

**VILLAGE OF DOWNERS GROVE
ARCHITECTURAL DESIGN REVIEW BOARD
MINUTES OF FEBRUARY 17, 2021, 7:00 P.M.**

Chairwoman Gassen called the February 17, 2021 of the Architectural Design Review Board to order at 7:00 p.m. and requested a roll call:

1. ROLL CALL

PRESENT: Chairwoman Gassen, Ms. Acks, Mr. Styczynski, Ms. Chalberg, Mr. Lerner, Mr. Renner, Mr. Reimer

ABSENT: None

STAFF: Stan Popovich, Community Development Director
Jason Zawila, Planning Manager
Flora Ramirez, Development Planner
Gabiella Baldassari, Development Planner
Josh Dausener, Management Intern

VISITORS: Chuck Gatto, 5123 Main Street, Downers Grove
David Hene, 5207 Main Street, Downers Grove
Erin Venezia. Downers Grove Downtown Management Corporation

2. APPROVAL OF JANUARY 13, 2021 MEETING MINUTES

Motion by Reimer, second by Lerner to approve the minutes of the January 13, 2021 meeting. Minutes were unanimously approved by voice vote. Vote: 7-0

3. OLD BUSINESS

Design Review Project – Chairwoman Gassen briefly explained how the meeting will be conducted. Planning Manager Zawila summarized that he will be covering the second portion of the downtown design review project and proceeded to explain that the meeting would focus on Task 2, which involves ADRB examining the review and approval process for downtown projects and if the board recommends any changes to the existing process. The following three key questions will be considered: 1) what type of construction triggers design review; 2) what are the regulations; and 3) who is the decision-maker.

Design Review Process – Manager Zawila explained the Village’s current permitting process as it pertained to the building permit or entitlement process. Examples of such projects that went through the entitlement process included Marquee on Maple, Maple and Main and Burlington Station.

Examples of projects followed that 1) do not require a permit, 2) require a building permit, and 3) projects that involved Planned Unit Developments, special use, etc.

Director of Community Development, Stan Popovich, introduced the exercise for the evening, which was to consider the three above questions: 1) what improvements should require design compliance; 2) is design compliance recommended or required; and 3) who is the decision-maker. Per staff, tonight’s focus would be on guidance and/or modifications with

staff to return at the next meeting with options. Questions of clarification followed with staff providing a brief overview of the various zoning districts: Downtown Core, Downtown Business, and Downtown Transition.

Exercise 1 - What improvements should require design compliance?

Director Popovich reviewed those items that did not require a building permit: 1) roof replacement, landscaping, gutters, window replacement, paint, siding and door replacement. Discussion by commissioners included concern about those projects that are completed and may not be in keeping with some of the guidelines the ADRB has discussed in the past. Examples stated include removal of a historic tree in the business area, painting a building that draws attention, installing framed siding on a historic brick building, or replacing glass windows with glass block.

Commissioners agreed that the certain items should be considered but refrain from placing too many layers on a business owner. An appeal process should exist. However, other commissioners felt the items being discussed were a building owner's decision and not to regulate more, noting building owners will regulate themselves. However, if the majority wanted to see such items removed, it was suggested to keep the restrictions out of the Downtown Transitional District, with single-family home uses in particular. Mr. Renner recommended that paint, window replacement, siding and door replacement be restricted to the Downtown Core. Chairwoman Gassen preferred that window replacement be administratively reviewed if it was not like for like. It was also clarified that siding did not need a permit and that she supported door replacement as not needing a permit, unless it was not like for like and could be reviewed by staff.

In summary, through polling the ADRB members it was recommended that landscaping, paint, window replacement, siding and door replacement adhere to have some level of compliance with the design guidelines.

Staff then moved the discussion towards improvements that currently require a permit. Through polling the ADRB members it was recommended interior remodel, fire system alarm, waterproofing and lawn irrigation, should not require any level of design compliance.

Discussion then occurred over other types of improvements that require a permit such as structural changes to roofing; fencing, air conditioning and generators (as it pertains to screening), parking lot repairs, and parking lot additions. Discussion followed as to what constituted parking lot repairs, when a permit is needed generally, and how an owner determines they need a permit.

Discussing detached garages and sheds (with single-family homes), Director Popovich noted both items required permits currently. Detached garages needed a permit but no design review is currently completed with them. Ms. Chalberg pointed out that with the Transitional District it was intended to be changing from single family to multi-family or low impact office, allowing the village to expand the downtown commercial district in such a way that it does not impact single-family dwellings negatively. If there was guidance provided on design, then there was no guidance or restrictions on fencing. It was further voiced that fencing does impact the way a streetscape looks and can negatively impact an area if not done properly. Further discussion occurred on if there could be a way to distinguish fencing by use in the Transition area – i.e., residential dwellings being used as offices versus true single-family dwellings.

Mr. Riemer supported that the rule be the same across all three districts -- whether a residential property or commercial property – and the fact that the village should encourage businesses to come to the village, not push businesses away with many restrictions.

In summary, through polling the ADRB members it was recommended that detached garages and sheds should not require some level of design compliance, however roofing changes, fences, AC/generators, parking lot repairs and parking lot additions should have some level of design compliance.

Lastly, brief discussion occurred and in summary through polling the ADRB members, it was recommended that new window/door, façade renovations, additions, new-multi-family, and new commercial and entitlement cases continue to require some level of design compliance, as it currently does today.

Exercise 2 – Is Design Compliance Recommended or Required

Moving on to the next exercise, Manager Zawila proceeded to explain the second exercise that the commission would be going through. He explained that the term “guidelines” means, from the village’s perspective, a “recommended approach.” However, “regulations” were considered a requirement for the purpose of design review approval. Manager Zawila proceeded to review the process staff deals with for guideline compliance when it is a requirement – briefly reviewing projects that went through that entitlement process. Discussion followed on how staff reviews a request that falls under a guideline, noting there is no formal review body and staff tries to work its best with an applicant. Most applicants work with staff.

Director Popovich reminded the commissioners that if an item is required, the decision would come down to staff, an advisory board or the council giving the approval. If an item is recommended, staff will work with the applicant to follow the guidelines. Staff then reviewed the improvements that the ADRB recommended should have some level of design review compliance, but currently do not require a permit: landscaping, paint, window replacement, siding and door replacement. It was suggested that landscaping changes should be the decision of the property owner, but clarification was requested regarding the Village’s tree protection ordinance. Staff clarified that the potential for tree protection depended upon whether the tree was in the village parkway or on the owner’s property. Currently there was no tree protection ordinance for private property.

An inquiry was made on what the context was for the opportunity for staff to make recommendations. Staff stated since there is no process for work that does not require a permit that’s hard; but if there is a parking lot remodel then staff can catch it on the permit. Other times when people call in, the planners reference the design guidelines in addition to the zoning ordinance. Ms. Chalberg acknowledged staff’s ability in successfully encouraging landscaping improvements even though these improvements currently do not require design compliance. Other comments followed regarding if requirements are made that it creates a process that becomes so subjective, time-consuming, and works in the opposite and motivates an applicant not to do anything.

Dialog then turned to the Downtown Core District and whether the village wanted someone to paint their building facade pink with a commissioner emphasizing that the DC district needed to be protected because doing so could affect a neighbor negatively.

In summary, through polling the ADRB members recommended that landscaping, paint, window replacement, siding and door replacement shall be recommended to comply with the design guidelines.

Currently, roofing changes, fencing, screening, parking lot repairs, and parking lot additions were all recommended to comply with the design guidelines. For detached garages and sheds, commissioners agreed “no” for required compliance.

After brief discussion it was agreed by the ADRB members that detached garages and sheds should not require some level of design compliance, however roofing changes, fences, AC/generators, parking lot repairs and parking lot additions should continue to be recommended to comply with the design guidelines through the current building permit process as it occurs today.

After further discussion it was also agreed that new window/door, façade renovations, additions, new-multi-family, new commercial and entitlement cases should be required to comply with the design guidelines. However, during the discussion, Chairwoman Gassen, did favor leaving them as “recommended” but have an advisory board review. Director Popovich explained some of the challenges of having it recommended with an advisory board and suggested that it may be better to have it “required.” Mr. Renner asked to have “recommended” on windows and doors but “required” for new openings, façade renovations and additions but, again excluding single-family uses in the DT district. Lastly, a concern was raised by Mr. Styczynski that a committee could suddenly be designing a building who themselves had no financial input into the project or taking the risk. Comments and opinions followed as well as landmarking a property and the difference.

Public Comment – Opportunity 1

Chairwoman Gassen invited comments from the public.

Mr. David Hene, inquired of staff if a tenant moves out of a building and the new tenant comes in with either a permitted use or a continuation of an existing/non-conforming use, the landlord will have to apply for an interior build-out permit (recommended category) as well as applying for a signage permit. However, Mr. Hene did not see signage as a topic for discussion and asked whether it was addressed somewhere else in the context of the design guidelines. Per Director Popovich, an interior remodel was not recommended for compliance with the design guidelines. Per Manager Zawila as it relates to design guidelines, signs, were not part of the scope of the project, as currently the sign ordinance has very specific requirements for the downtown.

No further comments were received from the public.

Exercise 3 – Who is the Decision Maker

Manager Zawila briefly provided an overview of the last exercise, pointing out that there are a number of decision makers including property owners, staff, an advisory board, and Village Council. Director Popovich explained how changes could affect an item, such as having to hold public meetings and their impact. Examples followed by staff and different scenarios were presented by the commissioners clarifying who the decision maker is for those types of improvements that are recommended for design compliance.

Regarding those improvements that currently do not require a permit, comments followed that staff should be involved in the process in order to be persuasive toward a property owner. However, it was pointed out that if a project, such as painting came in, staff could make a recommendation on how to paint the building, but ultimately the owner made the decision. Commissioners felt that while the property owner could still be the decision maker on the five

items, the process could go through staff with staff educating the owner about the guidelines and having something like a sign-off sheet be used.

Before moving onto the next items, Ms. Chalberg raised the point that while staff put much effort into the revision of the Downtown Guidelines there was no compliance required, so far.

Conversation raised by commissioners was that there could be consultation with staff and with this board, if it was made “required”. However, Director Popovich explained the challenges of that.

In summary, through polling the ADRB members recommended that landscaping, paint, window replacement, siding and door replacement, the property owners should be the decision maker, while staff should serve in a consulting capacity.

Regarding, roofing changes, fencing, screening, parking lot repairs, and parking lot additions, the property owners should be the decision maker, while staff should serve in a consulting capacity, which is the current practice.

Moving to the next set of improvements, after some discussion it was recommended that new windows, door openings, façade renovations and additions, commissioners agreed that staff would be the decision maker and the ADRB would be the appeals board. During discussion it was stated by Mr. Styczynski that he like the idea of staff being the decision maker these improvements. Staff can check compliance with the guidelines, but he did not want to see this become such a long drawn out process if staff can take care of it. Several agreed that the ADRB could be the appeals board to staff decisions. For new multi-family and new commercial, the commissioners agreed that staff should be the decision maker and that the ADRB be the appeal board.

Per a commissioner question, Director Popovich explained how a new multi-family building becomes a Planned Unit Development. Examples followed. Director Popovich further explained the current review process for special uses and planned unit developments. Through polling the ADRB members recommended that the Village should maintain the status quo as it relates to design review for special uses and planned unit development cases, which are currently reviewed by the Plan Commission.

Chairwoman Gassen asked staff when staff puts together proposals for the next meeting, to please consider that a goal is to get projects into public eye earlier into the process. Director Popovich explained that if the ADRB wanted to have an earlier review of projects, would it want to consider having an “ADRB-look” prior to a submission to the Plan Commission. Director Popovich agreed with some commissioners that it added another layer of administration, added another month to the process, and that zoning items would not be discussed by the ADRB. A commissioner asked whether staff could provide reports to the ADRB on projects that were going on, for the public’s sake. Chairwoman Gassen asked staff to provide some input on that matter in its report next month. General dialog followed on how staff publicizes a meeting to the public and to proactively notifying the public on projects or their changes.

Chairwoman Gassen invited public comment. None received. No final comments were received from this board.

Chairwoman Gassen asked staff to provide an update on the next steps for this process, wherein staff relayed it will take the input received tonight and provide some options at the March 17, 2021 meeting. A final draft of the Design Guidelines would also be provided.

Chairwoman Gassen invited public comment on general items. None received. Staff provided a brief update on its latest projects. Chairwoman Gassen thanked staff for working on the above matter. Manager Zawila voiced his pleasure at seeing the commissioners in person.

4. ADJOURNMENT

Chairwoman Gassen called for a motion to adjourn.

**Ms. Chalberg moved, seconded by Mr. Styczynski to adjourn the meeting at 9:54 p.m.
Motion carried unanimously.**

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