

**HISTORIC PRESERVATION COMMISSION
MINUTES
FONA International – FONA Center
1900 Averill Road
Geneva, Illinois, 60134**

April 16, 2019

1. Call to Order

Chairman Zellmer called to order the April 16, 2019 meeting of the Geneva Historic Preservation Commission at 7:00 p.m.

2. Roll Call

Present HPC: Chairman Zellmer, Commissioners Hamilton, Hiller, Salomon, Stazin, Warner, Zinke

Staff Present: Historic Preservation Planner Michael Lambert; Community Development Dir. David DeGroot, City Atty. Michael Rachlis, Planning Intern Jacqueline Navarez.

Others Present: Charles Bauman, 949 S. Batavia Ave.; Sharon Jones, 27 N. Bennett, #305; Peter Yi, 505 Maveview; Tim Nelson, Nelson Architects, 421 James St.; Colin & Glorianne Campbell, 18 S. Sixth St.; Patricia MacLachlan, 318 S. Fifth St.; Brian Jones, 726 Forrest Ave.; John Owens, 802 Forrest Ave.; Sarah Walkington, 728 Shady Ave.; Teresa Muir, 1017 Hawthorne; Jennifer Gustafson, 932 S. Batavia Ave.; Jeff & Nancy Rodewald, 217 S. 5th Street; Chuck Ellenbaum 707 Shady Ave.; Ryan & Laurie Slavik, 22 James St.; Meg Bogash, 715 Shady Ave.; Maureen Fisk, 705 Easton Ave.; Lisa Cameron, 921 Hawthorne Ln.; Andrew Mayer, 832 Longmeadow Dr.; Sean Gallagher, Gallagher Associates Architects, 427 Anderson Blvd.; Joe McMahon, 427 Fulton St.; Lamar Owings, 730 Forest Ave.; Tom Simonian, 921 Batavia Ave.; Gillian McNamara, 418 Easton Ave.; Planet Depos Court Rptr. Joanne Ely; and Recording Secretary Celeste Weilandt

3. Approval of March 19, 2019 Minutes

Minutes of March 19, 2019 Meeting – Minutes were approved on motion by Commissioner Zinke, second by Commissioner Hiller. Motion carried by voice vote of 5-0-2 (Salomon, Warner abstain.)

4. HPC Public Hearings

Chairman Zellmer reminded the public this public hearing was a continuation from last month's hearing. He proceeded to explain the protocol for the public hearing and asked to amend the agenda to move Agenda Item 5D (Case No. 2019-17) to the May 21, 2019 meeting. No objections received from commissioners.

The Chairman entertained a motion to continue the public hearing.

Motion by Commissioner Hiller, second by Commissioner Hamilton to continue the public hearing for the South Geneva Historic District. A voice vote was taken. Motion passed 7-0.

A. South Geneva Historic District (Case # 2018-205). Applicant: Karen Buckley, Bill and Amy Cook, Jill Leo, Gillian McNamara and Marsha Reinecke. Application for South Historic District Designation. Chairman Zellmer swore in those individuals who would be speaking in the public hearing tonight. He first called upon those individuals who signed up last month but did not have a chance to speak.

Ms. Lisa Cameron, 921 Hawthorne Lane, submitted written testimony to Historic Preservation Planner Michael Lambert.

Mr. Colin Campbell, 18 S. Sixth Street, stated he did not live in the neighborhood being discussed but believed that whatever happened tonight affected him directly and the community in which he lived -- Geneva. He read his comments and explained there are the rights of the community and the rights of the individual and the Historic Preservation Commission, which represented the government of the community. One major function of that government was to balance the rights of the individual and the rights of the community as a whole. Regarding personal property rights versus community rights, Mr. Campbell discussed the reasons for having a city zoning ordinance and building codes: it protected individual rights but also protected the community as a whole.

Turning specifically to Geneva, Mr. Campbell discussed the importance of the City's planning, its economic engine of tourism for the region, and its historic residential neighborhoods. He shared the wise planning of those individuals who decades ago wanted to preserve the ambiance and character of the City by creating two historic districts near the general area of the original 1830s plat of the city. The decision proved to be a positive for the City's income and a benefit for all. Mr. Campbell relayed that another group of citizens has come to codify the preservation of another beautiful and historic neighborhood of the city but another group is not willing. He explained many do not understand the roll of the HPC in making such decisions but instead believe the elected city officials represent the people. He asked the commissioners to place their personal preference aside, let their decision be based on whether the petition meets the guidelines as set forth in the historic preservation ordinance or not, with the final decision to be made by the City Council.

Ms. Jennifer Gustafson, 932 S. Batavia Ave., inquired about the residency of applicant Mr. Leo, wherein Chairman Zellmer stated Ms. Leo's residency was not germane to the discussion. Further clarification followed by the chairman.

Attorney Andrew Mayer, explained the issue was addressed at the last hearing and he encouraged her to ask new questions for his client.

Ms. Gustafson relayed the residency question was an element of the statute that all applicants have to be Geneva residents. Continuing, Ms. Gustafson explain she supported preservation and she agreed the City's preservation of its downtown district was a success. However, she discussed the division of the neighborhood and would have appreciated if the application was pulled so the neighbors could discuss a compromise without forcing personal property restrictions on property owners without their consent. She discussed her opposition to the district, the lack of integrity throughout the nomination process, and the fact that the process was predatory. Ms. Gustafson explained there was bias from the preservation planner, who through an email, attempted to recruit applicants to the district and discussed best ways to avoid a supermajority vote from City Council and pressured other unwilling properties into the district months before the application was filed.

She relayed there was no public accounting of the costs, the application fees were not accounted for publicly, and it was two months before the earliest objections were made available. The public was not made aware of any invalid objections which reduced the impact of objections of surrounding properties. Certain reports were not made public on the website prior to the public hearing, but placed in a revised agenda one day before the public hearing. The boundaries of the district did not identify a district of significance as anticipated by the Secretary of Interior Standards (“SOI Standards”) but instead identified a district of compliance of homeowners who agreed to help force the Atwater-Bogash house in the district. Ms. Gustafson said the SOI Standards dictate that the geographic historic district must be distinguishable from surrounding properties by changes such as density, scale, type, age ...” She stated the proposed was not identifiable nor distinct from surrounding properties.

Ms. Gustafson discussed the overall lack of integrity in the historical context to the district as it related to the six standards and provided her explanations. She recalled in 2015 the preservation ordinance was revised by the commission with the exception of Chairman Zellmer, who wanted to keep the No Owner Consent provision and use it as a tool of last resort to protect vulnerable properties from outside developers. Ms. Gustafson stated no vulnerable properties existed in the proposal and it was a misappropriate use of the power in the ordinance. Ms. Gustafson further pointed out the history of the neighborhood was a celebration of 133 years of subdivision and new construction and the proposed district was formed as a premeditated assault on the Atwater-Bogash property by residents who wished to keep their unobstructed views but did not wish to pay for the land. The boundaries of the district did not comply with the standards set by the Secretary of the Interior, did not meet the integrity of context, failed to create a sense of time and place, and failed to meet the statutory requirements for designation. She asked the commissioners to not recommend the application.

Commissioner Zinke recalled Ms. Gustafson referenced in her comments that certain individuals would “lose their view” and proceeded to ask what kind of proof she had. Ms. Gustafson explained she had letters submitted around the neighborhood discussing the preservation of open vistas and tree-lined property. She did not, however, have in writing reports from neighbors about being approached by applicants if they could guarantee no future development would talk place on their property and the views would be preserved.

Commissioner Hiller asked staff if the Geneva historic preservation ordinance was the same as the Secretary of Interior standards, to which Mr. Lambert explained the difference. [Ms. Gustafson submitted her written testimony to Preservation Planner Mr. Lambert.]

Ms. Meg Bogash, 715 Shady Lane, stated her husband’s family lived in the Atwater-Bogash home for over 50 years and initially she was concerned about the property but told later that the new owners, the Tegges, supported the historic district. After attending the January 3, 2019 informational meeting where she found out the Tegges were not supportive of the district but wanted to improve the home. Ms. Bogash stated the Tegges and the neighbors should be able to make necessary changes to their home without permission. Secondly, on January 14, 2019 she went to City Hall to opt out of the historic district but learned she could not opt out but could object. On February 11, 2019 the historic district website posted the difference between opting out and objecting. Ms. Bogash asked the commission to accept her objection to not recommend the historic district.

Mr. Lamar Owings, 730 Forest Avenue, shared how he came to Geneva, fell in love with the ambiance. He asked the commissioners to allow the district.

Ms. Glorianne Campbell, 18 S. Sixth Street, said she grew up in Geneva and returned to it. She reminded the commissioners about the city's strategic planning where there was discussion about having a gateway into the City. She stated a beautiful gateway existed on south Batavia Avenue for many years and it would be a travesty if it were destroyed. She supported the application.

Mr. Charles Ellenbaum, 707 Shady Avenue (the Bridge house), thanked the commissioners and the council for approving the ordinance two years ago and supported the proposed historic district. He summarized the various historic homes he lived in prior and learned to appreciate their ambiance. He shared his professional background in preservation, quoted a news article on historic preservation, and explained the atmosphere and physical attributes a structure, or even a trail, emits over the centuries, making him realize who and what he comes from. He asked what today's people leave for future generations. Mr. Ellenbaum pointed out an example of the preservation compromises that were made in Geneva, i.e., the former Pure Oil station, now a bank, and well as demolition by neglect where greed destroyed a link to one of the City's founders (Fargo). He discussed the many reasons why people come to Geneva to shop, live, and view its interesting architecture. The new historic district seeks to preserve part of the City's atmosphere and history, yet, at the same time he stated restrictions exist and it was the price for living in a community.

Mr. Tom Simonian, 921 S. Batavia Ave., asked the Chairman to treat the speakers who are for the district and who are against the district fairly.

Ms. Sarah Walkingon, 728 Shady Avenue, submitted a written statement to Preservation Planner Lambert.

Ms. Teresa Muir, 1017 Hawthorne Lane, stated she purchased the empty lot at the northeast corner of Gray Street and Hawthorne Lane in 2014 and built a new Prairie style home but heard complaints about it. In 2018 she received an award of recognition for residential design by the Association of Licensed Architects. She hoped the home represented an example of new development that enhanced the neighborhood. She liked to see preservation and to have homes fit appropriately on the lot. She asked if the historic district was approved, would undeveloped parcels be unbuildable and, if so, would the owners be compensated?

Chairman Zellmer stated the lots would be buildable but zoning regulations would have to be met.

Ms. Lisa Cameron, 921 Hawthorne Lane, submitted written testimony and read her statement which opposed the district yet she was not against historic preservation, citing the renovations she and her husband completed. They purposely chose not to live in a historic district. Ms. Cameron discussed concerns about an email that was sent between Preservation Planner Lambert and the McNamaras, his salary being paid by taxpayers, and the contradiction listed in Mr. Lambert's emails. She asked the commission to decline the application. She and her husband supported a district that included only those owners who wanted to be in it and asked the commissioners to consider their vote if the tables were turned on their property rights.

Mr. Andrew Mayer, 832 Longmeadow Drive, as a resident of Geneva, pointed out the question before the commissioners was whether or not it was going to allow the City to be carved up like a number of McMansions, since the public was well aware of it, and referencing the Atwater Estate. The process, he explained, was to stop outside developers from threatening development of the community and tearing down the house. He did not appreciate the comments coming from an elected official nor the mean-spirited comments directed to the applicants.

Ms. Sharon Jones, 27 N. Bennett Street, a resident for 43 years, used to live in the historic district and reminded those in attendance that the historic districts have brought much value to the City. She and her husband followed the rules (of the district) and eventually they sold their four-square for a nice profit. She commented on the differences of living in a non-historic district versus a historic district – increased tear downs and vinyl siding over the homes. Ms. Jones stated that 13 of 38 Wilson Brothers homes were in the proposed district along with other significant homes.

Ms. Patricia MacLachlan, 318 S. Fifth Street, resides in the designated area, understands the constraints placed on her and believes in preserving significant structures that contribute to the quality and architecture of the city. She listed off her city involvement in the preservation of significant structures. She voiced that significant homes did exist south of the railroad tracks that contribute to the character of the city. However, she noted the application created contention among those in the proposed district and placed burdens upon the City and owners. She urged the commission to not approve the district due to it not being compact, not having a particular sense of place and time, and because it did not include some significant properties located further south – the Campana Building, the Fabyan Village, and the Riverbank Laboratory to name a few. She believed the commission should find a different way to identify historic structures and create a better conceived entity for the corridor.

Chairman Zellmer asked that any letters of support or opposition be turned in to staff. He invited the petitioners to make a final statement.

Petitioner Ms. Gillian McNamara, 418 Easton Avenue, provided closing statements, commenting all but one of the participants (Mr. Kuhn) for the proposed district began as homeowners who voluntarily wanted to be included in the proposed historic district. Ms. McNamara discussed the gathering of neighbors, concerned about demolition throughout Geneva, came together in July 2018 to preserve the historic fabric of the neighborhood and to be stewards of preservation for future generations. She described how the restoration process would work if the historic district was approved. She closed by stating the district met all six of the criteria required for designation of the historic district. No objection has challenged the standards.

Chairman Zellmer invited the commissioners to comment. Commissioner Zinke inquired if there were staff recommendations for the commission, wherein Mr. Lambert provided a handout to commissioners, which was a summary of staff's professional opinion after considering the facts presented in the nomination, the factual testimony from the public hearing, and after visiting the area proposed for nomination. Mr. Lambert clarified the commissioners could accept or reject the recommendations or approve as is or amend them. He provided a summary of the required criteria for a proposed historic district as well as a list of recommended amendments and their justifications:

- 1) Remove from inclusion in the proposed South Geneva Historic District: 322 Cheever Avenue because it was a non-contributing property located on the edge of the historic district;
- 2) Include in the proposed south Geneva Historic District the following 10 properties: 728 Shady Avenue; 902 Batavia Avenue; 909 Batavia Avenue, 932 Batavia Avenue, 935 Avenue; 737 Forrest Avenue; 805 Forrest Avenue; 406 Peck Road; 501 Peck Road; and 516 Peck Road.

Mr. Lambert summarized the justification for the homes that were not included in the proposed district. He closed by explaining how the submitted application, as amended and modified, met the six required criteria for the nomination of a historic district and suggested that the

commissioners recommend to the City Council approval of the submitted nomination with appropriate amendments.

Commissioners were in agreement that there was much information submitted by staff.

Ms. Sarah Walkington, 728 Shady, asked for clarification of the process since this was the first time she had received this information. She recommended a continuation of the hearing.

Chairman Zellmer reminded Ms. Walkington it was the second day of the public hearing held. He recommended continuing the hearing due to the revised boundary recommendations and for those affected by it, and to review the information that was just provided by staff.

For the record, Mr. Lambert read off the names from letters received in support of the district: Bob Fitzsimmons, Charles Baumann, Landmarks Illinois, Michael Dixon, Paul Kapp from the University of Illinois, and Preservation Partners of the Fox Valley.

Letters/comments of objections included: Meg Bogash, Jeff and Lisa Cameron, Jay and Sarah Walkington, and Edward and Jennifer Gustafson.

Asked whether the applicants had to accept the amendments, Mr. Lambert stated the commission should consider all testimony presented before making a recommendation to the City Council.

Ms. Gustafson asked if previous, formal objections should be resubmitted if there was a hearing continuation, wherein City Attorney Rachlis stated they did not have to re-filed.

Motion by Commissioner Zinke to continue the public hearing to a date certain, that date being May 21, 2019. Second by Commissioner Hiller. Motion passed by voice vote 7-0.

[Commissioners took a short break at 8:58 p.m.; reconvened at 9:10 p.m.]

5. Review of Building Permit Applications

A. 22 James Street (Case #2019-002). Applicant: Ryan and Laurie Slavik, Owners; Tim Nelson with Tim Nelson Architects. Application for Proposed Rear Addition at a Contributing Property. Mr. Lambert located the site in the eastern portion of the historic district recalling this case was before the HPC in January 2019. Proposed is a two addition the rear elevation where an existing addition exists today. The structure is close to the public right-of-way, citing photographs. Commissioner concerns at the January meeting was the way the roof terminated on the second floor of the addition and the raised new roof plan that rises above the ridge of the existing residence. Examples of contemporary materials were reflected in the photos. Material samples have been provided. Photos and plans were referenced. The project will be subject to all building and zoning regulations being met.

Mr. Tim Nelson, architect for the project, explained that not much changes were made from the last set of plans. However, the new roof's 2-ft. overhang on the new addition was eliminated to minimize its impact. The roof color, as stated by petitioner, Mr. Slavik, will be a grey color to fade into the sky. Commissioner Zinke stated this was the first modern design in the historic district that has not been seen in a long time and she believed it would set a precedence. She liked the south façade but did not like how the addition connected to the original house and was forced. It did not respect the architecture of the historic house. Lastly, the pitch of third floor was a concern for her and she thought the pitch should point down versus up.

Mr. Slavik mentioned he did design some of the drawings to reflect what Zinke was discussion but stated it was more intrusive from the street level and the way it was designed now was the least intrusive. Commissioner Stazin recalled that the side elevations being discussed would not be readily visible from the street.

Asked if the owners consider the roof of the addition to meet the present roof ridge with no amount sticking up, wherein Mr. Slavik stated the height of the elevation would not be enough and he needed it. Asked if the room ceiling adjacent to the roof ridge could be a lower ceiling height and then increase in height as one walks across the room, Mr. Nelson explained it would be difficult to have a sizeable master bedroom height. Also the roof pitch of the rear addition looked better. He reminded commissioners that the strength of the design was a modern design and it needed to be distinct rather than matching the existing ridge line.

Per Commissioner Hamilton's question, Mr. Lambert explained the commissioners' charge was to review those elevations seen from the sidewalk: the front (north) and east (left) elevations. Hamilton supported the project. Asked if cutting the rake at the top roof was considered, since Chairman Zellmer believed it would be less volume "with a hat on." Other comments followed that the current siding was 10-and one-half inches and the new wood siding was 4" inches. Zinke clarified her earlier comments. Commissioner Stazin suggested to differentiate the roof with some form of horizontal banding. Ms. Slavik, petitioner, appreciated that suggestion.

Since the same points were discussed at the last meeting, Mr. Lambert suggested the applicant return with a 3-D model.

Commissioner Warner also supported the project since it was bold and clever. Last comments from Mr. Slavik explained the window materials will be aluminum clad wood, stained wood siding, and a standing seam metal roof. Discussion followed on how to approve the petition since materials, window colors and finishes needed to be clarified. Mr. Lambert offered suggestions to the commissioners and he would work with the petitioners.

Commissioner Stazin made a motion to approve the design for the 22 James Street addition with the condition that the review of materials, finishes, and colors. Second by Commissioner Hiller. Roll call:

Aye: Hamilton, Hiller, Salomon, Stazin, Warner, Zellmer

Nay: Zinke

MOTION PASSED. VOTE: 6-1

B. 201 N. Third Street (Case #2019-005). Applicant: Frank and Lori Giampoli. Owners: Sean Gallagher with Gallagher Associates, Architect. Application for Exterior Rehabilitation, Additions, and Garage Relocation at a Contributing Property. Mr. Lambert recalled this case was a concept review of a Greek Revival home with a detached historic garage. There is severe deterioration in the former service wing as well as other areas around the home itself. Mr. Lambert reminded commissioners the home has changed multiple times, going back to Sanborn Fire Insurance maps. The applicant was seeking to remove the addition and reconstruct it, but also to add a new larger addition to the north side of the property. Mr. Lambert stated the applicants have worked extensively with the state's historic preservation office regarding the tax assessment freeze program as well as the city's building and zoning department.

The garage will be moved further north on the site than what was originally proposed in order to meet zoning code. It will change the new addition somewhat. Plans were referenced.

Mr. Sean Gallagher, architect for the project, thanked staff and development staff for meeting and discussing the relocation of the original garage (will face Peyton), while meeting the zoning setbacks. The rear addition will be slightly smaller as a result. Mr. Gallagher reviewed some of the state's requirements. Per Hiller's earlier recommendation, vertical trim boards were added to the north elevation to break up the mass. All new siding would be LP SmartSiding smooth 5-3/4" inches ; if possible, any original siding will be restored; roofing to be metal matte black straight roll-over. roofing to be Timberline (blue/grayish tint); Marvin Integrity white wooden windows with SDL muntins and white spacer bars. Muntins will be on the 3 awnings windows and original kitchen windows with same dimensions. The garage door will have a carriage-style door facing Peyton Street and the window to the back of the garage will be reused.

Commissioner Stazin asked about a projection (a canopy) on the south elevation and the fact that the corners of the two buildings were getting closer together. He mentioned it could be perceived as a single structure, preferring to see the total elevation. Mr. Gallagher, however, explained that the height of the garage was shorter than the addition, explaining the addition was about 50 to 55 feet from Peyton Street. An explanation followed on why the garage was moved north.

The original roofing on the house was in poor shape, included a mix of wood shingles and asphalt shingles. It would be replaced with asphalt. Chairman Zellmer appreciated the decrease in the addition's size.

**Commissioner Hamilton made a motion to approve the project as presented.
Second by Commissioner Warner Roll call:**

Aye: Hamilton, Hiller, Salomon, Stazin, Warner, Zinke, Zellmer

Nay: None

MOTION PASSED. VOTE: 7-0

C. 217 S. Fifth Street (Case #2019-016). Applicant: Jeff and Nancy Rodewald, Owners; Tim Nelson with Tim Nelson Architects. Application for Exterior Rehabilitation of an Existing Garage and Driveway Replacement. Mr. Lambert located the property on the map. The owners have looked at various options to rehab the garage on the small lot. It has been altered over time and is now buckling of the foundation. The garage will be lifted, to a new foundation and the two doors will be removed and replaced with a single car garage. Limitations of the site followed.

Owners, Mr. and Mrs. Jeff Rodewald, came forward. Mr. Rodewald explained he and his wife have lived in Geneva for many years and wanted to move closer to down. They were pleased to be live in Benjamin Dodson's cottage. Discussing the garage, Mr. Rodewald, confirmed he was not building a new garage but relocating it on new foundation to make it more accessible from the street. He will be changing out the existing two doors and replacing it with one door to match. Also, the current gravel driveway will become concrete.

Mr. Lambert noted the utility door was not visible from the street nor the window to the south. Discussion followed regarding the type of finish for the driveway and the current length of the driveway. Mr. Rodewald said the garage siding will be replaced/refurbished as much as it can and will match the home's siding as much as possible (2-3/4" lap). (Mr. Rodewald handed copies of photos to the commissioners.)

Asked if staff considered having the garage door look like two doors, wherein Mr. Lambert said it was up to the commissioners. Mr. Rodewald was open to the suggestion.

Commissioner Zinke made a motion to approve the garage rehabilitation and driveway replacement as presented. Second by Commissioner Hiller. Roll call:

Aye: Hamilton, Hiller, Salomon, Stazin, Warner, Zinke, Zellmer

Nay: None

MOTION PASSED. VOTE: 7-0

D. 305 S. River Lane (Case #2019-017). Applicant: Tom and Jayne McCulloch, Owners: Brad Colby with BCB Carpentry & Contracting, LLC. Application for Replacement of Historic Windows. DEFERRED TO MAY 21, 2019 MEETING.

6. Secretary's Report (Staff Updates)

7. New Business

A. From the Commission: None.

B. From the Public: None.

8. Adjournment

There being no further business to come before the Historic Preservation Commission, the meeting was adjourned at 10:23 p.m. on motion by Commissioner Hamilton. Second by Commissioner Warner. Motion carried unanimously by voice vote of 7-0.