

February 18, 2020

Ms. Abby Monroe  
Public Participation Officer  
City of Chicago Department of Planning & Development  
121 N. LaSalle Street, 10<sup>th</sup> Floor  
Chicago, IL 60602

RE: Obama Presidential Center January 2020 Assessment of Effects Comments

Dear Ms. Monroe:

Preservation Chicago has prepared the following comments and objections to the Assessment of Effects and the process under which this Section 106 review has been following. Preservation Chicago is a Consulting Party to this Section 106 process. While some additional analysis was conducted between the first AOE and this second AOE, there are still substantive flaws in the interpretation of adverse effects and most especially with a determination by the City of Chicago to refuse to outline proper avoidance measures. We also continue to object to the replacement parkland identified by the City of Chicago to meet the UPARR Act requirements.

**Conflict of interest.** Page 1, Section 1.0: There is a clear conflict of interest to have the City of Chicago be the lead facilitator and information gathering entity for this Section 106 review when it has a clear bias toward seeing the proposed Obama Presidential Center be developed in Jackson Park. During the webinar, that bias was clear when the National Park Service said it will accept any UPARR replacement park proposals so long as they meet the regulatory requirements. Who is advocating for the best outcome for this community and city when the cheerleader is being asked to referee the game?

Page 38, 3.4 Presentation of Assessment. Again, this section highlights the conflict of interest inherent throughout this AOE process. "The project sponsor (the City of Chicago) has agreed to this request" presumably made by the project facilitator (the City of Chicago).

**Replacement parkland.** Page 3, Section 1.1. It continues to be objectionable that parkland that formerly housed roads and sidewalks will now qualify as replacement parkland under the UPARR Act. If this project were to proceed, the 7.75 acres of parkland should be found outside of Jackson Park and the Midway Plaisance. Additionally, the 5.2 acres of Midway Plaisance may barely meet UPARR Act requirements, but it is not a good faith attempt to in fact create new parkland in an area that has for so many decades been short of parks or seen their parks overlooked for updates and improvements. This switch again gets to the conflict of interest argument about the City of Chicago overseeing this process.

The City of Chicago has said yes to everything presented to it regarding the proposed Obama Presidential Center. The City now appears to be figuring out a way to improve existing parkland at taxpayer cost to the benefit of the proposed OPC which will be across the street. Neighbors will enjoy the improvements to the Midway Plaisance as well, but it is clear this replacement area was chosen for the benefit of the proposed Obama Presidential Center.

Page 6, Section 1.1.3 Recreation Changes. This section references seven potential sites evaluated for UPARR replacement recreation. The City, who fully endorses the OPC proposal, evaluated those seven sites and deemed the Midway Plaisance as the best choice because they already owned it, it was very close to Jackson Park, and they are not aware of any unforeseen complexities or environmental contamination. Beyond how hard or easy the City deems it would be to choose one site over the other, has the City done a full assessment of the area around Jackson Park to determine if there are areas that would in fact benefit from a park on one of the vacant lots? This UPARR replacement selection should not be about what is easiest for the City but should get to the core of what is most needed for the community.

**Women's Garden.** Page 5, Section 1.1.3 Recreation Changes. The elimination of the Women's Garden is an unacceptable and avoidable effect caused by this proposed project. Improved accessibility is a noble and essential goal, but not at the loss of the one remnant connected to the World's Fair designed by a woman architect Sophia Hayden (the original Women's building in 1893) and the Women's Garden itself by landscape architect May McAdams in 1937.

Page 51, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. May McAdams, the Chicago Park District's first female landscape architect, was commissioned to design a Women's Garden to commemorate the site of the one building in the World's Fair that was designed by a woman architect, Sophia Hayden. Accessibility is essential goal for all projects, but it is well known that not every historic site can be made accessible. Digging up the Women's Garden entirely and replacing it with new materials destroys everything about that layered history and landscape.

**False equivalency.** Page 5, Section 1.1.3 Recreation Changes. This section references the loss of informal recreation areas that will be taken away for this project, but it notes that they will be replaced by equivalent informal recreation area. Will these new informal recreation areas be accessible at the full equivalent of the old recreation areas? Will special events or programming at the proposed Obama Presidential Center on occasion restrict access to these areas? This is not an equivalent result. The problem with giving away public lakefront parkland to private developers, however noble their stature, is that this privately managed land does not result in any equivalence. A lease with a private entity will forever alter access to this site from what it is today.

**Public input after approval.** Page 7, Section 1.1.3 Recreation Changes. This section notes that the City will open up a public input process for the proposed changes to the Midway Plaisance after this federal review period has ended. While there are broad parameters that will be outlined, the community will not know what it is getting until most opportunities to impact that design have been closed to them. That is unacceptable from a community planning and organizing perspective, and it gives the City – the lead advocate for this development and the facilitator of this traditionally objective Section 106 review – great authority to alter course after the Section 106 process has been closed.

**Replacement park consideration.** Page 7, Section 1.1.3 Recreation Changes. The final paragraph in this section notes that one of the reasons the City chose Midway Plaisance is because it would not be stuck with “unknown site conditions” like it would be if it chose another site or vacant lot. The City presumably has a great deal of experience with due diligence before it acquires parcels. Proper due diligence would eliminate any unknown site conditions, giving the City a clean parcel on which to proceed with new park construction.

**Impact of negative views.** Page 14, Assessment of Effects to Historic Properties table. A question asks whether “views of Jackson Park contribute to the historic integrity of these historic sites. The question should more appropriately be asked “Will these historic buildings be negatively impacted by the view of a 235-foot block/tower in a Frederick Law Olmsted-designed landscape?” We are of the opinion that the proposed tower will adversely impact the entire northwest perimeter of Jackson Park and its viewsheds.

**PGA Golf course as reasonably foreseeable.** Page 22, Section 3.3.1 Methodology: Definitions and Guidelines. “Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.” By this very definition, the proposed PGA-grade golf course should be evaluated for its adverse effects. A design has been presented. A sponsor and development team have come forward. The idea was advanced in the South Lakefront Framework Plan. Although the proposal was tabled while this Section 106 process has continued, it is without a doubt a foreseeable project for which some of the road modifications in the proposed OPC project are being made to accommodate.

Page 68, 3.8 Cumulative Effects. Again, the list of “reasonably foreseeable actions” put together by the Project Sponsor the City of Chicago is notably missing plans for a large golf course that would combine both Jackson Park’s and South Shore Cultural Center’s two golf courses and would have a substantial impact on the historic integrity of Jackson Park. This project is on the horizon, it is included in the South Lakefront Framework Plan, and it is about “foreseeable” as they come. If this project were added to the list of reasonably foreseeable actions, the cumulative effects of all these changes would permanently, irreparably and negatively impact the historic character of Jackson Park – putting its designation on the National Register of Historic Places in serious jeopardy. Whether this golf course proposal has been pulled off the table to unencumber the Section 106 review for the proposed Obama Presidential Center or whether it is currently not a high priority for the development team, it is most likely to return and should be a part of what is currently a flawed Section 106 process.

**Road impact analysis.** Page 31, 3.2.2 Determination of No Effect. The assertion that 67<sup>th</sup> Street will see an increase in traffic of 31% is not a significant impact is missing some key analysis. At what capacity does the road currently operate? At its highest traffic counts? Its average traffic counts? Does this number take into account the projected visitors to the proposed Obama Presidential Center? This AOE should include that information as well as include increases to traffic on all roads surrounding Jackson Park.

**Replacing street parking.** Page 31, 3.2.2 Determination of No Effect. For the street parking that will be lost if the proposed OPC is developed as presented, where will the current residents who rely on this parking go? Will the OPC offer free parking to neighborhood residents in its expansive parking garage?

**Visual analysis shortfall.** Page 31, 3.2.3 Visual Analyses. It does not appear that the visual impact analysis showed the impact of the significant tree removal planned around the proposed OPC. This impact will be significant, and this AOE should include that visualization.

Existing shadow studies do not take into account the long shadows cast by the tower in the early morning and late afternoon hours.

**Evolving expressions.** Page 39, 3.5.1 Description of Jackson Park Historic Landscape District and Midway Plaisance. The narrative in this section speaks of the “layered history” and “evolving expressions that together reflect the historical significance of Jackson Park and the Midway Plaisance.” While we respect and appreciate that historic sites evolve over the course of time, but what is proposed for the OPC in Jackson Park goes far beyond “evolving expressions” into a significant destruction of Jackson Park’s historic landscape. The National Park Service website on the Secretary of Interior’s Standards for the Treatment of Historic Properties + Guidelines for the Treatment of Cultural Landscapes specifically cites that the obligation of Preservation standards “require retention of the greatest amount of historic fabric, including the landscape’s historic form, features, and details as they have evolved over time.” Significantly altering Jackson Park with the rationalization that it’s just allowing the park to evolve over time is disingenuous to the word and intent of the Secretary of Interior’s Standards.

**21<sup>st</sup> Century Analysis and Perspective.** Page 40, 3.5.1 Description of Jackson Park Historic Landscape District and Midway Plaisance. This section discusses changes that have been implemented over time and yet the park still retained its consistency. Unlike the proposed OPC, many of these changes were implemented prior to the National Historic Preservation Act of 1966 and the site’s designation on the National Register of Historic Places in 1972. Setting a standard for how our urban planning functioned in the first half of the 20<sup>th</sup> Century is akin to a coal plant developer advocating for its coal plant emissions to be in line with what was allowed in 1925.

**Lake Shore Drive changes.** Page 45, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. In discussing the proposed changes to Lake Shore Drive, this AOE suggests that Lake Shore Drive has always been the widest road in the area of the park, so it should not be a problem to make it wider. That does not come from a place of progressive urban planning. To do so would lead to further tree cutting and degradation of Jackson Park, adversely impacting the landscape.

**Cumulative effects of “minor” alterations.** Page 46, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. The significant alterations along Hayes Drive is again dismissed as “minor,” a disrespect to the integrity of this park and a clear disregard for the mandate of this Section 106 review. Each individual modification in itself contributes to the degradation of Jackson Park’s historic character, and clearly the cumulative effect of these actions along with foreseeable projects in the area will have a devastating impact on Jackson Park’s historic legacy. For decades, the Chicago Park District has not invested adequate funds to maintain and improve Jackson Park. Erasing significant historic features to enable work that will primarily covered by public funds to allow a private developer to build a center on public land is a terrible precedent demonstrating irresponsible stewardship of our lakefront parks. The Chicago Park District should right its wrongs by a means that do not destroy this great park.

**Flawed perspective on Stony Island widening.** Page 47, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. The improvements to Stony Island section of the AOE again dismisses adding a lane to a roadway as a minimal impact because “the association of the road with the sidewalk and

setting of perimeter topography and vegetation remains.” Using this rationale, it should be OK to put a full-blown highway in the place of Stony Island so long as there is a sidewalk beside it that maintains the “association of the road with the sidewalk.” This is another instance where impacts to the landscape and tree removal will adversely impact Jackson Park.

**Cornell Drive Minimization and Impacts.** Page 48, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. Regarding the Cornell Drive closures, it is unnecessary to destroy this entire road and replace it with bicycle and walk paths. A less damaging route to avoid such alteration is to narrow the car path significantly and place bicycle and walk paths adjacent to it in complete alignment with Olmsted’s original design. Unless these alterations are being proposed to future accommodate a PGA golf course, which should then be considered as a part of this AOE’s future foreseeable projects, the case has not been made why this road closure is necessary. Heat, cold, and accessibility issues limit some people’s ability to travel through the park except by motor vehicle.

Page 50, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. It is distressing to read the AOE’s assertion that the closure of Cornell “will not alter the integrity of the historic property because substantial modification of these roadway segments occurred previously...” Because pre-NHPA the roadway was widening, therefore we should just continue mucking it up? In many cases of historic preservation, a significant alteration that negatively impacts an historic asset is removed to restore the asset to its original glory. The City of Chicago, who has approved the project and is driving this process, needs to follow those standards to do no harm to this park and instead focus on ways the park can be restored and reimagined to meet 21<sup>st</sup> Century park needs. One aspect of beautiful park landscapes is to sit amongst the glory of nature and enjoy the flora and fauna and solitude that accompanies it. Changing roads, cutting down trees and adding a 235-foot tower and underground parking garage does not contribute to the peace of Jackson Park.

**Need vs Want.** Page 51, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. A quote from the Secretary of Interior’s Standards illustrates an important distinction between “need” and “want.” “When alterations to a cultural landscape are needed to assure its continued use...” The alterations proposed for the OPC are not needed. They are wanted. Jackson Park and the Midway Plaisance do need alterations to assure its continued use, but what is proposed here is almost universally driven by want.

**Avoid or minimize clear devastation of park integrity.** Page 52, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. The language noting that all that will remain of the historic character including and south of the Women’s Garden to 62<sup>nd</sup> Street would be the English Comfort Station about sums up the devastation that will ensue if the proposed OPC is built in Jackson Park as planned. We are not talking about a little wedge of damage, but a large swatch dragged through the western side of the park. While this report written by the project sponsor, the City of Chicago, acknowledges that this is not consistent with the Secretary of Interior Standards, it does not propose alterations to avoid or substantially minimize that damage. One obvious avoidance measure would be to move the proposed OPC to its best-choice location just west of Washington Park. A substantial amount of land there is controlled by the City, the CTA and the University of Chicago.

**Avoidance and minimization.** Page 53-54, Section 3.5.2.2 Effects to the Cultural Landscape from Federal Actions. It is maddening really to see the City sponsor noting in detail the damage this proposed development will do to Jackson Park – significant focus to a 235-foot tower in the park, altering historic

topography, replacing existing picnic and play areas with privately managed (but nine times larger) picnic and play areas. The project “adds buildings and landscape features that detract from and alter extant historic topography...changes existing historic vegetation in a way that is inconsistent with the Secretary of Interior’s Standards.” All this significant damage could be avoided by just moving the proposed OPC to a site outside a nationally significant historic landscape. The economic opportunities would still benefit the same community and would be an incredible monument to President Obama’s legacy and the City of Chicago’s place in it.

Page 75, Section 5.0 Avoidance and Minimization Effects. The Project Sponsor City of Chicago notes that “several comments were received regarding avoidance and minimization measures.” This issue is at the very heart of this Section 106 process. The priority is for avoidance first. The City, as the Project Sponsor, does not appear to have given more than a fleeting consideration of avoidance measures. In Section 5.1.1, the City writes that “the City had two practical alternatives” – either approve the plans to locate the OPC in Jackson Park or lose the OPC to another city. This assertion ignores a comment the City mentioned in the same paragraph of this report that it approved a plan to locate the OPC either in Jackson Park or west of Washington Park. The west of Washington Park option is a practical and viable alternative. Given the President’s and First Lady’s love for and connection to Chicago, it seems unlikely that they would twist that love and punish Chicago for not choosing to destroy a historic park to make the OPC a reality. The community would prosper if the OPC were located west of Washington Park, more Chicagoans and visitors would have great public transportation access to the Center, that location is closer to the Dan Ryan Expressway which is much more equipped to handle traffic generated by visitors to the proposed OPC, and jobs and economic revitalization would benefit the Woodlawn area and the South Side of Chicago. That is real avoidance with a happy ending for everyone involved.

Page 77, Section 5.2 Minimization Measures, Section 5.2.1 City Action. The Project Sponsor and Facilitator of this AOE report acknowledges only here its “iterative process with frequent public input” to develop minimization efforts. It does not mention this public input process in its primary purpose to first focus on avoidance. It is clear the City of Chicago never intended to seek avoidance strategies, and that in and of itself makes a mockery of this Section 106 process. This cannot be considered real public input when the City listens to public input and then, along with its partner the Obama Foundation, forge ahead as planned on this project’s development. No avoidance. No Community Benefits Agreement. No backing down from a flawed proposal that will permanently and negatively impact Jackson Park, the Midway Plaisance and the Chicago Boulevard Historic District.

Page 78, Section 5.2.1 Minimization Measures: City Action. The Project Sponsor City of Chicago notes that “this location also avoids physical adjacency to the most prominent historic building in the park, the Museum of Science and Industry.” The proposed OPC is about as close to the Museum of Science and Industry as it can get. Given the pathways and service roads essential to the operation of the MSI, it does not seem likely that the proposed OPC could have been any closer to the MSI than it is. A 235-foot tower casting a long shadow on what was designed to be the most prominent built structure in Jackson Park. While the AOE’s narrative, written by the proposed OPC’s Project Sponsor, notes that the main building was “developed with attention to views from the historic property,” it is hard to imagine how the Project Sponsor defines “attention to views.” This monument will overpower and detract from the MSI, which is seated prominently on the northern border of Jackson Park. It is hard to imagine how people will view the MSI with this large tower as close as it could reasonably get to the historic building. While we appreciate the attempt to configure “the overall project by framing a campus” that doesn’t



place all proposed activities in one building, the one prominent building that is a part of this campus is overwhelming to the park itself and the Museum of Science and Industry building.

Page 79, Section 5.2.1 Minimization Measures: City Action. The City notes here that the “changes associated with the OPC prioritize pedestrians over vehicles as well as internal circulation within the historic property.” This dedication to prioritize pedestrians can be done much less impactfully than closing down roads within the park, altering intersections within the park, and widening roads adjacent to the park. It mentions as well plans to “replace the Perennial Garden/Women’s Garden” to provide full accessibility. As we repeatedly assert, we welcome opportunities to improve accessibility in every aspect of our work. With that in mind, full accessibility cannot be accomplished everywhere, and the tradeoff for accessibility here is the complete erasure of an important historic element of Jackson Park. Finally, the planting of 400 trees will take many decades to replace the tree canopy that is being obliterated to accommodate this proposed private Center in Jackson Park. It offers little comfort to imagine that in 60 to 100 years, it will be fully filled in.

Page 82, Section 6.0 Conclusions. “The City continues to investigate other potential mitigation strategies that will be further developed as part of the next stage of the Section 106 process, resolving adverse effects.” The City did not mention its commitment to avoidance or minimization – only to mitigation. Therein lies the heart of the conflict of interest and flawed Section 106 process that we are participating in. Abby Monroe declared in the summer of 2019 that the City was not entertaining any avoidance options. That continues to trouble us as a preservation advocacy organization which relies on Section 106 to be an objective arbiter to review impacts and again prioritize first avoidance, then minimization and then only as a last resort mitigation. Would you rather have an intact historic park through which to walk your descendants or an almost unrecognizably altered park and pictures of what was once there? That’s the difference between avoidance and mitigation.

**Chicago Park Boulevard System Historic District.** Page 55-57, Section 3.6 The Chicago Park Boulevard System Historic District. The rationalization to destroy this segment of the Historic District is twisted and irresponsible. Effectively, the City Sponsor/Facilitator notes that it is just one small part of a much larger Boulevard System that will in fact be destroyed here, so it will not be a problem. This newly designated Boulevard System is comprised of many segments of boulevards across Chicago, but it sets a dangerous precedent to suggest that destroying one is not problematic since it is “limited to one park among twelve parks” and “approximately 23 of 26 miles of parks and boulevards” are located outside the APE. What percent of the 3 miles within the APE will be adversely effected? It is painful to read through this narrative written by the project sponsor so willfully disregarding the spirit, intent and standards established to protect National Register-designated properties and districts. This project should be redesigned to have zero negative impact on the Chicago Park Boulevard System Historic District. This negative effect is entirely avoidable, and it should therefore be avoided.

**Clarence Darrow Bridge.** Page 69-70, 3.8 Cumulative Effects, 3.8.2 Analysis. The discussion about the Clarence Darrow Bridge, although not directly a part of this Section 106 process, should be focused first and foremost on rehabilitation. Replacement – like mitigation in the Section 106 process – should be the option of very last resort.

**Scope of review.** Page 76, Section 5.1.3 FHWA Action. The entire scope of the proposed OPC project should fall under Section 106 review. The Obama Foundation is asserting that the road changes are

**February 18, 2020**

necessary to build its facility. But for the proposed OPC, there would be no need for the road changes if we follow the Foundation's assertion.

**Rising Lake Michigan waters.** Page 78, Section 5.2.1 Minimization Measures: City Action. While we do appreciate what attempts were made to bury structures below grade to minimize impact, that raises a much larger concern for the future of this project and the roadway and underpass changes proposed therein. Lake Michigan is a powerful natural element. In a time of rising sea and lake levels, no amount of engineering in the long run can restrain nature's tendency to take back what was once its own or expand into areas because it no longer fits in its previous boundaries. The Chicago lakefront parks are an important buffer between the lake and Chicago's built environment, which is important to retain. The City of Chicago saw the power Lake Michigan exerted on our lakefront this winter, and there is no indication that things will get better in the future. The below-grade development proposed at the OPC could further aggravate the marshy land's ability to retain sufficient water retention. Moving the OPC west of Jackson Park would ensure that the legacy of President Obama will sustain for generations to come from an environmental perspective.

The Chicago lakefront parks should be part of the National Park system much like the nearby Indiana Dunes National Park and lakefront lands. Any kind of development on these cherished lands should be avoided, not mitigated.

We are grateful for the opportunity to contribute to this Section 106 process, and we look forward to seeing further research, problem-solving and analysis through this ongoing process. If you have any questions or would like to discuss this matter further, please do not hesitate to contact Ward at 312.443.1000 [wmler@preservationchicago.org](mailto:wmler@preservationchicago.org) or Mary Lu at 312.651.3551 [mseidel@preservationchicago.org](mailto:mseidel@preservationchicago.org).

Sincerely,



Ward Miller  
Executive Director



Mary Lu Seidel  
Director of Community Engagement

Cc: Matt Fuller, Federal Highway Administration  
Arlene Kocher, Federal Highway Administration  
John Fowler, Advisory Council on Historic Preservation  
Jaime Loikinger, Advisory Council on Historic Preservation  
Samir Mayekar, City of Chicago  
Mayor Lori Lightfoot, City of Chicago  
Maurice Cox, Chicago Planning & Development Commissioner  
Lee Terzis, National Park Service