

MINUTES
February 8, 2021
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 Commission/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 Hohmann called the virtual meeting to order at 5:30pm.

2. Roll Call

Members Present: Chair Hohmann; Vice-Chair Bus; Commissioners Faivre, Sherer and Saam

Members Absent: Commissioner Hagemann

Also Present: Mayor Schielke; Jeff Albertson, Building Commissioner; Scott Buening, Director of Community Development; and Jennifer Austin-Smith, Recording Secretary

3. Approval of Minutes: December 14, 2020

Motion: To approve the minutes from December 14, 2020

Maker: Sherer

Second: Faivre

Roll Call Vote: **Aye:** Sherer, Bus, Saam, Faivre, Hohmann

Nay:

5-0 Vote, 1 Absent. Motion carried.

4. Items to be Removed, Added or Changed

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

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

There were no matters from the public.

6. Recognition of Commissioner Robert Krawczyk

Albertson reported that Commissioner Robert Krawczyk recently passed away. Mayor Schielke stated that we would truly miss him. He was a great representative of Batavia. Mayor Schielke continued that he had amazing talents with the computer, taking a home with several renovations and deconstructing it to show how the home originally looked. He was a valuable resource, and we are sorry to lose him.

Motion: To send a letter to Robert Krawczyk's wife with deepest sympathies and have it signed by the chairman

Maker: Bus
Second: Sherer
Roll Call Vote: **Aye:** Bus, Saam, Faivre, Sherer, Hohmann
Nay:
5-0 Vote, 1 Absent. Motion carried.

7. COA Review: 90 N Island Avenue – Wall Signs (DK Signs, applicant)

Danny Konovalchik, DK Signs, addressed the Historic Preservation Commission (HPC). Konovalchik discussed the wall signs for Windmill Creek Pizzeria. There will be two flush mounted illuminated channel letter signs and an awning fabric change. Albertson stated that the signs meet code and there is a sign graphic on the awning on the north wall and all comply with the Zoning Code.

This building is non-contributing. Chair Hohmann asked if there were any questions from the Commissioners. The HPC viewed illustrations of the graphics on the awning and the proposed signage.

Motion: To approve the COA as presented
Maker: Bus
Second: Sherer
Roll Call Vote: **Aye:** Bus, Saam, Faivre, Sherer, Hohmann
Nay:
5-0 Vote, 1 Absent. Motion carried.

8. COA Review: 19 N River Street – Wall Signs (Amanda Leutenberg, applicant)

Amanda Leutenberg, applicant, addressed the HPC. She stated that they would like to put a wall sign over the door as well as one on River Street. She explained that they have a private walkway near the Instrument Exchange building so we would like to place a sign next to it. Originally, they wanted to have a projecting sign but it is not a 50ft building so they could just do a flat sign and that would be fine. The HPC viewed illustrations of the proposed signs.

Albertson announced this building is classified as contributing. All of the signage that was in the original posting complied, except the projecting sign. The Zoning Code only allows one projecting sign on a building elevation unless the building elevation is wider than 50ft. This building elevation is narrower and only allows for one projecting sign. There already is one for the Instrument Exchange. A flat mounted sign would comply with the Zoning Code.

Commissioner Sherer asked if the applicant feels the flat sign would be adequate in showing people where to find their store. Leutenberg answered not particularly but there is not much of a choice due to the size of the building. She would much rather have a projecting sign because of where they are located. Sherer asked if it would be legal to put the projecting sign on the slope on the side of the building. Albertson answered it would not. Projecting signs are only allowed on the street-facing frontage of the building. Saam asked if the sign could be added to the Instrument Exchange sign with chain links. Albertson stated that was the first suggestion but the applicant did not feel it was feasible. Leutenberg stated it has to be ten feet so the Instrument Exchange would have to mount theirs a lot higher and she is not sure if it would be fair to ask them to do that.

Chair Hohmann stated that he really likes the idea of the projecting signs. It really adds to the character of River Street and the feel that the City is going for down there. Historically, it looks correct to have the sign protrude from the building even if there are multiple ones on the same building. Albertson stated that the applicant could apply for a variance or else it would have to be an amendment to the Zoning Code. Unfortunately, both of those options would take about two to three months to work through the process. Bus stated that he agrees with Chair Hohmann and one of our directives is to make recommendations to the City Council on things in the Historic District. On River Street, because of the unique character, the City Code could be amended to allow for projecting signs to be added to a building less than fifty feet. He thinks we could recommend that to the City Council so that by late spring early summer, if approved, the business could add a projecting sign if they wanted. Sherer, Saam and Chair Hohmann agreed with Bus' comments. Chair Hohmann asked for a formal motion.

Motion: To recommend to City Council that in the Historic District on River Street that the zoning provisions regarding signage be amended to allow for up to two projecting signs on buildings less than 50ft in the Zoning Code
Maker: Bus
Second: Sherer

Discussion was held on the motion. Sherer asked if this gets approved would the projecting sign be allowed on the down slope side of the building. Albertson stated that they would have to make that specific allowance in the ordinance. Right now, the way the Zoning Code is written, signs are only allowed on the street facing elevation. The code would have to be amended both ways, one to allow a second projecting sign and also to allow it on another elevation. Buening noted that since it is an alley the sign might have to be hung a lot higher. Bus stated that if they get the projecting sign on the street and the temporary sidewalk board sign that would get people to the door. Sherer agreed.

Roll Call Vote: **Aye:** Bus, Saam, Faivre, Sherer, Hohmann
Nay:
5-0 Vote, 1 Absent. Motion carried.

Motion: To approve COA with the sign being flush mounted and the one over the door being accepted as presented
Maker: Sherer
Second: Saam

Roll Call Vote: **Aye:** Sherer, Bus, Saam, Faivre, Hohmann
Nay:
5-0 Vote, 1 Absent. Motion carried.

9. Discussion: Historic Landmarking Process

Albertson overviewed the memo. Albertson noted that one of the difficulties in this particular situation had was the property was sold right as the process was getting started. That did not help. The property was sold and changed hands within days of when the application was sent. The original notification went to the bank that was in charge of the property in Texas and we found out

from the bank that the property had changed hands to a new owner. We attempted to notify that owner as well. A lot of the problem was the property had changed hands in the middle of the process. Faivre stated that the homeowner went to the Historic Society and reached out that way and the Historic Society could have given her HPC's contact information. She does not understand how the certified mail process failed to notify the applicant. She just finds it all very odd. Albertson noted that the Historic Society reached out to him just after the Public Hearing. It was between the Public Hearing and when it was forwarded to the City Council's Committee of the Whole. Vice-Chair Bus stated that he is of the opinion that this is a one in ten thousand situation and it is hard to conceive that it would happen again. To put any more time or effort on amending the code is not necessary. Chair Hohmann agreed with Vice-Chair Bus in this instance. This is a rather rare circumstance that this would occur. At the end of the day, it's up to the City Council's purview to accept or to not accept based on comments from a citizen or citizens. In this case, the process worked itself through. He does not know if we need a lot more time revising this process.

Alderman Joe Knopp addressed the Commission. Knopp stated that this property is in the fourth ward and he was contacted by the Historic Society and he got some input there as well as opinions about the property and the fit for being designated a historic landmark. Knopp reached out to the property owner and had conversations with staff. Knopp shared that he is a process engineer by trade and when things aren't coming out the way we expect them to the first thing we do is go back and make sure we followed our process. That is when we noticed some discrepancies on dates. There was some explanation that staff oftentimes get applications where not all the pieces are in place at the time it is submitted but they do not take any action on it until everything is all in place. That will make for dates that are not quite in line with the process. Knopp stated that is not spelled out in the process. The property owner did get due process, she was involved before the final decision was made. Being that this is the first such property that is going through this process we wanted to make sure we had it right. When we saw the hiccups and the bumps along the way we felt that, in general, we could refine the process a little more.

Knopp continued one of the things we looked at was a more standardized form rather than having different people submit in different ways, make it clearer in the language of the code that before it could be processed you have to have all of these things. That would take some ambiguity out and allow things to happen in the order that they happen. Another thing we would like to see, if you have a property owner who does not want it, make it a little more than a simple majority that approves it at City Council. Make it a 2/3 vote by City Council because we are trying to balance out the need for historic preservation in the City of Batavia against the property owner's rights.

Vice-Chair Bus stated that if the aldermen think that the City Code should be revised to require a 2/3 vote that is their prerogative. It does not have any bearing on the responsibility of the HPC. A lot of the things we do or recommend are ultimately decided on by the City Council so it is really a Council policy issue. Chair Hohmann stated that he believes that the Commission would support those changes and we appreciate being involved in the conversation. Albertson stated that any revisions to this process would effect how the HPC operates. This would come to the HPC first for a recommendation and then to City Council for a formal vote. Buening stated that a more standardized form is more of an administrative task that staff could do. The revised form is not something that has to come back to the Commission. Buening stated that he would have to think about the process to ensure it is business and people friendly. Buening added that a 2/3 majority

vote should be made in general for any land marking or districts. There were no objections from the HPC.

10. Updates:

- 1. 7 East Wilson Street – Historic Inspection**
- 2. Anderson Block Building – Masonry Maintenance**
- 3. Significant Historic Building Inspection Program**
- 4. 227 West Wilson Street – Historic Inspection**
- 5. 16 East Wilson Street – Historic Inspection**
- 6. Certified Local Government**

Albertson reported that staff did hear back on the Certified Local Government application. It has been approved. The City of Batavia HPC is now a Certified Local Government as of January 26th of this year.

Albertson reported that the 16 East Wilson Street item has a redevelopment agreement for this property with a perspective tenant, a comedy club. This property will be undergoing significant renovations soon. With the recent new tenant and redevelopment Albertson believes that the items needed to be done on this building will be accomplished and it will then be taken off the list. Chair Hohmann stated that he would like to challenge the HPC and staff to do what we can to finalize the remaining buildings this year.

11. Other Business

Mayor Schielke reported one of the things he will be bringing to the HPC and City Council are nationally designated and landmark signs. There are several buildings that should have some designation or explanation. One would be the City Council Chambers, which during the 1960's was a research laboratory by DK Aerospace, which was one of the subcontractors to the US Space Industry. The flexible fuel lines that were used in the rocket that landed on the moon and returned to earth were made in the City Council Chambers. He thinks Batavia should point that out to visitors. He continued that some sort of plaque should be listed on the Shumway Foundry because the molds for the Academy Awards were manufactured at the Shumway Foundry. The J&E Greenhouse on Walnut Street many of the roses for the Rose Bowl Parade were grown at that location and transferred to railroad cars that sat on a track that is now the walking trail that goes down to Gustafson School. They had a huge rose growing operation in November of every year to be used in the big parade. These things have a national recognition to them. The technology used to create the MRI machine and the internet came out of Fermi Lab. Belleview already has a plaque about Mary Todd Lincoln but there are a number of other places that could use a plaque and we could create a map for a self-guided tour people could take in Batavia.

Chair Hohmann stated that this discussion of further plaquing of historic places and events in Batavia should be continued and we should discuss this with the Historical Society to get some opinions as well as administration opinions from staff. Chair Hohmann noted that this would have to be phased-in as resources were allowed and available.

12. Adjournment

There being no other business to discuss, Chair Hohmann asked for a motion to adjourn the meeting at 6:41pm; Made by Saam; Seconded by Sherer. Roll call was made and all were in favor. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on February 15, 2021.