

CITY OF BATAVIA

DATE: February 5, 2013
TO: Community Development Committee
FROM: Jeff Albertson, Building Commissioner
SUBJECT: Ordinance#13-10 & 13-11: Amending Historic District Property Classifications

Background

The Batavia Historic Preservation Commission has been working for approximately two years on an update to the Historic District Property Classifications. The update includes a review of the Historic Property Classification listing for each property in the Historic District. The Commission used several criteria including age of the structure, architectural style, historic use or events that took place in the structure, and potential for upgrades that are historically consistent.

The Commission and CDC recommended and the City Council approved the upgrade of two properties from “contributing” to “significant” and the downgrade of one property from “contributing” to “non-contributing”. The CDC and City Council requested that 335 First Street and 106/109 North River Street return to the HPC for further consideration and discussion

On January 14, 2013 the Commission held a public meeting to discuss 106/109 North River Street. Brett Larson spoke on behalf of the Larson Becker Company. His concerns were upgrading to “significant” would create additional scrutiny, steps, and possibly cost for an owner who wants to renovate the upgraded properties. It could also be restrictive and not protective from the property owner’s point of view. The Mayor spoke about concerns of the impact of the change on the potential future redevelopment of the property. On January 28, 2013 the Commission held a public meeting to discuss 335 First Street. Similar concerns with additional scrutiny, cost of upgrades, and increased standards were given by this property owner. The Commission acknowledged the concerns, but felt that their history of being somewhat flexible and working with property owners to make needed improvements in the best historical context, and also the need to preserve properties of historic significance outweighed the concerns. Specifically about 335 First Street they felt the “Italinat” architecture and the unique and original details and trim were very important to preserve. The Commission voted 2 ayes 3 nays on a motion to change their recommendation on 106/109 North River Street. There was no motion to reconsider the recommendation for 335 First Street. Both original recommendations stand and move forward.

HPC and Staff Recommendation

The HPC and staff recommend that the Community Development Committee recommend approval of Ordinance#13- & 13-, amending the Historic District Property Classifications for 335 First Street and 106/109 North River Street.

Please consider these items at your February 13, 2013 Community Development Committee meeting.

Attachments:

1. Ordinance #13-10
2. Ordinance #13-11
3. 1-14-13 HPC Draft Minutes
4. 1-28-13 HPC Minutes

Cc: Mayor and City Council
File

CITY OF BATAVIA, ILLINOIS

ORDINANCE 13--10

**APPROVING AN AMENDMENT TO THE HISTORIC CLASSIFICATION OF
335 FIRST STREET**

WHEREAS, Title 12 of the City of Batavia Municipal Code provides procedures for the review and amendment of Historic District Property Classifications within the City; and

WHEREAS, pursuant to said provisions, the City of Batavia Historic Preservation Commission (hereinafter the "Commission") did review and recommend changes to the Historic District Property Classification for 335 First Street, within the City; and

WHEREAS, the owners of record of 335 First Street, proposed to be amended were provided notice as required by law notifying them that their property was recommended for a Classification Change and further notifying them of the date, time and place of the Public Meeting where the proposed amendment would be considered; and

WHEREAS, the Commission held the aforesaid Public Meeting on November 26, 2012; and

WHEREAS, following said review, the Commission recommended approval of the Historic District Classification Change:

WHEREAS, on February 13, 2013 the Community Development Committee reviewed the changes, the record of Public Meeting and the actions of the Commission and recommended approval of the Historic District Classification Change in accordance with the Commission recommendation; and

WHEREAS, the City Council of the City of Batavia has received the recommendations of both the Batavia Historic Preservation Commission and the Community Development Committee and has considered same.

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: That the real estate listed as 335 First Street is hereby designated as "Significant" pursuant to Chapter 3, Section 2 of Title 12 of the Batavia Municipal Code.

SECTION 2: That this Ordinance 13-10 shall be in full force and effect upon its presentation, passage and publication according to law.

PRESENTED to the City Council of the City of Batavia, Illinois, this 18th day of February, 2013.

PASSED by the City Council of the City of Batavia, Illinois, this 18th day of February, 2013.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 18th day of February, 2013.

Jeffery D. Schielke, Mayor

ATTEST:

Heidi Wetzel, City Clerk

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Dietz					Wolff				
3	Jungels					Chanzit				
4	Volk					Stark				
5	Frydendall					Theelin-Atac				
6	Liva					Clark				
7	Tenuta					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 13-10**

**APPROVING AMENDMENTS TO THE HISTORIC CLASSIFICATION OF 335
FIRST STREET**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 18TH DAY OF FEBRUARY, 2013**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This 19th day of February, 2013

Prepared by and mail to:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

CITY OF BATAVIA, ILLINOIS

ORDINANCE 13--11

**APPROVING AN AMENDMENT TO THE HISTORIC CLASSIFICATION OF
106/109 NORTH RIVER STREET**

WHEREAS, Title 12 of the City of Batavia Municipal Code provides procedures for the review and amendment of Historic District Property Classifications within the City; and

WHEREAS, pursuant to said provisions, the City of Batavia Historic Preservation Commission (hereinafter the "Commission") did review and recommend changes to the Historic District Property Classification for 106/109 North River Street, within the City; and

WHEREAS, the owners of record of 106/109 North River Street, proposed to be amended were provided notice as required by law notifying them that their property was recommended for a Classification Change and further notifying them of the date, time and place of the Public Meeting where the proposed amendment would be considered; and

WHEREAS, the Commission held the aforesaid Public Meeting on November 26, 2012; and

WHEREAS, following said review, the Commission recommended approval of the Historic District Classification Change:

WHEREAS, on February 13, 2013 the Community Development Committee reviewed the changes, the record of Public Meeting and the actions of the Commission and recommended approval of the Historic District Classification Change in accordance with the Commission recommendation; and

WHEREAS, the City Council of the City of Batavia has received the recommendations of both the Batavia Historic Preservation Commission and the Community Development Committee and has considered same.

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: That the real estate listed as 106/109 North River Street is hereby designated as "Significant" pursuant to Chapter 3, Section 2 of Title 12 of the Batavia Municipal Code.

SECTION 2: That this Ordinance 13-11 shall be in full force and effect upon its presentation, passage and publication according to law.

PRESENTED to the City Council of the City of Batavia, Illinois, this 18th day of February, 2013.

PASSED by the City Council of the City of Batavia, Illinois, this 18th day of February, 2013.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 18th day of February, 2013.

Jeffery D. Schielke, Mayor

ATTEST:

Heidi Wetzel, City Clerk

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Dietz					Wolff				
3	Jungels					Chanzit				
4	Volk					Stark				
5	Frydendall					Theelin-Atac				
6	Liva					Clark				
7	Tenuta					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 13-11**

**APPROVING AN AMENDMENTS TO THE HISTORIC CLASSIFICATION OF
106/109 NORTH RIVER STREET**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 18TH DAY OF FEBRUARY, 2013**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This 19th day of February, 2013

Prepared by and mail to:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

MINUTES
January 14, 2013
Historic Preservation Commission
City of Batavia

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. Minutes are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. Any references to discussion and/or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. Meeting Called to Order

Chairman Bus called the meeting to order at 5:30 p.m.

2. Roll Call

Members Present: Bus, Fessler (5:33 p.m.), Searl, Sherer, Sullivan (5:32 p.m.), and Vasilion.

Also Present: Jeff Albertson, Building Commissioner; Mayor Schielke, and Connie Rizo, Recording Secretary

3. Items to be removed, added, or changed

Jeff Albertson requested that Agenda Item #6 be continued until the meeting of January 28, 2013.

4. Approval of Minutes: December 10, 2012

Motion: To approve the 12/10/12 Historic Preservation Commission meeting minutes.

Maker: Sherer

Second: Searl

Voice vote: 4 Ayes, 0 Nays, Motion Carried.

5. COA Review: 90 North Island Avenue—Wall Sign Installation (Mario Aliano, applicant)

Chairman Bus stated this agenda item was for a wall sign installation and that this property was classified as non-contributing.

Mario Aliano, 90 N. Island Avenue, Batavia, Illinois, introduced himself. Aliano stated the proposed wall sign was designed by a professional company according to the building proportions. Aliano indicated the proposed sign is LED illuminated. Aliano mentioned that the side of the building where the proposed sign is to be installed is dark and that when other festivals and carnivals are taking place nearby rides and machines block the restaurant, so the signage would make potential customers aware of his establishment.

Jeff Albertson demonstrated a picture of the potential sign. Steve Vasilion inquired about the banners in the windows. Aliano indicated the banners are stickers explaining the different types of food offered at Aliano's and they fall right above the fence area within eye view level of patrons sitting inside the restaurant. Albertson advised that the HPC does not have jurisdiction on window signs on buildings because they are exempt from building permits.

Doris Sherer was in favor of the sign.

Vasilion asked to discuss the construction of the sign cabinet. Ron Fessler inquired if the sign was internally lit. Aliano indicated it was internally illuminated with LEDs. Vasilion inquired as to the thickness of the cabinet. Albertson advised the thickness of the cabinet was five inches. Aliano mentioned the sign was the same sign as that which is in the front of the building.

Cathy Searl stated she liked the sign and inquired if there were lights on the building under the sign area. Aliano stated when the patio was put into place the coach lights were already approved with the awnings.

Doug Sullivan and Ron Fessler were in favor of the sign. Fessler indicated that the sign on that side of the building would help light it up since it is presently dark. Chairman Bus stated he liked the bold colors of the sign to help dress up the blank wall on this building. Vasilion commented that the sign had a pleasant design.

Motion: To recommend approval of the COA for the wall sign installation as presented at 90 North Island Avenue.

Maker: Vasilion

Second: Fessler

Voice vote: 6 Ayes, 0 Nays, Motion Carried.

Sherer inquired if the lamps affixed to the building were still there. Aliano stated the lamps were installed when the patio was put into place and he would not be removing the coach lights.

6. Historic District Classification Reconsideration—335 First Street

This agenda item continued until the meeting of January 28, 2013.

7. Historic District Classification Reconsideration—106 North River Street

Brett Larson, 1025 S. Jefferson, Batavia, Illinois, introduced himself and stated he represented the Larson-Becker Company.

Larson stated he did not understand why the property at 106 North River Street was recommended for a change in classification from contributing to significant. Larson commented he was trying to educate himself on this process to understand the recommendation more fully. Larson stated the only aspect of the building that would make it stand out was the unique signage on the surface of the building. Albertson demonstrated some photos that were taken today of the building at 106 North River Street.

Chairman Bus stated in the review required by the municipal code this building is classified as contributing. Chairman Bus explained that the HPC recommended to the City Council that this building be considered for the classification of significant. Mayor Schielke indicated the building was built approximately 90 years ago. Mayor Schielke advised that the south side of the building had asphalt siding circa 1950s and that the north side of the building had the shingle siding removed that uncovered the unique signs.

Mayor Schielke explained that he was the executor of the estate of William Wood, town historian, and that he was in possession of items from his library that included old city directories and books. Mayor Schielke relayed that by using that information he was able to determine that the building was built approximately between 1910-1915 by someone named George Howarth who ran a feed and seed store business servicing the local farmers. Mayor Schielke pointed out that history shows this area of downtown was frequented by farmers. Mayor Schielke stated prior to this building being known as 106 North River Street the building was 34 North River Street in the years prior to 1945. Mayor Schielke advised a business known as Andy's Tin Shop was previously in this building and that the unique signage was from that business. Mayor Schielke spoke in favor of preserving the signs for historic memorabilia if the building were to be demolished. Mayor Schielke commented on potential future development of this portion of River Street where the building of 106 North River Street is located and the impact it could likely have on this portion of downtown. Mayor Schielke also advised that he wrote a memo on 12/17/12 to the City Council and Department Heads explaining the history of this building and suggesting that 106 North River Street be removed from being motioned upon in changing the classification from contributing to significant until further review and clarification could take place.

Motion: To recommend Mayor Schielke's 12/17/12 memo be added to the minutes of the 1/14/13 HPC meeting minutes.

Maker: Sullivan
Second: Sherer
Voice vote: 6 Ayes, 0 Nays, Motion Carried.

Chairman Bus inquired if changing the building from contributing to significant would preclude demolition of the building for redevelopment purposes. Mayor Schielke and Albertson confirmed that changing the building from contributing to significant would not preclude demolition of the building for redevelopment purposes. Albertson indicated that the City Council has to approve demolition of any principle building in the Historic District whether contributing or significant. Mayor Schielke stated he was hard pressed from researching the historical perspective to find any significant history on this former feed business and tin shop building. Mayor Schielke opined he would not like to see any redevelopment process jeopardized because of this building. Albertson commented there are more parameters in the Historic District for demolishing a significant building over a contributing building; both would require City Council approval. Sherer indicated that during the StreetScape process there was conversation of opening a gateway for redevelopment all the way up to the Challenge building. Sherer indicated she loves the signage and gray color of the building. Sherer opined if the signage was never revealed it was likely this building would not be a topic of discussion. Sherer also shared that she would not like this building to have the classification changed to significant if it would stand in the way of future development of River Street. Sherer expressed the signage should be retained.

Cathy Searl declined to comment since her father represented Larson-Becker when the building was purchased and has also done work for this company.

Doug Sullivan inquired as to the building's current use. Larson replied the building has some surplus personal family and business storage. Sullivan conveyed after listening to Mayor Schielke's account of the history of this building he understood if there was a future redevelopment plan the City would likely be inclined to allow a demolition in favor of a different, more useful business at this site. Sullivan stated he was inclined not to upgrade the classification to significant because future Commissioners of the HPC might have the wrong impression of the level of historic protection needed for this building.

Steve Vasilion stated this building has the gray weathered siding, 90-year history, and painted signage that captures a certain time period in Batavia's history. Vasilion indicated the HPC standards have several criteria of how buildings are evaluated. Vasilion pointed out what make this building special is the signage on the building. Vasilion pointed out the building has changed over the years and that not a whole lot of the original building remains. Vasilion added that an argument could be made both ways for how to proceed relative to 106 North River Street. Vasilion agreed with Sullivan and commented that for the right kind of future development it is conceivable the HPC could yield and change. Vasilion relayed that the HPC is charged with

preserving the history of the City of Batavia and, thus, guardians of the history. Vasilion stated he was inclined to let the City Council decide what to do on the classification for this building. Chairman Bus pointed out the HPCs recommendation to the City Council on all the buildings recently recommended for change in classifications is just that, a recommendation.

Ron Fessler agreed with Vasilion. Fessler expressed it was unsettling that the HPC is being told to yield for development, which is against what the HPC should be doing in preserving history. Fessler stated the existence of the HPC comes into question if not reclassifying structures as significant when it is thought prudent to do so is then stifled because of potential future development. Fessler expressed difficulty in knowing where to draw the line when considering what is heritage or part of the community for historic preservation. Fessler was in favor of classifying 106 North River Street as significant.

Chairman Bus inquired if documented plans exist currently with the City of Batavia for redeveloping north River Street. Mayor Schielke indicated the City is always reviewing ideas and that the HPC is a recommending body. Mayor Schielke commented that inevitably 106 North River Street would come down in the face of any redevelopment in that area because it has no historical value.

Chairman Bus inquired if the building was on a foundation, a slab, or grade. Larson stated it is a combination of solid stone or stacked limestone. Larson stated the northwest corner is a rock slope that goes up to the corner that was not excavated out. Chairman Bus stated it would not surprise him if there was something at this location before this building. Mayor Schielke stated there was no evidence of that. Chairman Bus stated River Street is one of the oldest streets in the City of Batavia. Larson stated he was an historic buff as well as was proud of the way the City has done restoration in the downtown. Larson stated he understood the significance if there were a number of other wood buildings downtown that would provide a cohesive look, but now River Street is a modern looking brick street that is pedestrian friendly. Larson stated if he was a developer he might view any building classified as significant as one that would cause more work and involve more cost to do anything with the building.

Chairman Bus stated he was comfortable with the recommendation the HPC had made in the past. Chairman Bus indicated he wanted to honor the process and decision the HPC had already made. Chairman Bus opined it was important for the HPC to continue to view the historic district survey as a long term process and the update is an important part of the process. Searl mentioned if the classification of significant is upheld it could also be re-reviewed at the next HPC historic district survey periodic review. Albertson stated that the other three properties that were made in the original recommendation have already been acted on by the City Council.

Motion: To amend the previous recommendation of significant for 106 North River Street and to return the classification to contributing.

Maker: Sullivan
Second: Sherer
Roll Call Vote: Aye-Sherer, Aye-Sullivan, Nay-Bus, Nay-Fessler, Nay-Vasilion,
Abstention-Searl, Motion Defeated.

Albertson advised after the other property in question is discussed at a future HPC meeting then the next action would go through the CDC.

10. Other

Jeff Albertson requested that the Commissioners who have not completed their open meetings act training complete it as soon as possible. Albertson stated he would resend the link for the training to the Commissioners.

11. Adjournment

A motion to adjourn the meeting was made by Sullivan and Searl seconded the motion to adjourn the meeting at 6:15 p.m. All were in favor and the motion was carried.

Minutes prepared by
Connie Rizo

Att. Schielke memo 12-17-12

CITY OF BATAVIA

DATE: December 17, 2012
TO: City Council and Dept. Heads
FROM: Mayor Jeffery D. Schielke
SUBJECT: **Amending the Historic Preservation District**

I regret that another engagement prevented me from attending last week's CDC meeting where the topic of changing the status of four properties from "contributing" to "significant" as to their Historic Property Classification listing was advanced by our Historic Preservation Commission.

I want to express my reservation about making such a change as is proposed for the wood frame two-story property located at 106 North River Street, a building located due north of the Tusk Restaurant at the northeast corner of N. River and State Streets.

From a pure historical importance standpoint my research leads me to the opinion that this particular building has no historical importance other than some 1940's era signage found on the north side of the structure which advertise heating and air conditioning services. It is my opinion that if we desired to save this signage that the easiest way to do so would be to carefully cut its presence away from the existing building and preserve it as a piece of downtown memorabilia.

The existing building appears to offer little to preserve in my opinion. It remains as one of the few remaining all wood frame structures to be found in our downtown. I highly doubt that our current building codes would allow any structure similar to it to be built today. Given this fact, it appears to me that its historical importance, if such an aspect exists, is that it is an example of non-conforming building construction that Batavia would never allow to be built today.

The history of the building is that for many years, before the 1945 renumbering of our street network, the structure was numbered as 34 North River Street. It was occupied by George Howarth to run his business of grain and feed bag distributions. It appears that Mr. Howarth retired from the business around World War II and the structure was then occupied by Batavia resident Edgar "Andy" Anderson who ran a heating and air conditioning installation and repair business in it until the 1960's known around town as "Andy's Tin Shop." The address was changed to 106 North River Street and it was during this time period after World War II that the signage on the north side of the building was added. After Andy's Tin Shop left the business world, it is in my head that the building was used as a storage unit for the Thomas and Carlson Farm Implement firm which sold tractors and combines from the concrete block building now occupied by Tusk. Later it was purchased by Larson and Becker Company along with several other neighboring pieces of land on the east side of River Street. I know of no historical events which occurred within this particular property.

At the public meeting held by the Historical Preservation Commission on November 26, 2012, Brett Larson, representing the Larson family which owns the building, raised several questions about this proposed move. His questions would be the same one's I would have. Given the major investment which our city has made on River Street, I feel that this designation could offer a number of problems in the future redevelopment of the street which would be counter-productive to what appears to be the desire or direction that the current city council is seeking to go.

If nothing else, I would suggest that the 106 North River Street action be removed from any motions made tonight to allow for its further review and clarification.

MINUTES
January 28, 2013
Historic Preservation Commission
City of Batavia

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. Minutes are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. Any references to discussion and/or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. Meeting Called to Order

Chairman Bus called the meeting to order at 5:36 p.m.

2. Roll Call

Members Present: Bus, Fessler, Sherer, Sullivan, and Vasilion
Members Absent: Searl
Also Present: Jeff Albertson, Building Commissioner; Mayor Schielke, and Connie Rizo, Recording Secretary

3. Items to be removed, added, or changed

None.

4. Approval of Minutes: January 14, 2013

Motion: To approve the 1/14/13 Historic Preservation Commission meeting minutes.
Maker: Sullivan
Second: Sherer
Voice vote: 5 Ayes, 0 Nays, Motion Carried.

5. COA Review: 227 West Wilson Street—Wall Sign Installation (Ossama Abdelnour, applicant)

Jeff Albertson advised that this sign was for the Fantastico's building on West Wilson Street. Albertson explained that the sign was removed and stored while the building was the Thai restaurant and has now been brought back out and reinstalled on the building. Albertson indicated it is the same sign that was removed and rehung in the same location. Albertson mentioned that the sign did not have a COA originally

because it was put into place before the Historic District was enacted. Albertson indicated that because the sign was gone for over a year a COA and a permit is required to reinstall the sign.

Albertson stated the sign is a carved wood sign with the three existing gooseneck lights that light the sign externally. Chairman Bus asked for clarification on the classification for this building. Albertson advised the building was classified as contributing.

The applicant was not present for this meeting.

The Commissioners were in favor of this wall sign installation. Ron Fessler pointed out that in the future it would be good to have the information in advance to understand the circumstances, especially as respects items that did not have a COA or did not submit a COA previously.

Motion: To recommend approval of the COA for the wall sign installation as presented at 227 West Wilson Street.
Maker: Vasilion
Second: Sherer
Voice vote: 5 Ayes, 0 Nays, Motion Carried.

6. Historic District Classification Reconsideration—335 First Street

Jeff Albertson indicated 335 First Street was one of the five properties the Historic Preservation Commission began its review of last year. Albertson stated previously the HPC recommended four contributing properties to be upgraded to significant and one downgrade to non-contributing. Albertson explained that all five properties went to the **Community Development Committee** and the CDC at the request of the property owners asked that two of the properties return to the HPC for further discussion and review. Albertson added the other three properties have now been approved by the City Council for classification status as recommended by the HPC. Albertson indicated the property owners were present this evening to discuss this classification recommendation further.

Chairman Bus inquired if Albertson had a chance to further discuss with the property owner the difference between the classification of contributing and significant. Albertson stated he has not had any further discussions with the property owner since the HPC meeting of December 10, 2012. Chairman Bus asked Albertson to explain the difference between the classifications of contributing and significant focusing primarily on the different levels of protection afforded under the ordinance. Albertson stated there were no differences in process relative to renovation or demolition. Albertson explained that demolitions require a HPC recommendation and City Council approval whether the property is contributing or significant. Albertson stated remodeling is the same for both classifications and do not require City Council approval, but do require a

COA to be approved by the HPC whether classified as contributing or significant. Albertson pointed out the difference between the two classifications would be in the criteria and standards the property is held to.

Steve Vasilion stated that when façade grants are considered the HPC typically is more inclined to grant façade funds to buildings that are classified as significant. Chairman Bus inquired if 335 First Street was eligible for façade grant funds. Albertson replied 335 First Street was not eligible for façade grant funds because it is not in the TIF district.

Albertson showed a picture of the building that was part of the record for the historic district survey.

Vasilion stated there were a number of architectural features to the building at 335 First Street. Vasilion stated the home is a quaint and charming home with the level of detailing around the windows and bays that is exquisite, which is one of the characteristics that draws people to want to reside in Batavia homes such as these. Vasilion stated this Italianate-style structure was one of the reasons the HPC recommended the change in classification. Chairman Bus stated the building had vernacular carpentry and millwork. Vasilion stated it was more about the quality of the detailing and design of the building rather than any historically known person residing there. Chairman Bus pointed out the front porch had some alteration in the past, which differs from what the original front porch would have looked like. Chairman Bus commented that much of the original portions of this building were intact.

Chairman Bus inquired if Albertson knew when this building was constructed. Albertson replied he did not have that information. Vasilion opined the building was likely constructed in late 1800s or early 1900s.

Atty. Ralph Beck, 303 Meadowrue Lane, Batavia, Illinois, introduced himself and advised he was a member of the Bethany Lutheran Church, owners of 335 First Street. Beck stated along with him were John Clark, Ed McMullen, and Susan Witson. Beck indicated he had familiarity with 335 First Street since the early 1970s when the church purchased the building the first time. Beck indicated the church purchased the building the first time because of the landlock situation anticipating that at some point in time it might be necessary to make a trade. Chairman Bus explained that the house portion was sold off in 1978 or 1979 and they kept the back part and then repurchased it about 11 years ago because the church wanted to secure its borders. Beck stated there is no planned present use for the house, however, there potentially a possibility in the future to request for demolition.

Beck opined that 335 First Street had no compatibility with other properties on the same block, so that should not lend to being upgraded to significant. Beck commented he did not know whether the Italianate-style was distinctive enough to warrant an upgrade.

Beck asked for clarification on the degree of distinctiveness. Beck indicated the concern of the members of the Bethany Lutheran Church were if the property was classified as significant the property would be held to different standards and the church members would need to do comply with additional items.

Chairman Bus asked Beck to elaborate and provide specifics on the point he was making on the concerns of the church members.

Beck replied that it was there concern that at some point the church would not have the ability to use the building as much as desired for the use that they would like. Beck stated if 335 First Street was upgraded to the classification of significant the church was concerned about what may be required to maintain the building.

Beck inquired if there was a major renovation of the property what would be required to be approved and the cost associated if the building was classified as significant. Chairman Bus stated there is little, if any, difference in the standards between contributing and significant in terms of the HPC COA review. Albertson indicated the process for both buildings classified as contributing and significant is the same, but the level of scrutiny is different.

In reference to demolition, Albertson mentioned that one of the criteria is if preservation of a structure is deterrent to a major improvement, which is of benefit to the community, that is one of the criteria that the Commission can find in favor of demolition. Albertson stated even if it is a significant building, the standards for demolition are the same as they are for a contributing building. Albertson stated the standards of renovation may be different for buildings classified as significant and would be subject to more scrutiny and more work than possibly a contributing building would be for exterior portions of the building (i.e. siding, roofing, windows/trim, doors/trims, and porch). Albertson pointed out anything done inside the building is not subject to HPC review.

John Clark, 314 North Avenue, Batavia, Illinois, introduced himself and stated that he originally was before the HPC on 12/10/12. Clark stated the difference would be the HPC's scrutiny on projects like window replacement or siding replacement and cited that having the classification changed to significant would be more costly for the church to undergo remodeling projects such as those mentioned. Clark indicated these more costly projects would put an adverse burden on their non-profit organization.

Clark inquired why the HPC recommended upgrading 335 First Street to significant. Clark stated the area buildings do not share the same aesthetics. Vasilion stated it is not just the setting of the immediate block, but rather the community as a whole in the Historic District. Vasilion stated when the HPC was looking to make a designation on a building this building stands alone. Vasilion reiterated 335 First Street was a distinctive design type and the quality of the construction was nice, which would lead to its upgrade to significant.

Vasilion stated components that might be more costly to replace on 335 First Street would likely be window and door replacements because it would need to be correct for the time period the building represents.

Beck inquired if the HPC reviewed the properties in conducting the historic survey or did "experts" review the properties. Vasilion stated the HPC does the review.

Chairman Bus asked the Commissioners if they had any further comments. Vasilion stated he was comfortable with the recommendation previously proposed to upgrade 335 First Street to significant. Doris Sherer agreed with Vasilion and commented that when discussion took place originally on 335 First Street the discussion stemmed around the building being significant with the period of time in the history of Batavia when the residents lived there when it was originally built.

Mayor Schielke commented he was in agreement with the HPC on their comments about the architecture of 335 First Street. Mayor Schielke stated he possesses information from the previous town historian, Bill Wood, and commented that he reviewed the file on this property. Mayor Schielke mentioned that this property has had a number of occupants, so there is no one family or historical event that occurred on this property. Mayor Schielke stated behind this property to the north was the original addition of what became Grace McWayne School built in 1867, so this property would likely be from the late 1800s.

Chairman Bus stated when the HPC conducted its historic district survey 335 First Street stood out as being a building that should have been classified as significant from the onset. Chairman Bus stated 335 First Street is a great example of Italianate construction in Midwestern Batavia and has been remarkably well preserved.

Beck stated the members of the Bethany Lutheran Church object to 335 First Street being upgraded to the classification of significant.

Doug Sullivan inquired if the church had any concrete plans for 335 First Street.

Clark stated the church is in the process of going through a master plan and 335 First Street may have some significance to the church whether it be demolished or changed into a structure that houses offices. Clark mentioned that currently a family rents 335 First Street from the church. Clark mentioned just yesterday a task force was approved by the church to review their property matters.

Chairman Bus stated the standing recommendation from the HPC was to have the classification changed to significant. Chairman Bus asked if there was a motion by any of the Commissioners to amend the standing recommendation. No Commissioner made any further motion. Chairman Bus closed discussion on this agenda item.

Albertson added that this issue would now be heard before the CDC for the next step in the consideration process in the second week of February 2013. Sullivan asked why the CDC requested 335 First Street be returned to the HPC for further review.

Albertson stated it was at the request of the property owner. Clark pointed out at the previous meeting Vasilion was not present to offer his comments from an architect's point of view. Vasilion offered his appreciation to the church members for their interest in the building and participating in the process.

7. Other

- Ron Fessler inquired about the status of the inspection process that is in place for the downtown area. Fessler commented in the past he understood the reason for the delay was that the City was understaffed. Fessler inquired how City Staff plans to implement the program further so as not to cause further delay. Albertson stated currently the City has been under discussions on this same topic. Albertson indicated the three properties that have been inspected are the old City Hall, Robbins Flowers, and the Foltos building. Albertson mentioned that corrections have been made to old City Hall and Robbins Flowers. Albertson stated with the current staffing it is difficult to work on the inspections. Albertson mentioned if the desire is to have the inspections done sooner other alternatives would need to be considered.
- Fessler inquired about the signage that was installed on the west side of the building for Kiss the Sky without a COA. Fessler expressed his concern about items not being addressed that have been brought up in the HPC meetings. Fessler suggested creating a way to monitor items that have been raised during the HPC meetings and seeing them to finalization. Fessler stated items in violation of the City Ordinance need to be dealt with. Vasilion suggested on the HPC Agenda there should be included items that are ongoing to continue to have them before the Committee and seeing that follow through occurs. Albertson stated he would add an agenda item for future HPC meetings that address these open issues. Albertson asked the Commissioners to provide him with a list of any items they still feel are outstanding. Vasilion mentioned the windows on the Marconi building on Rt. 31 and Wilson were on outstanding issue. Fessler mentioned the Anderson block building has issues. Sherer mentioned the sign for Invitations should be inside the brick border.
- Sherer asked Albertson to refresh her memory on the City Ordinance for a building classified as contributing or significant. Albertson stated the program Sherer was referring to was that City Staff would review those buildings in an attempt to preserve them and deal with any significant issues before they were neglected to the point of needing demolition. Albertson stated if the Commissioners noticed any buildings that were neglected they should notify the City. Chairman Bus suggested as a future agenda item there should be

discussion of any significant structures that appear to be deteriorating or are being neglected. Chairman Bus noted the tough economic times and the opportunity to notify property owners on potential grant opportunities where applicable.

- Fessler inquired about the façade improvement grant program. Albertson advised the funds are budgeted with a change in the funding and that there has been no finalization to this point about the grant program. Fessler suggested the HPC and City should be proactive and remind property owners that there are programs available to potentially assist them. Albertson stated staff was proposing a one-time amnesty for a property owner and assistance and then would require the property owner after that assistance to maintain their properties. Albertson stated Jason Bajor was continuing to work on this matter.
- Sherer commented that what was mentioned this evening about 335 First Street was previously discussed on 12/10/12. Chairman Bus agreed with Sherer and pointed out 335 First Street did not have a specific historic event occur there or person live there, but that the reason for the recommendation to significant was the architecture of the building and the representation of a period of time in Batavia's history. Sherer stated 335 First Street also represented a different income level in Batavia and this was an average Batavian's house. Vasilion stated he would like to know when 335 First Street goes before the CDC and City Council and spoke of the importance of someone from the HPC being present at those meetings. Albertson agreed. Chairman Bus stated hearing demolition so frequently during the discussion of 335 First Street was concerning. Sherer stated it was important to explain the criteria defining the classification of contributing and significant to property owners. Vasilion stated he would not object 335 First Street being moved rather than being demolished. Sherer agreed with Vasilion.

8. Adjournment

A motion to adjourn the meeting was made by Vasilion and Fessler seconded the motion to adjourn the meeting at 6:25 p.m. All were in favor and the motion was carried.

Minutes prepared by
Connie Rizo