

APPROVED 08/19/15

VILLAGE OF DOWNERS GROVE

ARCHITECTURAL DESIGN REVIEW BOARD
AND
AD HOC SUBCOMMITTEE ON HISTORIC PRESERVATION
PUBLIC WORKS – LUNCH ROOM
5101 WALNUT AVENUE

AUGUST 5, 2015, 6:30 P.M.

Chairman Matthies called the August 5, 2015 meeting of the Architectural Design Review Board and AdHoc Subcommittee on Historic Preservation meetings to order at 6:33 p.m. and asked for a roll call:

ARCHITECTURAL DESIGN REVIEW BOARD

PRESENT: Chairman Matthies, Members Mrs. Acks, Ms. Englander, Mr. Larson, Mr. Riemer, Mr. Casey

ABSENT: Mr. Davenport

AD HOC SUBCOMMITTEE ON HISTORIC PRESERVATION

PRESENT: Chairman Behm, Members Mr. Birch, Ms. Gassen, Mr. Jarosz, Mr. Leitschuh, Mr. Zimolzak

ABSENT: Mr. Georcaris

STAFF: Deputy Village Manager Mike Baker and Planning Manager Stan Popovich

VISITORS: Mr. Tom Le Cren, 545 Chicago Ave., Downers Grove; Mr. Scott Lazar, 808 Maple Ave., Downers Grove; Kathy and John Hebert, 802 Maple Ave., Downers Grove; Ms. Christine Martin, 701 Maple Ave., Downers Grove; Ms. Melissa Nysson, 900 59th St., Downers Grove; Ms. Shanon Tully, 5413 Main St., Downers Grove; Ms. Marge Earl, 4720 Florence Ave., Downers Grove; Mr. Rich Rulovany, 6825 Camden Rd., Downers Grove; Kathy Nybo and Tom Nybo, 5253 Blodgett Ave., Downers Grove

APPROVAL OF MINUTES – JUNE 17, 2015

THE MINUTES OF THE JUNE 17, 2015 ADRB MEETING WERE APPROVED ON MOTION BY MR. LARSON, SECONDED BY MR. CASEY. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 6-0.

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ADRB AND AD HOC INTRODUCTION

Chairman Matthies asked members of the ADRB to introduce themselves. He stated that as a developer in the area he takes pride in his family having long-time roots in the village (from 1890). His great grandfather established the oldest business in the village that still exists today: Dicke Tool, located on Warren Avenue. While he tears down as well as constructs new homes in the village, Chairman Matthies stated he likes to think of himself as a “developer with a conscious.” He shared a short story about his family regarding Queen Anne homes and Sears Roebuck homes.

Chairman Behm asked for members of the Ad Hoc subcommittee introduce themselves. He was pleased to be a part of this group and to see the number of participants. He was excited to hear the input from everyone.

INTRODUCTION OF ISSUES, GOALS, DELIVERABLES AND SCHEDULE

Deputy Village Manager, Mike Baker, reminded everyone that the structure of the meeting would be informal in order to invite conversation not only from the two committees but also the public. He explained that the meeting is intended to provide a solid foundation from which the group will move forward and make recommendations to the village council.

Mr. Baker stated that of issue was the fact that the village has had a historic preservation ordinance since 2007 which had either not been used or applied to the degree it was intended. Therefore, the goal of this process was to identify ways in which landmarks and historic districts could be increased while decrease the instances of loss of historically or architecturally significant structures and places within the village. Examples followed. Mr. Baker explained the ad hoc subcommittee would be working with the ADRB making proposed amendments to the ordinance or recommendations to the village council to achieve the above two goals. He also elaborated on how the work of this group was one of the village’s highest priorities in its long-range planning process. Upcoming meeting topics were briefly reviewed.

REVIEW OF EXISTING HISTORIC PRESERVATION ORDINANCE

A. How to Create a Historic District: Planning Manager, Stan Popovich walked through the steps involved in creating a historic district nomination: filing an application and meeting with staff; scheduling a pre-meeting before the ADRB; mailing notices to those within the district and those 250 feet within the proposed boundaries of the district; holding the hearing with the ADRB who determines whether the application meets the district criteria to proceed to a formal public hearing, and finally, a recommendation to the Village Council. Details followed.

B. How to Create a Historic Landmark: Mr. Popovich walked through the steps involved in creating a historic landmark: filing an application to landmark one’s own property or someone else’s (with owner consent) property; a written description of the property, along with photographs, site plans, research, etc.; mailing notices to those property owners within 250 feet of the nominated landmark; publishing a notice in the newspaper; holding a public hearing and reviewing the standards in Section 12.400, followed by a recommendation to the village council. Further details followed.

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Questions followed as to what happens when a landmarked home is sold to a new owner as well as what were the advantages of having a home landmarked, i.e., tax freeze incentives and the benefit of preserving an older home.

Chairman Matthies summarized for the subcommittee that over the past few years, the ADRB has been discussing ideas on how to reach out and explain the benefits of landmarking a structure and also how to encourage landmarking and increase awareness. He appreciated the diverseness of the group and hoped to get additional ideas.

Mr. Birch, in reading the past minutes, pointed out the significant amount of work already done by the ADRB and did not want to recreate the wheel. He hoped to come up with some new ideas. However, in reviewing the code, he found it very difficult to read/comprehend for the average person yet, with staff reviewing the steps above, he commented it mainly was an explanation of the process. Therefore, when reviewing examples of other codes, Mr. Birch believed the code should be simple, understandable, and fit in with other approval processes within the village. He believed the group should “start over.”

However, Mr. Behm did not necessarily agree with starting over but did believe the code needed to be simplified, understandable and revisited as to what it was that the village wanted to accomplish. Seeing there were many structures within the village that were historic and worth saving, he stated the fact that the village had only two structures landmarked, which was an issue. Therefore, tonight’s group had to somehow make property owners see the value or incentive of landmarking their home while, at the same time, the community recognizing the value of keeping it versus keeping something that was just old.

Discussion followed that only two applications came forward to the village which were for the two current landmarked properties. Staff mentioned there were a couple of interested parties but they never moved forward with their applications. Dialog then followed that awareness in the community would have to be key. Asked if the owners of significant or contributing properties from the 2009 and 2013 surveys were ever contacted, staff confirmed they were not.

Staff proceeded to explain what the CLG status meant, i.e., Certified Local Government which allowed the village to be able to participate in historic preservation programs, specifically through the Illinois Historic Preservation Agency, and allowed the village to apply for certain grants, technical assistance with the state, and participate in a tax freeze program. The ADRB then provides an annual report to the state on the activities of the village. Per a question, Mr. Popovich stated he did not hear anything about the state dropping the CLG program.

Conversation then followed that it appeared there was a lack of incentives for preservation, especially given the fact that there was an economic downturn and preservation was costly overall, which begged the question of what was really worth preserving. Suggestions included to contact similar communities that had positive programs working and to learn from them. Chairman Matthies provided his own input on some of the comments made but ultimately shared that the ADRB was trying to preserve the character of the Downers Grove community and yet find a balance between what was historic and the costs associated with such preservation. Discussion followed regarding the difficulty of understanding the village’s current ordinance, the village’s application process being cumbersome, and that an interpretive guide of the village’s ordinance would be a benefit to have since it was difficult to read for the average homeowner.

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Mr. Popovich shared what resources the village had for homeowners who wanted to do their own historic research and application.

Mr. Baker explained that one of the reasons for the timing of completing these meetings by the end of October was that it coincided with the village's budgeting process so that financial resources could be attached to the recommendations being proposed. Also when the original recommendation to establish the subcommittee was put to council it included that after the committee completed its work, another process would begin to focus on the village's zoning ordinance. Mr. Birch then proceeded to discuss how many communities incorporate their historic preservation requirements within their zoning ordinance, some using a unified development ordinance. It was noted that zoning codes regulate land use.

Moving forward, Mr. Reimer discussed a grid which compared a number of ordinances from various municipalities, as well as the ADRB's goals as compiled by former planner, Kelley Chrise, and he shared how these documents were examples of how to make the process more understandable and user-friendly. A short dialog followed by Chairman Matthies regarding the deadline given to the committees and the challenges of recent staff turn-over.

Again, the two committees agreed that incentives needed to be part of the program. A suggestion was made that the larger state and national historic preservation programs should be researched for low cost loans for renovations and to speak with the communities that had successful historic preservation programs. Other comments included that the incentive was purely recognition. Examples of various municipal programs were shared. Per a question, Mr. Popovich proceeded to explain that the village did not participate in any local monetary incentive programs offered by the IHPA only because there had been no applications for the program which typically had to do with renovations, such as the tax freeze. He offered to get more information for the next meeting. Members believed that incentive could be under the village's program.

Discussion ensued on how the 8-year tax freeze program worked with Mr. Birch pointing out that some misinformation about the program possibly existed and the communication had be clear. It was noted that the tax freeze was for exterior renovations only and just landmarking a building did not constitute a tax freeze. Details followed. At the same time, it was pointed out that the issue with tear-downs was that the land was worth more than the structure so the two committees had to come up with a financial incentive for the program to work. Also, it was mentioned that many homes existed in the village that were not pristine and owners needed financial help to get the homes to the standards the committees were discussing; it took significant amounts of money.

Mr. Birch summarized that the two committees could also identify the threatened structures within the village currently and look at what resources could be applied to save them rather than redefine the ordinance. Or, as another member said, to publicize some of the not-so-pristine structures and explain the history behind them to generate some interest to save them or re-adapt them. Funding ideas were mentioned, wherein Mr. Birch suggested that the two committees may have to use some form of a non-governmental funding program, similar to that used by the Heritage Preservation Council or by universities, that have endowment programs to protect structures.

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Chairman Matthies added that the ARDB used to have a TIF incentive program for the village's downtown business district and said it may have to review again but this time with an incentive. He cited the Tivoli as a TIF example. Continuing on that point and using the Tivoli as an example, Mr. Birch explained that it now may be a matter of how the village could help the owner to continue the preservation of his building yet not constrain him with the regulations that may otherwise triple the costs of improvements. Mr. Birch believed the village needed to be open to the requirements that are imposed on applicants, wherein staff explained that it would probably come down to what the requirements of being a certificate local government were.

PUBLIC COMMENT

Chairman Matthies opened up the meeting to public comment.

Ms. Kathy Hebert, 802 Maple, Downers Grove, expressed concern about the required standards for work on her home's exterior, the additional fees charged to do the work, and disclosing the same information to a buyer if she sold her home. She did not see that as a selling point but instead, a financial burden. As to what work should be allowed to be done on her home to preserve it, Ms. Hebert said she was fine with projects that would need a building permit anyway but issue it without any additional fee. The two groups recommended waiving the fee.

Ms. Shannon Tully, 5413 Main St., Downers Grove, mentioned that when the village decides to create a historic district, not every home in the district will be historic and that such newer homes should not be subject to certain regulations. She was pleased to see the two committees discussing the topics that she found interesting.

On that point, it was suggested by a member to eliminate/relax the requirements for non-contributing homes in a historic district since currently all homes were subject to the requirements. Dialog was then raised that just because a home was non-contributing and no requirements should apply, it was pointed out the home was still within a historic district and there would still be some restrictions.

Mr. Scott Lazar, 808 Maple, Downers Grove, suggested that rather scrapping the ordinance entirely, to review Commissioner Bob Barnett's version of the ordinance but include some mechanisms such as the incentives being discussed. (Mr. Baker briefly mentioned that Commissioner Barnett brought a version of the ordinance to the village council, as a New Business item around the time the subcommittee was being formed but the ordinance was not acted upon at that time. Instead it was recommended that it be considered by this group.) On another matter Mr. Lazar mentioned that he was impressed with the landmarked applications for 5256 Carpenter Street and 4943 Highland Avenue because they were two applications that worked. He pointed out how personal the stories were to the owners regarding their homes and the fact that that kind of spark would have to come from individual owners for the preservation program to move forward. Also, because it was mentioned by one of the applicants that the process was simple, it would behoove the village to provide any staff assistance it could because it would be the best return on investment for the village.

Mr. Lazar also expressed concern about creating a historic district and pitting neighbors against each other with the 51% requirement for nomination. Instead, he suggested increasing the percentage to 75% or more to truly represent the will of the neighborhood. He cautioned the two committees that when a district is forced, unintended consequences can occur; whereas, if it

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was voluntary, the consequences go away. He supported the individual landmarking process but also supported incentives and any assistance that staff could supply to a homeowner. Furthermore, Mr. Lazar recognized that the 20% of those homeowners who supported the Maple Avenue historic district were interested parties and should be pursued.

Ms. Shannon Tully returned and stated that the real estate firm she worked for had a contract to purchase the Bunge mansion.

Ms. Christine Martin, 701 Maple Ave., Downers Grove, stated she and her husband purchased a home in 2013 that was in very poor condition but explained that she and her husband saved their money and knew that they were going to go through a process with the home. As a result, their children learned how to maintain an older home and understood the responsibilities of owning a home. As far as a pursuing the landmarking process, she believed the process was cumbersome and should be simplified. Eventually, she will pursue the landmarking process. Lastly, Ms. Martin recommended that the requirements for a historic district be minimal.

Chairman Matthies asked Ms. Martin some follow-up questions regarding the permitting process and if the permitting fees had been removed, would they have helped her, or given her an incentive, wherein Ms. Martin indicated they would. Dialog was raised that some of the language in the current ordinance was written in the negative and needed to be changed.

Given the 90-day deadline, one of the ad hoc members recommended tabling the historic district discussion for a year and to focus on the guidelines. Public input continued:

Mr. Rich Kulovany, 6825 Camden Road, Downers Grove, asked if the committees could provide the community with more accurate information, for instance, how many properties were really significant, contributing, etc., provide a current set of guidelines, complete the survey and post the information on the village's web site. He believed there was a sense of urgency as the Edwards House was recently torn down.

Ms. Martin returned to the podium and stated that for her to pay a fee to better her house or better it for the neighbors; she said she did not want to pay that fee.

Mr. Lazar also returned and agreed that focusing on landmarking individual homes versus a historic district made more sense, was voluntary, and less controversial. He stated it begins to build pride within a neighborhood first and the rest follow.

(The committees took a five minute break at 8:30 p.m.; reconvened at 8:35 p.m.)

REVIEW OF EXISTING HISTORIC PRESERVATION ORDINANCE

A. Certificates of Appropriateness (COA): Mr. Popovich proceeded to walk through the landmarking process, noting the ordinance does not differentiate between a landmark or significant, contributing or non-contributing structure. He explained that staff, using the ordinance, determines whether the application is considered a minor or major project noting the major projects go through staff and then the ADRB. The minor projects go through staff and can be approved administratively. Examples of each were explained. Mr. Popovich went on to explain additional steps, noting that the ADRB had the final say in granting a Certificate of

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Appropriateness and then the building permit can be issued after the COA is approved. If the ADRB denied an application, the applicant could appeal to the village council. The village council, in turn, could approve, deny or return the application to the ADRB with recommended changes.

Mr. Birch suggested rewording the COA in the positive versus the negative. He stated that in looking at other community ordinances, some regulations were worded as “required” while others were worded as “suggested.”

In discussing the specifics of the ordinance, Chairman Matthies, brought to the committees’ attention that minor items such as landscaping, painting, or shingles should be relaxed and many of the items listed in the ordinance were already routine maintenance that required a permit anyway; not just for those who lived in a historic home. A short dialog followed as to why staff had to provide notice to neighbors within 250 feet of a proposed landmarked property. Mr. Birch then questioned whether the public notification process was really required for a landmarked property and suggested having the village attorney review the issue. However, Mr. Popovich stated it was an Illinois law. For minor, administrative reviews, Mr. Popovich clarified that neighborhood notification was not necessary.

Dialog was then raised that the two committees should focus on the individual landmarking over the historic district issue, or, take a different direction, as suggested by Chairman Matthies, whereby a landmark status is one issue while a historic district is more general or has an overlay. He provided a couple of examples. To that point, Mr. Birch spoke about neighborhood conservation districts but indicated those would require an overhaul of the village’s zoning code. Mr. Popovich clarified that it could be an amendment to the zoning code. Dialog then followed from staff on how a group of residents could propose an overlay to the village ordinance with Chairman Matthies commenting that that could be the route to take since the village was not getting anything out its CLG status. Further conversation followed with a concluding comment that the group should discuss overlays at a future meeting, given that some of the restrictions could be minimal yet achieve what was being discussed. In hearing the discussions, Mr. Baker recommended that the village attorney be part of the discussions, especially regarding overlays.

PUBLIC COMMENT

Chairman Matthies invited the public to speak again.

Ms. Christine Martin, 701 Maple Ave., after hearing about a zoning overlay, preferred an overlay versus a historic district.

Mr. Scott Lazar, 808 Maple Ave., preferred a historic district because it had an owner consent component to it. However, regarding the Certificate of Appropriateness process and the public hearing process for major applications, Mr. Lazar asked whether it was possible for an applicant to hold a public hearing only if his or her application did not meet compliance. Staff clarified the difference, again, between a major and minor application (administrative nature) and the steps involved for the public hearing process to take place.

Mr. Kulovany, 6825, Camden Road, supported the removal of minor exterior modifications from the COA.

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INTRODUCTION OF PROPERTY OWNER SURVEY

Mr. Popovich referenced a folder that included a questionnaire/survey for the members to take with them. Members were asked to contact the four to five property owners listed and survey them with the questions. He asked that the surveys be completed by August 28th. Discussion would then take place at the following meeting about what the members found out in their conversations with the property owners.

Ms. Shanon Tully, 5413 Main Street, inquired as to who the property owners were, wherein Mr. Popovich explained they were part of the 64 significant property owners that were surveyed in the 2013 survey.

Ms. Kathy Hebert inquired whether the survey that was done on Maple Avenue last August would be used, wherein staff confirmed it would. Ms. Hebert cautioned staff that 806 Maple should be listed as a significant property since it was the George Lyman home, one of the oldest homes in the village. Mr. Popovich noted the survey was based on the architecture of the buildings and the scope did not include research on the historic tenants of the surveyed properties which could make them locally historic. Chairman Matthies pointed out for the members that there were some inconsistencies identified in the survey but that the ADRB did discuss making the survey more interactive on the village's web site.

Mr. Lazar recommended that the members, after they survey the property owners, to dig a little further and talk about landmarking or creating a historic district.

In response to Ms. Martin's comments, staff explained that the 806 Maple home was surveyed under the National Register criteria versus local criteria. Details followed. Chairman Matthies suggested holding a future discussion about amending the ordinance to include local significance. Mr. Birch added that there should be a distinction between landmarks, neighborhoods and districts because while a structure may not be applicable for a landmarking in and of itself, it could be contributory to a historic district, thereby maintaining the fabric of the community. This was why he preferred to discuss historic districts along with landmarking versus separating the two.

Resident, Mr. Kulovany, recommended that the committees read and understand the sections in the 2013 study about the difference between significant and contributing.

Mr. Lazar returned and asked that the definitions in the ordinance be clarified.

Chairman Matthies closed by asking the committee members to read through the ordinance by the next meeting and have their questions ready. Mr. Leitschuh also asked that the group review staff's recommended changes (from January 2015) to the ordinance as well as Commissioner Barnett's recommendations.

ADJOURNMENT

MR. JAROSZ MOTIONED TO ADJOURN THE AD HOC SUBCOMMITTEE ON HISTORIC PRESERVATION MEETING AT 9:47 P.M. SECONDED BY MR. LEITSCHUH. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 6-0.

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**MR. RIEMER MOTIONED TO ADJOURN THE ADRB MEETING AT 9:47 P.M.
SECONDED BY MR. LARSON. MOTION CARRIED UNANIMOUSLY BY VOICE
VOTE OF 6-0.**

Respectfully submitted,

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)

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ARCHITECTURAL DESIGN REVIEW BOARD
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PUBLIC WORKS – LUNCH ROOM
5101 WALNUT AVENUE

AUGUST 19, 2015, 6:30 P.M.

Chairman Matthies called the August 19, 2015 meeting of the Architectural Design Review Board and AdHoc Subcommittee on Historic Preservation meetings to order at 6:37 p.m. and asked for a roll call:

ARCHITECTURAL DESIGN REVIEW BOARD

PRESENT: Chairman Matthies, Members Mr. Davenport (6:50 p.m.) Ms. Englander, Mr. Larson, Mr. Riemer

ABSENT: Mrs. Acks, Mr. Casey

AD HOC SUBCOMMITTEE ON HISTORIC PRESERVATION

PRESENT: Chairman Behm, Members Mr. Birch, Ms. Gassen, Mr. Geocariss, Mr. Leitschuh, Mr. Zimolzak

ABSENT: Mr. Jarosz

STAFF: Deputy Village Manager Mike Baker and Planning Manager Stan Popovich

VISITORS: Mr. Matthew Maher, 819 Maple Ave, Downers Grove; Mr. Tom LeCren, 545 Chicago Ave., Downers Grove; Mr. Scott Lazar, 808 Maple Ave., Downers Grove; John Hebert, 802 Maple Ave., Downers Grove; Ms. Shannon Tully, 5413 Main St., Downers Grove; Mr. Rich Kulovany, 6825 Camden Rd., Downers Grove; Kathy Nybo, 5253 Blodgett Ave., Downers Grove

APPROVAL OF MINUTES – AD-HOC SUBCOMMITTEE – AUGUST 5, 2015

THE MINUTES OF THE AUGUST 5, 2015 AD-HOC SUBCOMMITTEE ON HISTORIC PRESERVATION MEETING WERE APPROVED ON MOTION BY MR. ZIMOLZAK, SECONDED BY MS. GASSEN. ROLL CALL:

**AYE: MR. ZIMOLZAK, MS. GASSEN, MR. BIRCH, MR. GEOCARIS,
MR. LEITSCHUH, CHAIRMAN BEHM**

NAY: NONE

MOTION CARRIED. VOTE: 6-0

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APPROVAL OF MINUTES – ADRB – AUGUST 5, 2015

THE MINUTES OF THE AUGUST 5, 2015 ADRB MEETING WERE APPROVED ON MOTION BY MR. RIEMER, SECONDED BY MS. ENGLANDER. ROLL CALL:

**AYE: MR. RIEMER, MS. ENGLANDER, MR. LARSON, CHAIRMAN MATTHIES
NAY: NONE**

MOTION CARRIED. VOTE: 4-0

REVIEW AND SUMMARY OF AUGUST 5TH MEETING

Chairman Matthies summarized that there was good input received from the public at the last meeting especially as it related to the CLG status, its benefits, if any, and separating individual landmarks from a historic district. A list of last meeting's discussion topics was placed on the flipcharts by Mr. Baker who also repeated the goals of these meetings.

Items discussed last meeting included:

- eliminating the landscaping requirements from the Certificate of Appropriateness;
- consider changes to the public hearing requirements for applicants;
- facilitate, early on, any information-gathering processes for the applicant;
- remove non-contributing structures from the district;
- reduce/eliminate Certificate of Appropriateness requirements for non-contributing structures; and
- waive hearing or application fees and consider an overlay of conservation districts (example: Prince Pond)

Other recommendations staff heard included:

- develop simple and easy-to-use informational materials that assist applicants in the process that help explain and quantify the benefits and credits of landmarking;
- explain what can/cannot be done in clear terms;
- clear up misperceptions that may exist around landmark status;
- consider public improvements in historic areas as a way to demonstrate the village's commitment to investment in the history of the community;
- develop/support programs to recognize historic structures and improvements;
- identify the most significant/threatened structures and engage property owners into how they may protect or assist in protecting the significance of those properties;
- identify all potential sources for incentives and make readily available;
- determine whether the CLG status is a benefit or a burden; and
- update the inventory to include structures with local historical significance that may not be captured in the architectural survey.

Comments followed that the two committees could continue to grow the list, but eventually trim it down. An explanation followed as to what was meant by "consider public improvements,"

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Another member pointed out that the above list had a reoccurring theme about developments using materials and their misperceptions. It was pointed out that there was a need to distinguish between what was similar and/or different between the Certificate of Approval process for a landmarked building versus any regular permit operations.

DISCUSSION OF OTHER COMMUNITY ORDINANCES

A. Like/Dislike about other community ordinances; Why?

It was pointed out that the reoccurring theme in the table that was provided in the packet appeared to be that a large majority of the historic districts in the various communities were formed 25 years ago when there were more programs and the incentives were more realistic than they were today. More specifically, the City of Aurora had an urban conservation district which was in addition to its historic district. The program still offered protection to areas that could lose a landmark/historic structure. It was suggested to review that aspect carefully since there were many neighborhood members who wanted to maintain even though they may not be as historic as other areas under discussion.

It was also brought up that the village's ordinance went into affect just before the recession took place, which was poor timing, and that many people probably felt different about their own real estate now than they did in the 1960s, 1970s and 1980s where every home appreciated every year. That was not so true now. Another similar theme throughout the table was the non-voluntary nature of some of the designations as well as the concern about a third party nominating someone's home while that person was in the process of being considered for either landmarked status or for a historic district. Not enough clarity was provided as to when a COA was required and when it was not.

Other comments followed that the definition of "alterations" was not clear; anyone in Downers Grove could nominate a historic district, while in other districts the Historic Preservation Commission nominated them; while Elgin had a great incentive program, most communities did not, except for what was offered by the state; and Highland Park had a non-contiguous district which could be considered by Downers Grove.

Additional comments included that the Certificate of Economic Hardship and Certificates of Approval for some communities was very clearly stated and worth looking at; all of the ordinances listed were very powerful and residents or groups of residents living in those communities could nominate someone's home for landmark or could nominate a district; however, the approval process required more vetting (details followed) and it appeared that once something had been nominated, all work had to stop, which was a powerful tool on personal property rights.

The chairman asked for input on the group's thoughts about not requiring owner consent. Comments followed that having anyone nominate/landmark something was fine but once something was nominated the work should not have to stop, but instead continue through the process before the restrictions apply. Having the more than the 51% needed to nominate a historic district was also noted in many of the communities and, while it was fine for anyone to nominate an individual property, it was more difficult for the homeowner than if two-thirds majority of the council wanted the nomination. However, someone mentioned that the prohibition period addressed that type of circumstance as a fail-safe. Chairman Matthies believed that was a "reactive" response versus a "proactive" response. It was also mentioned

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that when some of the ordinances were created, not much information existed regarding hazardous materials and for someone to nominate a historic property whose owner had children could not be done today. Dialog followed that there had to be a balance between the two ideas, the group had to think long-term, and the ordinances mentioned had safeguards in them.

B. Like/Dislike about education, outreach and awareness efforts in other communities; Why?

A discussion followed regarding the amount of outreach that the various communities conducted and the fact that if the village wanted a community buy-in of preservation, then having a heavy-handed ordinance may run contrary and be counter-productive. If the concern was neighbors nominating their neighbor's home that would be difficult. If a resident wanted to apply for landmark status for their own property, an idea was to require a conservation plan (with performance standards). The conservation plan could identify future improvements of the structure and once those were approved, a COA could be automatic as long as it was in compliance with the plan. This would avoid going through the COA process every time work needed to be done. Further dialog was raised on the federal tax incentive program and possibly working with the county to freeze the assessed values or create a historic preservation fund from increased demolition fees. Someone mentioned that defining the role of the board should be incorporated into the ordinance. It was noted the City of Aurora's ordinance was a very good example in that it was very easy to read.

Turning back to the discussion of whether the village wanted a historic district or not, Chairman Matthies pointed out that the non-contiguous district would be fitting for the village. However, dialog followed that at the last meeting it was mentioned that getting individual landmarked homes first could eventually generate interest in the creation of a historic district. Chairman Matthies reminded the group that Mr. Lazar commented at the last meeting that the village had to "get the base hits first; not home runs" and the group had to focus on how to get those base hits, which went back to how does the village provide an incentive to the individual owner. Other member comments included support of the City of Elgin's nomination criteria checklist (with 6 criteria) was very good and it provided guidance; others concurred.

Dialog then turned to one member discussing the fact that he did not mind the idea of nominating a neighbor's property but did mind the "freeze" with certain conditions, such as freezing the property from being demolished (for a certain period of time) or not damaging it intentionally, but also being cognizant of not making a decision for that property owner and stepping on their property rights. Comments followed that "a good enough reason" had to exist to take the process further. Examples followed where preservation would have to be a priority and where some sort of elected body to step in and have the power within the ordinance to do something.

Chairman Matthies, in speaking to the group, did not believe the village's ordinance was preventing the goals previously listed. It needed some fine turning but, overall, he felt it was "pretty good." Also, he felt it was a matter of the residents not understanding the process, what was it going to do to them in terms of their property rights, and not having any incentives. He believed there had to be non-monetary ways to create incentives.

The idea to appeal to those individuals who had the financial resources to landmark their property and had the civic pride to do so was discussed. Also, to consider the target homeowner: did the person just purchase the home or was he/she a third generation owner? Consider the two

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different approaches: was the home getting ready to be placed on the market or was it a dilapidated structure? By considering those distinctions, some solutions could be recommended.

Dialog turned to what the group thought about the approval and nomination vote percentages for creating a district only. Currently it was 51%/49% and Chairman Matthies believed those figures could have scared some residents. Then it was clarified that the simple majority of 51%/49% was the percentage to obtain just the nomination and not the final vote, which would be determined by the village council. A due process would take place.

Chairman Matthies invited the public to speak.

Mr. Mike Maher, 819 Maple Avenue, found that many of the residents were uneducated about the process and in reading through the ordinance rules on his own, he found them to be very restrictive. He believed some residents were scared by it and it pitted neighbors against each other. He believed there was no benefit to living in a historic district and he wanted to make the decisions for his own home. He did not know what type of incentive, if any, would change his mind at this time. Asked if he knew living in a historic district increased his property value or knew if there were no fees or less restrictions attached to same would he live in one, Mr. Maher stated it would make a difference but then again, it was a speculative statement by the members. Again, Mr. Maher stated he purchased his home and it was his choice.

Out of this dialog, came the fact that there was concern about property values and more government restriction, which were some of the barriers the group discussed at its last meeting and that it had to overcome them. Someone pointed out that "opting out" in a number of ordinances appeared to be an option.

Per a question, Mr. Maher then shared what he and his neighbors initially thought what a historic district meant, i.e., historic signs, plaques, tax breaks, etc. but then he read what the requirements were. He emphasized that he did not want to impose any requirements on his neighbor nor should his neighbor impose any requirements on him and that everyone should be able to make the best financial decision for his or her own property.

Regarding the above conversation, it was brought up that possibly the village was looking at the process the wrong way and should consider, for example, returning some streets back to brick or installing gas lighting in an effort to bring the area back to its historical reference without imposing something on the community. Would the community buy into it? Citing the E.H. Prince subdivision a member recalled where the village was going to pave over its brick streets and the residents came together and did not want it to occur. As a result, it became a special service area for them. Comments followed that maybe the group should start nominating properties that the village owned.

Resident, Mr. Scott Lazar, stated he was speaking on behalf of Downers Grove Families for Sensible Historic Preservation (FFSHP), a group that was organizing itself slowly, with the goal of its body believing that historic preservation should always be voluntary, safe for families, and not cause financial harm. He clarified the FFSHP was not aligned with any political party but he did want his group's input conveyed. He distributed copies of a document discussing national landmark registrations and historic district statistics for various communities within DuPage County. He pointed out that there were benefits to having national register properties which were less restrictive, less protective, and more honorary. Details followed. He questioned the

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group if some of the districts identified in the survey applied for national register designation and would the group feel good about it. One member explained his own experience, commenting to get on the National Register was very difficult and what were the actual number of eligible structures that existed in the village?

Mr. Lazar then turned the discussion to owner consent requirements/opt outs for the Village of Glen Ellyn noting theirs was one hundred percent voluntary with an opt-out provision and an opt-in provision. His points included: 1) there was merit to preservation; 2) other communities were doing a better job at communication; and 3) other communities were looking at unique ways of funding. He reviewed the villages of Elmhurst, Lombard and Hinsdale in more detail, noting they had national districts and local landmarks but no local districts and were doing better than the Village of Downers Grove with 100% voluntary preservation. He argued that 100% participation could exist and still make progress in preservation. However, it was pointed out by Mr. Davenport that it was unknown if the Downers Grove kept its 51%/49% that would mean the village could not have a similar success with local landmarking. Something else was going on with the communities.

Per a question whether there was a correlation between incentives provided by the above-referenced communities and the landmark figures, Mr. Lazar stated he did not have time to look at that aspect. It was pointed out that the communities discussed had a concentration of wealth, however.

Mr. Lazar then handed staff a copy of Hinsdale's ordinance summary, written in easy-to-read language, and asked that staff distribute it to the members. He then cited the Village of Wayne's preservation ordinance which, when created, established a preservation fund (privately funded) but where the village actually drove the preservation. Wayne also accepted land donations. Mr. Lazar asked whether the village should have an acquisition approach for historic structures and could it be set up for that. Questions followed regarding the legality of that idea.

The group was reminded to not concern itself with linking a historic district to a preservation of structures, buildings or homes but to realize that the communities discussed above had many landmarks. The tie did not necessarily have to be 100% voluntary participation to a successful ordinance but that it was good information and somewhere these communities were doing something differently than Downers Grove.

Resident, Ms. Kathy Nybo, 5253 Blodgett, Downers Grove brought up the fact that this whole preservation idea came up when her son saw the Edwards house was for sale and he wanted to save it. She said she and her son met with Mr. Popovich who informed them that the only way that it could be saved was that it had to be part of a historical district. It was under a tight timeline and it was not saved. She explained that she had four piles of papers -- from those who supported the preservation, those that were "maybes", those that never responded, and those who were against the preservation. She stated the "no" group was the smallest group but the loudest group and that the village could not have a historic district without landmarked houses. After landmarks, the district would create itself.

Mr. John Hebert, 802 Maple Ave., Downer Grove, stated that he and his wife did not want anything that would reduce or place restrictions on their property in case they had to sell their property. He asked if anyone spoke to the owner whose historic house was landmarked and was for sale for the past 18 months and whether the landmark status hindered the sale of his home.

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He believed it would be beneficial to speak with that owner as well as the person who purchased the home on Carpenter Avenue. Mr. Hebert believed having a home in a historic district would hinder someone from purchasing the home but said when he purchased his home he maintained its character voluntarily and believed that made his home more valuable. If he had to go through the village to get approval to replace his shutters, it took more time and would make someone hesitant about wanting to get involved.

Mr. Behm noted the fact that having a true historic district added value to homes. San Diego's Gaslight District was cited as one such district. However, comments were also made that districts could decrease property values and that not one answer existed. Where a negative perception existed, a positive result could actually be obtained.

Mr. Tom LeCren, 545 Chicago Ave., Downers Grove asked if two separate ordinances could be created, given the group's time constraints. He asked for confirmation that a historic district did not have to have landmarked homes within its boundaries. And he stated that if the members were going to include that a neighbor can nominate a neighbor's home that it be reviewed with the U.S. Constitution property rights in mind. He also suggested to review the ordinance's current definitions since a community development director did not exist anymore. He inquired about demolitions and guidelines for constructing new.

The group agreed that it would be beneficial to have some form of guidelines within a district explaining what should be constructed in the historic district once a building was razed.

Mr. Rich Kulovany, 6825 Camden Rd., Downer Grove, a member of the Friends of the Edwards group, stated he met with Bob Barnett recently regarding his take on historic preservation and what this group wanted get out of the discussions. He believed much of the negativity from the individual opposing preservation was based on the old ordinance and that there were some issues that needed to be addressed. He supported removing some of requirements from the ordinance and the groups appeared to have a consensus on that. However, he felt that no matter what changes this group made, be it tax breaks or incentives, he stated that Mr. Maher, who spoke above, would not be interested in landmarking his home.

Mrs. Shannon Tully, 5413 Main St., Downers Grove, confirmed that when Ms. Nybo was trying to save the Edwards House, it was to utilize the only option that was available at the time and that was now in the past. The current issue was how to move forward with changes to make preservation voluntary. She suggested everyone become part of the Friends of the Edwards group because that group was all voluntary and she was a private property rights advocate. She believed everyone was on the same page and should be working together to make it more desirable for the community to landmark their own home.

Mr. Kulovany then asked those members in the group who were speaking differently about this topic, would they be willing to support voluntary preservation, since he did not see anyone from the group present when the Edwards home was being razed, and would the group do anything different now since an architecturally significant building was lost? He believed everyone should be working together to come up with a mutually agreeable document. He distributed an education plan for members to review.

Mr. Scott Lazar clarified that he and a number of individuals were not opposed to preservation but were trying to make constructive suggestions and trying to provide some solutions.

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Mr. LeCren shared a story about a home in Downers Grove he visited in 1940s as a child which was still standing.

DOWNERS GROVE ORDINANCE BRAINSTORMING

A. Elements of Downers Grove's ordinance would you consider changing and why:

Chairman Matthies summarized that it appeared there was an underlying discussion of separating the two ordinances and focusing on individual landmarking. Because the "districting" portion of the discussion seemed to be an issue, it was suggested to not include a district ordinance at all. Dialog followed that it may not be necessary to remove the district portion entirely but to work on the positive ideas and focus on landmarking and discuss the 51%/49% approval for a district nomination sometime in the future.

Chairman Matthies directed the group's attention to discuss the overlying items that affect both historic districts and individual landmarks and how the burden could be eased, and then discuss whether the members wanted to effect the district by creating an opt-out provision. After some dialog, the members decided it should focus on pursuing individual landmarks versus districts and create an educational campaign. Then someone suggested another alternative: to add a buffer within 200 or 300 feet of a landmark to protect its context by imposing certain types of regulations as to what could happen to the other properties. Examples followed, noting the character of the area would be protected without establishing a district. Concerns were raised that it became a property rights issue. Looking at the larger picture, if there 20 to 30 landmarks in the village then the conversation could begin about starting a historic district, but for now it needed to build over time.

He directed the group to work on changes to the ordinance as it affected individual landmarks and then to hold a future discussion regarding the 51%/49% and opt-out provisions. Mr. Riemer suggested to start with staff's red-line changes to the ordinance and add to it as a start. Chairman Matthies asked that the members read through staff's changes and continue the discussion at the next meeting.

Conversation vacillated whether to include or exclude "historic districts" in the ordinance or placing a moratorium on it for a certain length of time or after a certain number of landmarks are reached, and then revisit the topic again. The residents attending the meeting were then asked how they would respond if the "district" portion was removed from the ordinance. The public's comments followed:

PUBLIC COMMENT

Mr. Lazar commented that given the number of districts that have been identified in the village's survey, with the exception of Maple Avenue, no one has come forward requesting a district to be created.

Mr. Kulovany, with Friends of the Edwards House, believed it would be beneficial if the "district" portion of the discussion could be tabled and supported staff's recommendations. He did not support starting the ordinance from scratch but making the adjustments discussed. Making positive steps and getting the public excited about preservation would be a good start.

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The group discussed three options that were available to them regarding the ordinance:

- 1) make changes to the ordinance to make it more attractive;
- 2) leave the ordinance alone but focus on the landmarks and make a recommendation that the existing ordinance be repealed and a new ordinance be adopted that has the same provisions for the districts; or
- 3) remove all of the provisions relating to the district and have landmarks only.

Some members believed option 2 made sense. Mr. Popovich noted he has not seen an ordinance that only discussed landmarks and excluded districts. He explained that the group could determine how Certificates of Appropriateness related to landmarks individually versus significant, contributing, and non-contributing buildings in a historic district. If changes to the COA process were made it might assist with historic districts and the districts would not need to be removed from the ordinance.

For the next meeting, the goals were to

- 1) discuss staff's redline draft of the ordinance and to hear the results of the members' surveys;
- 2) have staff provide the members some clarification of what it can and cannot do as it relates to the village's CLG status; and
- 3) see if members would care if the CLG status was removed.

Comments followed that the CLG was being overlooked and that the only benefit to the village was the tax freeze and if the village lost its CLG status, that incentive was gone, which may be why it could be beneficial to keep the district in the ordinance.

Mr. Popovich asked members to return the surveys to him by August 28th. He briefly discussed the agenda items planned for the next meeting. Staff was asked to also provide a list of items that need a COA versus those that need a permit.

Mr. Lazar asked if members could read through the redline draft ordinance submitted to them by the Downers Grove Families for Sensible Historic Preservation.

ADJOURNMENT

MR. LEITSCHUH MOTIONED TO ADJOURN THE AD HOC SUBCOMMITTEE ON HISTORIC PRESERVATION MEETING AT 9:44 P.M. SECONDED BY MR. ZIMOLZAK. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 6-0.

MR. DAVENPORT MOTIONED TO ADJOURN THE ADRB MEETING AT 9:44 P.M. SECONDED BY MR. RIEMER. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.

Respectfully submitted,

/s/ Celeste K. Weilandt
 Celeste K. Weilandt
 (As transcribed by MP-3 audio)