

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

Room 400, Peoria, Illinois, March 25, 2009, a Historic Preservation Commission Meeting was held this date at 8:30 A.M., at City Hall, 419 Fulton Street, Chairperson Paul Masick presiding.

ROLL CALL

Roll call showed the following Historic Preservation Commission Members were present: Herold, Kenny, Masick, Powers, Ruckriegel and Smith - 6; Absent: Hall - 1.

Staff Present: Kim Smith, Joshua Naven and Trina Bonds

MINUTES

Commissioner Power made the following changes to page 2 before the motion:

Chairperson Masick opened up the public review on Case No. HPC 08-53. There being no public testimony, he closed the public review.

In the motion:

Commissioner Powers moved for a **90-day deferral continuance** until the May 27th, 2009

In the third paragraph:

Mr. Naven reported that the request is to ~~defer~~ continue the request for 90-days.

Commissioner Smith moved to approve the minutes of the February 25, 2009 Historic Preservation Commission meeting (as amended); seconded by Commissioner Herold.

Approved by viva voce vote.

Yeas: Herold, Kenny, Masick, Powers, Ruckriegel and Smith – 6;

Nays: None;

Abstention: None.

Ms. Bonds swore in the public speakers that wished to give testimony today.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA

Mr. Naven pointed out the petitioner for Case No. HPC 09-04 was not present.

Commissioner Powers made a motion **to move** Case No. HPC 09-04 to the end of the agenda due to the petitioner not being present to provide public testimony.

Approved by viva voce vote.

Yeas: Herold, Kenny, Masick, Powers, Ruckriegel and Smith – 6;

Nays: None;

Abstention: None.

(HPC 09-08) PUBLIC REVIEW on the request of Gary Welch for a Certificate of Appropriateness to remove rear window and install a wood balcony and door on the second floor at 248 NE Randolph Avenue.

Commissioner Powers reported that for the record he would be abstaining from the vote and discussion due to the 250 ft. rule conflict of interest.

Mr. Naven introduced the case and gave a power point presentation for the Commission to review. He reported that the subject property received a Certificate of Appropriateness on March 29, 2005, but the alterations were not completed.

Gary Welch, 248 NE Randolph, Peoria, briefly described his request for the Commission.

There being no public testimony, Chairperson Masick closed the public review.

Motion

Commissioner Herold moved **to approve** Case No. HPC 09-08 the request to remove rear window and install a wood balcony and door on the second floor at the subject property pursuant to Items 2 and 10 of the Certificate of Appropriateness Finding of Facts Worksheet; seconded by Commissioner Smith.

Motion **APPROVED** by roll-call vote.

Yeas: Herold, Kenny, Masick, Ruckriegel, Smith - 5;

Nays: None;

Abstention: Powers - 1.

(HPC 09-10) PUBLIC REVIEW on the request of Pat Lewis, Springdale Cemetery, for a Certificate of Appropriateness for the controlled demolition of the Gatehouse at 3014 N Prospect Road.

Mr. Naven introduced Case No. HPC 09-10 and gave a brief over of the case. He reported that the petitioner has detailed the state of repair and fundraising for the Gatehouse at the February 25, 2009, and is now requesting the controlled demolition of the structure. He noted that a letter was submitted in the packet from the Springdale Historic Preservation Foundation and also a memo dated May 4, 2001 from Inspections Director John Kunski regarding the condition of the Gatehouse was handed out to the Commission.

Pat Lewis, 11039 N Tall Oaks, Peoria, reported that he was present representing the Springdale Cemetery Authority and stated that they have requested that he come before the Commission to request the controlled demolition of the Gatehouse. He mentioned the memo from Director Kunski and stated that the City was concerned about the condition of the Gatehouse, even before they took ownership in 2003. He reported that the fundraising for the Gatehouse fell drastically short. After more comments, he stated that any cost associated with tearing down the structure would be paid by the City of Peoria. He went on to say that an estimated \$800,000 was needed to restore the building. He stated that the building is an attractive nuisance for the cemetery and explained that they would like to save as much of the building as possible and reuse what they can save.

In discussion with Commissioner Powers, Mr. Lewis explained that he was not an engineer therefore he could not be very concise, but stated that his definition of controlled demolition would be for them to take the dangerous roof off of the building, completely get rid of all the wood that is rotted and the walls that are caved in, preserve the interior walls that are in very fine shape, and to have a structural engineer to examine what can be saved. He went on to say that he did not want to see the structure bulldozed down.

During more discussion, Commissioner Powers asked Mr. Lewis in terms of the future, what is the intent for this building. Mr. Lewis reported that the structure sits on the Rock Island Trail and explained that his would be an ideal pit stop on Rock Island Trail. He suggested adding a picnic table and water fountain there and stated this would help the cemetery change a blighted area to something attractive.

In discussion with Commissioner Smith, Mr. Lewis reported that Les Kenyon had done a nice study on the building on how to take the building and put it back historic. He further stated that is where they got the \$800,000 price tag.

In discussion with Commissioner Kenny regarding the cost of controlled demolition, Mr. Lewis commented that he would have to get an engineer in there first before they know approximately the cost. He further reported that he would like to try to raise approximately \$30,000 to proceed with controlled demolition.

Commissioner Powers suggested that during the controlled demolition of the structure, the petitioner be prepared to inventory the stones, clean the stones and put them in a secure location where they wouldn't be susceptible to theft.

In response to Commissioner Powers' suggestion, Mr. Lewis reported that they do not have a facility at the cemetery for that at this time and further explained that they are supported by the taxpayer.

After more discussion and comments, Chairperson Masick opened up for public testimony.

Marjorie Schwebel, 438 W High St, Peoria, commented that she has had her own personal experience with controlled demolition on her home. She stated that she believes that one estimate of \$800,000 to restore the structure seems to be extremely out of reach. She further commented that she would have obtained several estimates. After more comments, she stated that the idea for it to be a resting spot on the Rock Island Trail is a wonderful idea. She urged the Commission to be very cautious with the situation.

Commissioner Powers mentioned the memo that was submitted and asked Chairperson Masick to request for someone from City Staff to address the Commission to update them on the current condition of the structure.

John Kunski, Director of Inspections, City of Peoria, reported that in regards to his memo, he was requested by the Planning & Growth Management Department to do a site inspection. He reported that at that time he felt that the Gatehouse entrance pillars or columns were locations of concern and needed to come down. He stated that he felt at that time the same thing should have happened to the Gatehouse. He further stated that it has been boarded up to keep vandals out of it, but that has not worked. He went on to say that in his opinion, the Gatehouse

is in worse shape today than it was in 2001. He commented that nothing has been done to stop the building from deterioration. He said it is an attractive nuisance and it is time to do something and cannot be ignored any longer.

During more discussion, Commissioner Powers asked Mr. Kunki if he had any knowledge of a location where the stones could be secured if the building is disassembled. Mr. Kunki stated that he wasn't familiar with any place, but said he could check into that. He went on to say that if they are stored on site in a fenced in area and covered, it would not be an attractive nuisance. Mr. Lewis pointed out that that the stones should be stored in another secure location offsite because it would possibly be hard to maintain that area if it were to be inside the cemetery.

In discussion with Mr. Lewis, Commissioner Powers suggested numbering the stones and putting them in the basement of the structure and filling it up with sand. Mr. Lewis stated that suggestion would probably be the practical way to store the stones, but commented that numbering them could be labor intensive.

More discussion was held regarding different options regarding storing the stones.

Marjorie Schwebel, 438 W High St, Peoria, commented that her family happens to have been in the mining operation and stated his idea of putting the stones into the foundation is a great idea. She then commented that the City has taken and stored the bricks from their street and said it is possible that they could also store these stones.

There being no more public testimony, Chairperson Masick closed the public review.

During deliberations, Commissioner Kenny commented that she was concerned about controlled demolition of the structure and suggested that Mr. Lewis come back with several bids and tell the Commission how this would be done and the cost.

After a lengthy discussion and more comments, Commissioner Powers stated that he is not in favor of demolition, but said this is a situation where he wants to do something constructive and also focus on restoration. He then stated that he would be in favor of the controlled rehabilitation of this structure and said that they really needed to stop letting it become more of a danger.

Chairperson Masick called for a brief recess at approximately 9:30 a.m.

The Historic Preservation Commission meeting reconvened at approximately 9:35 a.m.

After the recess, Commissioner Ruckriegel stated that it bothers him that the Commission has to think about this issue at this time. He commented that mothballing probably could have possibly been done better, but said they have learned a lesson as citizens of the City of Peoria. He went on to say that something should have been done much sooner, but they are now in a situation where safety is a concern. After more comments, he stated that the best thing the Commission could do is to preserve what they can on this for the future.

Commissioner Herold commented that he would support removing and storing all the tiles from on the roof, removing all rotted wood and filling the basement with dirt.

Commissioner Smith commented that he agreed with Commissioner Ruckriegel's comments regarding this being a safety hazard. He suggested details of how the controlled demolition would be done. He stated that the petitioner should find the original drawings for the building and document what is exactly there. He also commented that the petitioner would need to find an experienced contractor to make this work.

First Motion

Commissioner Powers moved **to approve** the following:

Controlled Rehabilitation

- 1) Allow dismantling structure under the provision of the Commission or an Engineer
 - a) Pictures of interior and exterior of structure
 - b) Pictures of special architectural features
 - c) Exterior pictures of every 100 feet
 - d) Remove & store reusable roofing tiles
 - e) Remove & store loose stones in basement covered by sand, sealed with concrete pad
 - Remove stones
 - I) Loose stones
 - II) Stones in areas of building that are considered a safety hazard
 - f) Stones becoming loose after dismantling shall be securely stored until such redevelopment occurs.
- 2) Develop plans for the redevelopment options reusing stones and existing materials and brought forth to Commission within 180 days.
 - 1) Site and building plans
 - 2) Fundraising/Grants
 - 3) Marketing as such

There was no second to the motion.

Second Motion

After more comments and discussion, Commissioner Herold moved **to approve** the removal and storage of roof tiles and all rotted wood, filling of the basement with dirt and the storage or securing of remaining stones; seconded by Commissioner Smith.

Amended Motion

After more discussion and pursuant to the application and record reflecting life safety concerns, Commissioner Smith moved **to amend** the motion to also add that the petitioner must provide documents of existing building and plans for rebuilding as originally constructed; seconded by Commissioner Kenny.

Motion **APPROVED** by roll-call vote.

Yeas: Herold, Kenny, Masick, Ruckriegel, Smith - 5;

Nays: Powers - 1;

Abstention: None.

(HPC 09-11) PUBLIC REVIEW on the request of Dan Waibel, for Andrew and Mary Muir, for a Certificate of Appropriateness to replace and add fencing and add security cameras at 1505 W Moss Avenue.

Mr. Naven introduced the case and handed out a copy of an email from the Frank Lloyd Wright Building Conservancy for the Commission's information.

Commissioner Powers moved to defer the portion regarding the fence for clarification, stating that there are questions that needed to be answered.

In discussion, Mr. Naven explained that there is nothing wrong with continuing that portion of the case, and explained the public has been notified that a public meeting is being held on this date.

Chairperson Masick opened up the public review on the request.

Dan Waibel, Designer Builder, 5216 N Sherbrook Lane, Peoria, reported that he was speaking on behalf of Andrew & Mary Muir regarding the request to replace chain link fence with a wrought iron fence. He explained the location of the back yard they were requesting to replace and also stated that they are requesting to add a 36-inch fence in the front yard. He reported that they are also requesting approval to add security cameras and briefly described the locations for the Commission.

Commissioner Kenny commented about the letter that was received from the Frank Lloyd Wright Building Conservancy. She stated that in regards to the fence, the letter states that the request is inappropriate and asked that Mr. Waibel do more research. After more comments, she commented that the application states that the request is for 36" – 42" high gated fence and it is not clear on exactly what is being requested. She then stated that she did not believe that Frank Lloyd Wright has ever put a wrought iron fence around any of his properties and stated that her main concern is to protect this property.

Mr. Waibel explained the reason for the fence and stated that the home is a private residence and people are wandering in the yard. He further stated that the main objective of the fence is for security and said the owners have kids and pets.

Andrew Muir, 5155 N Prospect Road, Peoria Heights, pointed out that the fence is for the safety and security of his family and pets. He stated that people come from all over the country to see this property, but stated this is a private home. He went on to say that they appreciate the public nature of the home. He reported that they have had great conversations with SaveWright.org and are members of the organization. He stated that in their conversation with one of their board members, they were not told specifically that they did not want them to put a fence up or how it should look. He explained that the fence is a key point of their restoration plans and commented that if there is a deferral or a "no vote" to their request, they are pretty much done. After more comments, he stated that he agrees with the Commission's points and SaveWright.org, but stated they are the homeowners and are making an investment to bring this historic property back to the original. He stated that the cost and time they have spent on this home is substantial and said that it is in the Commission's hands whether they restore the subject property or not.

In discussion with Commissioner Kenny, Mr. Muir reported that he is totally committed that the fence has to go all the way around the entire property.

During discussion, Commissioner Smith commented that in terms of the Frank Lloyd Wright buildings, families are different today. He stated that he thinks that as a Commission, they needed to be aware in terms of the investment that this family has made. He went on to say that he is in support of putting the fence in terms of what it means to families today.

In more discussion, Commissioner Ruckriegel asked for information regarding the exact measurements of what is being requested. Commissioner Kenny commented that this was a problem with the previous application and stated that it is not complete.

Per Mr. Naven's request, Mr. Waibel provided more clarification on the request and noted on the site plan submitted to Staff that they are willing to install the minimum fence height of 36" high. He also pointed out what sections of the fence would be 36" and what sections would be 72".

Chairperson Masick called for a brief recess at approximately 10:30 a.m.

The Historic Preservation Commission meeting reconvened at approximately 10:35 a.m.

Mary Ann Middleton, 1514 W Moss Ave, Peoria, spoke in support of the request. She commented that the owners are proposing enhancements to this property and also mentioned security issues.

Margaret Cousin, 1623 W Moss Ave, Peoria, also spoke in support the request. She mentioned other fenced properties in the area and commented that a 36-inch high fence would be unobtrusive and does not obstruct the view to the property. She stated that a higher fence is the back of the property is perfectly okay. After more comments, she stated that she is certain that the fence is going to be tastefully designed, because the Muirs understand fully now that they have partners, at least in principle, of this historical landmarked building. She mentioned that Tim Hartneck has shared photos with her of other Frank Lloyd Wright properties that has wrought iron fences that are tasteful and in keeping with the homes themselves. In closing, she commented that she felt everyone needed to pay particular attention to the owners' willingness to work with the public and the Commission.

Tim Hartneck, 1403 W Moss Ave, Peoria, agreed with previous comments and stated that he supports the proposed fence. He commented that the fence would not be unobtrusive and further stated that he understands their request for the fence and also their concerns for safety.

Marjorie Schwebel, 438 W High St, Peoria, commented that many Frank Lloyd Wright homes had brick fencing and walls. She commented that the Muirs request is much less of a viewing stand for people who want to tour this historical property. She applauded the owners for restoring this home and stated that they have made a very generous investment. She asked for the Commission's support of the submitted request and commented that she is looking forward to be able to tour this completed restored home.

Mary Muir, 5155 N Prospect Road, Peoria Heights, commented that she wanted to address the letter that was received from the Frank Lloyd Wright Building Conservancy. She commented that they do suggest a 5-foot brick wall and stated that their request is less intrusive. She went

on to say that they want the public to see this beautiful home and further stated that all they are asking for is a fence for the children and their pets.

There being no more public testimony, Chairperson Masick closed the public review.

Motion

After more discussion during deliberations, Commissioner Powers moved **to approve** Case No. HPC 09-11 to replace and add fencing and add security cameras at the subject location per the revised site plan and pursuant to Items 10 and 11 of the Certificate of Appropriateness Finding of Facts Worksheet; seconded by Commissioner Smith.

Motion **APPROVED** by roll-call vote.

Yeas: Herold, Kenny, Masick, Powers, Ruckriegel, Smith - 6;

Nays: None;

Abstention: None.

(HPC 09-04) CONTINUED PUBLIC REVIEW on the request of Matthew Todd for a Certificate of Appropriateness to replace the front porch soffit at 808 NE Perry Avenue.

Mr. Naven reported that that petitioner was not present and stated that he has not had any contact with the petitioner since last month's meeting. He also reported that he had not received any items that were requested by the Commission. He then gave the Commission the different options that were available.

Chairperson Masick opened up for public testimony. There being no more public testimony, Chairperson Masick closed the public review.

During deliberations, the Commission discussed dismissing the case and moving it back to enforcement.

Motion

Commissioner Powers moved **to dismiss** Case No. HPC 09-04; seconded by Commissioner Herold.

Motion **APPROVED** by roll-call vote.

Yeas: Herold, Masick, Powers, Ruckriegel, Smith - 5;

Nays: None;

Abstention: Kenny - 1.

ESTABLISHMENT OF MEMBERSHIP TO THE HISTORIC PRESERVATION COMMISSION AD HOC COMMITTEE REGARDING DESIGNATION; CERTIFICATE OF APPROPRIATENESS; AND, DEMOLITION.

Ms. Smith reported the Commission has the opportunity to review the designation process and demolition authority pursuant to a request by the City Council to set up an Ad Hoc Committee. She reported the following goals of the Ad Hoc Committee:

1. Improve designation process
2. Streamline approval process for Certificates of Appropriateness
3. Consider CILF request to prevent loss of designated and undesignated historic building stock via expansion of demolition authority

Ms. Smith reported that the committee has an end date in mind: end of September at the latest and explained that at that point this committee would dissolve. She submitted a handout and read into the record the names of members of the Ad Hoc Committee. She reported that from previous discussions, there would be representation from the following:

- Central IL Landmarks Foundation- Bill Ordaz & Marjorie Klise
- Historical Society- Bernie Drake
- Neighborhood Association- Lisa Fisher (Glen Oak)
- Zoning Commission- Curt Davis
- Developer- Jane Converse
- Restoration Architect- In progress
- All of Historic Preservation Commission- Pam Hall, Tim Herold, Pat Kenny, Paul Masick, Robert Powers, Sid Ruckriegel, Geoff Smith

Ms. Smith reported that the outlined resource list includes the following:

- Planning Staff- Kim Smith
- Economic Development Staff- Bobby Gray
- Attorney- Randy Ray (Corporation Counsel)
- IL Historic Preservation Agency- Will be contacted

During discussion, Commissioner Powers suggested that Staff add a realtor to the Ad Hoc Committee. He stated that the Ad Hoc Committee needed someone who sells and markets historic homes.

Ms. Smith said that the target dates for the first Ad Hoc Committee meeting are Monday, April 6th or Thursday, April 16th. She stated that the meetings will be held in the late afternoon.

At approximately 11:30 a.m., Chairperson Masick called for a brief recess.

The Historic Preservation Commission meeting reconvened at approximately 11:35 a.m.

Motion

After the break and more discussion, Commissioner Smith moved to approve the list of Ad Hoc Committee members as presented, including an update regarding a restoration architect for the committee.

Amended Motion

Commissioner Kenny added to the motion that someone from the MLS Board is added to the AD Hoc Committee; seconded by Commissioner Herold.

Motion **APPROVED** by viva voce vote.

Yeas: Herold, Kenny, Masick, Powers, Ruckriegel, Smith - 6;

Nays: None;

Abstention: None.

Commissioner Herold commented about a City Council Member tabling the Commission's request regarding landscaping and paint. He stated that he did not feel this should have to wait until September to be approved and commented that it should be removed from the table.

Ms. Smith explained that the idea is to get everything approved together. She stated that the charge is not to rewrite the Ordinance, but to find ways to streamline the process for Certificates of Appropriateness.

After more comments, Commissioner Powers commented that he agreed with consolidating the process, but stated that he would hope that in the future when the Commission is asked to do something, the final action will be considered and not deferred.

REQUEST TO RECEIVE AND FILE:

- Report from Staff regarding Administrative Certificates of Appropriateness issued.
- Report from Staff regarding enforcement case status.

Motion

After a brief discussion, Commissioner Herold moved **to approve** the request to receive and file the Staff Reports; seconded by Commissioner Smith.

Motion **APPROVED** by viva voce vote.

Yeas: Herold, Kenny, Masick, Powers, Ruckriegel, Smith - 6;

Nays: None;

Abstention: None.

PUBLIC COMMENT

No public testimony was presented for discussion.

ADJOURNMENT

The March 25, 2009 Historic Preservation Commission meeting adjourned at approximately 12:00 noon.

Joshua Naven, Senior Urban Planner

tb