



## HISTORIC PRESERVATION COMMISSION– STAFF REPORT; HPC 2018 – 26 PUBLIC HEARING FOR DEMOLITION

**Address:** 224 S. MARION STREET  
**Meeting Date:** August 30, 2018  
**Property Owner:** Andrew Palomo (David Lehman-Contract Purchaser)  
**Architect:** Drew Nelson, AIA  
**Contractor:** N/A  
**Historic Designation:** Ridgeland/Oak Park Historic District  
**Construction Date & Arch:** c. 1900 / Unknown  
**Zoning:** DT-3; Downtown District  
**Project Description:** Demolition Request



The house was constructed c.1900. There is no information available regarding the builder or original owner of the house.

### **Preservation Ordinance and Guidelines**

Following are the Secretary of the Interior Standards used in determining a demolition request.

### **Secretary of the Interior's Standards for Rehabilitation**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Section 7-9-12(B) of the Oak Park Historic Preservation Ordinance states that the Secretary of the Interior's Standards and the Architectural Review Guidelines be used when considering demolition. It also states that if a property is determined to be a Non-Contributing Resource, then the HPC must approve the Certificate of Appropriateness (COA) without further review.

The definition of Non-Contributing Resource in Section 7-9-2 of the Oak Park Historic Preservation Ordinance is as follows: *A property within a historic district that does not represent significant historical and/or aesthetic characteristics which qualified the area as a historic district.*

Section A of the Guidelines (preamble) states that their purpose is to protect unique visual qualities of a building and site and determine if siting, massing, scale, materials and street rhythm are compatible with the neighborhood context.

Section B further discusses establishing contextual character through the following:

- a) Siting – trees, landscaping, building setbacks, garage access, driveways
- b) Massing – building height, roof forms and shapes
- c) Scale – number of stories, lot width to building width
- d) Materials – Roof, walls, trim, windows, porches
- e) Street rhythm – Historic styles in the area, massing, roof forms of adjacent buildings

### **Project Description:**

The proposal is to demolish a single-family house and detached garage at 224 S. Marion Street. The subject property, currently used as offices, is located within a commercial zoning district (DT-3) and abuts an open space zoning district (OS) to the east which is Mills Park. There are a few other single family homes in the area that have been converted into commercial uses also – adjacently north (office) and across the street (funeral home and photography studio). This property is listed as a *Contributing Resource* within the *Ridgeland/Oak Park Historic District*, and therefore demolition requires the approval of a Certificate of Appropriateness. The Applicant has submitted the Certificate of Appropriateness application and supporting information for the Historic Preservation Commission's consideration. (See exhibits)

### **History:**

The only Village records found are relative to a conversion of the first floor into a doctor's office in 1953 by *Able-Howe Co.* contractors. The second floor was retained as an apartment with an exterior staircase added to the east elevation. In 1954 the original garage was razed and a new two-car garage rebuilt in its place by *Associate Remodeling Co.*

June 27, 2018: The Applicant met with the Architectural Review Committee. At that committee meeting, the ARC discussed the process for demolition. It was indicated that a review of a COA is the first step in that process. If the Commission determines that the building is a *non-contributing structure*, the demolition process described below is not necessary. If the Commission takes *no action*, then the applicant has the option to withdraw the application or request a public hearing.

August 9, 2018: Mr. David Lehman, contract purchaser of the subject property, provided an overview of the request for demolition of the commercially-used house at 224 S. Marion Street. Mr. Lehman stated that economic development should be the priority in the downtown commercially zoned area and that the current use was not the highest and best use for this district based on his read of the Village's Comprehensive Plan. The subject property is zoned *DT-3; Downtown District* and located within the *Pleasant District* commercial district. Mr. Lehman also felt that one less American Four Square building-type would not diminish the integrity of the historic district.

Several members of the Commission indicated that the subject site contributes to the Ridgeland-Oak Park Historic District; helps set the context and achieves a good diversity of building types. The Commission was interested in any attempt to retain the building and incorporate it into the proposed

development. The Commission stated that their charge is to ensure the integrity of all the historic districts is preserved.

**Staff Comments:**

According to the architectural review language on the Village's website used to support eligibility as a contributing resource in the Ridgeland-Oak Park Historic District, the following was provided: *This is a 2.5-story office building in the Prairie School style with Queen Anne influences built c.1900. The structural system is frame. The foundation is stone. Exterior walls are replacement wood siding. The building has a hip roof clad in replacement asphalt shingles and one hip-roofed dormer. There is one rear, rear slope, brick chimney. Windows are historic wood, 1/1 double-hung sashes. Also replacement wood fixed picture windows. There is a single-story, partial-width open porch characterized by a flat roof with square wood posts. Has a decorative hanging balustrade. There is a 1 and 2-story, rear, frame addition. It is eligible as contributing resource.* No significant changes to the facade have occurred since its designation as a contributing resource.

The Comprehensive Plan's Future Land Use Plan identifies this site within a *Neighborhood Commercial / Mixed Use* land use area. This future land use area represents an area that includes single-story commercial structures located along the street and multiple-story mixed use structures. These areas tend to be pedestrian-oriented, though some developments include small off-street parking areas. Uses in these areas are often oriented towards day-to-day commercial needs for residents.

While the Comprehensive Plan supports economic health and vitality and understands the symbiotic relationship between economic development and the overall quality of the community, the Comprehensive Plan also supports the preservation of Oak Park's historical and architectural heritage. By this support, the Village can help ensure one of Oak Park's defining characteristics, and source of community pride, is not compromised.

## **Demolition Request Process in Oak Park Historic Districts**

Following is the process for reviewing a demolition request in all of the Oak Park historic districts. This process is specified in Sections 7-9-13, 7-9-14 and 7-9-15 of the Oak Park Historic Preservation Ordinance (Article 9, Chapter 7 of the Village Code).

1. If the property owner of a Contributing property in a historic district wishes to demolish the entire structure (or part of the structure as meets the definition of demolition), they must submit a Certificate of Appropriateness (COA) application to the Historic Preservation Commission for review and approval. The COA must be approved in order to receive a demolition permit from the Building and Property Standards Department.
2. If a building has been pre-determined to be a Non-Contributing property, then the permit for demolition may be approved by staff without review by the Historic Preservation Commission. If the Contributing status has not been determined at time of application, it will be sent to the Commission for a determination.
3. At a regular meeting, the Historic Preservation Commission will review the COA application for demolition. If the Commission determines that the building is non-contributing or otherwise not worthy of preservation, it may approve the COA application. If the building is a Contributing property, the Commission shall take no action on the COA application.
4. If the Commission takes no action on a COA application, the applicant has the following options:

- a) Withdraw the application;
  - b) Request a public hearing before the Historic Preservation Commission;
  - c) Alter the application to meet the Commission's guidelines (*not applicable to full demolition requests*)
5. If the applicant desires to request a public hearing, they must make that request within 15 days from the HPC meeting where no action was taken.
6. Upon receipt of the request for a public hearing, the Commission must hold the hearing within 45 days of the request. The hearing date must be noticed in the newspaper, and all property owners within 250 feet must be notified by certified mail.
7. *At the public hearing, the Commission takes testimony from the applicant and all interested parties on the COA application. Following the public hearing, the Commission has 15 days to issue or deny the COA.*
8. If the Commission denies the Certificate of Appropriateness, the applicant has the following options:
  - a) Withdraw the application;
  - b) Request an appeal to the Village Board;
  - c) Submit an application for a Certificate of Economic Hardship.
9. If the applicant desires to appeal to the Village Board, it must do so within 15 days of receipt of a final denial of the Certificate of Appropriateness.
10. The Village Board must hear the denial with 45 days of the request. The Board may affirm, reverse or modify the decision of the Historic Preservation Commission. Failure by the Board to take action with 45 days will result in a denial of the appeal and an affirmation of the Commission's decision.
11. A Certificate of Economic Hardship may be submitted after denial of the COA by the Commission or denial of the appeal by the Board. The public hearing process for the Certificate of Economic Hardship is similar to the process for a Certificate of Appropriateness. A denial of the Certificate of Economic Hardship by the Commission may also be appealed to the Village Board.
12. The applicant has the ability to file suit in Circuit Court upon denial of an appeal by the Board.