

Chronology of CHA Compliance with HUD regulations at 24 CFR Part 50 Section 106 Historic Preservation

CHA recognizes the historical significance of Julia C. Lathrop Homes as the first federal public housing development in Chicago and has made significant efforts to adhere to the necessary Section 106 requirements for the potential redevelopment of historic properties, including the public input component.

CHA has worked with HUD to comply with the Section 106 process for all its properties since 1993.

2005-2010 ACTIVITY

- **In 2005**, once the working group was established and an RFP was being drafted, CHA sought input from HUD/IHPA to establish a Historic Preservation Program.
- **In 2007**, to consider redevelopment options, HUD advised that a cost analysis of alternative uses (rehab + redevelopment options) be undertaken and proceed with Environmental assessment under Part 50. HUD/IHPA assisted in drafting the RFS to hire the consultant to undertake the cost analysis. Upon completion of the Cost analysis in 2008, HUD distributed the report to IHPA and announced that they would outreach to interested organizations to take part in the public process to discuss alternatives at Lathrop.
- **In 2009**, CHA sought input from HUD/IHPA, as agreed, on the draft RFQ, incorporated comments/feedback, and further shared the respondent development teams with HUD/IHPA. As part of the developer selection process, the City's Landmarks Division assisted with interviewing and scoring the respondent teams.
- **In October 2010**, Lathrop Community Partners was selected partly because of their expertise with Historic Preservation, through a combination of individuals both at Related Midwest and through the Historic Preservation Consultant, Vincent L. Michael, who is a Trustee of the National Trust for Historic Preservation, the nation's premier private preservation organization, and serves as Chair of the Historic Sites Fund Subcommittee.

2011 ACTIVITY

- **On January 14, 2011**, CHA in compliance with 36 CFR Part 800, requested that HUD, as the responsible entity for compliance with Historic Preservation Section 106, reconvene meetings with the Illinois Historic Preservation Agency. Several interested parties attended that meeting including the National Trust for Historic Preservation, City of Chicago Landmarks Division, Landmarks Illinois, Preservation Chicago, Logan Square Neighborhood Association and Alderman Joe Moreno's office.

CHA introduced the Master Development Team for Lathrop and shared our commitment to keep the Historic Preservation Program threaded throughout our community planning process.

Further, CHA informed the parties that consolidation would take place on site to the south end of Diversey, residents would be notified, and further that CHA would work with the developer's architectural team to ensure that CHA does not adversely affect compliance with Section 106 of the Preservation Act.

- Subsequent to that meeting, from **January to April 2011**, as part of the consultation process, CHA and LCP conducted research and held several discussions with Mike Jackson, Illinois Housing Preservation Agency, Lisa DiChiera of Landmarks Illinois and Jonathan Fine of Preservation Chicago, regarding on site conditions to inform how conservation and preservation could be incorporated in development concepts and throughout the planning process. The agencies offered their own opinions about treatment options that would retain the historic significance of the Lathrop Homes.
- Based on the opinions and research, which culminated into a Historic Preservation Initial Report in **April 2011**, CHA and LCP moved forward with illustrating preservation of buildings north of Diversey and one row of buildings south of Diversey, while redeveloping most of the southern portion of the site, with the exception of the historic Power House building.

It is important to note that CHA and LCP recognize that this opinion does not reflect any standard or opinion promulgated by the National Park Service, which would ultimately arbitrate any tax credit project, although the SHPO office (IHPA) does have a voice in these discussions.

- **In March 2011**, the SHPO wrote CHA a letter expressing concerns with CHA's consolidation of the Lathrop site. CHA committed to employ methods of securing and maintaining the property in the same fashion as previously rehabbed CHA properties that were subject to the Secretary of Interior's standards for Rehabilitation. In general CHA will secure all first floor openings with plywood, drain all plumbing, fence all buildings and monitor the buildings regularly for any deterioration that would jeopardize the integrity of the buildings. Ongoing, the development team would inspect the buildings every 6 months to ensure the program is being followed and recommend any improvements they note needed to stabilize the buildings.
 - Inspections occurred in *October 2011, March & September of 2012*; Asset Management immediately addressed all deficiencies noted in those inspections.
 - CHA distributes copies of the letters noting deficiencies and copies of letter confirming when all items have been addressed to the working group members as they become available.

- **On November 17, 2011**, CHA and LCP hosted a Community Planning Process kick-off meeting and emphasized to the community their collective commitment to comply with the Section 106 process.
- **On December 13, 2011**, CHA and LCP hosted the third of a series of educational workshops, titled “Livable Communities” where Vincent Michael informed the community that the Section 106 Process at Lathrop, triggered by the HUD funding Review process, is already underway. The team further clarified that moving forward they would comply by evaluating the historic asset, determine any adverse effects, consult with HUD and consulting parties, request comments from the Advisory Council and ultimately determine how to proceed once those comments are received. Emphasized that they would proceed to determine what can be preserved, evaluate the physical and economic viability of the asset and that the 106 process provided no set formula for preservation because of the generality of the regulations.

2012 ACTIVITY

- On **February 16, 2012**, Alderman Moreno called a meeting with CHA leadership, representatives from HUD and the Illinois Historic Preservation Agency to discuss Logan Square Neighborhood Association’s concerns regarding actions CHA was taking to stabilize the buildings on the north end of the site; the portion of the site that remains unoccupied after an initial consolidation of residents to the south end of the site in 2011. It was agreed that the buildings are not being neglected and historic preservation remained an option for the redevelopment of the site, and as such the developer would continue to advise CHA on their stabilization efforts.
- At the **February 22, 2012**, the Lathrop Homes Working Group meeting discussed the meeting Alderman Moreno called on Historic Preservation and the desire to enable historic tax credits to remain a viable option in the proposed redevelopment scenarios. CHA restated that the buildings are not being neglected and historic preservation remained an option for the redevelopment of the site.
- In **May 2012**, LCP notified CHA of the need to replace the Historic Preservation consultant, Vincent Michael because of a new position he was heading in California that would preclude his involvement on the team going forward. LCP interviewed several firms and ultimately selected Bauer Latoza, a full service Architecture, Planning and Landscape Architecture firm with a strong background and commitment to Historic Preservation. Their extensive Historic Preservation expertise has developed with their Historic Preservation clients including the National Park Service, the State Capital Development Board, and the City of Chicago. The staff includes a former Commissioner for the City of Chicago Landmarks, Board of Advisors of the National Trust of Historic Preservation, and former staff with National Trust for Historic Preservation’s Midwest office.

- On **June 20, 2012**, CHA, the development team, and their Historic Preservation consultant, met with Tedd Termunde, Eleny Ladias, Melanie Haywood, Steve Vahl and Jan Elson of HUD and Anne Hacker (by teleconference) of the Illinois Historic Preservation Agency to discuss the required components of Section 106. These officials agreed that the upcoming series of community meetings as part of the Lathrop planning process will fulfill the Section 106 public input requirement. The Lathrop community meetings will provide forum to solicit input on the various aspects of proposed plans, including historic preservation. Furthermore, it seems beneficial to consider historic preservation in the context of tradeoffs and constraints on overall plans for the site rather than through a separate input process. In accordance with Section 106 compliance, the State Historic Preservation Office (SHPO) agreed to evaluate the concepts, determine any adverse effects and identify preferred elements/concepts from any of the schemes presented.

The agreement between the parties was that the SHPO would share their findings with CHA, the development team and HUD and that the findings would inform the evolution of the concepts so that two alternative plans could emerge and again one last time through until one draft Master Plan can surface. The feedback loop would be followed one final time at the end of which CHA and HUD would begin negotiations of a Memorandum of Agreement with the SHPO.

- On **June 29, 2012**, LCP met with Kaaren Stavetieg of the National Park Service. Kaaren explained that she could not give any formal direction or opinion to LCP on the feasibility of achieving historic tax credits for Lathrop since the only way to know where you stand is to formally apply for the credits once a site plan is complete. She advised LCP that although the site was nominated as a Historic District, it will be considered as a complex when the ultimate application for Tax Credits would come across. This means significant enough portions of the asset would need to be preserved in order for Historic Tax Credits to be achieved.
- On **July 25, 2012**, at the Lathrop Homes Working Group meeting, CHA informed the members of the June 20, 2012 meeting with HUD/SHPO where officials agreed that the upcoming series of community meetings as part of the Lathrop planning process will fulfill the Section 106 public input requirement.
- On **September 10, 2012**, CHA met with HUD to present the 3 in progress plans and to request a list of the consulting parties for Lathrop to ensure those entities were invited to the Community Open Houses. In light of the June 20th agreement, CHA committed to organize the Open Houses to ensure participation from historic preservation advocates including IHPA.
- On **November 15 and 17, 2012** CHA/LCP hosted community Open Houses, invited Jonathan Fine (Preservation Chicago), Lisa DeChiera (Landmark Illinois) and Terry Tatum

(City of Chicago, Landmarks Division) and all three attended and provided input. IHPA could not attend.

- On **November 21, 2012**, LCP met with Bonnie McDonald and Lisa DeChiera of Landmark Illinois.
- On **December 11, 2012**, LCP took the Open House presentation to the Illinois Historic Preservation Agency and met with Anne Haaker, Mike Jackson and Carol Dyson of Illinois State Historic Preservation Office. Veronica Gonzalez of CHA participated by phone.

The group discussed the differences between the Section 106 process and the historic tax credit process. Anne Haaker clarified the role of “consulting parties.” Anne will reach out to HUD to begin approaching potential consulting parties.

IHPA suggested that if the team is looking to pursue tax credits, it might be in the team’s interests to have a meeting or couple of meetings in Washington with Kaaren Staveteig, Illinois’ preservation tax credit reviewer for the National Park Service, to discuss how some of the concepts could be adjusted to meet tax credit standards. It would have to be an unofficial meeting because the NPS does not generally discuss official deliberations on tax credits with individual tax credit applicants. But hopefully with help from IHPA, Kaaren will give some unofficial direction. Kaaren Staveteig and the NPS are very Secretary Standards-oriented when giving out tax credits for historic rehabilitations. This focus on the Standards could either help or hurt Lathrop’s chances of receiving tax credits depending on how the NPS interprets the standards in relation to a Lathrop rehab/redevelopment. It is unknown whether there is a precedent for giving tax credits to a rehabilitation project that involves demolition of designated structures within a larger complex. IHPA suggested that consideration of amount of demolition ultimately proposed throughout the site and particularly on the south will clearly impact our ability to achieve historic tax credits.

Overall IHPA seemed very positive about the project and wants to work with Lathrop Community Partners to make the project a success. They are prepared to continue with the Section 106 process as the plan is further developed and finalized.