN UNLESS YOU HAVE READ AND CHECKED THIS APPLICATION AND EVERYTHING IS COMPLETE

Owner's Signature [Signature] Address 24451 Mildred St. Glenview, Ill. Phone No. 8-8884

TO BE FILLED IN BY BUILDING DEPARTMENT

Building Class	Existed On	Proposed Use	Zone
<u>40</u>	<u>1962</u>	<u>RESIDENTIAL</u>	<u>R-1</u>
Plans Checked By <u>[Signature]</u>	Date <u>10/16/62</u>	Applicant Checked By <u>[Signature]</u>	Date <u>10/16/62</u>
Permit Authorized By <u>[Signature]</u>	Date <u>10/16/62</u>	Permit Issued By <u>[Signature]</u>	Date <u>10/16/62</u>
Checked by <u>[Signature]</u>	Date <u>10/16/62</u>	Issued by <u>[Signature]</u>	Date <u>10/16/62</u>
Building Fees Paid By _____	Address _____	Phone _____	

WEST SIDE ADDITIONS (1962 AND 1991)



WEST SIDE ADDITIONS (1962 AND 1991)



WEST SIDE ADDITIONS (1962 AND 1991)



WEST SIDE ADDITIONS (1962 AND 1991)



WEST SIDE ADDITIONS (1962 AND 1991)



WEST SIDE ADDITIONS (1962 AND 1991)



SOUTH SIDE – SWIMMING POOL ADDITION (1962)



SOUTH SIDE – SWIMMING POOL ADDITION (1962)



GARAGE ADDITION (1967)

11287
 approved as to compliance with Departmental Regulations
 CITY OF HIGHLAND PARK - HIGHLAND PARK, ILLINOIS
APPLICATION FOR A PERMIT IS HEREBY MADE
 No. 14584

TO CONSTRUCT ALTER REPAIR WRECK
 1570 Hawthorn Lane
 9 October 1967
 ADDRESS OF PROPOSED WORK
 L 5, ex. N 10' 67 in recorded plat of Highland Park
 in NW tract 1/4 of Sect 25, 43, 12
 LIST NUMBER BLOCK NUMBER SUB DIVISION
 Book 1800, Parcel 1619

ISSUED BY: G. George
 DATE APPROVED: 10/16/67
 APPROVED BY: W. Repchak

ESTIMATED COST (EXCLUSIVE OF LAND)
 \$4600.00
 \$4600.00

ZONING	FIRE DISTRICT	COUNT, CLASS
B-1	NO	4B

WALL HEIGHT	LINE GROUP	APPROVAL CASE
35'	L3	483

MINIMUM YARD SETBACKS
 FRONT: 40'
 REAR: 35'-3"
 SIDE: 12'
 12'-3"

STREET OCCUPANCY FEE \$.00
 BUILDING CONSTRUCTION FEE \$ 18.00
 CERTIFICATE OF OCCUPANCY \$.00
 DRIVEWAY PERMIT FEE \$.00
 WRECKING FEE \$.00
 ROOFING CONTRACTOR \$.00
 GUARANTEE DEPOSIT \$ 100.00
 \$75.57
 \$425.00
 TOTAL FEE \$ 18.00
 RESTORATION AND GUARANTEE DEPOSIT CHARGES \$.00
 RELEASE APPROVED \$.00
 AMOUNT RELEASED \$.00

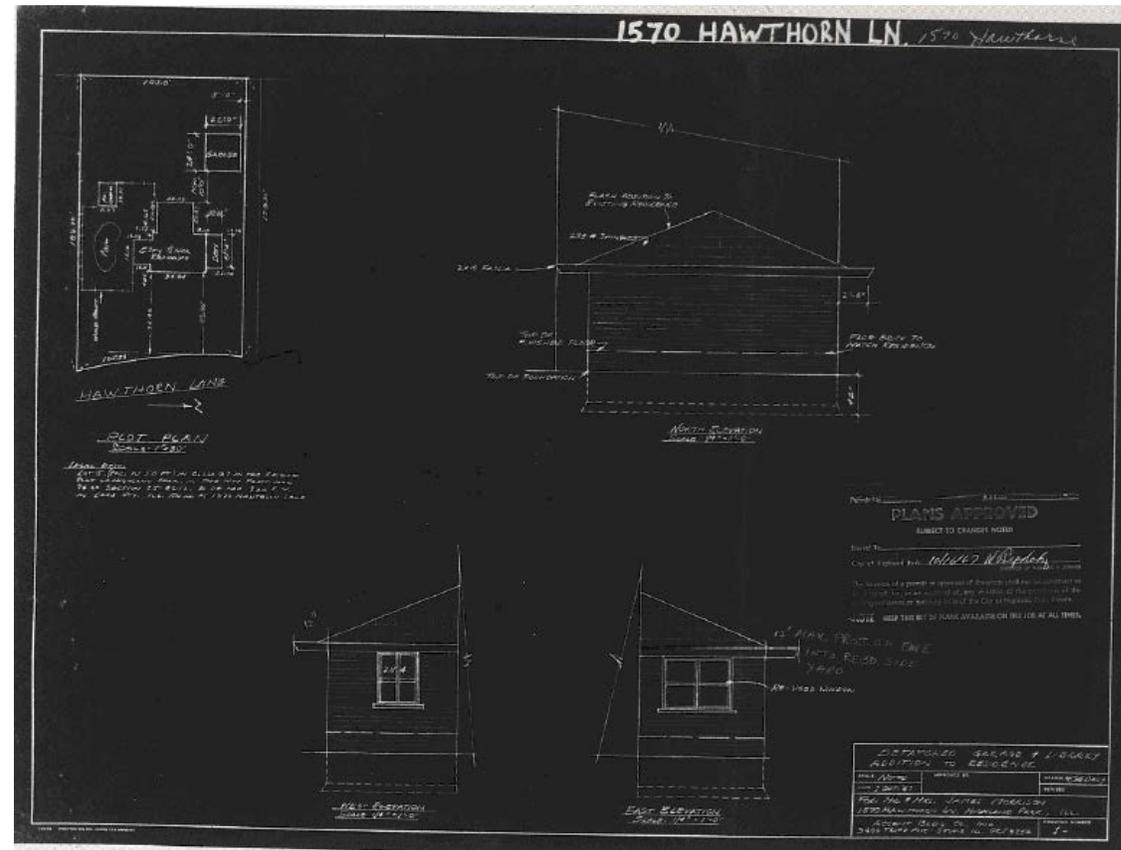
EXCAVATOR: Ned Const. Co., 1900 Garden St., Park Ridge, IA 5-2971
 CONCRETE CONTRACTOR: Ascent Bldg. Co., Inc., 9400 Tripp St., Skokie, OR 5-8254
 CARPENTRY: Ascent Bldg Co., Inc., 9400 Tripp St., Skokie, OR 5-8254
 STRUCTURAL IRON: Ascent Bldg. Co., Inc., 9400 Tripp St., Skokie, OR 5-8254
 PLASTERER OR GYPTWALL: Ascent Bldg. Co., Inc., 9400 Tripp St., Skokie, OR 5-8254
 ROOFING CONTRACTOR: Ascent Bldg. Co., Inc., 9400 Tripp St., Skokie, OR 5-8254

ARCHITECTURAL AND SPECIAL PROVISIONS
 Frame Garage Size 22'0" x 24'0"
 Addition- Brick Veneer, 10'9" x 21'4" See Attached Plans
 483-30' roof overhang 4/16/67

PROPOSED FOUNDATION GRADE (MINIMUM TO CURB OR CROWN OF STREET)
 NOTE: Additional applications shall be filed and permits obtained before starting on the plumbing work, sewer and water caps and stubs, electrical work, sidewalk construction, heating and air conditioning work and such other work for which permits may be required.
 The Contractor is responsible for replacement of any existing improvements damaged by reason of the work and for the maintenance of the public streets and surrounding property in a clean and orderly condition. Any work done by the contractor or his subcontractors shall conform to the recorded plat of the subdivision.
 A street obstruction board is required whenever use is made of any portion of the City street, including water, post and/or paving.
 CONDITIONS: This permit authorizes only work for which a FEE has been noted and paid. The contractor shall construct work in accordance with the description as found in the application, plans and specifications and so carry on and maintain in good and safe condition, plans and specifications as filed whether approved or not, shall release the permittee from conforming with the Building Code of Highland Park, Illinois and all other pertinent ordinances in the event of any violation or non-compliance with the Building Code of Highland Park, Illinois.
 NOTICE OF UNDERGROUND PUBLIC UTILITY FACILITIES: Grading or any other work below the surface of the ground, the underwriter is responsible to notify the following utilities, securing location of and protection for all underground public utility facilities:
 NORTH SHORE GAS CO. 432-6000
 COMMON WEALTH EDISON CO. 432-2900
 ILL. BELL TELEPHONE CO. 611 REPAIR SERVICE
 CITY WATER & SEWER DEPT. 432-0804 EXT. 72

THIS PERMIT IS ISSUED WITH THE EXPRESS STIPULATION THAT IF THE EXISTING BUILDING IS IN SUCH REPAIR IT SHALL BE RELEASED AT THE OWNER'S EXPENSE.

APPROVED
 James Morrison
 City Engineer



GARAGE ADDITION (1967)



GARAGE ADDITION (1967)



EAST SIDE (FRONT DOOR) ALTERATIONS (DATE UNKNOWN)



EAST SIDE (FRONT DOOR) ALTERATIONS (DATE UNKNOWN)



EAST SIDE (FRONT DOOR) ALTERATIONS (DATE UNKNOWN)



EAST SIDE (FRONT DOOR) ALTERATIONS (DATE UNKNOWN)



NORTH SIDE ADDITION (1967)



NORTH SIDE ADDITION (1967)



NORTH SIDE ADDITION (1967)



NORTH SIDE ADDITION (1967)



M. HACKL'S PUBLISHED NOTES ON 1570 HAWTHORNE: "HOUSE RETAINS LITTLE ORIGINAL CHARACTER"

"Marty Hackl is a published researcher of John Van Bergen's architectural career. His website, johnvanbergen.org, provides an inventory of Van Bergen's houses with notes for each design. The entry for 1570 Hawthorne Lane states the following:

'Though very similar in plan to the Whitehouse Residence (also in Highland Park), this design is more than a decade earlier and is much more spacious.

'There have been some heavy handed alterations and additions over the years and the house retains little original character. As seen in the above photo, the front door has been pushed out into what was a sheltered entry portal. This ruins the dimensions of the facade, flattening it, making it just a single flat surface. This also hides the interesting brick pattern around the portal.

'That alteration along with the current monochromatic paint scheme and roof color blur the original rich textural character of the structure.'"

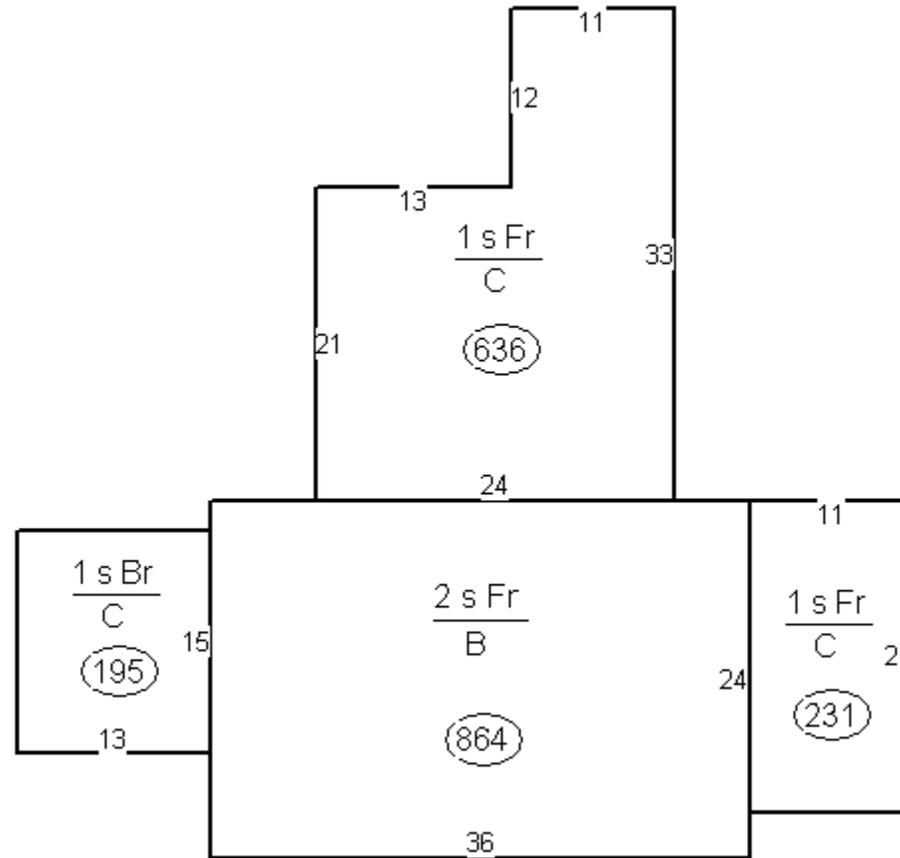
HPC Planning Report for 1570 Hawthorne, dated August 11, 2016, p. 2

**NOMINATION:
“WEST SIDE ADDITIONS NOT SENSITIVE TO STYLE OR MATERIALS”**

“The west addition in the rear was also added much later and is not sensitive to the style of the house or in the quality of materials or craftsmanship.”

Nomination dated June 13, 2016, ninth page

**WEST SIDE ADDITIONS:
ADDED ALMOST 50%
TO THE SQUARE FOOTAGE OF THE HOUSE FOOTPRINT**



**NORTH SIDE ADDITION:
USED BRICK MISMATCHED TO THE ORIGINAL BRICK**



**NORTH SIDE ADDITION:
USED BRICK MISMATCHED TO THE ORIGINAL BRICK**



**EAST SIDE (FRONT DOOR) ALTERATIONS:
SUBVERTED THE ORIGINAL DESIGN
AND
COVERED UP HISTORICAL DETAILS**



EAST SIDE (FRONT DOOR) ALTERATIONS:
PUSHED OUT FRONT DOOR PORTAL
AND
COVERED UP HISTORICAL DETAILS



EAST SIDE (FRONT DOOR) ALTERATIONS: CHANGED LANDING HEIGHT



M. HACKL'S PUBLISHED NOTES ON 1570 HAWTHORNE: FRONT DOOR ALTERATIONS "RUIN" THE DIMENSIONS

“There have been some heavy handed alterations and additions over the years and the house retains little original character. As seen in the above photo, the front door has been pushed out into what was a sheltered entry portal. **This ruins the dimensions of the facade, flattening it, making it just a single flat surface.**”

HPC Planning Report for 1570 Hawthorne, dated August 11, 2016, p. 2

VAN BERGEN WAS PARTICULARLY CONCERNED ABOUT HIS STRUCTURES STAYING TRUE TO HIS DESIGN

Van Bergen lamented “contractors [doing] their best to slick over their work” and trying to “omit items called for in both plans and specs.”

He was also concerned with permanence: “[Frank Lloyd Wright] many times used much inferior materials in order to get his selection of color. Cost or permanency didn’t matter much.” As Van Bergen’s biographer explains, these experiences “had a strong influence on Van Bergen throughout his career[.]”

Quoted material is from Van Bergen biography at <http://www.johnvanbergen.org/johnvanbergenarchitect/bio7.html>

ZONING VARIANCES HAVE BEEN GRANTED BY HIGHLAND PARK ON THE BASIS THAT ADDITIONS TO A VAN BERGEN HOUSE WOULD COMPROMISE ITS DESIGN

“The existing second floor [of the garage structure] is to be refurbished and will allow the owners much need[ed] additional space. **Additions to the principal structure were avoided due to the Owner’s desire to leave the Van Bergen design intact”**

October 12, 2012 letter to HP Zoning Board of Appeals, on behalf of Owner Temkin
(Variances approved for garage in order to avoid having to make addition to house,
December 6, 2012 by Highland Park ZBA)

PROPOSED LANDMARK DESIGNATION IS FOR THE ENTIRE HOUSE, NOT JUST ONE SIDE

The proposed landmark designation is for: the “Wilson Cline [sic] House,” “residence,” “house,” “structure,” and “Cline [sic] House.”

Nomination dated June 13, 2016, first, fourth, fifth, seventh, eighth, ninth, and tenth pages

VAN BERGEN DESIGNED THE HOUSE TO NOT BE EASILY VISIBLE FROM THE STREET

“The majority of Van Bergen’s designs are not easily visible from the street.... The Wilson [Kline] house is set back from the street and likely had many more trees in 1922, providing privacy and quiet.”

Nomination dated June 13, 2016, ninth page

M. HACKL'S PUBLISHED NOTES ON 1570 HAWTHORNE: STREET SIDE SINGLED OUT FOR LACK OF INTEGRITY OF DESIGN

“There have been some heavy handed alterations and additions over the years and the house retains little original character. As seen in the above photo, the front door has been pushed out into what was a sheltered entry portal. This ruins the dimensions of the facade, flattening it, making it just a single flat surface. This also hides the interesting brick pattern around the portal.

“That alteration along with the current monochromatic paint scheme and roof color blur the original rich textural character of the structure.”

HPC Planning Report for 1570 Hawthorne, dated August 11, 2016, p. 2

SPECIFIC STANDARDS FOR INTEGRITY ARE RELAXED ONLY IN “RARE CASES,” WHERE THE HOUSE IS ONE OF A FEW

“Integrity. Must have a high degree of integrity:

- most architectural detailing in place
- no historic materials or details covered up
- no modern siding materials
- no unsympathetic and/or overpowering additions
- only minor porch alterations permitted

“In some rare cases, **where a particular structure is one of the few examples of a particular style,** more leniency in integrity was permitted.”

Historic Certification Consultants’ report for the HPC, p. 12 (standards used by the HPC in July 14, 2016 Meeting Packet)

**SPECIFIC STANDARDS FOR
“CONTRIBUTING TO A HISTORIC DISTRICT”:
UNLIKE “SIGNIFICANCE” STANDARDS, THEY SPECIFICALLY ALLOW CONSIDERATION
OF WHETHER CHANGES CAN BE REVERSED**

“Integrity. . . May have moderate integrity: if it has been altered, it must be in some ways that can be reversed.”

Historic Certification Consultants’ report for the HPC, p. 12

TED COHN REPORT: FRONT DOOR ALTERATIONS NOT REVERSIBLE

(Ex. 10 to Silversteins' Objection dated July 11, 2016, third and fourth pages)

TRL CONSTRUCTION

1002 Keystone, Northbrook, IL 60062

312-953-0828 7/10/16

1570 Hawthorne, Highland Park, IL 60035

FRONT DOOR ENTRY

On July 6, 2016 I inspected the front door entry in an attempt to determine if it could be restored to its original state which I am advised was a recessed portal entry approximately four feet with original brickwork on each side. It is my professional opinion it cannot be restored because the original brick was removed, no such brick is available and the door height would be less than five feet due to the existing floor joists and headers. Specifically:

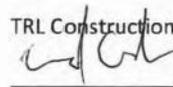
- (1) The original brick on the south and north walls of the entrance has been removed and is nowhere to be found
- (2) At some point, construction occurred which brought the front door forward 4 feet so the entrance to the house is flush with the exterior. When the construction was done

a new landing was built with floor joists with new tile and new headers above where the existing door once stood.

- (3) If we were to move the entryway west 4 feet, the door height would be less than 5 feet due to the existing floor joists and headers which would violate Code requiring a minimum door height of 6 feet 6 inches.

- (4) I cannot give a price for moving the front door to its original location. It cannot be done because the original brick was removed and proper door height cannot be achieved.

TRL Construction



Ted Cohn

TED COHN REPORT: COST OF REVERSING ALTERATIONS

(Ex. 10 to Silversteins' Objection dated July 11, 2016, second and third pages)

TRL CONSTRUCTION

1002 Keystone, Northbrook, IL 60062

312-953-0828

7/10/16

ADDITIONAL DEMO COST

1570 Hawthorne, Highland Park, IL 60035

On July 8, 2016, I obtained the following estimates from the demolition contractor my company has used for many years.

Cost to demo the pool and backfill with dirt - \$11,000.00

Demolition of the rear of the house can be done as follows:

1. The roof and walls have to be dismantled by hand to separate addition properly.
2. All existing plumbing, electrical and utilities have to be disconnected.
3. Then addition can be carefully dismantled.

TOTAL COST OF DEMOLITION REAR OF HOME - \$23,000.00

VERY IMPORTANT – Once demo is done it will not be possible to restore the original Van Bergen style. From what I see, there was very little (if any) original material used in building this addition.

GARAGE – Cost to demolition existing garage - \$4,000.00

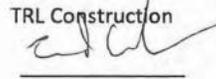
Demolition of addition on the north side of the house – The demolition is similar to the rear addition demo. It has to be dismantled by hand along with the disconnection of utilities. I was asked to save the brick because it is original to the house. The brick is not the original brick, it is a substitute brick that the prior

builder used. It is my opinion, most of the materials used on both additions are not original Van Bergen materials.

COST OF NORTH SIDE DEMOLITION - \$28,000.00

Total additional demolition costs: \$66,000.00

TRL Construction



Ted Cohn

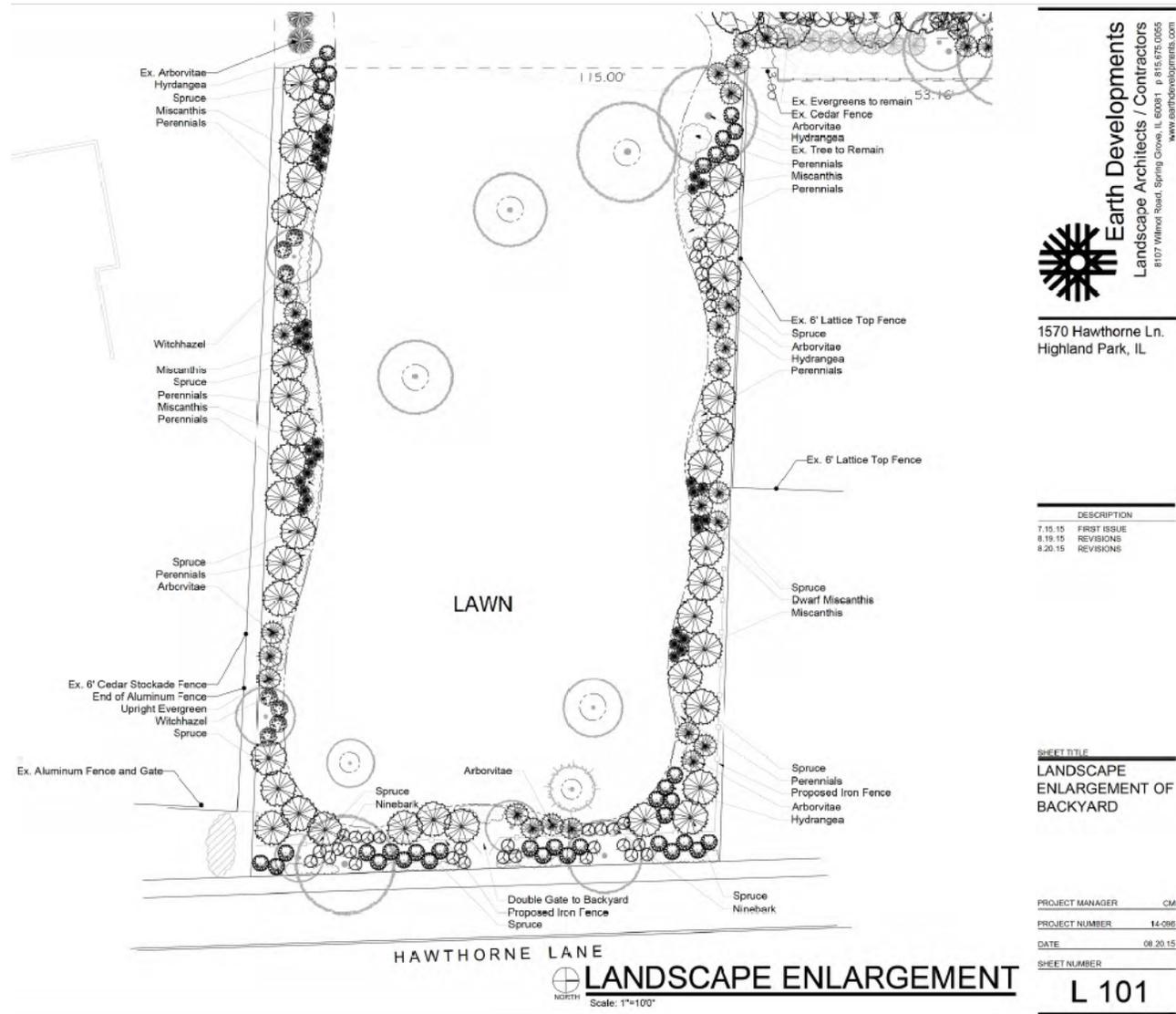
**EAST SIDE (FRONT DOOR) ALTERATIONS:
NOT REVERSIBLE BECAUSE OF CHANGED LANDING HEIGHTS AND HEADERS**



**EAST SIDE (FRONT DOOR) ALTERATIONS:
NOT REVERSIBLE BECAUSE OF CHANGED LANDING HEIGHTS AND HEADERS**



SILVERSTEINS' OPEN USE PLAN TO REPLACE THE HOUSE



THE DELAPIDATED CONDITION OF THE HOUSE IS RELEVANT

[The house must have] “... sufficient integrity of ... **materials and workmanship** to make it worthy of preservation or Rehabilitation.”

Section 24.025(B)(2) of the City Code

[It must be cost effective to repair a house in order for it to be worthy of preservation or Rehabilitation, which is defined by the City Code as:]

“The process of returning a Regulated Structure to a state of utility, through repair or Alteration, **which makes possible an efficient contemporary use** while preserving those portions and features of the Regulated Structure which are significant to its historic, visual, aesthetic, cultural, archaeological, and/or architectural values.”

Section 24.005 of the City Code

TED COHN REPORT: ITEMIZING NEEDED REPAIRS AND COSTS

(Ex. 10 to Silversteins' Objection dated July 11, 2016, sixth through eighth pages)

TRL CONSTRUCTION

1002 Keystone, Northbrook, IL 60062

312-953-0828

SUMMARY AND PROPOSAL

1570 Hawthorne, Highland Park, IL 60035

Dear Mr. Silverstein,

I wanted to give you a little summary of my walk-through that I had with my subcontractors on May 26th, 2016.

The home is in very bad condition, the basement foundation has three very wide cracks. In order to repair this we will have to cut out the sections, underpin the existing foundation and fill in with new concrete. There is no existing drain tile in the basement, which has probably been the cause of the flooding. There are also existing signs of mold in several areas of the basement.

On the first and second floor all the walls and ceilings will have to be removed along with the insulation. Removal of drywall and insulation is mandatory since significant amounts of mold and mildew are present. Once drywall and insulation is removed a mold specialist will have to come in to do mold remediation on all open framing.

The plumber determined that the entire plumbing system in the home is showing signs of corrosion in the pipes. ALL existing copper and PVC and waste lines will have to be replaced with new piping along with a new water service coming into the home.

The electrical, at least a majority, is not up to code, 65% of the home is not wired in conduit. I propose rewiring the entire home and installing a new 200amp service.

The heating, I recommend installing Rheem 90% high-efficiency units with all new ductwork throughout the home.

All flooring needs to be removed due to buckling and warped joists. This is due to high humidity and possible flooding.

All bathrooms and kitchen need to be completely gutted and replaced.

All windows need to be replaced.

As a general contractor I would recommend the house be demolished and start over. The home was severely neglected by the previous owner.

I have been in business for 30 years, I have done residential and commercial construction, renovations and additions in the North Shore area.

Cost to repair/restore/remodel

Demolition	\$20,000.00
Mold Remediation	\$27,500.00
Repair Concrete Foundation & Install Drain Tile	\$19,000.00
Reframe/Carpentry - Material Included	\$55,000.00
Insulation & Drywall	\$44,000.00
New Flooring – Throughout	\$31,000.00
New Windows	\$42,000.00
Allowance – Kitchen Build Out	\$60,000.00
Allowance – Bathrooms/Fixtures/Tile	\$68,000.00
Allowance – Finish Trim Carpentry	\$60,000.00
HVAC	\$25,000.00
General Contractor Fee	\$86,300.00
GRAND TOTAL	\$537,800.00

INSIDE OF HOUSE THROUGH THE FRONT DOOR WINDOW



ROTTED BASEMENT SINK



CEILING CRACKS (UPSTAIRS BEDROOM)



WALL CRACKS (UPSTAIRS BEDROOM CLOSET)



FOUNDATION CRUMBLING



PATCHED-OVER CEILING CRACKS (UPSTAIRS BEDROOM)



CONDITION OF BASE BOARDS AND WALLS



CELINGS AND WALLS (MASTER BEDROOM)



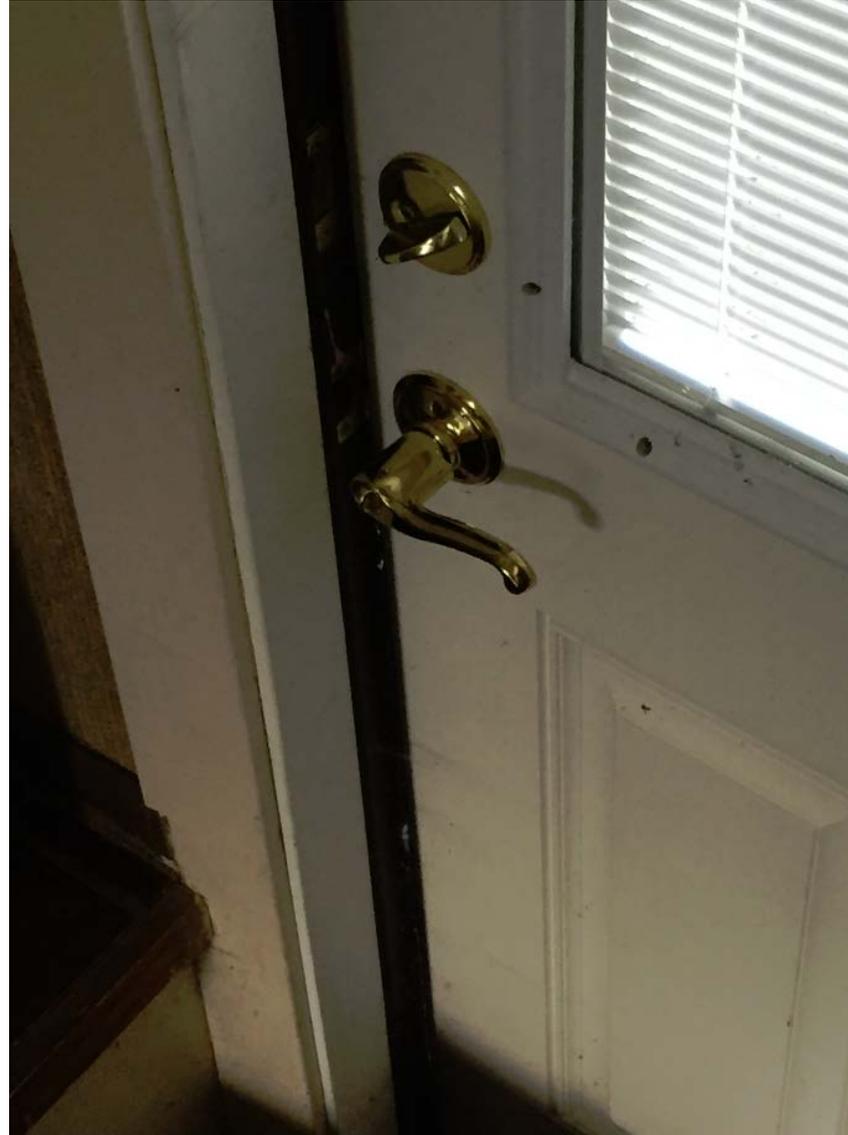
MOLD, SAGGING FLOOR JOISTS, AND CONDENSATION



LIVING ROOM (EXAMPLE OF NO INSULATION)



WARPED SIDE DOOR (WIDE GAP WHEN CLOSED)



BRICK FALLING APART AT FOUNDATION (NORTH ADDITION)



THE NOMINATION RELIES ON THE CONDITION AND INTERIOR DETAILS OF THE HOUSE

“**The arrangement of the rooms**, including the now enclosed porch on the south side of the house, demonstrate Van Bergen’s intention to use the natural landscape as a design element, placing what was once the open ‘verandah’ among the trees and ravine (a pool has been added, trees removed).”

Nomination dated June 13, 2016, fourth page

“The **living room fireplace** is another tenet of Prairie style design—the fireplace is the gathering place for the family. . . . Other Organic and quality materials commonly seen in Prairie style structures are stucco, **wood—oak**, cypress, flagstone and glass. **All are present in the Cline house and remain in excellent condition.**”

Nomination dated June 13, 2016, ninth page

THE HOUSE WAS SOLD TO THE SILVERSTEINS AS A TEARDOWN



Detached Single	MLS #: 08831936	List Price: \$725,000
Status: CLSD	List Date: 02/05/2015	Orig List Price: \$775,000
Area: 35	List Dt Rec: 02/05/2015	Sold Price: \$682,500
Address: 1570 Hawthorne Ln , Highland Park, Illinois 60035		
Directions: South on St. Johns Left on Ravine Dr. Right on Hawthorne Lane		
Closed: 09/02/2015	Contract: 06/03/2015	Lst. Mkt. Time: 119
Off Market: 06/03/2015	Financing: Cash	Points:
Year Built: UNK	Blt Before 78: Yes	Contingency:
Dimensions: 106X180X103X190		Curr. Leased: No
Ownership: Fee Simple	Subdivision:	Model:
Corp Limits: Highland Park	Township: Moraine	County: Lake
Coordinates:		# Fireplaces: 2
Rooms: 9	Bathrooms: 2 / 1 (full/half):	Parking: Garage
Bedrooms: 4	Master Bath: Full	# Spaces: Gar:2
Basement: Partial	Bsmnt. Bath: Yes	Parking Incl. Yes
		In Price:

Remarks: **This John Van Bergen Home is just steps away from Lake Michigan and surrounded by multi-million Dollar Homes. A wonderful opportunity to Rehab or remodel with many hardwood floors. Open flexible floor plan and expansion possibilities, or build your own! Property is all Tableland with an in ground pool w/slide and is perfect to build HOME OF YOUR DREAMS IN AN EXCEPTIONAL EAST HIGHLAND PARK LOCATION!**

MLS Listing (Ex. 20 to Silversteins' Objection dated July 11, 2016)

“Interestingly, the house at 1570 appears most similar to my house in form, but the materials are different. I believe it was built a year before my house - in 1936. I’ll bring Marty’s book, which you can also view on-line. **The house recently sold and if you read the add [sic], leads the buyer to believe that they can just tear the house down.**”

Commissioner Temkin email to A. Cross and B. Thomas, dated November 24, 2015

THE HOUSE WAS BUILT IN 1930, PER LAKE COUNTY 2016 PROPERTY TAX INFORMATION



Lake County, Illinois

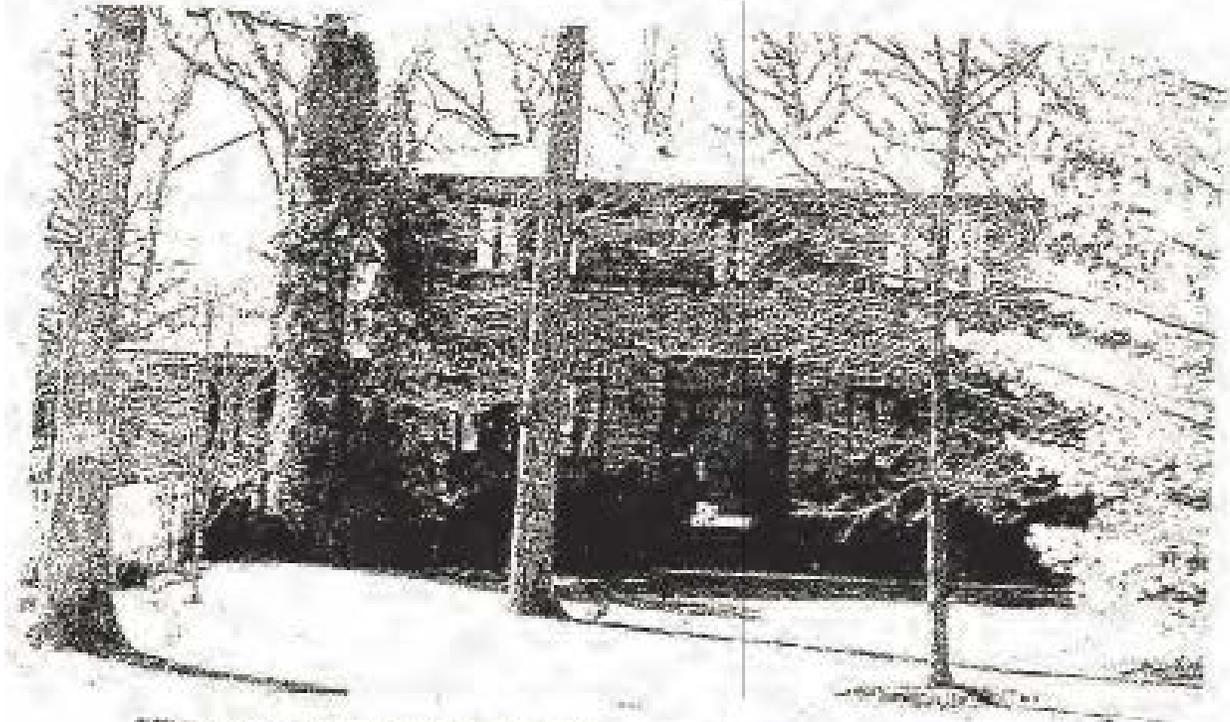
Property Tax Assessment Information by PIN

Property Address		Property Characteristics	
Pin:	16-25-101-010	Neighborhood Number:	1825314
Street Address:	1570 HAWTHORNE ST	Neighborhood Name:	EAST Lincoln
City:	HIGHLAND PARK	Property Class:	104
Zip Code:	60035	Class Description:	Residential Improved
Land Amount:	\$138,871	Total Land Square Footage:	19410
Building Amount:	\$121,908	House Type Code:	22
Total Amount:	\$260,779	Structure Type / Stories:	2.0
Township:	Moraine	Exterior Cover:	Brick
Assessment Date:	2016	Multiple Buildings (Y/N):	N
		Year Built / Effective Age:	1930 / 1941
		Condition:	Average
		Quality Grade:	VGd
		Above Ground Living Area (Square Feet):	2790
		Lower Level Area (Square Feet):	
		Finished Lower Level (Square Feet):	
		Basement Area (Square Feet):	864
		Finished Basement Area (Square Feet):	0
		Number of Full Bathrooms:	2
		Number of Half Bathrooms:	2
		Fireplaces:	1
		Garage Attached / Detached / Carport:	0 / 1 / 0
		Garage Attached / Detached / Carport Area:	0 / 528 / 0
		Deck / Patios:	0 / 0
		Deck / Patios Area:	0 / 0
		Porches Open / Enclosed:	0 / 0
		Porches Open / Enclosed Area:	0 / 0
		Pool:	528



THE HOUSE WAS BUILT AROUND 1937, PER M. HACKL'S BOOK

Wilson Kline Residence - ca. 1937
1570 Hawthorne Drive - Highland Park, Illinois



This house is very similar to the Whitehouse Residence, also in Highland Park.

Nomination dated June 13, 2016, third page

THE HOUSE WAS BUILT IN 1936, BELIEVES COMMISSIONER TEMKIN

“Interestingly, the house at 1570 appears most similar to my house in form, but the materials are different. **I believe it was built a year before my house - in 1936.** I’ll bring Marty’s book, which you can also view on-line. The house recently sold and if you read the add [sic], leads the buyer to believe that they can just tear the house down.”

Commissioner Temkin email to A. Cross and B. Thomas, dated November 24, 2015

VAN BERGEN STRUCTURES IN HIGHLAND PARK AS OF 1930 AND 1937

yr. built	Original Owner	Address
1920	John and Ruth Van Bergen	234 Cedar Ave.
1922	Wilson Kline Residence	1570 Hawthorne Dr.
1923	Paul Phelps Residence	1103 Linden Ave.
1924	Belle Bemis/Frank VB	295 Cedar Ave.
1924	Herman Pomper Residence	318 Maple Ave.
1924	Frank Von Geyso Residence	456 Woodland Ave.
1925	Herman Lanzl Residence	1635 Linden Ave.
1926	Moldaner & Humer Furriers	1894 Sheridan Rd.
1926	Clifford Raymond Remodel/Add	1050 Wade
1926 &	Harry S. Moses/Dudley Crafts	291 Marshman

'40	Watson	
1926	Jonas Steers Coach House Remodel.	132 Belle Ave.
1927	Ella Van Bergen/Frank VB	1184 Wade
1927 & '37	Ravinia School & Additions	763 Dean Ave.
1927 & '37	Braeside School & Additions	150 Pierce Rd.
1928	Raymond & May Watts	487 Groveland Ave.
1928	Herbert & Jessie VB Small	1141 Linden Ave.
1928	Mrs. Delia Fricke Residence**	1251 St. Johns Ave.
1929	Dr. Harry B. Roberts	344 Elm Pl.
1929	Lincoln School Clock	Lincoln Ave.
1930	Albert & Laura Stoddard	290 Cedar Ave.
1930	Frank Von Geyso Residence #2	450 Woodland Ave.
1935	Herman Black Residence	858 Baldwin
1935	John Shaver Residence	326 Delta Rd.
1936	R.K. Ohara Residence Remodel	319 Cedar
1936	E.L. Easton Residence Remodel.	575 Groveland
1936	Dr. George B. Lake Residence	344 Bloom St.
1937	James L. Whitehouse	660 De Tamble Ave.
1937	Lincoln School Additions	711 Lincoln Ave. West
1937	West Ridge School & Additions	636 Ridge Rd.

Nomination dated June 13, 2016, eleventh and twelfth pages



Lisa Temkin

July 28 · AddThis Sharing ·

Here's the house on Hawthorne that's been nominated as a local landmark.



What's Next For HP's Van Bergen Home?

HIGHLAND PARK – The architect who in 2014 purchased a John Van Bergen home in Wilmette for \$10 and had it moved to Evanston is behind...

JWCDAILY.COM | BY JULIE KEMP PICK

Share

18



Isabel Rose Looks like yours :)))

July 28 at 3:51pm



Patrick Schwarz Thanks for yours and Chris Enck's work Lisa! This home is a Van Bergen gem!

July 28 at 4:27pm · Edited



Lisa Temkin August 11 is HPC meeting! **This is the 2nd house Van Bergen built in HP.** It has the same form as my house, but my house is newer--1937! The house has great intact details!

2 · July 29 at 8:48am

**OWNER/COMMISSIONER TEMKIN'S
PUBLIC FACEBOOK POST,
JULY 29, 2016:
"This is the 2nd house Van Bergen built in HP."**

<https://www.facebook.com/lisa.temkin/posts/10206946341085630>

A COMMISSIONER CANNOT VOTE WHEN SHE IS THE APPLICANT

(Ethics Guidelines)

“[I]n the event that the Official is the Applicant appearing before the Official’s Commission, the Official may not cast a vote in connection with any proposed Official Action regarding the matter for which disclosure is required.”

Highland Park Ethics Guidelines, § 6(C)(5)

THE PENDING NOMINATION SPECIFIES COMMISSIONER TEMKIN AS APPLICANT

10) This structure is eligible for designation on the basis of the following criteria (see reverse page):	1, 4, 5, 6
11) Name(s) of Applicant(s): Co-Applicants	Christopher Enck
Address:	455 Birch, Winnetka
Signature(s):	
Address(es):	660 De Tamble Ave. Highland Park
12) Affiliation (Commission Member, Owner, City Council, Preservation Organization):	Mr. Enck-Preservationist

Nomination dated June 13, 2016, first page

- 11) Name of Applicant: Lisa Temkin, 660 De Tamble Ave., HP
- 12) Affiliation (Commission Member, Owner, City Council, Preservation Organization): Historic Preservation Commission since January 2009

Nomination dated June 13, 2016, fifth page

THE PENDING NOMINATION IS A PHOTOCOPY OF THE NOMINATION DATED MAY 16, 2016 (examples)

10) This structure is eligible for designation on the basis of the following criteria:

(1) It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country;

(4) It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use of indigenous materials;

(5) It is identifiable as the work of a notable builder, designer, architect, artist, or landscape architect whose individual work has influenced the development of the City, county, state, or country;

(6) It embodies, overall, elements of design, detailing, materials and/or craftsmanship that renders it architecturally, visually, aesthetically, and/or culturally significant and/or innovative.

11) **Name of Applicant: Lisa Temkin**, 660 De Tamble Ave., HP

12) Affiliation (Commission Member, Owner, City Council, Preservation

Organization): **Historic Preservation Commission since January 2009**

Criteria 1: It demonstrates character, interest or value as part of the development, heritage or cultural characteristics of the City, county, state or country.

The Wilson Cline House at 1570 Hawthorne Lane was built in 1922 by John S. Van Bergen in the Prairie Style. Many of Chicago's great architects were living and working in Highland Park and the surrounding communities, leaving a large and excellent legacy for us to appreciate and study. The diversity of residential architectural styles is clearly evidenced in Highland Park and makes our neighborhoods particularly desirable. The house at 1570 Hawthorne is one of many design variations that evolved as Van Bergen matured as an architect.

Nomination dated May 16, 2016, fifth page

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Nomination dated June 13, 2016, fifth page

THE PENDING NOMINATION IS A PHOTOCOPY OF THE NOMINATION DATED MAY 16, 2016 (including examples of Commissioner/Applicant Temkin's first person accounts)

The Prairie Style is known as a truly 'American' style of architecture developed by several very significant architects, including Frank Lloyd Wright, in the very early part of the 20th century. These architects were creating a style that dramatically diverged from the typical European architectural design and style that were commonly used all over the North Shore, Chicago, and the East Coast. The Cline House illustrates Van Bergen's ability to design well-built, well-designed houses for clients that were "middle-class", not necessarily the wealthy industrialists that many architects were seeking as clients. Van Bergen's sensibility was more about "good materials, good architecture, good siting" of the structure on the property to create the most natural, private and visually attractive environment. Van Bergen, like FLW, believed that a person didn't need to have tremendous wealth to have a well-designed house. This value is apparent in many of Van Bergen's designs and FLW's Ravine Bluffs in Glencoe, among others.

Criteria 4: It embodies distinguishing characteristics of an architectural and/or landscape style valuable for the study of a specific time period, type, method of construction or use of indigenous materials.

The Prairie Style was made famous by FLW though he is only one of many architects in Chicago that worked in the style. The Prairie Style is most commonly seen in the Midwest and was inspired by the open prairie landscape that is prevalent in the Midwestern states. Prairie structures are easily identifiable by specific architectural details commonly seen on Van Bergen designs and others. A low-pitched roof, built in gutter system, bands of windows--oftentimes-including corner windows. The structures have a horizontal or squat feeling and the choice of materials and the way they're used all reinforce the horizontal lines of the structure. Chicago and the surrounding suburbs have a wealth of Prairie structures built by Van Bergen and many of the other architects that worked in the style. The sheer number of structures in Chicago is due to the fact that the style was truly developed here. **The legacy we have in Highland Park** and Chicago metro area are evidence of the quality materials, craftsmanship and design that Van Bergen consistently used.

Nomination dated June 13, 2016, sixth page

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Nomination dated May 16, 2016, sixth page

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shade (no A/C in 1922) all around the house. The open veranda was strategically placed on the south side of the home, closest to the dense trees that provided screening, and had no windows or screens. Again, the concept of being in nature.

Every year the Frank Lloyd Wright Home & Studio host a house walk in Oak Park of some of the most significant private homes by FLW and others. The event is an Oak Park "tradition", drawing people from all over the world for the annual tour. This year on May 21 a Van Bergen house is being featured on the tour, evidence of Van Bergen's importance and talent.

<http://www.choosechicago.com/event/Wright-Plus-2016-The-Great-American-Housewalk/20839/>

In October of 2012, October became John Van Bergen Month when the HPC partnered with several other entities to create a large-scale month-long Public Education project, raising awareness in Highland Park and beyond. **It was an honor to be nominated for a Governor's Hometown Award for Public Education for the Van Bergen project, which took a year to create. Mayor Rotering and I presented the project in Springfield.**

Van Bergen Month was also the topic for a Landmarks Illinois Suburban Preservation Alliance meeting in December of 2012. **I continue to receive emails** from people all over Chicago and the country (recently someone in Denmark) inquiring about Van Bergen's work. To lose the Wilson Cline House would truly be a loss to our community, not to mention the body of Van Bergen's work. Marty Hackl's book about Van Bergen, his life, and his large contribution to Highland Park are well documented.

Van Bergen was civically minded and served on several local boards. He was the School District 108 architect for many years and consulted on many projects and repairs for the District.

Nomination dated June 13, 2016, tenth page

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Nomination dated May 16, 2016, tenth page

**APPLICANT TEMKIN’S JUNE 14 LETTER
ADMITS SHE IS A “CO-APPLICANT ON THE JUNE 13 NOMINATION,
BUT SAYS SHE LATER AMENDED THAT NOMINATION BY “WITHDRAWING MYSELF”**

“I am amending the landmark nomination that I submitted May 14, 2016 that was amended June 13, 2016 for the property at 1570 Hawthorne Lane, Highland Park. The co-applicant, Christopher Enck, is the sole applicant as I am withdrawing myself as co-applicant as of today, June 14, 2016.

Respectfully,

Lisa Temkin”

Applicant/Commissioner Temkin letter to Community Development, dated June 14, 2016

LANDMARK NOMINATIONS MUST BE ON THE HPC FORM *(City Code)*

“Nomination. A Property, Structure, Area, Object, or Landscape of Significance may be nominated for Landmark designation by presentation to the Chairman of the Commission of a **written nomination on a form prepared by the Commission**

Section 24.025(A) of the City Code

**APPLICANT TEMKIN'S JUNE 14 LETTER
(THAT HER MAY 16 NOMINATION WAS "AMENDED" BY THE JUNE 13 NOMINATION)
IS INCONSISTENT WITH THE CITY'S JUNE 22 LETTER TO THE SILVERSTEINS
(THAT APPLICANT TEMKIN'S MAY 16 NOMINATION HAD BEEN "WITHDRAWN,"
AND SUCCEEDED BY THE JUNE 13 NOMINATION FROM A DIFFERENT INDIVIDUAL)**

“This letter is to inform you that the nomination form to designate your house at 1570 Hawthorne Avenue as a Local Historic Landmark has been amended. The original nomination form, received on May 16, 2016 was submitted by a member of the Historic Preservation Commission. **That nomination has been withdrawn** and a revised nomination form has been submitted that is signed by ‘an individual with an interest in preservation,..’ as authorized by Section 24.025(A)(1) of Highland Park’s City Code.”

City’s letter to Silversteins dated June 22, 2016

**APPLICANT TEMKIN’S JUNE 14 LETTER
(THAT SHE WAS A “CO-APPLICANT” ON THE JUNE 13 NOMINATION)
IS ALSO INCONSISTENT WITH THE CITY’S JULY 6 EMAIL TO SILVERSTEINS’ COUNSEL
(THAT “CO-APPLICANT IS A TYPO” AND “CHRISTOPHER ENCK IS THE ONLY APPLICANT LISTED THERE”)**

“Cal, Please find the attached [June 13] application for LM nomination.”

Email from N. Jahan to C. Bernstein, dated July 6, 10:16 a.m.

“Can you please also send me the attached document to the application. **It states that he is the co-applicant. Who is the other applicant.** Did Lisa Temkin withdraw her application?”

Response email from C. Bernstein, dated July 6, 10:30 a.m.

“Enclosed is document for 1570 Hawthorne landmark nomination application. **Christopher Enck is the only applicant listed there, co-applicant is a typo.**”

Reply email from N. Jahan to C. Bernstein, dated July 6, 1:03 p.m.

SUCCESSIVE LANDMARK NOMINATIONS ARE PROHIBITED *(City Code)*

“Successive Applications. No proposed Landmark designation that fails to be approved pursuant to the provisions of this Section, and no proposed Landmark designation that is substantially the same as any such failed Landmark designation (collectively, ‘Failed Landmark’), shall be resubmitted or considered for a period of two years from the date of the final disposition of the Failed Landmark under the terms of this Section”

Section 24.025(J) of the City Code

**AN HPC COMMISSIONER CANNOT VOTE
ON ANY MATTER THAT MAY AFFECT HER PROPERTY
(*City Code*)**

“No Historic Preservation Commissioner may vote on any matter that may materially or apparently affect[] the property, income or business interest of that Historic Preservation Commissioner.”

Section 33.1705(A)(3) of the City Code

**RECUSAL FROM “ANY DELIBERATION, DISCUSSION, OR OFFICIAL ACTION”
IS REQUIRED IF A COMMISSIONER HAS A CONNECTION TO THE MATTER
SUCH THAT HER PARTICIPATION WOULD APPEAR IMPROPER
(*Ethics Guidelines*)**

“In the following circumstances, an Official ... must recuse himself or herself from any deliberation, discussion, or Official Action of the Commission in compliance with the rules for recusal set forth in Section 6.D of these Guidelines: ... (7) Appearance of Impropriety. The Official has a connection to the ... matter before the Official’s Commission such that the Official’s participation in any deliberation, discussion, or Official Action related to the ... matter would appear improper.”

Highland Park Ethics Guidelines, § 6(A)(7)

**COMMISSIONER/OWNER TEMKIN:
“THE HOUSE AT 1570 APPEARS MOST SIMILAR TO MY HOUSE IN FORM”**

“Interestingly, the house at 1570 appears most similar to my house in form, but the materials are different. I believe it was built a year before my house - in 1936. I’ll bring Marty’s book, which you can also view on-line. The house recently sold and if you read the add [sic], leads the buyer to believe that they can just tear the house down.”

Commissioner Temkin email to A. Cross and B. Thomas, dated November 24, 2015

M. HACKL BOOK: HOUSE IS “VERY SIMILAR” TO COMMISSIONER TEMKIN’S HOUSE

Wilson Kline Residence - ca. 1937
1570 Hawthorne Drive - Highland Park, Illinois



Nomination dated June 13, 2016, third page

his house is very similar to the Whitehouse Residence, also in Highland Park.



Lisa Temkin

July 28 · AddThis Sharing ·

Here's the house on Hawthorne that's been nominated as a local landmark.



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Lisa Temkin August 11 is HPC meeting! This is the 2nd house Van Bergen built in HP. **It has the same form as my house.** but my house is newer--1937! The house has great intact details!

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JULY 29, 2016:
"It has the same form as my house"**

<https://www.facebook.com/lisa.temkin/posts/10206946341085630>

SILVERSTEINS' INCORPORATION INTO THE RECORD AND RIGHT TO SUPPLEMENT

- To the extent not set forth herein, the Silversteins adopt and incorporate by this reference (i) all points made in “Owners’ Objection (with exhibits) to preliminary Landmark Designation Recommendation for 1570 Hawthorne Lane,” submitted July 11, 2016, and (ii) the record of proceedings of the HPC meetings held on December 10, 2015, July 14, 2016 and August 11, 2016 with regard to the house at 1570 Hawthorne, including any meeting packets, minutes, transcripts and any audio or video recording of those proceedings.
- The Silversteins reserve the right to supplement their current objection as necessary.