

**: OFFICIAL PROCEEDINGS :****: OF THE CITY OF PEORIA, ILLINOIS :**

Room 400, Peoria, Illinois, March 23, 2011, a Historic Preservation Commission Meeting was held this date at 8:30 A.M., at City Hall, 419 Fulton Street, Chairperson Robert Powers presiding.

**ROLL CALL**

Roll call showed the following Historic Preservation Commission Members were present: Hall, Herold (arrived @ approximately 8:32 am), Masick, Powers, Ruckriegel, Smith- 6; Absent: Joseph- 1.

Staff Present: Kimberly Smith and Trina Bonds

**MINUTES**

Commissioner Masick moved to approve the minutes of the January 26, 2011 Historic Preservation Commission meeting (as outlined); seconded by Commissioner Ruckriegel.

Approved by viva voce vote.

Yeas: Hall, Masick, Powers, Ruckriegel, Smith – 5;

Nays: None;

Abstention: None.

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

Chairperson Powers explained the procedures of the Commission. He also gave an overview of the Certificate of Appropriateness Finding of Facts Worksheet.

**PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA****(HPC 10-05 &10-34) RECEIVE AND FILE summary of results, including text changes, Certified Local Government requirements and status; and DISCUSSION AND POSSIBLE ACTION for incentives for historically designated property.**

Ms. Smith reported that HPC Cases 10-05 and 10-34 reviewed and made recommendations to improve the designation process, streamlined the Certificate of Appropriateness process and addressed a request related to demolition authority and had the following results:

1. The receipt and file of an action and future action plan
2. The receipt and file of a community list submitted by the Central Illinois Landmarks Foundation
3. A procedural change where housing cases would be posted on the City's website
4. Ordinance No. 16,578 that streamlined the Certificate of Appropriateness
5. Ordinance No. 16,665 that made changes to the designation process

Ms. Smith stated that in response to a Council Member inquiry regarding the affect of the changes on the City's Certified Local Government (CLG) Status, Staff contacted the Illinois State Historic Preservation Agency (IHPA). She stated that it was clarified that the state has never de-designated a city, and they will continue to review text changes at the City's request, and there is no requirement for the IHPA to review text changes prior to enactment.

Ms. Smith reported that per the Mayor's request, the Commission may wish to consider possible incentives to encourage voluntary applications for historic preservation.

Chairperson Powers opened up the case for public testimony.

Jim Bateman, Central Illinois Landmarks Foundation (CILF), commented that the recent changes that were made on the Council floor were problematic and damaging to the Historic Preservation concept. He commented that there is a language problem in the sentence regarding religious organizations being excluded from coverage in districts. He stated that there are many ways to interpret religious organizations. After more comments, he explained that this needs to be clarified. He went on to say that right now it is not clear. He also commented about the change on the requirements for establishing a district and stated that it would be very hard to get two-thirds of the owners of record consent. He then commented about owner consent and stated that it is a tough issue. He stated that he feels they still need to work with the Council to see how to revise some of the recent changes.

In regard to incentives, Mr. Bateman commented that one problem is when they approach people regarding landmarking now they are asked what the benefit is. He went on to say that anything they can do in the way of incentives would be more than what they are doing now.

Margaret Cousin, Vice President, CILF, commented that there has been a lot of focus on the City's CLG status. She stated in order to benefit from that status as a Certified Local Government would be ongoing architectural survey work. She reported that it is actually supposed to be HPC driven and went on to say that she understands that this is a great undertaking. She stated if the HPC wants to identify some sort of plan to take that work on, the CILF will do everything they can to support the Commission.

After public testimony, several Commissioners also expressed their concerns regarding the recent changes that were made on the Council floor. During discussion among the Commission, Chairperson Powers suggested that the Commission forward something on to the City Council specifically outlining why there should be reconsideration of some of the changes that were made.

For clarification, Ms. Smith informed Chairperson Powers that the agenda item was regarding discussion and possible action for incentives for historically designated property. She added that the Commission may want to add an item for discussion on next month's agenda.

Chairperson Powers agreed that the Commission should consider putting something on next month's agenda regarding the changes in the landmark status for further recommendations to the City Council.

In more discussion, Commissioner Ruckriegel commented that he would like to specifically clarify owner consent and how it is worded. Ms. Smith stated that she would clarify the best process prior to next month's agenda. The Commission also discussed using the examples from Naperville and other cities.

Ms. Smith asked the Commission to forward any information to her by April 13, 2011 at the latest.

During discussion regarding incentives for historically designated property, the following topics and suggestions were discussed:

- Resources to provide education and communication materials
- State and local sales tax rebate program
- Adoptable land projects
- Waiving fees
- Future incentives for decorative lighting or sidewalk replacement for historic districts where they City could share part of the costs
- Community Development Block Grants to help with infrastructure issues and mothballing
- Property tax freeze
- Work with City Grants Coordinator on grants the Commission could create
- Temporary waiver of fees or no fees for Certificates of Appropriateness

In more discussion, Commissioner Herold reported that since the Commission has already streamlined the process, a lot of things don't have to come before them. He went on to say that people already pay fees for building permits, etc. and he feels the City is double dipping on homeowners.

During more comments, Chairperson Powers reported that he would like to give the City Council something very quantitative and defined. He stated during the interim they could possibly waive Certificate of Appropriateness fees.

There being no more public testimony, Chairperson Powers closed the discussion.

### **Motion**

After more comments, Commissioner Herold moved to clarify that the Commission is interested in exploring incentive options for historically designated property; seconded by Commissioner Ruckriegel.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

**(HPC 11-03) PUBLIC HEARING on the request of the City of Peoria to amend City of Peoria Code Chapter 16, the Historic Preservation Ordinance related to fees.**

Ms. Smith gave the Commission a summary of the proposed application fee increase recommendations. She reported that on January 25, 2011, the City Council considered recommendations for fee increases from various Commissions. She stated the Council deferred the proposed changes until the April 12, 2011 meeting, to allow the Commission additional time to discuss the changes.

Jim Bateman, CILF, commented that the Commission needed to have a delisting process. He went on to say to delist a property there should be a requirement to have a super majority of the Council vote to approve. In regards to incentives, he stated that the very best incentive would be to remove the disincentives. After more comments, he mentioned the fees compared to the amount of historic preservation cases involved and stated that it should not have a significant impact on the City of Peoria budget.

William Ordaz, Detweiller Marina Neighborhood Association, commented that with regard to delisting, he supports Mr. Bateman's comments. He encouraged that there be a significant fee associated with the delisting process. He went on to say that it cannot be an easy process.

Commissioner Masick commented that he has been approached by two homeowners in historic districts and was told they would not pay \$120 for administrative approval. He went on to say homeowners will not come before the Commission for approval and the proposed fee increase is ridiculous.

Commissioner Ruckriegel commented about previous cases where owners loved their properties. He further commented that the \$250 cost to obtain a Certificate of Appropriateness just makes no sense. After more comments, he stated that part of our Comprehensive Plan is to build our neighborhoods. He then stated that the goal is for people to make additions and changes and it is not to stop changes.

Commissioner Herold commented that the City needs to reanalyze the amount of increase in funds that they would see with the increased fees. He stated that they should increase fees for delisting and demolition significantly. He went on to say that there should be a \$5,000 fee for a delisting application. He then stated that the Commission should waive fees for any owner occupied properties for designation or Certificates of Appropriateness.

Chairperson Powers mentioned possibly having a moratorium on C of A fees until further review of incentives.

There being no more public testimony, Chairperson Powers closed the public hearing.

**Motion**

After brief comments, Commissioner Herold moved to approve waiving all fees for Landmarks and Certificates of Appropriateness, with the exception of demolition and delisting, increasing those fees to \$5,000; seconded by Commissioner Masick.

For clarification, Commissioner Herold commented that fees will still be required during the enforcement process.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

After the vote, Ms. Smith reported that the request would be forwarded on to City Council on April 12<sup>th</sup>, 2011.

**REQUEST TO RECEIVE AND FILE:**

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

**Motion**

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

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

**PUBLIC COMMENTS**

Margaret Cousin, commented that the vote made by the City Council on February 8<sup>th</sup> was very disheartening to all of them. She asked that the Commission not become disillusioned or disenchanting and stated that the cause is very valid. She asked that they press on and stated that they will find to move on. She went on to say that they will also find a way to persuade the City Council that this cause has merit.

Bill Ordaz, commented that there was misinformation that was circulated prior to the City Council action. He stated that they need to educate the public and our own City Council regarding historic preservation. He mentioned new Commissioners and stated that their knowledge and familiarity with the historic preservation ordinance should also be validated. After more comments, he also mentioned Commissioner attendance and stated the one of the Historic Preservation Commissioners has been consistently absent.

Commissioner Smith commented that he would like to request Council action for more revenues to provide incentives for historic preservation.

**ADJOURNMENT**

The March 23, 2011 Historic Preservation Commission meeting adjourned at approximately 9:53 A.M.

---

Kimberly Smith, AICP, Senior Urban Planner

tb