

**RESOLUTION OF THE VILLAGE OF OAK PARK HISTORIC PRESERVATION
COMMISSION DENYING A CERTIFICATE OF APPROPRIATENESS FOR THE
DEMOLITION OF A COMMERCIALLY USED RESIDENTIAL STRUCTURE WITHIN
THE RIDGELAND/OAK PARK HISTORIC DISTRICT LOCATED AT 224 S. MARION
STREET, OAK PARK, ILLINOIS**

WHEREAS, on July 27, 2018, David Lehman ("Applicant") filed an application for a Certificate of Appropriateness seeking approval to demolish a commercially used residential structure ("Structure") within the Ridgeland/Oak Park Historic District located at 224 S. Marion Street ("Subject Property"); and

WHEREAS, on August 9, 2018 the Village of Oak Park Historic Preservation Commission ("Commission") reviewed the Applicant's application and determined it did not meet the Architectural Review Guidelines and took no action on the application per Section 7-9-13(F) of the Village of Oak Park Village Code ("Village Code"); and

WHEREAS, on August 10, 2018, the Applicant requested a public hearing before the Commission on his application, on August 15, 2018, a legal notice was published in *The Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park ("Village") providing notice of the public hearing, and letters were mailed by regular and certified mail also on August 14, 2018 to owners of property within two hundred and fifty (250) feet of the Subject Property advising them of the proposal and the public hearing; and

WHEREAS, pursuant to proper notice, the Commission conducted a public hearing on the application on August 30, 2018, at which time and place a quorum of the Commission was present;

WHEREAS, at the public hearing all persons testifying were sworn and provided testimony and evidence under oath, the Applicant presented evidence and testimony in favor of the application, and ten (10) members of the public presented in-person testimony opposing the application, and the Commission received and reviewed an additional seventeen (17) written comments opposing the application;

WHEREAS, at the conclusion of the public hearing the Commission considered all evidence and testimony submitted on the application, deliberated on the application and determined, by unanimous votes of those Commissioners present, that the Structure is a contributing resource in the Ridgeland/Oak Park Historic District and that the application of a Certificate of Appropriateness to demolish the Structure be denied;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF OAK PARK HISTORIC PRESERVATION COMMISSION:

SECTION 1: Incorporation. Each Whereas paragraph above is incorporated by reference into this Section and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: Findings of Fact. The Commission makes the following findings of fact regarding the application:

Subject Property and Structure

1. The Subject Property is located at 224 S. Marion Street.
2. The Subject Property is located in the DT-3 Pleasant Sub-District Zoning District, the purpose of which is to "accommodate the pedestrian-friendly, lower-intensity mix of small floor plate retail, personal service, and entertainment uses that support the vitality of the Downtown Central," per Section 5.1.A.3. of the Village's Zoning Ordinance.
3. The Subject Property abuts Mills Park, which is in the OS Open Space Zoning District.
4. The Structure was built in 1900 as a residence for the Lackey family.
5. The Lackey family which originally occupied the Structure included a notable Village resident, who was among the first women elected to local office in the Village.
6. The Structure is a two and a half story office building in the Prairie School style with Queen Anne influences, with a single-story, partial-width open porch characterized by a flat roof with square wood windows and a decorative hanging balustrade.
7. The Structure features a distinctive bay, with decorative leaded windows, and porch.
8. The Structure was renovated from a residential use to office space, beginning in or around 1953.

Application

9. The Applicant proposed to demolish the Structure to build a "maximum permitted" condominium development on the Subject Property, with a building height of approximately sixty feet (60'), with the building as close to the lot lines as the Village's Zoning Ordinance permits.
10. The Applicant does not propose to incorporate, save or preserve any elements of the Structure in his proposed condominium development.
11. The Applicant did not attend the public hearing.

12. The Applicant had his architect attend the public hearing as his representative.

13. The Applicant, through his representative, stated that the Subject Property would be improved to a higher and better use with the proposed development, as opposed to leaving the Structure on the Subject Property, as property tax receipts from the Subject Property would increase.

14. The Applicant did not present any testimony or evidence regarding the design of the proposed development.

15. The Applicant did not provide any testimony or evidence regarding whether or not the Structure is a contributing resource in the Ridgeland/Oak Park Historic District.

16. The Applicant did not provide any testimony or evidence regarding the application of the standards for determining whether a Certificate of Appropriateness should be granted to demolish the Structure.

Testimony and Evidence

17. Other than testimony and evidence from the Applicant's representative, no testimony or evidence was presented in support of the application.

18. Seventeen (17) written objections to the application were received by the Commission prior to the public hearing and accepted into evidence.

19. At the public hearing, ten (10) Village residents testified in opposition to the application, many of whom live in the vicinity of the Subject Property.

20. Evidence at the public hearing demonstrated that the Subject Property and the Structure are an important gateway and transition into Mills Park.

21. Mills Park includes a National Landmark, Pleasant Home, in close proximity to the Subject Property.

22. The Ridgeland/Oak Park Historic District's nomination notes that a strength of the District is the myriad of types of structures in the District.

23. Two (2) members of the public stated that they are willing to purchase the Subject Property and preserve the Structure.

24. The Chair accepted the following exhibits into evidence at the public hearing:

- A. Certificate of Appropriateness application; dated June 27, 2018
- B. Project Summary / Presentation from David Lehman; dated July 12, 2018
- C. Correspondence from applicant requesting public hearing; dated August 10, 2018
- D. Legal Notice, Notice to owners, Notice to property owners within 250 feet
- E. Photographs of property
- F. Draft Minutes of the August 9, 2018 Historic Preservation Commission meeting
- G. Authorization to proceed from Property Owner; dated August 13, 2018
- H. Resume for Drew Nelson
- I. Public comments received by the Village prior to the public hearing

Comprehensive Plan

25. The Village's Comprehensive Plan's ("Comprehensive Plan") Future Land Use Plan identifies the Subject Property as being within the Neighborhood Commercial / Mixed Use land use area, an area that is desired to include single-story commercial structures located along the street and multiple-story mixed use structures, and which area is sought to remain pedestrian-oriented.

26. While the Comprehensive Plan supports the economic health of the Village, it also supports the preservation of the Village's historical and architectural heritage, which preservation ensures one of the Village's defining characteristics and source of pride endures.

Architectural Review Guidelines

27. Section 7-9-12(B) of the Village Code provides that the United States Secretary of the Interior's Standards and the Commission's Architectural Review Guidelines shall be used when considering whether a Certificate of Appropriateness for demolition of a contributing resource should be granted.

SECTION 3: Conclusions. The Commission makes the following conclusions regarding the application based on the testimony and evidence presented at the public hearing, and based on the findings of fact set forth above:

1. The architectural style and heritage of the Structure should be preserved.
2. The Structure contributes to and reinforces the character of the Village as a whole, the Ridgeland/Oak Park Historic District and the area in the immediate vicinity of the Subject Property and Mills Park.
3. The Structure serves as an important gateway from the surrounding neighborhood into Mills Park and Pleasant Home, a National Landmark.
4. The Subject Property is a contributing resource within the Ridgeland/Oak Park Historic District.
5. Demolition of the Structure does not comply with the Village's historic preservation requirements in the Village Code.
6. Demolition of the Structure does not meet the United States Secretary of the Interior's Standards and does not meet the Commission's Architectural Review Guidelines.
7. Demolition of the Structure would frustrate and thwart the policy of the Village as expressed in the Comprehensive Plan, by removing a building which contributes to the Village's historical and architectural heritage.
8. Demolition of the Structure would remove the home of a notable Village resident
9. Demolition of the Structure would disrupt the myriad of types of structures in the Ridgeland/Oak Park Historic District and other Village Historic Districts.
10. Demolition of the Structure would set a negative precedent for requests to demolish other contributing resources in the Ridgeland/Oak Park Historic District.
11. The Structure is in good condition, has a long useful life and there is a real and substantial interest in acquiring and preserving the Structure.
12. The Structure conforms to the purpose of the DT-3 Pleasant Sub-District as described in the Zoning Ordinance.

13. Rehabilitation and adaptive reuse of existing historic structures, such as the Structure, is a valuable and recognized form of economic redevelopment.

SECTION 4: Denial of Application. Pursuant to the authority vested in the Commission by the Village Code, and based on the above findings, the testimony and the evidence presented at the public hearing, by a unanimous vote of those Commissioners present, the Commission hereby findings the Structure is a contributing structure in the Ridgeland/Oak Park Historic District and, by a unanimous vote of those Commissioners present, the Commission denies the Certificate of Appropriateness application to permit demolition of the Subject Property.

SECTION 5: Severability. If any Section, paragraph, sentence or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

ADOPTED this 30th day of August, 2018, pursuant to a unanimous roll call vote of the Commission.

APPROVED by me this 30th day of August, 2018.



Christopher Payne, Chair of the Commission