

VILLAGE OF DOWNERS GROVE
Report for the Village
10/13/2020

SUBJECT:	SUBMITTED BY:
Landmarked Property Fee Waiver	Stan Popovich, AICP Community Development Director

SYNOPSIS

A resolution has been prepared approving modifications to the Village's Fee Waiver Policy that will waive building permit fees for landmarked properties.

STRATEGIC PLAN ALIGNMENT

The goals for 2019-2021 include *Steward of Financial, Environmental and Neighborhood Sustainability*.

FISCAL IMPACT

There will be minimal fiscal impact with the implementation of an amended fee waiver policy that will allow the Village to waive building permit fees for landmarked properties. Since 2009, 35 permits had been obtained by historic building owners after the property was landmarked. Based on the Village's current Fee Waiver Policy, staff has determined that \$17,754.39 of permit fees would have been eligible for a fee waiver.

UPDATE & RECOMMENDATION

This item was discussed at the October 6, 2020 Village Council meeting. Staff recommends approval on the October 13, 2020 Consent Agenda.

BACKGROUND

In 2015, the Village undertook a significant effort to examine the Village's historic preservation program and recommend improvements to the program. The Architectural Design Review Board (ADRB) and the Ad Hoc Sub-Committee on Historic Preservation developed the Report and Recommendations on Historic Preservation (Report) which identified several desired outcomes and recommendations that has guided changes to the historic preservation ordinance and program. The Village has implemented many of these recommendations, including eliminating fees for landmark applications, creating easier to use applications, creating educational brochures and providing plaques to landmarked properties.

Continuing to implement these recommendations, the Village is proposing to waive all building permit fees for those properties that fall into one of the following three categories:

- Properties designated a historic landmark
- Properties that are contributing or significant within a Historic District
- Properties listed on the National Register of Historic Places

The Village's Fee Waiver Policy allows building permit fees to be waived. However, the following fees and bonds cannot be waived:

- Building and right-of-way bonds
- Out-of-pocket expenses
- Consultant fees
- Water capacity fees
- Water meter fees
- Water tap fees

During the ADRB's July meeting, the Board also recommended changing the name of the Architectural Design Review Board to the Historic Preservation and Design Review Board. In light of the recent priority action item related to design review in the downtown, this item is on hold.

Public Comment

There have been no public comments regarding this item.

ATTACHMENTS

Resolution

Staff Report with attachments dated July 15, 2020

Approved Minutes of the Architectural Design Review Board Meeting dated July 15, 2020



Village of Downers Grove

Official Village Policy Approved by Village Council

Description:	Fee Waivers, Council Policy with Regard to		
Res. or Ord. #:	Res. 2020-	Effective Date:	10/13/20
Category:	Legislative and General Management		
	<input type="checkbox"/> New Council Policy		
	<input checked="" type="checkbox"/>	Amends Previous Policy Dated:	8/6/02;7/8/96 and 5/7/02
	Description of Previous Policy (if different from above):		
	Fee Waiver Resolution 96-44, Fee Waiver Resolution 2002-45		

RESOLUTION 2020-_____

A RESOLUTION ESTABLISHING AN AMENDED POLICY OF THE VILLAGE COUNCIL WITH REGARD TO FEE WAIVERS

WHEREAS, the Village Council of the Village of Downers Grove has heretofore adopted an ordinance entitled "An Ordinance Amending Chapter 1 of the Downers Grove Municipal Code", being Ordinance Number 2048, commonly referred to as the "Fee Waiver Ordinance"; and

WHEREAS, the Village Council finds it necessary and desirable to establish certain policy guidelines regarding fees which may be waived; and

WHEREAS, the Village Council has previously adopted Resolution 2002-45 and Resolution 2002-73 amending the policy related to fee waivers, and the Village Council has determined that it is necessary and desirable to amend this policy as provided herein.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

I. That it is the policy of the Village Council that fees related to licenses, permits or plan reviews or fees related to the filing of a petition for a public hearing before any board or commission of the Village or before the Village Council for the benefit of governmental entities or not-for-profit, charitable, religious, educational or public service organizations may be waived by the Village Council (or the Village Manger for requests under \$5,000.00) in its/his discretion. Under no circumstances may the fees for outside consultants or experts or out-of-pocket expenses incurred by the Village be waived. Such out-of-pocket expenses include but are not limited to: public hearing notice, publication fees, postage, court reporter fees and contractual secretarial services.

A. All or any portion of the following fees may be waived:

1. Permit fees as required by the Downers Grove Municipal Code ("DGMC").
2. Inspection fees as required by the DGMC.
3. Plan Examination fees as required by the DGMC.
4. Occupancy permit fees as required by the DGMC.
5. Application fees as required by the DGMC.

- B. The following fees/expenses shall not be waived:
1. Bonds as required by the DGMC.
 2. Water System Capacity charge as required by the DGMC.
 3. Water Connection Fee as required by the DGMC.
 4. Water Meter charge as required by the DGMC.
 5. Any fee related to outside consultants or experts retained by or on behalf of the Village to review any plans or projects.
 6. Out of pocket expenses associated with public hearing notices.
- C. The fees/expenses outlined in subsection A shall be waived according to the following guidelines:
1. Not-for-profit, charitable, religious, or public service organizations:
 - a. One hundred percent (100%) of the fee waiver request, except under extraordinary circumstances.
 - b. The Village shall not waive any fees if the applicant has received reimbursement for the fees from a third party.
 2. Governmental entities with taxing boundaries that are substantially coterminous with the Village (i.e. Downers Grove Park District, Downers Grove Sanitary District), including all public school districts:
 - a. All fees up to five thousand dollars (\$5,000.00) will be waived. In addition, seventy percent (70%) of the remaining amount of the fee waiver request will also be waived, except under extraordinary circumstances.
 - b. The Village shall not waive any fees if the applicant has received reimbursement for the fees from a third party.
 3. Governmental entities with taxing boundaries that are not coterminous with the Village (i.e. DuPage County, Townships):
 - a. No fees shall be waived, except under extraordinary circumstances.
 4. Properties designated as historic landmarks by the Village Council, properties designated by the Village Council as contributing or significant within a Historic District or properties that are listed on the National Register of Historic Places.
 - a. One hundred percent (100%) of the fee waiver request, except under extraordinary circumstances.
 - b. The Village shall not waive any fees if the applicant has received reimbursement for the fees from a third party.

II. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

III. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Robert T. Barnett, Mayor

Passed:

Attest:



DEPARTMENT OF COMMUNITY DEVELOPMENT

To: Architectural Design Review Board
From: Stan Popovich, AICP, Community Development Director
Jason Zawila, AICP, Planning Manager
Date: July 15, 2020

In 2015, the Village undertook a significant effort to examine the Village's historic preservation program and recommend improvements to the program. The Architectural Design Review Board (ADRB) and the Ad Hoc Sub-Committee on Historic Preservation developed the Report and Recommendations on Historic Preservation (Report) which identified several desired outcomes and recommendations that has guided changes to the historic preservation ordinance and program.

The Village has implemented many of these recommendations, including eliminating fees for landmark applications, creating easier to use applications, creating educational brochures and providing plaques to landmarked properties. The Village is pursuing two additional recommendations to continue its efforts to improve the historic preservation program.

Item #1: Consider changing the name of the Architectural Design Review Board to the Historic Preservation and Design Review Board.

Synopsis: In the 2015 Report, 'Inform and Educate the Public' was one of the desired outcomes. In an effort to continue to inform the public about the Village's historic preservation efforts, the Village is requesting consideration to change the name of the ADRB to better reflect the board's power to administer the historic preservation provisions as detailed in Section 2.57 of the Municipal Code. By changing the board's name, it would be clear to the general public that the Village has a historic preservation board.

Item #2: Consider waiving building permit fees for landmarked properties.

Synopsis: In the 2015 Report, 'Create Financial Incentives' was one of the desired outcomes. The Village previously eliminated fees for historic landmark, historic district, and Certificate of Appropriateness applications. The Village is proposing to waive all building permit fees for those properties that fall into one of the following three categories:

- Properties designated a historic landmark
- Properties that are contributing or significant within a Historic District
- Properties listed on the National Register of Historic Places

The Village's Fee Waiver Policy allows building permit fees to be waived. However, the following fees and bonds cannot be waived:

- Building and right-of-way bonds
- Out-of-pocket expenses
- Consultant fees
- Water capacity fees
- Water meter fees
- Water tap fees

Staff examined permit data for the 26 landmarked and one National Register of Historic Places property (Avery Coonley School) to determine permit activity since the properties were landmarked. Since 2009, 35 permits had been obtained by historic building owners after the property was landmarked. Based on the Village's Fee Waiver Policy, staff has determined that \$17,754.39 of permit fees would have been eligible for a fee waiver.

Year	# of permits	Total Permit Cost	Permit fees that could have been waived	Permit fees/bonds that could not have been waived
2009	0	\$ -	\$ -	\$ -
2010	0	\$ -	\$ -	\$ -
2011	0	\$ -	\$ -	\$ -
2012	2	\$ 20.00	\$ 20.00	\$ -
2013	4	\$ 1,827.00	\$ 1,427.00	\$ 400.00
2014	3	\$ 370.00	\$ 370.00	\$ -
2015	3	\$ 10,044.00	\$ 5,044.00	\$ 5,000.00
2016	7	\$ 1,167.50	\$ 967.50	\$ 200.00
2017	5	\$ 19,795.89	\$ 7,750.89	\$ 14,572.75
2018	7	\$ 2,701.72	\$ 1,788.00	\$ 913.72
2019	4	\$ 2,244.00	\$ 387.00	\$ 1,857.00
TOTAL	35	\$ 38,170.11	\$ 17,754.39	\$ 22,943.47

Request

Provide a recommendation to the Village Council regarding the following items as summarized above:

- **Item #1:** Consider changing the name of the Architectural Design Review Board to the Historic Preservation and Design Review Board.
- **Item #2:** Consider waiving building permit fees for landmarked properties.

APPROVED

**VILLAGE OF DOWNERS GROVE
ARCHITECTURAL DESIGN REVIEW BOARD
MINUTES OF JULY 15, 2020 MEETING**

HISTORIC PRESERVATION IMPROVEMENTS

Staff Presentation:

Mr. Jason Zawila, Planning Manager for the Village of Downers Grove, referenced that in 2015, the Village undertook a significant effort to examine the Village's historic preservation program and recommend improvements to the program. The Architectural Design Review Board (ADRB) and the Ad Hoc Sub-Committee on Historic Preservation developed the Report and Recommendations on Historic Preservation (Report) which identified several desired outcomes and recommendations that has guided changes to the historic preservation ordinance and program. The recommendations provided this evening will be in line with those recommendations.

Mr. Zawila stated that in the 2015 Report, 'Inform and Educate the Public' was one of the desired outcomes. In an effort to continue to inform the public about the Village's historic preservation efforts, the Village is requesting consideration to change the name of the ADRB to better reflect the board's power to administer the historic preservation provisions. By changing the board's name, it would be clear to the general public that the Village has a historic preservation board.

Mr. Zawila then went over the second item, which considers waiving building permit fees for landmarked properties. In the 2015 Report, 'Create Financial Incentives' was one of the desired outcomes. The Village previously eliminated fees for historic landmark, historic district, and Certificate of Appropriateness applications. The Village is proposing to waive all building permit fees for those properties that fall into one of the following three categories: properties designated a historic landmark, properties that are contributing or significant within a Historic District and properties listed on the National Register of Historic Places. However, the Village's Fee Waiver Policy prohibits certain fees and bonds to be waived.

Mr. Zawila stated that staff examined permit data for the 26 landmarked and one National Register of Historic Places property (Avery Coonley School) to determine permit activity since the properties were landmarked. Since 2009, 35 permits had been obtained by historic building owners after the property was landmarked. Based on the Village's Fee Waiver Policy, staff has determined that \$17,754.39 of permit fees would have been eligible for a fee waiver. Lastly, he provided a summary of the types of improvements that were made to the homes after landmark status was granted.

Board's Discussion

Mr. Reimer inquired if the fees are the same for each home and how they are assessed or do they vary in costs. Mr. Zawila replied that it really depends on the project and the type of work.

APPROVED

Ms. Chalberg clarified that homes that are included in in proposed wavier policy.

Mr. Renner inquired what the process is after they offer a recommendation. Mr. Zawila stated, assuming a positive recommendation, amendments to the Village ordinance for the name change and fee waiver policy would be presented to the Village Council. If approved, the recommendations would go into effect.

Mr. Reimer clarified that this is a very small portion of permit fees that average \$1500 a year. Mr. Renner further inquired if this is a significant amount for the Village. Mr. Zawila stated that this is a very small portion of permit revenue. Mr. Lerner said this average can go higher if more homes are landmarked.

Ms. Gassen noted that she has knocked on several doors and the primary inquiry that she receives is what is in it for me. We would be able to now state that there is a financial incentive. As a side note, she pulled out the history preservation recommendations and noticed that a majority of the 2015 recommendations have been accomplished.

Mr. Lerner clarified that this is not a change if a permit is required or COA, just permit costs are waived. Mr. Zawila stated that is correct.

Mr. Lerner inquired why national register would be on there since we cannot necessarily control or protect property how those are landmarked. It was noted any incentive helps. He also noted he loves the idea of an incentive and falls into the purview of the recommendation and promoting historic preservation.

Ms. Gassen moved a positive recommendation to the Village Council that the name of the Architectural Design Review Board be changed to the Historic Preservation and Design Review Board. Mr. Reimer seconded the Motion.

AYES: Ms. Gassen, Mr. Lerner, Mr. Renner, Mr. Riemer, Ch. Chalberg

NAYS: None

The Motion passed unanimously.

Mr. Lerner moved a positive recommendation to the Village Council that building permit fees for landmarked properties as noted in the staff report should be waived. Mr. Reimer seconded the Motion.

AYES: Ms. Gassen, Mr. Lerner, Mr. Renner, Mr. Riemer, Ch. Chalberg

NAYS: None

The Motion passed unanimously.