

APPROVED

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

Chairwoman Gassen called the March 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, Mr. Styczynski, Ms. Chalberg, Mr. Lerner, Mr. Reimer

ABSENT: Ms. Acks, Mr. Renner

STAFF: Stan Popovich, Community Development Director
Jason Zawila, Planning Manager
Flora Ramirez, Development Planner

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

2. APPROVAL OF FEBRUARY 17, 2021 MEETING MINUTES

Motion by Mr. Reimer, second by Chalberg to approve the minutes of the February 17, 2021 meeting. Minutes were approved by voice vote. Vote: 5-0

3. OLD BUSINESS

Design Review Project – Ch. Gassen briefly reviewed the expected process that would be followed, stating the board would only be providing a recommendation tonight to the Village Council.

Design Review Process – Planning Manager Zawila explained tonight's meeting was the culmination of meetings that occurred over the past eight months with four discussion items to be discussed, followed by public comment, and then a motion to follow after each discussion item. The motions would be recommendations to the Village Council.

Planning Manager Zawila recalled for the board that they completed two primary tasks during their meetings. The first was the update to the Downtown Design Guidelines, where the ADRB was closely involved with making changes and providing input. At this point, Manager Zawila asked if the members had any further input regarding the design guidelines.

Ch. Gassen invited board comments regarding the revised design guidelines. None followed except that she pointed out to staff that when an overlap between the design guidelines and items in the Village's zoning ordinance occur, to reference the zoning ordinance in the design guidelines so that developers see the requirements/clarifications. Staff was supportive of the recommendation.

Ch. Gassen invited the public to comment on the design guidelines. None followed. She entertained a motion to approve the Downtown Design Guidelines.

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Mr. Reimer made a motion that the ADRB recommend that the Village Council approve the updated Design Guidelines with the modification to include any reference to the relevant zoning ordinance and include the grammatical modifications previously submitted by Ms. Acks. Second by Mr. Lerner. Roll call:

AYE: Reimer, Lerner, Chalberg, Styczynski, Gassen

NAY: None

Motion passed unanimously.

Moving the discussion to the second primary task, which was to examine the review and approval process for design, Manager Zawila proceeded to present slides depicting the village's current review process and the feedback that was received from the board's last meeting.

Ch. Gassen invited members to provide further input regarding the review and approval process for design. Ms. Chalberg asked that a legend be listed on the zoning map. No further board comments followed.

Ch. Gassen opened up the discussion to public comment. No public comments were received. Ch. Gassen entertained a motion.

Mr. Lerner made a motion that the ADRB recommend that the Village Council maintain the status quo as it relates to design review for the following property improvements: interior remodel, fire suppression/alarm, waterproofing, lawn irrigation, roofing changes, fences, AC/generators, parking lot repairs, detached garages, sheds, new single family homes, special uses, and PUDs. Second by Mr. Reimer. Roll call:

AYE: Lerner, Reimer, Chalberg, Styczynski, Gassen

NAY: None

Motion passed unanimously.

In addition, Planning Director Stan Popovich reported there were no public comments received regarding tonight's discussion points. Ch. Gassen acknowledged that an email was sent to Downtown Management regarding tonight's meeting. Member Chalberg voiced her surprise to see no businesses commenting or attending.

Moving to the next topic of discussion: improvements that currently do not require a permit, Manager Zawila referenced slides on the overhead and recalled the current review process. He stated the ADRB agreed that five improvements were recommended to have some level of design compliance but did not necessarily have to comply: landscaping, paint, window replacement, siding, and door replacement. For those items, the property owner would be the decision maker while staff would act as a consultant.

Considering the process and having some form of a registration process, including a 10-day review process similar to permits, Manager Zawila reviewed the potential consequences that could take place: 1) it becomes a process that offers a line of communication with staff and the downtown stakeholders; 2) it would impact of the workload, such as reviewing landscaping; 3) stakeholders may not register their project with the village and therefore not get compliance; 4) the registration process could be seen as an additional government regulation; and 5) no guaranty existed that a stakeholder's plans would change based on staff's recommendation.

Mr. Lerner voiced disappointment that some of the options did not reflect the consensus of the board at the last meeting, especially for those items listed that affected the appearance of the downtown area and for the consultation to occur. He summarized that one option proposed

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to do nothing while the other option proposed to establish a process that had no consequences. He emphasized that other communities appeared to make things work and suggested that the village may need to require a permit for such items but only after a consultation take place first. The owner would remain the decision maker but it forced the owner to discuss the design guidelines with staff. Ms. Chalberg expressed concern that if no consequences existed, it took the village back 10 years when no design guidelines existed at all. She supported a program that encouraged the guideline process. More creative ideas needed to be discussed.

Mr. Lerner inquired how many projects actually came up in the past that were issues in the business district, wherein Manager Zawila indicated the matter was subjective and no documentation existed on what buildings received more complaints than others. Comments voiced by the board included 1) the registration process could be over-reaching, 2) there needed to be a form of outreach program to the business owners, 3) if something was to be enforceable, it should include a permit, and 4) not recommend any of the five items as required unless one item stood out.

The goal of the outreach program would convey that the registration process was a consultation with staff. Compliance and motivation to comply would be key. Ch. Gassen voiced no support for an owner needing a permit to paint or landscape his/her property while the other three items (window replacement, siding replacement, door replacement) she could agree that compliance be gained because they impacted a neighborhood. Outreach could also include a quarterly newsletter sent to owners.

Ch. Gassen invited public comment. None received. A motion was entertained.

Mr. Lerner made a motion that the ADRB recommend to the Village Council that the Village establish a permit system for downtown property owners that desire to make the following improvements to their properties: 1) window replacement, 2) siding replacement, and 3) door replacement. Permits for these improvements will be granted following a brief consultation with village staff to review and recommend compliance with the Downtown Design Guidelines.

Given the above motion Manager Zawila offered a couple of options to the board to consider; and rather than using the term "permit", the board discussed using the term of "consultation."

Motion died for lack of a second.

Discussion then centered on whether the board wanted compliance with any of the three remaining items (window replacement, door replacement, siding replacement) with Ch. Gassen and Mr. Lerner supporting a consultation-type process. Mr. Lerner believed most business owners would do the right thing. Having a newsletter would be a positive. Manager Zawila, on the other hand, suggested that the board could recommend remain status quo for the improvements but recommend that the Village Council require a proactive outreach effort to communicate the guidelines/improvements to the community. A short dialog was raised about the poor types of siding, EFIS material, and the argument behind a permit versus consultation versus a \$5.00 permit fee charged versus a \$400 permit fee charged if compliance does not occur with the guidelines.

After the last comments received, Ch. Gassen entertained another motion.

Mr. Reimer made a motion that the ADRB recommend to the Village Council to maintain the status quo as it relates to design review for those improvements that do not

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currently require a permit. In addition, Village Council shall provide direction to staff to increase the frequency for the outreach program, and consultation, related to compliance with the design guidelines that have been developed for the Downtown Business District. Second by Mr. Styczynski.

Ms. Chalberg expressed that siding replacement should be a permit review, given that mistakes could be long-lasting. Mr. Lerner preferred that window/door replacement and siding also be permit reviewed. **Roll call:**

AYE: Reimer, Styczynski, Gassen

NAY: Chalberg, Lerner

MOTION PASSED: VOTE 3-2

Moving to the fourth discussion item – improvements that require a permit currently – Manager Zawila walked through the current process for the ADRB. He recalled from the last meeting, board members discussed five improvements: new window or door, façade renovations (significant change to façade), additions, new multi-family structures and new commercial buildings. At that time the board agreed: 1) an owner should be required to comply from the design guidelines, 2) staff would be the decision maker, and 3) the ADRB would serve as the appealing body. A slide representing the process followed.

Reviewing the consequences of this process, Manager Zawila pointed out 1) staff's subjective judgment could fall under scrutiny of stakeholders and residents after approval was granted and the project started; 2) no public comment would be available unless due to the appeal process; 3) an increased administrative burden would exist on stakeholders/staff; and 4) the additional process could potentially discourage improvements from occurring. Alternatively, staff provided another option where the ADRB could make the final decision. If an appeal were to occur, then it would go before the Village Council for final decision.

Manager Zawila walked through a slide reflecting the past five years of permit data (2010 to 2016) noting those projects that would have fallen into the above process, i.e., 43 potential cases if the process was in the code requiring design compliance and going to the ADRB for a final decision. He also pointed out that awnings – sometimes used as signage -- could change the improvement. Currently, he estimated about one-half of the façade renovations were awning permits.

A review of the process, under the ADRB, and its potential consequences followed: 1) additional review time would be added to projects; 2) an additional cost to the applicant; 3) the focus of the ADRB would change and include additional cases not seen before; and 4) while the additional review process could discourage some owners, it could also result in a good design for the downtown which would become more common place. Manager Zawila proceeded to explain three optional motions the board could consider as noted in the staff report.

Questions followed if staff had certain (subjective) items that raised potential concern within the community and whether those items should be removed for review by a larger body other than staff. Wherein, Manager Zawila indicated that façade renovations, additions, new multi-family and new commercial were items that would have the largest significant changes and where the design guidelines would have to be applied. New window/new door would depend on the size of the opening. Ch. Gassen also added that most multi-family structures would fall under the Special Use category, which would have a great impact to the downtown community and the public.

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Ch. Gassen invited board comments.

Turning to the potential consequences and staff's assertion that subjective judgment would fall under scrutiny of stakeholders and residents, Director Popovich explained the concern becomes the interpretation of an item from staff's perspective or a neighbor's perspective. Having a full board review allowed more feedback, open discussion, and comments from the public. Ch. Gassen also pointed out that one of the goals (in the entire process) was to have community awareness earlier in the process. She was fine with such improvements coming before this board for review and final decision. Dialog between staff and the board followed on how such cases would differ in review by the Planning Commission versus the ADRB. Mr. Lerner pointed out that decision standards would have to be developed. Director Popovich explained that such standards would have to be codified. Different scenarios were discussed.

Based on the 43 cases over the past five years, Mr. Styczynski inquired as to how much more would the ADRB have to meet if the above process were to be agreed upon by the board, wherein Manager Zawila relayed the ADRB would be expected to meet more frequently. An explanation followed.

Ch. Gassen opened up the meeting to public comment. None received.

Reviewing the topic of awnings, Manager Zawila reminded the board that the item would have to come through the process, if approved. Some of those cases would be covered in the zoning ordinance, as mentioned by Ch. Gassen. It was suggested that awnings be reviewed administratively by staff but if awnings were part of a façade renovation then it would come before the ADRB. A straw poll was taken and the board agreed to remove awnings by itself, unless it was part of a façade renovation. Ch. Gassen entertained a motion.

Mr. Reimer made a motion that the ADRB recommend that the Village Council require design compliance with the following property improvements: new windows/doors, façade renovations, additions, new-multi-family, and new commercial. The ADRB would serve as the decision maker, while the Village Council would serve as the appeal to ADRB decisions. Second by Ms. Chalberg. Roll call:

AYE: Reimer, Chalberg, Lerner, Styczynski, Gassen

NAY: None

Motion passed unanimously.

Manager Zawila reminded the board the next step in the process was to provide a compiled report to the Village Council, which date was unknown at this time. He appreciated the board's input. Ch. Gassen appreciated staff's work and thanked those that were in attendance. Per staff, a meeting was scheduled for next month.

4. ADJOURNMENT

Chairman Gassen called for a motion to adjourn.

Ms. Chalberg moved, seconded by Mr. Lerner to adjourn the meeting at 8:34 p.m. Motion carried unanimously.

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