

**MINUTES**  
**September 11, 2017**  
**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. They 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. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

**1. Meeting Called to Order**

Chair Hagemann called the meeting to order at 5:35pm.

**2. Roll Call**

**Members Present:** Chair Hagemann; Vice-Chair Roller; Commissioners Sherer, Sullivan (entered at 5:38pm), and Bus

**Members Absent:** Commissioner Hohmann

**Also Present:** Mayor Schielke (entered at 5:55pm); Jeff Albertson, Building Commissioner; Scott Buening, Director of Community Development; Byron Ritchason, Wastewater Division Superintendent; Jennifer Austin-Smith, Recording Secretary

**3. Approval of Minutes – August 28, 2017**

**Motion:** To approve the minutes from August 28, 2017  
**Maker:** Roller  
**Second:** Sherer  
**Voice Vote:** 4 Ayes, 0 Nays, 2 Absent  
Motion carried.

**4. Items to be Removed, Added or Changed**

There were no items to be removed, added or changed.

**Motion:** To approve the agenda  
**Maker:** Sherer  
**Second:** Roller  
**Voice Vote:** 4 Ayes, 0 Nays, 2 Absent  
Motion carried.

**5. Matters From the Public (for items not on the agenda)**

Chair Hagemann asked if there were matters from the public for items not on the agenda. There were none.

\* Commissioner Sullivan arrived at 5:38pm

**6. COA Review: 400 South Shumway Avenue – Façade Revisions  
City of Batavia, Applicant**

Byron Ritchason addressed the Historic Preservation Commission (HPC). He stated that the COA for review today does not include any changes to the architecture of the building, just the color of the bricks. He welcomed Jerry Ruth to discuss the planned change with the Commission.

Jerry Ruth, Trotter and Associates, stated that everything would be the same with the brick, including the soldiering, except the color. He stated that the color would be more reddish tones than the previously proposed brown tones. He showed renderings to the HPC and a sample of the proposed brick. He commented that the brick color is the same color used on a St. Charles municipal building and showed pictures of the sample placed against the St. Charles building.

The HPC discussed the proposed change to the brick color and were in agreement that it was a good color choice.

**Motion:** To approve the COA as presented  
**Maker:** Roller  
**Second:** Sherer  
**Voice Vote:** 5 Ayes, 0 Nays, 1 Absent  
Motion carried.

**7. COA Review Continued: 901 North Batavia Avenue  
Façade Revisions (Evergreen Real Estate Group, applicant)**

David Block, Evergreen Real Estate Group, distributed a handout to the Commissioners with photos of similar iconic art deco buildings and the character and quality of the landscaping that goes with them. Also included in the handout were pictures of proposed landscape plantings: boxwood hedge with a mix of spirea, roses, native grasses and perennials (prairie dropseed, coreopsis, allium, and amonsia). Bus stated that the proposed landscape plan is a big improvement.

Bus asked if the sidewalk is being considered as part of the site plan. Block stated that it is and the sidewalk should be placed on the outside of the oval. A loading area immediately north of the handicap parking spaces will be included as well. Buening stated that the Plan Commission requested a sidewalk as a condition for approval. Block stated that they are working with the State Historic Preservation Office (SHPO) regarding the sidewalk and the loading area.

Chair Hagemann opened the floor for public comment.

John Fermanis, tenant in the Campana building, distributed a handout to the Commission. The handout had a diagram with a yellow circle on the first page. The yellow circle represents a stormwater management pond. He explained that he was on site checking out the handicap parking encroachment on the historic lawn and while he was there he saw several engineers doing stormwater measurements. He was informed that they were getting ready to put in a stormwater management pond in the middle of the historic oval. He asked where it would be and they pointed to the center of the oval. When he asked why it would not be put in the back he was

informed that the back is flooded. The other changes are the sidewalks required by the Plan Commission connecting 31 to the building. He continued that it would make most sense to put the handicap parking in the northwest corner where you don't have to do any changes to the historic front door. A heated sidewalk and an automatic door could be put onto the northwest corner of the building and all of the handicap apartments are in that section. In his packet he listed all of the conditions that Kane County, SHPO, and the Batavia Planning Commission has put onto the project. He has read Title 12 very close and found in Section 12.6-3 procedures it states that the COA must include the architects name and the form does not allow for the architects name and it should be modified to do so. But since the application does not include the architects name it should be denied and asked for resubmission.

Bus asked staff about the architect signature and if this is a fatal flaw to this application. Buening answered that the architect's name is required as part of the application and the architect's name and address are included in the actual plans that were submitted and that is sufficient in his opinion for completing the application.

John Kefer, 210 South Bennett, commented on the proposed windows. In his view the windows that they want to put in there are windows that you would see on top of the wall versus the bottom of the wall and he does not know how it would effect the ability of the windows to bare the weight of the wall and the roof. They are in a place where passer-bys could look in and the people inside could not see out and get out in case of fire. Eventually the twenty-five residents with these windows would demand to have windows installed and the building owner would have to give them windows and that would affect the historic appearance and landmark status of the building. The windows should be rethought. Maybe air exchangers for ventilation in lieu of the proposed windows. He noted that the rendering show only the roofs of the cars and looked almost below grade. When cars are parked in the parking lot they obscure the view to the first floor of the building. He asked that the Commission ask the developer to excavate the parking area so you could still see the building. He suggested that a better solution for the antennae is to move them off the building. The shielding proposed would change the proportion of the building.

Joe Kefer, 1740 Pheasant Run Place, asked if the email has been sent in regards of requesting a fire marshal to review the windows. He explained that he sent an email addressing the sidewalk and having a fire marshal to review the windows. The windows are safety glass, which is good to prevent someone from falling out but does not allow someone to get out of the building if needed. Kefer asked if anyone had any questions on his wife's letter and he is willing to answer any questions.

Albertson stated that he was out of the office when Mr. Kefer sent the email but his staff did pass the email along to the fire chief and fire marshal. They did respond and have no issues with the proposed windows.

John Hunter, works out of the Campana building and lives in Allendale, stated that he agrees with the letter submitted by Samantha Malusky to the Commission on August 28<sup>th</sup>. Hunter stated that if the goal is to preserve primary views of the building, have all of the requested samples been brought to the HPC. Hageman answered that they have received all that has been requested of the applicant. Hunter asked what is the width of the frame of the east side windows.

The applicant's architect informed Hunter that the masking taped examples placed on the building itself were reflective of the width of the windows. Hunter asked about how they would manage the reflective nature of the proposed windows. Hagemann stated that would be taken into consideration when the windows are being reviewed. Hunter stated that the Stealth enclosure throws off the proportions of the tower that was configured by the original architect of the building and it makes the fifty foot flag pole look short and out of proportion.

Guy Prisco, Holmstad, stated that he is here to make a plea to preserve the design integrity of the building, particularly the most iconic feature: the tower. It seems that over the years it has been picked at. The integrity of the tower has been reduced little by little. The antennae were a big mistake to be approved. It can't be undone right now. In any event it was a mistake and obviously it was done for the income. The ideal solution would be to not have any antennae up there. The screen will no way ever look like brick and who knows what would happen with a good high wind. It should not be approved on that basis. There are plenty of places where these antennae could be put. He realizes that the current owner is counting on the income and that should not be taken into account by the HPC.

Bus stated that he would like to hear response to the storm water detention. Block stated that he has no idea who the engineers were. The City of Batavia (COB) would scope the storm sewer lines. It is not in their design. Block stated that none of his engineers were looking into that feature. It is nowhere in their plans. Buening stated that staff has proposed no such plan for stormwater detention in that location. Albertson added that if a change such as that would come up it would have to come to the HPC for approval.

The Commission discussed the proposed COA as submitted by the applicant. Bus commented that no member from this Commission approved the installation of the cell tower antennae. Hagemann added that the installation of several of the cell towers was done prior to the formation of a HPC.

**Motion:** To approve the COA as submitted  
**Maker:** Roller  
**Second:** Sullivan

Discussion was held on the motion. Bus stated that we are a HPC and that is foremost on his mind throughout this proceeding. He does believe that if this building, white elephant or iconic building, is to be preserved than an adaptive reuse and influx of capital into stabilizing, preserving and enhancing the building is worth it. The trade off with the windows, exterior changes to the lawn area with parking and changes to the top of the tower, which remove the unsightly antennae, have been compromises that are acceptable in his opinion. That is why he would vote yes on this motion.

Hagemann stated that the fact that we could gather information from other HPCs and there are conditions even before it was brought to us that are required to be met by other preservation agencies that do still fall in line with our guidelines he thinks that in a lot of ways this goes above and beyond some of the preservations requirements that we have. The trade off, when we are looking at historic preservation, you could preserve something to a fault at times and have it go

into disrepair from lack of things being done to them. The job of this commission is to find a fair trade off where these buildings could continue to be appreciated in our community and it is a trade off to preserve a building for a long period of time. There are trade offs here to ensure that it is a building that could be here a long time and something that could continue to be enjoyed.

Sullivan addressed the prediction of the public regarding the windows if this proposed change is to occur, the windows are constructed, residents move into this building and then sometime later demand that different windows be constructed. Sullivan stated that it is important to note that what we have before us is a proposal to do just the windows that are proposed and if there were demands for new windows it would come to the HPC to reject or approve. He does not want to disregard that but it is not relevant to state future change would be ramrodded through because someone who lives there is demanding it. We are only considering what we have in front of us at this time and the exterior changes have been acceptable and he would support the project this evening.

Roller stated that these windows are a good effort to blend with the building and are laid out in a regular pattern to match with the linear pattern of the building. The fact that they are on the lowest portion of the building with the berm you will not be able to see them that much and she does not see them as a major concern. The Stealth sheath is a significant improvement upon the cell tower antennae as they are now.

Sherer stated that she believes that the eighty windows and the proposed structure on top of the tower radically changes the integrity and design of the building and does not meet the mission or the guidelines of the Batavia HPC.

**Roll Call Vote:**       **Aye:** Roller, Sullivan, Bus, Hagemann  
                              **Nay:** Sherer  
                              4-1 Vote, 1 Absent, Motion carried.

## **8. Updates:**

- 1. 7 East Wilson Street – Historic Inspection**
- 2. Anderson Block Building – Masonry Maintenance**
- 3. Significant Historic Building Inspection Program**
- 4. 10/12 North River Street – Historic Inspection**
- 5. 227 West Wilson Street – Historic Inspection**
- 6. 129 South Batavia Avenue – Historic Inspection**
- 7. 8 North River Street – Historic Inspection**
- 8. 16 East Wilson Street – Historic Inspection**
- 9. Certified Local Government**

Albertson stated that they continue to have discussions with several business owners and some are in the adjudication process.

Hagemann stated that he would fill out another application for the Certified Local Government.

## **9. Other Business**

Roller asked about Briana's Pancake House and how what they built was not approved by the HPC. Albertson stated that these changes were made without the staff's knowledge and they would be coming to the HPC with the changes that they made on the south and west façade and they are asking to do some of the same improvements on the east façade. Albertson would like to have everything they are planning to do on one COA.

#### **10. Adjournment**

There being no other business to discuss, Chair Hagemann asked for a motion to adjourn the meeting at 6:25pm; Made by Roller; Seconded by Sullivan. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith