

Oak Park Historic Preservation Commission
Downtown Historic Preservation Public Meeting
January 30, 2007 Meeting Minutes
Oak Park Public Library, Veterans Room – 7:00 pm

PRESENT: Chair Douglas Gilbert, Kate Susmilch, Bob Lempera, Todd Young, Doug Freerksen

ABSENT: Karen Doty, Frank Lipo, Marsha Moseley, Tom Bassett-Dilley, Nick Kalogeresis

STAFF: Doug Kaarre, Urban Planner

Chair Douglas Gilbert introduced the second public meeting to take comment on historic preservation planning for downtown Oak Park. The Commission's regular meeting on February 8 at 7:30 p.m. at Village Hall will be for the Commission to discuss what they've been hearing and reading and trying to develop some ideas on how preservation planning can fit with other planning tools downtown. The public is welcome to come and hear the Commission's discussion. Another public meeting will be held on February 21 at 7:30 p.m. at Village Hall for the Commission to head additional feedback on the Commission's focused direction. The Commission will be flexible on the schedule, and may continue discussions to March 8 if needed.

He asked for a show of hands on how many attended the last meeting (almost everyone). The Commission is on a process of investigating ways in which historic preservation can be integrated into the overall planning process for downtown Oak Park. He is referring to various tools available to the Village to guide the future of the downtown built environment. That includes zoning, the planned development ordinance, a TIF district as well as other option. Preservation can be one of those categories and help the Village guide the way the built environment will look downtown.

The Commission has identified three common options used in preservation planning using formal designation. 1) National Register Historic District, which is honorary only and provides no restrictions on private property use. Private property owners are free to do whatever they please with their property. It does provide some restrictions and review over state or Federal actions or projects. It also provides financial incentives to commercial property owners.

2) A Local Historic District is the same idea but locally designated by the Village Board. It falls under the Oak Park Historic Preservation Ordinance. The Commission has review authority over exterior alterations visible from the street on contributing properties within the district. A contributing property is part of the historic character of the district. It needs to be at least 50 years old and have physical integrity – look similar to when it was built – and have characteristics that made the district historic in the first place. An FAQ sheet answers more questions in detail. This review is advisory unless the project involves complete or substantial demolition (exterior only). Then the Commission has binding review.

3) Designate Landmarks of significant buildings. They are identified in the Downtown Architectural Survey. How many is subject to discussion if the Commission goes in that direction. Landmarks are subject to binding review by the Commission on exterior alterations. It doesn't mean changes can't be made, just that they need to be approved by the Commission. They need to be sympathetic to the historic character of the building. The

rest of the buildings in the downtown ranked as Structures of Merit and No Merit would have no restrictions or review by the Commission. Any final approvals would be from the Village Board.

The Commission could also consider other ideas or ways to encourage preservation, either on its own or in conjunction with the other options. Such as restoration grants or financial incentives. Cook County property tax reduction comes with local designation. There may be other ideas that the Commission could suggest to incorporate good preservation ideas into downtown planning.

He reviewed commercial projects that the Commission has reviewed and approved in the past. It shows what is allowed as well as showing that commercial properties can be preserved and be economically viable. All buildings are located within a historic district. Projects included storefront renovations, building renovations, and demolition and new construction.

He is the chair of the Commission and is an architect specializing in preservation at a firm in downtown Chicago for over 10 years. He has lived in Oak Park about 8 years and in the area for longer than that.

Commissioner Todd Young has lived in Oak Park for 7 years and is a realtor in Oak Park and River Forest.

Commissioner Bob Lempera has been a registered architect for 35 years and is retired and has lived in Oak Park for 20 years.

Commissioner Kate Susmilch has been in Oak Park for 5 years, served on the association for her condo building and is a member of the Architectural Review Committee.

Commissioner Doug Freerksen has been an Oak Park resident for decades and owns a remodeling and restoration company in Oak Park.

Chair Gilbert introduced Doug Kaarre, the Commission's staff liaison. He opened the meeting for public comments and questions.

Mike Fox is the President of Downtown Oak Park and his company has five properties downtown. As President he tried to be neutral amongst all the property owners. He received an influx of upset calls with their initial reaction. We tried to get both sides together to make sure everyone understands both sides of the story. Doug Gilbert was nice enough to come and meet with downtown property owners to discuss the pros and cons. The overwhelming response was negative. He knows of only one in favor. His company has done 5 or 6 historic renovations, including the Plaza Hotel. He has to share his one horror story. The old Panda Studios was on Marion Street south of the funeral home. It used to be a house and was a dance studio for a long time. He needed parking for the hotel, and that owner said he would sell him the property. He asked the chair of the Commission at the time if it would be okay to tear down. He took it to the Commission and they said yes. So he bought it and submitted the application and the Commission said no because they had new evidence that it was built in 1895 and not 1910. They felt it was worthy of preservation. He went through a public hearing process on economic hardship and appealed to the Village Board and was finally approved. The hoops he had to jump through were huge. There was no guarantee

the Board would have agreed. This brings a huge level of uncertainty. He also owns the Book Table at 1135 Lake Street. It used to house the Factory Card Outlet. The building went vacant and they stripped off the entire façade and putting on a whole new one that fits well with the street. That is something that may not have been allowed in a historic district. His fear is that the current nice people on the Commission won't be around in the future, and the mean guys that come after you will tell me I can't do something. Then I'll have an obsolete building. The uncertainty factor is huge. Why would I want to do that and take that chance? I know best for our building. I wouldn't put in something that wouldn't go with the street. We make a living at this. We can't afford to have buildings that sit empty and I don't want my neighbors to have buildings that sit empty either. We can go on about the various incentives, but they are typically few and far between due to the level of rehab needed to get them. He has gotten the tax credits and Class L before. It's rare to do a big project. Rehab is usually piecemeal each year, which doesn't qualify. It's all about control. Certain people are pushing this because someone else wants control over what we have. It's about protecting buildings, which he understands, but you're taking away certain property rights that we hold near and dear. It's what we do to make a living. It's difficult for us to swallow the fact that we won't be able to change our buildings.

Chair Gilbert responded that a number of downtown property owners have done a good job of being stewards of their historic properties. You're an excellent example of that. The Marshall Field's building, the Lake Theater, a few banks – are all important historic buildings. The Cosi building did a nice job on their façade. It's important to recognize those efforts. You mentioned that may the next Commission won't be friendly, but it's a way for the community to have some guidance for the next property owners and how they will treat it. Will they even be local? Most now are local or regional owners – hands-on, here all the time. That's the best we can hope for, but we don't always get that. You'll get developers to come in. There's nothing wrong with wanting to make a profit and develop real estate, but the community should have an opportunity to guide its own future. That's what this process is about. Trying to find some kind of balance where the property owners have the flexibility they need to keep businesses in their buildings and renovate them so they can attract strong rents and new businesses – at the same time balancing that with the community's desire to respect its historic character. He appreciates your comments and your case studies because the Commission needs to hear that.

Commissioner Freerksen stated that he was on the committee that put together the Downtown Architectural Survey and he's familiar with Mr. Fox's building. They saw it before and after and they thought you did a nice job. Not everybody does. As far as property rights go, we are all under guidelines and codes. The truth is that all of these things are done under guidelines. The Commission is not pulling rules out of their hat. The guidelines are fairly clear. Guidelines are also established for building codes, like life safety issue. But Oak Park is not the first or last community to ask for some aesthetic guidelines for its downtown district. It's not that unusual and not too much to ask in some cases. We're here to listen. Please understand that it's not about the Commission's control of the downtown buildings. It's about the citizens of Oak Park requesting that the flavor of downtown retain its historic feel and character. That's why we're here.

Pat Zubak asked how has the Commission in the past worked with building owners to help them overcome the rigidity of your charge.

Commissioner Susmilch responded that guidelines are not one size fits all. They allow for interpretation on each individual building. There is usually deliberation on each project, not just yes or no.

Chair Gilbert stated that the Commission tries to be as flexible as they can within the guidelines. Obviously there's a line in the sand where a project doesn't meet the guidelines, but they work to try and get as close to that line for each side. They don't have very many public hearings or appeals which shows they do a pretty good job of trying to be flexible. Obviously it takes the same commitment from applicants to tweak their plans if needed. Sometimes it doesn't work out, but there has been a commitment on the Commission to keep that working relationship with the applicants.

Commissioner Freerksen stated that in the end the Village Board has the right to over the Commission's decisions.

Mike Fox stated that he had to prove economic reasons why he should be able to demolish his building. So that wasn't true in his case.

Commissioner Freerksen stated that in the case of complete demolition is so final and irreversible that the process does slow down. You did get what you wanted eventually though it took longer.

Mike Fox stated that he did get what he wanted, but he almost didn't and the process was horrifying. In the case of downtown Oak Park, we're really talking about facades. You're not concerned about the inside, just the façade. We're not talking about control of much of anything except the front. That's where it all comes into play with the guidelines. If we want to replace our façade it falls under demolition. In that case the Board can't say no unless you can show economic causes. That could be difficult to do.

Chair Gilbert stated that the Board can overturn the Commission for any reason, not just economic reasons. For instance, the greystone at West Suburban Hospital was not an economic hardship. They pleaded their case that there were benefits to the Village that were greater than historic preservation and the Board agreed with that.

Bruce Lehman stated that he is a former Federal Savings & Loan regulator and Mike's point resonates with him. It is true that there are times when an application is not moved along by a particular regulator. It was unusual. He's mostly on the preservation side, but he wonders who sets up the guidelines and will the owners have input into those guidelines. How specifically what the time frames are, can they evolve over time to become clearer to everyone? There has to be other communities in the U.S. that have dealt with this preservation process and come up with guidelines over time that became clear enough to reduce the uncertainty factor.

Chair Gilbert stated that the Village Board has to approve the guidelines. The ones we have were last updated in 1999. We've talked about this in the process. We have three historic districts that are mostly residential in character, though the Avenue business district and others are in the Ridgeland-Oak Park Historic District. When the guidelines were first approved they were geared mainly towards residential buildings and have no specific unique issues regarding commercial buildings, such as storefronts. And flexibility issues on storefronts have been a question. The Commission has identified some changes needed to the guidelines no matter what happens with downtown. They would definitely work with downtown property owners and other interested parties to establish reasonable guidelines that protect the overall historic character but provide flexibility that might be necessary for people that own commercial buildings versus residential. We're also investigating other communities that have different types of designations in their downtown. That's for our purposes and to see how things work in other communities.

Greg Melnyk stated that he spoke last week as a property owner. This week he is speaking as chairman of the Business Association Council (BAC). They are urging the Commission not to make downtown Oak Park a historic district. While they understand and appreciate the need for historic preservation, they think history has shown that individual property owners in Oak Park are aware of this and they're concerned also, and put the community as part of their process of what they're doing. The individual property owners are the ones who have everything at risk. If someone wanted to buy property downtown, even if you exclude the recent purchase of Lake and Forest, there are still expensive properties. If you put that much money into a property, you're going to have a concern about what's there. The risk is all on the property owner and they should have the final say in what's there. It's been demonstrated that Willis Johnson, Mike Fox, Anthony Shaker and others are concerned and do care about downtown and they'll make the right decisions. You've got to trust the people in the business who know what they're doing to do it. Multiple property owners are more concerned because what happens to one property affects everyone. They put pressure on their peers to do something right. That's why the BAC urges you not to make the downtown a historic district.

Chair Gilbert asked him to clarify what he meant by historic district. There are several options.

Greg Melnyk stated that they wouldn't have any objection to individual property owners designating their own properties. They're the ones taking the risk. When you have something designated as a historic building, it affects the value. The question is whether it's positive or negative. When you're trying to sell it, it does limit the market.

Commissioner Freerksen asked Mr. Melnyk to provide examples of how property owners put peer pressure on other property owners to do the right thing, as he mentioned.

Greg Melnyk stated that Oak Park is a small town, and if you're going to do something, everybody knows about it. Property owners downtown are concerned on what affect something is done in the area has on their property. If someone wants to put up aluminum siding, I'm sure that property owners are going to get them on the side and try to talk them

out of it. Downtown Oak Park is a very active association and hold meetings often. That's a forum and opportunity to reach out.

Commissioner Freerksen asked if those sorts of pressures don't work, is there any process you're aware of to slow them down or halt the action for the benefit of the community.

Pat Zubak stated that there is an awning or signage grant that has to go through a committee that has input on it. It is usually done in one or two days. OPDC also has a façade grant. It doesn't put the property owner in a stressful situation or delay work.

Commissioner Freerksen stated that it also doesn't limit what someone can do to a façade.

Pat Zubak stated they would not allow aluminum siding.

Commissioner Susmilch stated that if they were doing the project on their own they could do anything they want.

Mike Fox stated that it's a big incentive and most merchants go for the grant.

Chair Gilbert stated that's why they promote the possibility for incentives that can provide the carrot with a little stick that goes with it. You encourage preservation and give them some benefits for doing so. It's worthwhile to talk about.

Commissioner Susmilch stated that the BAC was opposed to a historic district but was okay with owners landmarking their property. A third option is the National Register historic district. How does the BAC feel on that?

Greg Melnyk stated that everything he's heard is that it's a feel-good type thing that doesn't do anything. You can put up a sign. The thinking here is that it's a first step towards local historic designation.

Annabel Abraham asked if the Plaza Hotel project took advantage of incentives.

Mike Fox stated they used the 20% Federal tax credit, and reduced the assessment on their taxes. Their taxes were \$7,000 when they bought the building and \$50,000 when they finished their rehab. It doesn't freeze them but cuts them in half for 8-12 years.

Annabel Abraham stated that you could take a dilapidated building and resuscitate it.

Mike Fox stated the building was gutted when they bought it. He's happy for the credits they got.

Annabel Abraham asked about the building west of Marion that was rehabbed.

Greg Melnyk stated that he is one of the owners of that building. We did not get any credits for it. We sunk our hard-earned money into the building. They chose not to go for the

credits because it was not a historic restoration. They gutted the entire inside and chose to do it on their own.

Annabel Abraham stated she doesn't think that peer pressure can be applied to everyone. She wonders about the purchase at Forest and Lake. The fact that somebody bought it and it's a large piece of property and a lot of money was paid for it doesn't mean that we have to do whatever he wants to do. Property rights don't work that way. It's an awfully big thing and she wonders how that's going to work.

Kathryn Jonas stated that several of you mentioned that the community has a right to say what is done. During the Downtown Master Plan people said that one of the most important things is retaining the small-town character. She asked how many people there do not live in Oak Park (several people raised their hands). One comment of the Master Plan was that downtown looks shabby. Greg's building has tuckpointing problems and looks shabby. Same with Mike's building, though you did a good job with the Book Table building. This is a critical part of why people are upset with downtown. Property owners are not taking care of their small historic buildings. There is a reason for it and that is because of the zoning. People paid \$9 million for the Pancake House because you can build 12 stories on it. That is determining the character of downtown more than whether it's a historic district or landmarks. The determining factor is the zoning and the height limitations. The 2-3 story buildings are worthless when you can build 8 stories. She grew up in Elmhurst and it's great. They used to have a Main Street program. So many other towns have wonderful downtowns – Hinsdale, LaGrange, Elmhurst, North Shore, and Madison Street in Forest Park. We are so far behind its pitiful. We have spent as much TIF money as we have and so little has been done.

She wants to read a few excerpts on the much-maligned Colt Building from the report prepared by Bauer Latoza last summer, and there will be a point to it. For those who don't know, it has a façade on Lake Street and Westgate and had a pedestrian arcade down the middle. *"The Lake Street façade and the first 150 feet of the two interior facades facing the original arcade were designed in the Art Deco style to reflect the style of the buildings on Lake Street. The Westgate Street façade and the remaining 40 ft of the two interior facades were designed in the Tudor Revival style, to reflect the style of the buildings on Westgate Street. The juxtaposition of two different architectural styles in one building and the uncommon pedestrian arcade walkway of its original design make the Colt Building a very unique and historically significant building. It goes on to assess the building's condition. The original arcade elevations are intact on two-thirds of the second floor. The limestone facade and the original art deco detailing of decorative cast concrete and black granite are in good condition. The south or Westgate Street elevation is in good condition. The limestone façade requires tuckpointing at the lower 3 ft along the entire elevation. The east elevation is common brick. The common brick at this elevation is generally in good condition, with exception of the upper 3 ft which has open masonry joints and spalled bricks. It is recommended that the outer wythe of the upper walls be re-built. The west elevation is also common brick. The remainder of the brick on this elevation appears to be in good condition. The aluminum storefronts along Lake Street elevation are in good condition. The second floor aluminum windows at the Lake Street elevation, the interior "arcade" elevations and the Westgate Street elevations are in fair condition and the original wood frames still exist. Some of the wood frames have lost their paint and are exposed to*

the weather. The wood frames require minor repair and should be scraped, primed and painted. The clay tile shingle roofs are in good condition. The smooth-surfaced modified bitumen roof system is in good condition; At this time, replacing the roof system is not necessary. The metal flashing in the valleys, walls and the roof drain sumps at the clay tile shingle roofs appear to be the original copper. There are a few damaged gutters and downspouts on the south elevation that require replacement. The ornamental conductor boxes at the downspouts should be salvaged for reinstallation. There is a loading dock on the east side of the building. It is in fair to good condition."

Chair Gilbert asked if she was planning to read the entire report.

Kathryn Jonas stated that she's just reading some excerpts. They had an hour. This group has had an hour.

Chair Gilbert stated that it helps to have discussions but it needs to be focused towards the Commission and not between each other.

Kathryn Jonas stated that she said she had a point. She hasn't been up here nearly as long as other people have. She objects to the fact that she's an Oak Park resident and she's being called on time when no one else was.

Chair Gilbert stated he's not calling her on time, but on whether she's planning to read the entire report.

Kathryn Jonas stated that she's not reading the whole report, she's pulling out excerpts. *"Much of the interior spaces are broken up into small spaces to suit current or former tenant build-outs. The building's structure is supported by concrete columns. This type of structure allows flexibility with the interior space configuration. Currently, it appears the building has adequate electrical service. The recently installed "Lochinvar" boilers should be reused and incorporated into a larger heating plant that would include higher efficiency boilers sized to heat the whole building."* My point here is that this building that will probably soon be demolished is listed on your architectural survey as a structure of merit and probably can be upgraded to significant with some improvements to the façade. This document that I read and that was prepared for the Village does not in any way say that this building should be torn down. The point I'm getting at is if this building with this kind of an assessment is going to be torn down in Oak Park then we might as well throw in the towel.

What is the point of making a historic district or landmarking if we don't change the zoning downtown. Take down the Drechsler Building because it's been so diminished in terms of scale by RSC. If that's what's going to happen in Oak Park, why are we here wasting our time if we're not talking about things that are really in place that are determining the character of downtown. We're doing this in isolation. We have a few people who are speaking against it because they own properties. They're not concerned about what they can do with their facades; they're concerned about getting the heights. We're just glossing over the real issue here. Until we do that we're all wasting our time.

Chair Gilbert responded that hopefully we're not wasting our time. You hit on some good points. Zoning and historic preservation often overlap in historic districts and are often in

conflict. The Commission has issues at times when a project will meet the zoning but not the preservation guidelines. Those can be challenging projects that can take longer than one meeting. In a perfect world zoning and preservation would always align, but it's typical in most communities that zoning allows things that preservation doesn't allow. It doesn't mean either is better. Zoning has been around since the early 1900s, preservation since the 1960's, both have the same goal, to help guide how the built environment looks. There's been some effort to look at the zoning downtown, but there may always be conflicts. It's rather unfortunate that some of these broader issues weren't discussed more during the planning process. Nevertheless, we're left with having to deal with the preservation issue piecemeal over time. It's incumbent on the Commission to understand the other issues like zoning and to listen to people who have gone through these processes. It's not perfect.

Kathryn Jonas asked if they agreed that zoning was working against historic preservation downtown.

Chair Gilbert stated that it's open to debate. Zoning allows for projects and there are no preservation guidelines in place at all now. Redevelopment can occur and is up to property owner.

Kathryn Jonas stated that based on her research on other communities, they don't have height limitations we do. That's why they're downtowns aren't being destroyed. They don't have historic districts or landmarks. What they do have is the political will to represent the people and establish zoning that conforms to the desires of the people. When the people have said they want to retain a certain character downtown, and the Board goes contrary to that, and we have a few trustees here who went contrary to that and voted to keep the 120 foot height limitation along Lake Street, and we Crandall Arambula recommended 75, and when the people said they wanted to retain the small-town character. That's a critical issue that needs to be addressed and I think the Commission needs to look into it and consider that maybe it's a factor working contrary to what the Commission intends and what most people in town want.

Barbara Mullarkey stated that she wanted to thank Doug Kaarre for the information he gave her last week. She was astounded that there is no property inspection for commercial buildings in Oak Park. That's why perhaps that downtown doesn't look the way people want. Yet as a homeowner I can get cited for peeling paint. She understands that it might be taken care of in the near future, but it's wrong.

He sent me copies on the changes in the survey from 2003 to 2005. From structure of merit to no merit was 8 buildings, and from no merit to structure of merit was one building, and from structure of merit to significant was two buildings – 11 total.

She finally received the information on where the \$83 million was spent on the downtown TIF. She hasn't reviewed it yet but she will. She's been asking for it for years and just got it last week. Westgate and Marion were out of the picture, and now they think tearing it up will solve the problem. Why didn't they get any of this money? She doesn't understand it. People have to look at the facts before any decision is made. This was wrong to do this to the Village. She finds it appalling. She's going to find out where the money went.

Greg Marsey, Village Trustee and liaison to the Commission stated that he wanted to make a few comments. He wants to make clear that the Commission is not on a path to designate all of downtown for designation as a historic district, but it is a possible outcome. The other possible outcome might be that there are some buildings downtown that would be eligible for local designation as Landmarks. That's another possible outcome. Are there any other possible outcomes that you intend to bring back to the Board?

Chair Gilbert stated that the Commission is investigating several options – National Register district, local district and landmarks. If a district is recommended, the next step would be to investigate the boundaries; it wouldn't just blanket the entire downtown. It may be the Commission pursues no option; some people are interested in that. There are possibilities for economic incentives that we could recommend the Village locally pursue. There are even potential options for a way to have the Commission advise on downtown issues then currently instilled by the ordinance. The Board could say the Commission could comment on downtown development.

Greg Marsey stated that the impression he's getting tonight is that people are trying to set this up as an either/or proposition. Either we have no protection on these buildings or we set up a historic district and freeze downtown in time. He's more interested in hearing discussion about how these concepts can work together. The Main Street program has managed to make this happen successfully in some areas. He knows they've approached Downtown Oak Park who has not been interested. That's instructive and should tell us that the sentiment there is that having any type of designation on any of the building stock downtown is too great a limitation for either the organization to do its job or the building owners/retailers it represents that it's too restrictive to allow them to do what they want over time. On the other hand we have advocates for historic preservation who don't want that building stock modified or changed in any significant way. Those two points of view represent both extremes of what historic preservation ought to be – preservation at any cost or unfettered property rights. Any extreme is not the best for the community in his opinion. He's hopeful there can be some dialogue about how to wed these concepts and make them work together. He hopes they can move past the traditional shooting back and forth that is occurring here again tonight. If the 120-foot height limit downtown was such a problem and the potential so attractive to downtown owners, a lot of buildings would have been knocked down by now with tall buildings in their place. From Harlem Avenue to Forest on Lake Street it is 80 feet. 120 feet exists elsewhere in the B4 zoning. Why has so much building stock remained at 2-3 stories? Is it because it's not cost-effective enough to tear down and build new? He doesn't know, but none of the local property owners have been willing to do that. Most of the developers have been from out of town. It seems they have a disconnect of the perception of what someone's intentions are and what their real intentions are. It would be his preference to get to a point where we can have an honest dialogue of why preservation is important and what it means for a building owner to have historic designation on their building. If that doesn't give them enough opportunity to do what they want with their property, then find out why. If it's just they don't want any restrictions so they can do whatever they want, then why have they not done anything yet? It seems to him there must be some middle ground. He'll throw an idea out there to start the discussion. What would a property owner say if they owned a significant building, but they were allowed no restrictions on the storefronts? That may not be a good idea, but that seems to be the most

important to the owner. It can evolve with retail. Is that a sufficient compromise to say it's a beautiful building and is significant but allows alterations for flexibility.

Chair Gilbert stated that touches on the subject of incentives. We've talked about financial, but what other kinds of incentives could be offered. Maybe there is zoning flexibility on density or parking restrictions in return for some preservation. It's something we may want to think about.

Mike Iversen stated he sent a report to the HPC today. He'd like to summarize it. Based on IHPA's review of downtown in 2005 they provided an letter that downtown district appears to be of such condition and quality to be listed on the National Register of Historic Places at that time. They usually use 70% guideline for contributing and/or significant buildings. Mr. Gilbert once said 75%, but it's a guideline. When the HPC first did their survey in 2003, downtown was at 75%. By the revision of 2005, downtown was at 65%. The HPC de-ranked several buildings and several were demolished. As of 2005 we are already below the minimum threshold. Since then there has been news of 4-5 buildings that are threatened with demolition – the Colt Building, 1123 Lake, 1145 Westgate and 942 Lake, which has been purchased by a developer. If you remove those as being demolished, downtown is at 57%. That is important for anyone who wants a downtown district, and for owners of downtown buildings. They could qualify for the 20% tax credit. There are 39 contributing buildings, which is about 900,000 s.f. Rehab costs is about \$150/s.f. multiplied by the square feet and remove the 20% tax credit, it's worth about \$26 million of federal money to restore these buildings. If we don't have a downtown district, we lose that opportunity to access that money. He just wants to bring these points to your attention. Every building we lose brings us lower than the minimum threshold as defined by IHPA.

Lynn Kamenitsa stated that buildings only qualify for the 20% tax credit if they're investing at least 100% of a building's adjusted basis. So most buildings would not qualify unless they're doing a total building rehab.

Chair Gilbert stated that for the 20% tax credit, an owner needs to spend the adjusted basis for the building, which is the value of the building minus the land value and minus the depreciation. The land value is the largest part of the value. Depreciation is what the government says the value is that occurs. New owners have a higher basis. If you've owned a building a number of years the depreciation will be lower. The goal of the program is for substantial renovation. Local incentives could be for smaller projects.

Mike Iversen stated that the tax credit is the primary driver for rehabilitation in Chicago because of its economic impact. It is a necessary tool.

Chair Gilbert stated that it has been very successful as an incentive for building renovations of historic buildings. It serves as an incentive for someone who might renovate anyway and give them a benefit, but often its an incentive to not demolish the building. It can often fill the gap between preservation and new development. It's been in place since the late 1970s, when it was 25%, but Reagan knocked it down to 20% in 1986. Some of these different incentives are not always easy to understand. It might be worthwhile to have a

workshop on these programs, for downtown and for the existing historic districts. You can always contact Doug Kaarre at Village Hall as well for more information.

Regarding the loss of buildings, the Commission will have to consider that if it wants to recommend a historic district and the boundaries.

Mike Reust stated that he is an Oak Park resident. He urges the commission to create a local downtown historic district with guidelines written by the Commission so there is flexibility for building owners. He would also urge the Commission to landmark significant buildings for an additional layer of protection. It is for quality of life. Downtown's condition right now is not conducive to visiting often. The importance of the area is the total collection of vintage buildings, not just a significant building here and there. The significant buildings will just be drowned out by large new construction and you'll lose the architectural integrity of the area.

Downtown Oak Park's homepage states that their mission is to promote business development and the expansion of the central business district and establish uniform business and property maintenance standards, and support the aesthetic environment working to continually improve the tenant mix. That would be great if it were actually happening. Without a historic district, this is what we have right now. Guidelines in place would act as checks and balances for those owners or businesses that don't want to maintain their buildings or doing something out of character for the area. He supports business and building owners, but there needs to be businesses downtown that I need, and right now there are very few.

Willis Johnson asked if there would be public comment at the February 8 meeting.

Chair Gilbert stated that it is a regular Commission meeting, for them to deliberate and discuss what they've been hearing. Everyone is welcome. They can be flexible on public comment, but it's not an open forum like tonight.

Willis Johnson stated that he supports preservation but it should be a matter of choice and not legislation. Several in this room are on the Marion Street Taskforce that meets every Wednesday morning. At that meeting Frank Lipo has brought several historic photos for reference. It was interesting looking at the photos from the 1920s. The majority of the buildings from that photo are not there. A commercial district needs to evolve and adapt with the times. He takes issue that with the fact that with preserving historic buildings we're going to create an economically viable downtown. What makes a viable downtown is to attract commercial tenants people want. In order to attract them you have to have buildings that are usable and in good condition.

There is a fourth option that some have been espousing and that is to maintain the status quo. The West Suburban Hospital issue was overridden by the Board, but it's an example of where things are not what they're should be and those are a problem one could have with historic designation. The building has sat empty for two decades. If the Board hadn't approved it, it would probably sit there another two decades. There is no reason to do anything with that building.

He also owns buildings in a historic district in downtown Woodstock. He has not studied their ordinance but it borders on the ridiculous because if you want to change anything you need a Certificate of Appropriateness. He wanted to change his door color and

material and was deemed inappropriate. Ultimately we overcame that, but it speaks to some of what Mike was trying to say with the Dance Studio demolition process, but it took him eight months. He has concern about that. He has a vested interest and familiarity in Elmhurst. What was done there was without historic designation and with some incentives. They have some new and some renovation and it works. He owns 15 first-floor stores and 3 second-floor there.

The Colt Building results are solely based on economics. It doesn't make sense. Even the naysayers to demolition realize that. The building has outlived its usefulness in his opinion.

The Main Street program is not a panacea. He knows a number of people feel downtown would be wonderful with it. He has familiarity with it. It is a very good program if you have no program at all downtown. In his opinion and experience it is behind where Downtown Oak Park is today in what can be accomplished and built. It won't fix everything.

The theater industry regularly has profits of doom speaking that movie theaters and film will go away and we'll all sit at home and watch movies. If that takes place and theaters are no economically viable, what would he do with the Lake Theater? It is a single purpose building and difficult to adapt to other uses. His wife told him to figure out an adaptive use for theater buildings. It's a challenge. You lose flexibility when you put constraints on property owners. It's more difficult in a commercial area than a residential one.

When he bought the Lake Theater they had a 120-foot height limitation. Last year it went down to 80 feet. We lost five floors of potential. The point was also made that no one has really taken advantage of that. Why don't we have 120-foot tall buildings on Lake? We have the 1010 Building at 96 feet, but the property value went away and there is potential to lose more with other restrictions. He has a problem having regulations foisted on us as property owners. If someone feels strongly about the theater then they can buy it. Right now it's his and he should have the right within the current regulations to do what he wants. To tell him he can't do things he wants in order to preserve the façade is wrong.

Lynn Kamenitsa stated that she is a veteran of the Superblock committee process. The people of Oak Park want a vibrant downtown so they can shop and eat out. One concern is that this process is just focusing on the HPC. Broader aspects of downtown are not going to be taken into account. The economic function of downtown. She wants to make sure all concerns are taken into account. The Superblock committee process was very holistic in its approach. It worked really well. The end result was ultimately thrown out because a small group of people didn't like the end result. If she were an owner downtown, she'd be concerned too.

Kathryn Jonas asked if opinions of Oak Park citizens were being weighed greater than people from outside Oak Park.

Chair Gilbert stated that they don't have scales. They are interested in what everyone in the community has to say, including property owners. They're looking to how they can address concerns.

He thanked everyone for attending.

Meeting adjourned at 9:00 pm. Minutes prepared by Doug Kaarre, Urban Planner.