



November 3, 2015

PDHA appreciates the extensive work of the ADRB and Ad Hoc Subcommittee. Based on our review of the October 21, 2015 report of the Subcommittee, we have the following comments.

We endorse the public education and awareness strategies, and if the report is adopted we will seek ways to partner with the Village in implementing them.

We also endorse the report's recommendations on creating incentives for historic preservation. We look forward to seeing details of incentive proposals.

Regarding the recommendations on changes to the Historic Preservation Ordinance, we endorse some of the recommendations and disagree with others. We also have some additional recommendations to other portions of the Municipal Code to supplement the Subcommittee's recommendations.

Our specific recommendations on the Ordinance are detailed below.

Ken Lerner, chairman

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Landmarks (12.300 et seq.)

Landmark designation procedures (12.301):

The changes propose to restrict the range of persons who can initiate a landmarking process. Instead of allowing an application to be submitted by any person, as it does now, it would only allow an application to be submitted by the owners of record or their authorized representative. This is at best a solution to a non-existent problem – no one has submitted a rogue, unauthorized historic landmarking application. There is no reason why any interested party – for example someone from the local historic society, or a state or national historic preservation organization – should not be able to take the lead on a landmarking process. A complete application has **always** required the consent of the owners – that would not change – so there is no reason, and no additional protection of property rights that comes from changing who can submit an application.

The previous material regarding specific contents of an application has been stricken. The ordinance would now require a complete application, but contains no specification of what constitutes a complete application other than owner consent. Would the ADRB or village staff then provide those specifications? Is the idea that an applicant need merely signify the desire for landmarking, and the ADRB or village staff would be responsible for the remainder of the research? Should the ordinance provide some direction, or mention that the ADRB will administratively set guidelines for the content of applications?

Landmark criteria (12.302):

12.302A: In the clause pertaining to the possibility of landmarking a place that is less than 50 years old, the proposed language refers to an “extraordinary political event or architectural innovation.” Suggest delete the word “political” – an extraordinary event might be, e.g., social or scientific – the scene of a discovery for example. Think of Steve Jobs’ parents’ garage. Or, make it broader to reflect the phrase used in the findings (12.100): “cultural, social, economic, or political.”

12.302B.1: suggest it should read that the property HAS significant value (not ‘is a’) (grammar)

12.302B.2: the proposed language again seeks to restrict possible landmarking by changing the phrase from “identification with” a person of historical significance, to “owned or occupied by” the person. Suggest keep the phrase “identification with.” The same example might apply – the garage where Steve Jobs invented his first computer was not necessarily owned or occupied by him at the time. Another example - the place where Winston Churchill gave his “iron curtain” speech was a small college in the town of Fulton, Missouri. Such a place may be historic, but not necessarily have been owned or occupied by the person who made it historic.

Historic Districts (12.400 et seq.)

(1) As with the landmarking process, the proposed new language in 12.401A seeks to restrict the application process to owners or authorized representatives. Again, recommend that the original “any interested party” language need not be changed, for the same reasons.

(2) The concept of a thematic historic district is interesting and has been used in other Chicagoland communities. Downers Grove would appear to offer some opportunities for this type of district, along the lines of others that have been adopted – for example, for catalog homes, bungalows, or four-square homes. **However, thematic districts should in addition to, rather than a substitute for traditional geographic based districts.**

The Ad Hoc Subcommittee’s recommendations on the definitions of thematic and contiguous historic districts, along with the 100% consent requirement, are a step backward, and would essentially eliminate the possibility of a geographic historic district. So for example there could never be a Prince Pond district, brick streets district, Maple Avenue district, downtown district, Shady Lane district, or any other district relating to a particular neighborhood or area. This is contrary to the Subcommittee’s charge to *increase* the number of properties or areas designated as historic landmarks or districts under the Village's Historic Preservation Ordinance, and *decrease* or avoid the loss of historically or architecturally significant buildings and places in the Village.

A traditional historic district – a geographically defined area containing a significant concentration of historic structures – would not fit the definition of a thematic district, and the 100% consent requirement would render a contiguous district extremely unlikely over any significant area. Historic districts adopted through a majority-vote system or an objection-based system (where the district is formed unless a certain percentage of owners actively object) have successfully been implemented in many Chicagoland communities. Diverse communities such as Geneva, Naperville, Elgin, Highland Park, Evanston, Blue Island, Joliet, and many others in the Chicago area use traditional geographic districts and they have served as assets and points of pride for these towns. Downers Grove should not abandon this possibility. Recommend that the current majority-vote historic district format be retained, and the thematic district format be added to it.

Certificates of Appropriateness (COA) (12.500 et seq.)

We agree with the moves to eliminate the need for certificates of appropriateness for improvements or changes that are not essential to maintain the external historic appearance of a structure. We also agree with the revised provisions for administrative or ADRB review of minor or major modifications requiring a building permit.

Additional Recommendations

The Subcommittee report has many excellent recommendations regarding public outreach, awareness, education, and incentives. To ensure a continuing strategy to address these recommendations, we recommend:

- That a section be added to 12.100, the findings portion of the ordinance, expressing the sense of the Village that its architectural and cultural heritage should be recognized, celebrated and preserved.
- Section 2.57 of the municipal code defines the powers and duties of the ADRB. This section should be amended to define the mission of the ADRB beyond simply “administering the historic preservation ordinance” as it does now. The duties of the ADRB should be expanded to include informing and educating the community, instilling pride and celebrating our heritage, partnering with governmental agencies and community organizations to promote historic preservation, and developing and administering incentives for historic preservation. The ADRB should also be empowered to make recommendations to Village Council regarding changes to the ordinance and other initiatives to promote historic preservation.
- Consider also changing section 2.56, relating to composition of the ADRB, to mention that members should have a demonstrated interest in historic preservation.