

VILLAGE OF DOWNERS GROVE
HISTORIC PRESERVATION AND DESIGN REVIEW BOARD

Village Hall

801 Burlington Avenue

September 29, 2021

7:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Approval of Minutes from the April 21, 2021 Meeting**
- 3. Old Business**
- 4. New Business**
 - a. Name Change and Overview of Downtown Design Review Process**
- 5. Public Comment**
- 6. Adjournment**

**VILLAGE OF DOWNERS GROVE
ARCHITECTURAL DESIGN REVIEW BOARD
MINUTES OF APRIL 21, 2021, 7:00 P.M.**

Chairwoman Gassen called the April 21, 2021 of the Architectural Design Review Board to order at 7:01 p.m. and requested a roll call:

1. ROLL CALL

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

ABSENT: None

STAFF: Flora Ramirez, Development Planner

VISITORS: Mr. Mike Davenport, Davenport Architects, 6636 Blackstone Drive, Downers Grove; Ms. Sidney Musselman, 4503 Fairview Avenue, Downers Grove

2. APPROVAL OF MARCH 17, 2021 MEETING MINUTES

Motion by Ms. Chalberg, second by Mr. Reimer to approve the minutes of the March 17, 2021 meeting. Roll call:

AYE: Chalberg, Reimer, Lerner, Renner, Styczynski, Gassen

NAY: None

ABSTAIN: Acks

Motion passed.

3. PUBLIC HEARING

FILE 21-ADR-0002: A petition seeking a Certificate of Appropriateness to renovate a local Historic Landmark, located at 5 Jacqueline Drive, Downers Grove, IL (PIN 09-07-400-002 and 09-07-400-003). Michael J. Davenport, Petitioner and Maureen & Mark Grove, Owner.

Chairwoman Gassen reminded the board that for this petition, the ADRB will be responsible for making tonight's decision and the case will not be forwarded to the Village Council. She proceeded to review the protocol for the public hearing.

Chairwoman Gassen swore in those individuals who would be speaking on the petition.

Development Planner, Flora Ramirez, reviewed the request for a Major Certificate of Appropriateness and proceeded to locate the R-3 zoned parcel on the overhead map for the board. A current plat of the survey followed along with a photograph of structure's elevation when standing on Jacqueline Drive. Commissioners were reminded that the Country Revival-style home was landmarked on February 5, 2018. The petitioner/owners were requesting to convert the existing garage and add additional living space. Tonight's focus would be on the changes to the structure's façade.

Photos of the existing garage, along with the proposed changes were depicted. Three changes to the structure included: 1) aluminum clad wood windows that will match existing and include simulated divided lights; 2) the remainder of façade to be restored with salvaged brick

from the structure with similar color and texture as existing; and 3) a new concrete step and landing are proposed to the east of the entrance. Also proposed is a one-story brick and frame addition at the rear of the home, with metal roof and a patio, but will not be seen from the street and, therefore, is not under this board's review.

Planner Ramirez referenced staff's response to the standards for approval and found that based on Sections 12.504 and 12.505 of the Historic Preservation Ordinance, the petition met the criteria for a Major Certificate of Appropriateness. Staff recommended approval by the ADRB with the conditions outlined in staff's report.

Ch. Gassen invited discussion from commissioners. Ms. Chalberg inquired if the petitioner's plat overlapped with the forest preserve district, wherein Ms. Ramirez explained that all properties within 250 feet have to be notified of this petition. She added that she did have information received from the forest preserve district on the dais for review.

Ms. Chalberg's question about the patio encroaching on the neighbor's property was also addressed and found to not be as such after closer review.

Mr. Mike Davenport, Davenport Architects, 6636 Blackstone Drive, Downers Grove, on behalf of Mr. and Mrs. Grove (owners), discussed that the brickwork to be done will be salvaged and that the existing mortar will be cleaned so it will match the new mortar. He will be providing a mock-up prior to ensure that what the board members see will look like it was there originally. The sill below the window will match the existing stone sill, and a simulated divided light window will match the house. The detail over the top of the garage door will be a detail that will be carried to the back addition of the home. Mr. Davenport explained some details of how the metal cat-slide roof would be incorporated into the design. He shared the positives that have come out of the whole landmarking process.

Mr. Davenport relayed that he did not feel the current garage door nor this particular portion of the home was part of the original home. Because of the owners' personal schedule and current needs, they did not feel a garage was necessary but, at some point, they could construct a detached garage, if needed.

Asked if the construction of a future detached garage would be held to the same standards, Mr. Davenport and Planner Ramirez confirmed that a new garage would not be subject to this board's review. Per questions, Mr. Davenport further explained what "reglazing" meant as it pertains to window restoration and he did not know if the original brick was local or not. Any new brick would be incorporated into the wall per his instructions. Ms. Chalberg believed having before and after pictures was a positive and could be marketed to the real estate community.

Dialog followed whether permit fees or COA application fees were being waived on this project with Ms. Chalberg asking staff to research what that would represent in savings, at a future meeting. Mr. Syczynski asked if the architect explored the gable-end having more of the shake look to it for cohesiveness on the elevation, Mr. Davenport explained he did review it but did not like the shake look personally. Ch. Gassen also agreed that the garage door was probably not on the original home. Mr. Davenport shared his comments on what the home may have originally looked like, such as not having an attached garage.

Ch. Gassen invited the public to speak. No comments were received. Ch. Gassen closed the public comment portion of the meeting.

Commissioner comments were all positive, the addition was well thought out, and the stormwater criteria was also met, as mentioned by the architect. Mr. Davenport shared what time he spent on the application process and was fine with it. A motion was entertained.

Mr. Reimer made a motion that based on the findings, the ADRB approves the Major Certificate of Appropriateness for the proposed improvements at 5 Jacqueline Drive with the following conditions: 1) The improvements shall substantially comply with the architectural drawings created by Davenport Architects dated March 8, 2021, except as to conform to applicable codes and regulations; 2) no harsh chemicals or sandblasting techniques should be used on the subject property during any point of the construction and rehabilitation. Cleaning any historic feature shall be utilized completed with the gentlest means possible. Second by Ms. Acks. Roll call:

AYE: Reimer, Acks, Chalberg, Styczynski, Lerner, Renner, Gassen

NAY: None

Motion passed unanimously.

4. OLD BUSINESS - None

5. NEW BUSINESS - None

6. PUBLIC COMMENT

Ms. Sidney Musselman, 4503 Fairview Avenue, Downers Grove, a member of the village's Historic Home Program (HHP) Committee within the historical society, announced that 1240 Gilbert (a Dutch Colonial) is now named the Frazier House and is the first HHP home for 2021. Susan and Scott Robinson, the third home owners of the Frazier House, brought the home to the HHP's attention. Ms. Musselman shared the researched information that was gained from a recent title search the Robinsons provided. She commended the Robinsons for making the decision to honor the history of their home. Potential homes on the HHP's list include 5234 Lyman and homes on Maple, Hillcrest, Carpenter and Oakwood.

Staff updates included that the Design Review process was going to the Village Council next month. No future ADRB meetings were scheduled at this time.

7. ADJOURNMENT

Chairman Gassen called for a motion to adjourn.

**Ms. Chalberg moved, seconded by Mr. Reimer to adjourn the meeting at 7:37 p.m.
Motion carried unanimously.**

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



DEPARTMENT OF COMMUNITY DEVELOPMENT

To: Historic Preservation and Design Review Board
From: Stan Popovich, AICP, Community Development Director
Jason Zawila, AICP, Planning Manager
Date: September 29, 2021
Subject: Name Change and Downtown Design Review Process Overview

Background

On June 15, 2021 the Village Council approved an update to the Downtown Design Guidelines. On September 14, 2021 the Village Council also approved an update to the development review process for certain projects.

At the September 29, 2021 Historic Preservation Design Review Board (HPDRB) meeting, staff will provide an overview of the design review process in the downtown and the expectation of the roles and responsibility of the HPDRB. A summary of the update to the process is provided below.

Name Change

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 have guided changes to the historic preservation ordinance and program. In the 2015 Report, 'Inform and Educate the Public' was one of the desired outcomes.

During the ADRB's [July 2020](#) meeting, the Board recommended changing the name of the Architectural Design Review Board to the Historic Preservation and Design Review Board. The Village Council approved the name change at their September 14, 2021 meeting.

Downtown Design Guidelines

As noted above, on June 15, 2021 the Village Council approved an update to the Downtown Design Guidelines. The 2021 Downtown Design Guidelines, available [here](#):

- are tailored to the Village's three downtown zoning districts;
- provide enhanced visualizations and graphics;
- clarify and expand upon key design elements based on previous experiences; and
- added guidelines for parking lots and utility areas.

The guidelines are divided into seven separate sections: site design, building design, building base, building middle, building top, utility considerations, and parking facilities. Each section describes elements which support good design and provides visual references which identify both encouraged and discouraged elements. As the document notes, the design guidelines do not apply to single family or two-family residential uses. Lastly, the document itself also provides a glossary section, which further defines several of the terms used throughout.

The guidelines will be used to determine design review compliance of eligible projects that the HPDRB will consider as part of the updated process.

Downtown Design Review Process

The update to the downtown design review process was approved by the Village Council on September 14, 2021. This task involved an analysis of the existing review and approval process for twenty seven different construction activity types ranging from work that does not require a permit (painting, landscaping and door and window replacements) to projects that require Village Council approval (Planned Unit Developments and Special Uses). After reviewing existing processes, the task included HPDRB (previously the ADRB) discussions to determine if the HPDRB wished to recommend any changes to the existing process.

The key features of the approved ordinance (attached) are as follows:

- **Development Review Process:** This section specifically outlines the process that applicants will need to undertake. This will require an applicant to receive a Certificate of Design Appropriateness (CODA) from the HPDRB, before starting any of the listed improvements in the DB (Downtown Business), Downtown Core (DC) and Downtown Transition (DT) zoning districts. The CODA application will necessitate a public hearing with the HPDRB.

A CODA is required for:

- facade renovations
- additions visible from a street or alley
- new multi-family
- new commercial

A CODA is not required for:

- any improvements made to a Detached House or Two-Unit House used for residential purposes; or
- a development that requires consideration by the Village Council (i.e. PUD or Special Use). Design is considered by the Village Council as part of their approval process.

- **Definition of Façade Renovation:** The ordinance provides the following definition for façade renovation:

Facade renovation. A facade renovation as it relates to a CODA is defined as improvements that require a permit and includes any combination of two or more of the following:

- changes to exterior materials that currently require a permit as provided by DGMC Section 7.301;
- expansion, removal or addition of window or door openings;
- changes to the roofline or parapet; or
- changes in building height.

- **Approval Standard:** The HPDRB must determine if the proposed improvements are substantially consistent with the adopted Village Downtown Design Guidelines.
- **Process for Appeal:** An appeal process is provided for an appeal of the Community Development Director's decision or if a Certificate of Design Appropriateness is denied.

- **Penalties:** A penalty section is provided in cases of work starting without the necessary CODA approval or when work is being completed not in conformance with a CODA.

Transportation and Parking Commission
Zoning Board of Appeals

* * *

Section 3. That Divivion 2.IV.3 is hereby amended to read as follows:

Division 2.IV.3 ~~Architectural Design Review Board~~ Historic Preservation and Design Review Board

Section 4. That Section 2.56 is hereby amended to read as follows:

Sec 2.56 Created; Composition; Terms Of Office

~~An Architectural Design Review Board~~ Historic Preservation and Design Review Board (HPDRB) is hereby created, which commission shall consist of seven (7) members appointed for staggered terms of three (3) years each. Members shall hold office for their designated terms until their successors have been appointed. Two (2) members shall be architects, one (1) member shall be an attorney, one (1) member shall be a representative of the Downers Grove Historical Society and three (3) members shall be citizens from the general public.

(Ord. No. 1622, § 2; Ord. No. 3266, § 34; Ord. No. 3855, 2/8/99; Ord. No. 4518, 6/17/03; Ord. No. 4881, 7/3/07)

Section 5. That Section 2.57 is hereby amended to read as follows:

Sec 2.57 Powers And Duties

~~The Architectural Design Review Board~~ Historic Preservation and Design Review Board (HPSRB) shall have the following powers and duties:

- (a) Administer the historic preservation provisions of this Code;
- (b) Administer the Certificate of Design Appropriateness provisions of this Code;
- ~~(c)~~ Perform such additional duties as the Village Council may direct.

Section 6. That Section 7.303 is hereby amended to read as follows:

Article 7.III Permits

Section 7.303 Action on Application

- (a) General. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor. If the Building Official is satisfied that the proposed work conforms to the requirements of this Code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefor as soon as practicable.
- (b) Certificate of Design Appropriateness Determination. The Director shall review any work included in the building permit application to determine whether a Certificate of Design Appropriateness (CODA) shall be required. If the Director determines that a CODA is required, the individual who submitted the building permit application shall submit an application for a CODA in accordance with DGMC Article 7.XXII. An appeal of the Director's decision to require a CODA shall be made in accordance with the procedures described in DGMC Section 7.2204.

Section 7. That Article 7.XXII is hereby added as follows:

Article 7.XXII Certificate of Design Appropriateness

Section 8. That Section 7.2201 is hereby added as follows:

Sec 7.2201 Certificate of Design Appropriateness (CODA) - Required

- (a) A Certificate of Design Appropriateness (CODA) is required for any of the following improvements for structures located in the DB, DC and DT Zoning Districts, that require a permit from the Village:
- (1) Facade renovation. A facade renovation as it relates to a CODA is defined as improvements that require a permit and includes any combination of two or more of the following:
 - a. changes to exterior materials that currently require a permit as provided by DGMC Section 7.301;
 - b. expansion, removal or addition of window or door openings;
 - c. changes to the roofline or parapet; or
 - d. changes in building height.
 - (2) Building additions visible from a street or alley.
 - (3) New multi-family buildings and single-family attached houses that are not required to seek Village Council approval as provided in DGMC Section 28.12.040 or DGMC Section 28.12.050.
 - (4) New commercial buildings that are not required to seek Village Council approval as provided in DGMC Section 28.12.040 or DGMC Section 28.12.050.
- (b) A CODA is not required for any improvements made to a Detached House or Two-Unit House used for residential purposes or any improvements requiring Village Council approval in the DB, DC and DT Zoning Districts as provided in DGMC Section 28.12.040 or DGMC Section 28.12.050.

Section 9. That Section 7.2202 is hereby added as follows:

Sec 7.2202 Certificate of Design Appropriateness (CODA) Application and Procedure

- (a) An application for a CODA shall be on a form provided by the Department and shall be submitted to the Department. A filing fee may be required as identified in the Administrative Regulation entitled "User-Fee, License & Fine Schedule".
- (b) Consideration of the CODA shall be by the Historic Preservation and Design Review Board (HPDRB) as follows:
- (1) Within thirty (30) days from the receipt by the Department of a complete application for a CODA, the HPDRB shall schedule a public hearing on the application, which shall be held not more than sixty (60) days after such receipt.
 - (2) Public Hearing Notice - Notice of the required public hearing on a CODA application shall be provided in the following manner:
 - a. Public Hearing Notice - Mailing Notice. Not less than fifteen (15) days prior to the hearing, the Village shall mail notices to property owners within two hundred fifty feet (250') of the subject property, as measured from the property line to property line, but excluding public rights-of-way less than one hundred fifty feet (150') in width (in other words, most rights-of-way are not counted in calculating the required notification radius);
 - b. Public Hearing Notice - Notice Posting. The Village may:

1. generate a public hearing notice, which the applicant shall post on the building or site that is the subject of the application; and
 2. post notice in accordance with the Open Meetings Act; and
 3. publish notice on the Village website.
- (3) Failure to provide any form of notice set forth in DGMC 7.2202(b)(2) that is not required by State law does not invalidate, impair, or otherwise affect any application, public hearing or decision rendered with respect to the matter under consideration.
 - (4) During the public hearing, the HPDRB shall review and evaluate the application according to the criteria set forth in DGMC Section 7.2203. A simple majority vote of the HPDRB shall be necessary for the approval of a CODA.
 - (5) The HPDRB shall notify the applicant of its decision in writing within fifteen (15) days of the date of the hearing. If approved, the Director shall issue the CODA. If denied, the notice shall state the reasons therefor.
 - (6) The approved CODA will lapse and have no further effect one (1) year after it is approved by the HPDRB, unless a building permit has been issued. If substantial changes to the plans that were submitted with the application for the CODA are necessary, a new CODA shall be required.
 - (7) All permits involving the issuance of a CODA shall be subject to a CODA compliance inspection. Such inspection shall be completed by the Department prior to the issuance of any Certificate of Occupancy.
 - (8) Any changes in the design or construction of the improvements shall be brought to the immediate attention of the Director for determination as to whether the changes are in substantial conformance with the CODA. Any changes that are not in substantial conformance with the CODA approval shall be remanded to the HPDRB.
 - (9) Any construction activity that is not in substantial conformance with an approved CODA is subject to the penalties as identified in DGMC 7.2208.

Section 10. That Section 7.2203 is hereby added as follows:

Sec 7.2203 Reviewing Criteria For Certificate of Design Appropriateness (CODA)

No CODA may be approved by the HPDRB unless the HPDRB determines that the applicant has presented evidence to show that the proposed external building and/or site improvements are:

- (a) appropriate to and compatible with the character of the surrounding properties; and
- (b) substantially consistent with the applicable Village Downtown Design Guidelines.

Section 11. That Section 7.2204 is hereby added as follows:

Sec 7.2204 Appeal of Director's Decision or HPDRB's Denial of a Certificate of Design Appropriateness (CODA)

- (a) Within thirty (30) days from either the date of the Director's decision or the denial of an application by the HPDRB, an applicant may appeal said decision or denial to the Council. Notice of such appeal shall be in writing to the Village Manager, who shall notify the Department. The Department shall prepare the record and forward it to the Council. Within ninety (90) days from receipt of the appeal, the Council may affirm or overturn the Director's or HPDRB's decision; and in the case of the HPDRB's decision, the Council may also send the application back to the HPDRB with recommended changes. Decisions of the Council shall constitute final administrative decisions subject to administrative review as provided by State law.
- (b) When acting on an appeal of the Director's decision, the Council must grant a presumption of correctness to the Director's decision, placing the burden of persuasion of error on the applicant.
- (c) An appeal of the Director's decision may be sustained only if the Council finds that the Director erred.

- (d) All construction activities on the property that are the subject of an appeal must cease during the pendency of the appeal.

Section 12. That Section 7.2205 is hereby added as follows:

Sec 7.2205 Remediating Of Dangerous Conditions

- (a) In the event that a condition on a building that necessitates improvements, as listed under DGMC Section 7.2201(a), presents an imminent danger to the public health, safety, or welfare or requires immediate construction, reconstruction, repair, alteration, or demolition as ordered by a court of competent jurisdiction or as determined by the Director, then such work may be performed without a CODA. Work performed under such circumstances shall be the minimum necessary in order to render the improvement safe, after which any additional construction, reconstruction, alteration or demolition shall be processed in accordance with the provisions of DGMC Section 7.2201.
- (b) Under the circumstances described in DGMC Section 7.2205(a), the owner(s) of record of the property shall notify the Director in writing prior to performing the work necessary to make the property safe. If advance notification is not practical due to the emergency nature of the situation, the owner(s) of record shall provide written notification to the Director within two (2) calendar days of commencement of such work. In either case, the written notice shall include the following:
1. A detailed description of the dangerous condition in question;
 2. The time frame needed to complete the work; and
 3. The specific actions to be taken in the performance of such work.

Section 13. That Section 7.2206 is hereby added as follows:

Sec 7.2206 Demolition By Natural Causes

- (a) For the purposes of this Section, natural demolition shall occur when a building that necessitates improvements as listed under DGMC Section 7.2201(a) is damaged by fire, explosion or other casualty or act of God as defined in DGMC Section 28.15.040.
- (b) In the case of demolition by natural causes of all or part of a building that necessitates improvements as listed under DGMC Section 7.2201(a), the owner(s) of record shall obtain a CODA prior to the reconstruction when required under the provisions of this Article.

Section 14. That Section 7.2207 is hereby added as follows:

Sec 7.2207 Penalties

- (a) Demolition or improvements occurring under the provisions of DGMC Sections 7.2205 and 7.2206 of this Article shall not be considered illegal for the purposes of this Article, provided that the Director is properly notified in writing in accordance with DGMC Sections 7.2205(b) or 7.2206(b).
- (b) It shall be unlawful to complete any construction or alteration to, or demolish, any portion of a building that necessitates improvements as listed under DGMC Section 7.2201(a) unless specifically permitted through a CODA issued for that property.
- (c) It shall be unlawful to complete any construction or alteration to, or demolish, any portion of a building that necessitates improvements as listed under DGMC Section 7.2201(a) that does not comply with an approved CODA.
- (d) Any person who violates any provision of this Article 7.XXII shall be guilty of an offense subject to:
- (1) The general penalties for ordinance violations pursuant to DGMC Section 1.15.
 - (2) A stop-work order issued by the Director in accordance with DGMC Article 7.V.

(3) In cases of work without a permit, the Director may assess a fine of one hundred percent (100%) of a permit fee in accordance with DGMC Section 1.16.

(4) In cases where construction does not comply with the approved plans or CODA, the Director may also order removal of the unapproved construction.

(5) Additionally, the property owner and the contractor, shall both, incur the following fines:

- a. First Offense - \$2,000
- b. Second Offense - \$3,000
- c. Third and Subsequent Offense - \$4,000

(e) All violations that are committed by the same person or any firm controlled by such person shall be counted, regardless of whether or not the violations occur at the same time or at the same address. Any finding or plea of guilty or plea of “no contest” upon a citation shall be deemed a violation.

(f) In addition to any other applicable provisions, the Village may issue to any entity or person who violates any provision of this Article an invoice as settlement of any violation. The invoice shall list the specific violations that occurred, the date or dates of a violation, the location of the violation and shall request payment of the invoice within thirty (30) days. In lieu of invoices, bonds issued for the work at a violation site may be forfeited should funds be sufficient to cover the fines. Upon failure to settle the violation, a complaint shall be filed in the Circuit Court for the damage and violation.

Section 15. That Section 12.200 is hereby amended to read as follows:

Sec 12.200 Definitions

For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them as follows. Words that are not expressly defined in Chapter 1 or this Chapter have the meaning given in the latest edition of *Merriam-Webster's Unabridged Dictionary*.

* * *

Board. ~~The Downers Grove Architectural Design Review Board~~ Historic Preservation and Design Review Board (HPDRB).

* * *

Section 16. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 17. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk