



MEETING MINUTES

HISTORIC PRESERVATION COMMISSION

Tuesday, January 12, 2021

7:00 PM

Via Virtual Meeting

Members Present: Beth Bodan, Ken Itle, Suzi Reinhold, Mark Simon,
Stuart Cohen, Jamie Morris, Aleca Sullivan, E. Dudnik

Members Absent: N/A

Staff Present: C. Sterling, City Planner

Presiding Member: Suzi Reinhold, Vice-Chair

Declaration of Quorum

With a quorum present, Vice-Chair Reinhold called the meeting to order at 7:00 p.m.

1. CALL TO ORDER / DECLARATION OF QUORUM

- With a quorum present, vice-chair Reinhold called the meeting to order at 7:00 p.m.

2. SUSPENSION OF THE RULES: Members participating electronically or by telephone

- Chair Simon moved to suspend the rules to permit members to participate electronically or by telephone. Second by Commissioner Pro-Tem Dudnik. The motion passed unanimously by roll-call vote.

3. OLD BUSINESS

A. 2404 Ridge Avenue – Public Hearing of Economic Hardship - 20PRES-0308

Rick Sweitzer, owner of record, applies for a Certificate of Economic Hardship, following the September 29, 2020, City Council's decision to not accept Mr. Sweitzer's appeal of the Preservation Commission's denial of a certificate of appropriateness on August 11, 2020. The Commission previously denied approval of the existing conditions of windows and skylights on the accessory structure, which reflect less work completed than originally approved 15+ years ago. The applicant claims returning the structure to the 1997/2000 approved alterations would result in economic hardship or the denial of all reasonable use of and return from the property. Applicable standard 2-8-10 (B).

- Mr. Sterling read the case into the record and provided guidance regarding the procedure for a public hearing, timeframe for input, and relevance of testimony.
- Mr. Sterling reminded commissioners that one standard applied to this case and it was not intended to be an opportunity to revisit the previous denial of Certificate of Appropriateness.
- Mr Sterling stated that the applicant and commissioners had received guidance regarding the case and that the applicant had agreed to the procedural framework.
- Mr. Sterling made a point of order to clarify that in the recommendation memo sent to commissioners it was stated that the proposal to subdivide the

property had been approved, when although it had received a positive recommendation from the commission, it had been ultimately disapproved by Council.

- Vice-Chair Reinhold asked if there was a motion to open the public hearing.
 - i. Commissioner Sullivan made a motion to open the public hearing. Second by Commissioner Bodan and approved unanimously on a roll-call vote.
- Mr. Sweitzer gave a brief presentation regarding the case for economic hardship.
 - i. Re-read the single standard for review
 - ii. Belief that the denial of the aforementioned COA met the standard as it resulted in the removal of reasonable use and return of the property
 - iii. Without the COA, a COO will not be issued by the City despite the construction is complete, meets code, and has passed inspection.
 - iv. This determination prevents reasonable use of the barn as an ADU, and the income that would generate (\$3,500 and \$4,400 per month in loss revenue)
 - v. Briefly discussed relationship with neighboring property owners whos objections have been consistent
 - vi. Discussed the financial burden related to the reversal of the deviations from the original COA
 - vii. Described the recent roofing project which was necessitated due to removal of the non-approved skylights on the east elevation
 - viii. Discussed the irrationality of adding additional skylights to the west elevation where they are not existing now
 - ix. Discussed additional financial burden placed on his business, and family due to COVID and associated restrictions on business operability.
 - x. Discussed challenges for the businesses employees and a continual loss of savings despite the use of all available resources
 - xi. Approval of the earlier COA's would have allowed for the family to receive financial gain from years of investment into the barn with the ultimate goal being its preservation.
- Commissioner Cohen asked Mr. Sterling about the definition of hardship
 - i. Mr. Sterling stated that he had discussed with the City Attorney what the definition of hardship was, as well as the definition of reasonable in this instance, and was instructed that it would be left to each Commissioners own interpretation and discretion
- Commissioner Cohen asked if the property owner could claim hardship if he was to blame for the hardship in question
 - i. Mr. Sterling asked the City Attorney to provide input.
 - ii. B. George, City Attorney, stated that this was something the Commissioners could take into account when making a determination
- Chair Simon stated that the use of this ordinance provision was never used previously, so there is not much precedent.
- Commissioner Cohen said similar hearings related to zoning are more common. If you are responsible for the hardship, you shouldn't be able to claim that the result of your own negligence is a hardship
- Chair Simon asked if the barn was currently occupied and rented
 - i. Applicant stated that it was not. The tenants of the principle residence use the barn, but it is not occupied separately.

- Chair Simon asked for clarification on the costs reflected in the application and if they were reflective of the total cost to build out the barn as approved by the original COA. Cost of ~\$70,000
 - i. Applicant believes so
- Vice-Chair Reinhold stated that the cost was \$72,650 total but that this included the skylights and roofing which was already completed.
 - i. Applicant stated that was not correct because although they removed the skylights from the east elevation, they would have to install them on the west elevation per the approved plan
- Commissioner Dudnik asked if the barn could be rented separately even with a COA as some document in the application made it seem otherwise.
 - i. Mr. Sterling stated that there was a pre-existing covenant on the property which disallowed rental of the structure but this was prior to the recent code changes for ADU's. The covenant would be released once the property was brought into compliance, part of which is receiving a COA for the alterations.
- Commissioner Dudnik asked if the appraisals in the application included the barn
 - i. Applicant stated that they did include the barn
- Commissioner Dudnik asked about the letter in the application from the original Architect, noting that the work was performed long ago and was substantially completed, but he never mentions that the work was not completed in compliance with the COA.
 - i. Applicant stated that Mr. Sterling had asked both commissioners and the applicant to not address the previous COA, but since it seems relevant to Mr. Dudnik he would like to respond.
 - ii. Applicant responded that the work was substantially completed in compliance with the exception of some window placement and that those changes later received administrative approval by C. Ruiz, Preservation Officer
- Commissioner Bodan stated that this went back to the previously discussed issue about re-issuance of the COA, which she believes was done because construction was delayed and started after the COA was issued and it was not intended to be approval of the modifications
- Commissioner Dudnik stated that it must not be true that the modifications were approved administratively or this whole situation wouldn't be occurring
- Applicant stated that he was instructed not to revisit the original COA by Mr. Sterling and that he should only address the question regarding hardship. He would be happy to discuss it.
- Vice-Chair Reinhold agreed, stating that the commissioners should focus on the question at hand regarding the single standard, not revisiting the original COA.
- Commissioner Morris asked if the property is currently rented as one entity and the tenants have free use of the barn
 - i. Applicant stated yes, but not to occupy as habitable space
- Commissioner Morris asked if they were paying for the use of the barn as a workshop or separate space
 - i. Applicant stated that they were not paying rent for the barn
- Commissioner Morris clarified that that tenants were paying for use of the entire property, and that agreement included use of the barn. That the lease would be higher because the barn was included.
 - i. Applicant stated that this was not the case

- Mr. Sterling stated the tenants could use the barn for anything but habitable space due to not having a FCO
- Chair Simon stated that although the barn was not renovated in accordance with the approved COA, it appears to be in good condition but that it had lost much of its historic appearance. The question is to move forward, whether the Certificate of Economic Hardship was a viable remedy. Clearly its not a denial of the use of the property, but is it of a reasonable return is the issue. Certainly a greater return would accompany use of the barn
- Chair Simon wondered if there was some other way to deal with this. They did not decide through the determination on the COA that the barn could not be rented, that is not a decision the commission made or a result of their determination
- Commissioner Bodan stated that the City recently adopted changes which would permit use of the barn as an ADU. If the structure was brought into compliance, then there would be more income potential
- Applicant stated that this was incorrect. Denial of the COA was denial of the return of the property.
- Commissioner Cohen stated that they could assume this was true, that no return on the previous investment could occur without the barn being able to be rented. However its clear that this was created through negligence.
- Commissioner Cohen stated he didn't see a way to resolve the issue and wondered if there was some kind of negotiated position

Public Comment

- Vice-Chair Reinhold asked if they could invite public comment. There were three letters of opposition sent to commissioners by Mr. Sterling.
- Vice-Chair Reinhold asked if there was anyone else who would like to speak toward the application.
 - i. No response

Deliberation

- Vice-Chair Reinhold noted that the recommendation memo provided by staff states that the applicant could apply for a modified COA that addresses concerns from the previous denial. This may be a path forward.
- Commissioner Dudnik asked if they did issue a Certificate of Economic Hardship, would the barn still need to meet the original COA, and would it receive a FCO
 - i. Mr. Sterling stated that with issuance the applicants issues related to the Preservation Commission would be resolved but it would not immediately translate into issuance of an FCO
- Commissioner Dudnik asked why that would be the case
 - i. Mr. Sterling stated that unrelated issues with the City would need to be resolved
 1. Applicant stated this was not true
- Commissioner Dudnik asked if hardship was granted, could the barn remain as it exists currently
 - i. Mr. Sterling stated he believed it would
- Commissioner Cohen asked what they would do with the fact that the applicant disregarded the directive of the Commission and the precedent that would be set
 - i. Mr. Sterling stated that there was some public comment to that point and that he found the statements to be hyperbolic. The preservation ordinance would still be enforceable unlike the comments suggested. The City does not make a great effort to retroactively go after property

owners who violate non life-safety codes and that it occurs frequently -- discovery of non-permitted interventions long after they occurred and the City works with those property owners with understanding and flexibility to find negotiated resolution.

- ii. Mr. Sterling further stated that he would advise the commissioners to look at this and all cases individually. There is no precedent that they are setting, each case is unique. Recommended review of the staff recommendation memo regarding action and next steps.
- Commissioner Cohen asked if the City retroactively enforced building code violations.
 - i. Yes, if it's a life-safety issue
 - Commissioner Cohen stated that if this was the position the City takes, then the Preservation Commission should be left out of it, a negotiated settlement should be agreed to, and the applicant should pay a fine.
 - i. Mr. Sterling stated agreement and that there is a separate code section to adjudicate this administratively.
 - Vice-Chair Reinhold asked Commissioners if someone would like to make a motion for or against the application.
 - Commissioner Dudnik stated he had a difficult time seeing the standard being met if the hardship was simply the cost of restoration and reversal of alterations.
 - Commissioner Cohen stated it was also the loss of rental, that's what the applicant is claiming
 - Vice-Chair Reinhold stated that the loss of rental was related to more than just denial of the COA.
 - Commissioner Cohen asked if there were any additional code violations
 - i. Applicant stated no it is compliant and explained further including discrepancies in surveys
 - Commissioner Dudnik asked what the tenants use the barn for
 - i. Tenants use it as workspace and storage
 - Questions regarding how a FCO would be achieved
 - i. Mr. Sterling stated that he received conflicting information from that presented by the applicant and that the COA was only one of a few issues that would need to be resolved before the covenant restricting use of the barn and property would be released
 - Chair Simon stated a preference that the applicant be able to use and rent the barn, Evanston needs the housing, and the structure looks very nice, it just doesn't comply with the approved plans or a historical barn. Would like to not simply waive all the non-compliant issues via economic hardship, but would like to pursue Mr. Sterlings recommended path for a modified COA.
 - Chair Simon stated that the City and the applicant need to find a way to allow rental of the barn through negotiation and staff recommendations which could include a modified COA to include some but not all the reversals and previously approved alterations, not all of which actually benefit the historical appearance of the barn.
 - Commissioner Cohen stated agreement. One way to preserve old buildings is adaptive use, and it is unreasonable that a barn that is converted to a habitable use continue to look like a barn.
 - Commissioner Cohen stated that there should be a re-appraisal of the important historical features which the commission is charged with preserving. What are those features, and how can we preserve them and move on.

- Commissioner Dudnik said it was not appropriate for the Commission to create a list of features that need to be retained and those which need to change. Not their role to re-design it.
- Commissioner Cohen disagreed and asked what Commissioner Dudnik would propose to do
- Mr. Sterling stated that it may be outside the Commissions purview, but not outside of what staff could undertake.
- Commissioner Dudnik stated that the applicant should propose something and it be reviewed by the Commission
- Commissioner Cohen asked the applicant if that is something he would be willing to do
 - i. The applicant went through the differences from existing and previous approval, noting that most of the deviations are that work that was approved wasn't performed. There was less done than approved.
- Commissioner Cohen stated that approved plans and a permit is for execution of those plans. You cannot delete or alter them.
- Applicant stated that as Mr. Sterling referenced, it may not be correct, but it is common to alter the plans, particularly by doing less than what was approved
- Commissioner Cohen stated that an amendment then needed to be filed
 - i. Applicant stated that this was done and approved by Mr. Ruiz
 - ii. Mr. Sterling stated that the discrepancy is that the applicant believes this occurred and the City disagrees. Mr. Ruiz affirms that he did not approve of the modifications. It is the applicants word against Mr. Ruiz. There is a lack of documentation and institutional knowledge related to the case since it occurred so long ago.
 - iii. Applicant states that is not true and that Mr. Gerdes, the building official, would confirm it
- Vice-Chair Reinhold recommended a motion be made.
- Commissioners asked if they could determine say that the west elevation was the most critical and make a plan by which the total cost of reversal be minimized but that elevation better represent what it was supposed to look like.
- Vice-Chair Reinhold asked if this would be considered
 - i. Applicant stated yes and gave some history on the previous discussion by the commission in the 90s.
 - ii. During the first denial of the COA by this Commission the discussion was centered around the skylights on the east side and those have since been removed
- Commissioner Cohen asked if they could add a condition to a motion so that the applicant work with City staff to find a negotiated resolution.
- Commissioner Itle stated he would rather it be a friendly suggestion rather than a condition of the motion.
- **Commissioner Itle made a motion to grant a Certificate of Economic Hardship. Second by Commissioner Bodan. The motion failed unanimously on a roll-call vote.**
- Commissioner Cohen asked if they could make a separate motion so the applicant could work with City staff to find a resolution.
- Mr. Sterling stated it is something the applicant and staff would discuss after the meeting and a motion was unnecessary.
- Commissioner Dudnik stated his preference that the applicant re-apply for a COA showing the modifications.
- Commissioner Itle stated that was the correct process if alterations were proposed and the ball was in the applicant's court to do so.

**B. 1208 Ashland Avenue - Landmark
20PRES-0314**

Mirosław Ogidel, submits for a Certificate of Appropriateness to replace a total of 16 stained glass windows in existing openings with new stained glass windows, same size, as per manufacturer's specifications. Applicable standards: [Alteration 1-10]

- Mr. Sterling read the case into the record.
- Applicant explained that a significant amount of hail damage occurred and that the current stained glass windows are bending and are at significant risk of cracking and breaking during poor weather events
- New windows will be stronger but will fit within the existing openings.
- Vice-Chair Reinhold stated that the survey sheet identifies this as a landmark property and that the art glass windows are listed as a historic feature
- Commissioners asked if the view was from the exterior or interior. Applicant stated from the interior although the view would be similar from the exterior.
- Commissioner Dudnik stated that the existing windows have an operable transom as the bottom.
- Applicant stated that the proposed windows would have something similar on the sides
- Commissioner Cohen asked if they had considered repair and installation of protective exterior glazing rather than replacement. Rather than new saints, it would be more appropriate to respect the existing quality of stained glass and artistic intent
- Applicant stated the windows were in poor condition and nearly 100 years old.
- Commissioner Cohen stated that the age was irrelevant. Citing examples of other churches and restoration programs for stained glass.
- Commissioner Cohen stated restoration was important as a landmark building.
- Applicant stated that these windows were not the original windows, being installed sometime in the 1930s.
- Commissioner Cohen stated that was only relevant if they were proposing to replicate the original windows
- Applicant stated that they are intending to respect the structure of the building. The windows will be the same size and same openings, but reflecting the cultural views of the existing congregation, something that occurred frequently when new congregations would take over existing churches.
- Commissioners Cohen and Dudnik stated that when the building was landmarked, these were the windows which existed and they have significance
- Applicant stated that they looked at repair and it was too expensive, being \$10,000 per window and the investment would be for a window susceptible to future damage
- Chair Simon discussed the earlier proposal on the same property for replacement windows in an accessory structure and that they denied that application, but the congregation did explain the financial difficulties they have sharply reduced revenues
- Commissioner Dudnik asked if the replacement windows were stained glass
- Commissioner Cohen stated he thought they were painted glass
- Commissioner Itle asked for more detail from the applicant. Is there three panes of glass, two clear with a decorative panel between?
 - Applicant stated that it would be real stained glass, explained the need for repair or replacement because the lead is very old. Because lead is a health hazard, they sandwich the leaded glass between two panes of

clear glazing. The windows are vacuum sealed and the exterior glazing protects from storm damage

- Commissioner Itle asked for confirmation that the center stained glass panel is actually stained glass, with individual pieces of glass and leaded tin coming, not one panel.
 - Applicant stated that it was real stained glass with coming. All glass is sourced regionally.
- Commissioner Dudnik asked if that was possible, in the elevations, there are variations in color without coming that can't be individual pieces of glass. It still looks painted.
- Commissioner Cohen asked why the new windows, with new materials and methods of installation could not be used but reflect the same image of the existing windows
 - Applicant stated that they wish to alter the window appearance to meet the cultural wishes of their congregation
- Commissioner Cohen stated the commission was charged with preserving the integrity of the landmark structure as nominated
- Applicant wanted to address previous concerns regarding the coming and individual glass pieces. The elevations provided are just sketches to reflect the intent, once the design is approved, you would see the individual glass pieces and coming, it just doesn't show well on the small drawing. They will be individual pieces of stained glass.
- Commissioner Cohen expressed that there were alternative methods to accomplish the detail which exists on the original windows, such as coming on both sides of the glass.
- Chair Simon stated that he thinks the church should be given deference to replace the windows based on their spiritual desires, similar to how the previous Polish congregation replaced the windows they inherited. It is historically common.
- Commissioner Cohen stated that the decision shouldn't be a matter of desire or taste.
- Chair Simon stated that the commission has previously made these types of deferrals to other religious organizations and the Commission should be understanding that the windows in the building today mean something very different than they did to the Polish Congregation 100 years ago.
- Applicant stated that they only wished to do what their counterparts did 100 years ago.
- Commissioner Dudnik asked what the cost of the replacement windows was compared to the repairs.
 - The cost of the replacements are around \$50,000 compared to \$160,000.
- Commissioner Cohen stated that the question isn't that they shouldn't be able to replace the windows if they are in poor condition, but that the replacements should not degrade the integrity of the building. The only persuading argument is the long history of churches being taken over by other denominations and altering the appearance to fit their own symbolism.
- Commissioner Cohen stated he understood Chair Simons argument, but his position was that the windows should be replicated.
- Applicant states that from the public way, the windows are not seen in such detail.

Public Comment

- Question regarding if the church had insurance and if so how much would they be willing to pay.

- Vice-Chair Reinhold states they did have insurance but was not sure how much it would cover
 - Insurance would cover \$50,000. This is the only money we have for the replacements. Doesn't come close to the repair cost.

Deliberation

- Commissioner Bodan suggested the proposal has trouble meeting the standards for alteration as they are integral components to the landmark structure. The original material, both in artistic quality, and material, are valuable and there are means to restore them and exterior protective glazing and saddle bars can be installed to protect from weather. Understand the need and economics, but tough meeting the standards.
- Commissioner Sullivan asked a clarifying question about the exterior white storms. The interior is obvious, but how does it look from the exterior?
 - Applicant stated that they would not need saddle bars like the existing windows. The stained glass would be less visible from the outside during the day, but very visible on the interior. During night if the interior lights were on, the stained glass would be seen from the outside.
- Commissioner Dudnik asked a clarifying question regarding the broken panes of glass. How many windows have broken glass?
 - Eight have broken glass but all sixteen are bending and they were told all 16 need to be repaired. Even with just a broke piece of glass, they have to take the entire window out to repair.
 - All windows are inoperable
- Chair Simon moved to approve a certificate of appropriateness for the replacement of 16 stained glass windows with new stained glass windows of same size. Second by Commissioner Itle and approved on a roll-call vote of 6-2. Commissioners Bodan and Cohen dissenting.

C. 1206 Hinman Avenue - LSHD 20PRES-0303

Paul Lang applies for a certificate of appropriateness for re-siding some sections of the home with fiber cement, new trim, demolition of the side porch, and rebuilding with structural footings, opening the front porch, and widening the rear porch with new composite decking. Applicable standards: [Alteration 1-10]; Construction [1-8, and 10-15]; Demolition [1-6]

- Paul Lang, applicant, discussed the feedback received at the previous commission meeting as well as the intent to have a more unifying style in the new drawings. Attempting to embrace the original Greek Revival style.
- Applicant discusses the integrity and significance of the home, believing it currently doesn't contribute to the District
- Applicant discussed differences between the earlier proposal and the current rendition. Hipped roof structure is retained, enlarged rear-porch, open front-porch, covered stair to the north, and deck and three-season room addition to the south. These remain similar in form but altered in detailing. Embracing additional columns and a frieze.
- Applicant provided additional information on the south roof covering.
 - Purpose is to break-up the space that is voided between windows due to a double header plate which runs lower than the rest of the first floor thus the windows in this location are lower. There is also a recess and is intended to divert attention from that recess.
- Discussed window trim.

- Additional details were shown which address the capitals as well as the trim and box gutter system
- Vice-Chair Reinhold stated that it was not a landmark building, but was a contributing structure.
- Vice-Chair Reinhold described the historic features of the home as well as many non-original interventions including the stucco and front and side porch.
- Applicant stated agreement with Vice-Chair Reinhold's statements and indicated the plan to use hardieboard fiber cement cladding in place of the non-original stucco
- Applicant discussed the house's style including the previous discussion by the commission that later interventions could be described as being similar to a Prairie Style. Applicant stated there are elements of horizontality, but he didn't see the Prairie influence.
- Commissioners agreed saying their reference at the earlier meeting was misunderstood.
- Vice-Chair Reinhold asked the applicant to confirm the use of aluminum clad wood Marvin Ultimate windows with simulated divided lites for all replacements.
 - Applicant stated this was correct.
- Vice-Chair Reinhold asked for confirmation that a composite trim was being used
 - Applicant stated this was correct.
- Commissioner Bodan asked for clarification on the new corner detailing
 - Applicant stated the intent was to add additional Greek Revival ornamentation. Similar details are carried through the entire design
- Vice-Chair Reinhold stated concern with the three-season room and roofed intervention on the north elevation. No objections to the rear elevation alterations. Would like to see a proposal for the three-season room and roofed overhang on the north elevation which better maintains the proportions of the street-facing façade.
- Vice-Chair Reinhold expressed concern with identification of the entryway being lost with the new stair orientation. Concerns with relationship of existing and proposed façades as well as relationship between solids and voids.
- Commissioner Sullivan agreed with Vice-Chair Reinhold and asked the applicant to clarify the distance the north and south alterations extended and if further than the existing porch.
 - They are symmetric, but extend further than what is existing.
- Commissioner Sullivan stated that the two interventions create unnecessary horizontality to the front-facing façade
- Vice-Chair Reinhold asked if there were alternatives for the three-season room that were considered
 - Has considered alternate positioning, height, and width as well as a flat roof form. What is important was to make the outside space more useable. That is the intent of the three-season room itself.
 - The reference to wings or added horizontality is not something which changes the structure in a meaningful way.
- Commissioner Dudnik stated that there are remnants of the original structure but it is lost with the new interventions. This includes the added detailing which has no function.
- Commissioner Dudnik asked for clarification on the proposed siding.
 - Applicant stated that the four corners and detailed pilasters as well as the enlarged frieze board which simulates a beam, have no function
- Commissioner Cohen asked the application to explain the dark line which completes the triangle of the front-facing gable-end. Commissioner Dudnik asked if this was more siding, but in a different plane.

- Applicant stated it is not in a different plane, it is just a rendering error.
- Commissioner Cohen stated that the detailing, the non-functional pilasters and simulated beam, as well as other decoration common on more high-style Greek Revival homes, is not important in this instance. The issue is the winged additions at the front-facing façade.
- Commissioner Cohen asked for clarification on the roofed structure on the north elevation. What is its purpose, other than to balance the composition of the three-season room on the other side
 - Applicant stated it was intended to provide protection from the elements for familial purposes
 - The other motivation is symmetry, common in Greek Revival homes
- Commissioner Dudnik asked for clarification on why the porch columns cannot be symmetrical
- Commissioner Cohen agreed, stating he didn't understand why they couldn't be symmetrical and center on the home as the roof appears to be symmetrical
 - Applicant stated the issue comes from the windows not currently being centered on the house
- Commissioner Sullivan asked if the three-season room could be located toward the rear-façade. The proposed massing is not sympathetic to the surrounding homes on this block
 - It could be moved back, but not much. Maybe 5' or so, but there are concerns with symmetry.
- Vice-Chair Reinhold asked if there was any public comment.
 - None.

Deliberation

- Vice-Chair Reinhold stated concerns with standards for construction 2, 4, and 6. As well as alteration 1.
- Commissioner Itle expressed concerns with the added non-historic ornamentation to a vernacular home as well as concerns with the new orientation of the front-facing stair and added horizontality of the additions.
- Commissioner Morris agreed with Commissioner Itle. The massing is more complicated than needed. Visual complications exist unnecessarily.
- Commissioner Dudnik agreed, adding that the applied frieze on the north and south elevations is not appropriate. Standard for alteration 4, is something to make a compromise on since the 50s alteration isn't something that needs to be replicated in any way. There is a strained effort to create something which did not exist.
- Vice-Chair Reinhold asked if the applicant would like to continue the case, or have action taken tonight. Would the applicant be willing to make changes based on the suggestions related to massing
 - Applicant stated he would remove the added ornamentation if it was seen as inappropriate. The north covered stair could be removed, but the three-season room moving further to the rear is not something which he would consider. It wouldn't be useable.
- Vice-Chair Reinhold asked if the applicant would consider continuing the case and having some additional input by staff or a subset of commissioners
 - Mr. Sterling stated he would recommend taking action on the case rather than continuing it. Due to the significant changes which seem to be needed to meet the standards, it seems difficult to make the next meeting. Reapplying once a modified COA was refined would be better than the commission continuing the case at multiple meetings.
 - Applicant stated he was not considering making major changes.

- In light of the applicant not considering larger changes, Vice-Chair Reinhold recommended a vote be taken tonight.
- **Commissioner Dudnik moved to issue a COA for the project. Second by Commissioner Bodan. The motion failed unanimously by a roll-call vote.**
 - **Standards not met: Alteration 1,2,3,4,6; Construction 2, 6**

**D. 929 Sherman Avenue - Landmark
20PRES-0313**

Dick Co, submits for a Certificate of Appropriateness for the construction of a 2-story addition to the existing garage in the rear yard as an ADU (accessory dwelling unit).
Applicable standards: Construction [1-5, 7, 8, and 10-15]

- Mr. Sterling read the case into the record.
- Applicant gave a brief introduction focusing on the legality of Accessory Dwelling Units as-of-right and the proposal being compliant with the Zoning Ordinance.
- Applicant stated the case was continued to give Commissioners an opportunity to look at the site and the relationship between the alley-facing structures
- Applicant stated they looked at alternatives, but there were no substantial changes which could alleviate the neighbors concerns
- Applicant discussed the need for the ADU to accommodate the homeowners elderly parents
- Applicant discussed how the proposal is less than the maximum height and bulk permitted as-of-right
- Vice-Chair Reinhold asked what type of windows exist on the landmark property. Vinyl proposed for the ADU and existing on the garage correct?
 - Yes correct. Wood on the landmark house. Vinyl was selected to match the existing windows on the garage

Public Comment

- Neighboring property owner Martin and Hillie Haker discussed their concerns with the project and shared some photos of their home in context to the proposed structure. The concern is the loss of light and ventilation.
- Commissioner Cohen stated that the non-conforming brick structure should have been shown on the proposed drawings. The relationship is missing and is critical and although not related to the COA, it is an unfortunate circumstance.
- Commission Dudnik stated concern with the condition as well and it would have been nice to see how the proposed structure would impact the
- Neighboring property owner expressed an understanding when they bought their home, that the Landmark property could not have substantial additions due to preservation restrictions. Asked if the preservation standards had changed dramatically in recent years to accommodate ADU's
- Mr. Sterling stated that the concerns in question are not related to the Preservation Ordinance or its standards for review, which haven't changed. What has changed recently are Zoning regulations as related to construction of ADU's. What is being proposed meets the Zoning Code and can be done as-of-right outside of preservation approval.
- Mr. Sterling stated the neighboring property owners could share their screen to show photos of the structure and alley, but to make the presentation brief.
- Neighboring property owners shared photos of their home on the alley and explained the non-conforming conditions which make an adjacent building, even if code compliant, so detrimental to their quality of life
- Commissioner Dudnik asked if the new structure would fit into the void identified on the photos between the two structures.

- Property owner explained that a portion of the existing garage is being torn down to accommodate the structure as well.
- Commissioner Cohen stated that the adjacent non-conforming structure should have been shown on the drawings. Only know distance from property line, but since the building is over the lot line, it is actually closer than the zoning analysis reads.
- Commissioner Cohen stated that the issues being discussed relate to zoning, not preservation standards
- Commissioner Dudnik disagreed stating that the relate to the relationship between structures
- Commissioner Cohen agreed the relationship is poor. The proposed building will block light and air into that elevation of the existing structure. Privacy issues related to window placement. Doesn't feel good about it, but not sure it's a principle concern of the commission.
- Commissioner Sullivan stated that standards for construction 4 and 5 relate to the relationship between structures and rhythm of solids and voids although those standards relate to the relationship on a street and this is an alley.
- Commissioner Cohen agreed. This is not a street. Standards are intended for the relationship of front facing facades.
- Commissioner Sullivan stated that it is a public way. Feels like there are tools available to review the concerns. The other side of the lot is more desirable for this kind of intervention since it abuts a surface parking lot. Why was that location not considered.
 - It was considered but it would have involved demolition of the recently constructed garage and it was determined to be cost prohibitive. Increase of \$50,000 in cost
- Commissioner Cohen suggested the garage did not need to be demolished. There are ways to build over it. Pick it up or move it. These things are possible.
- Commissioner Dudnik agreed. Ways to construct above without using the existing foundation structurally
- Commissioner Sullivan stated that of all the locations to put this ADU, the proposed location is not appropriate. Not good massing.
- Commissioner Bodan agreed. And asked for clarification on the existing roof line of the Landmark structure and the height of the roof for the proposed ADU.
 - Applicant stated they did not have an exact number off-hand, but the ridge of the ADU is lower than that of the principle structure by ~5' or so.
- Commissioner Bodan asked for clarification on the siting of the ADU and the relationship between the rear-yard setback.
- Commissioner Dudnik asked if the proposal had received zoning approval already.
 - Yes.

Deliberation

- Vice-Chair Reinhold stated at the last meeting the Commission had asked the development team to look at alternatives and work with the neighbor to find an amenable solution. It seems this was not feasible and the proposal is the same.
- Commissioner Bodan stated that standards for construction 4 and 5 are not met.
- Commissioner Dudnik stated concern with standard for construction 10.
- Commissioner Itle stated concern with standard for construction 3. Concern with the window types and sizes. Appears random. Needs an improved visual relationship with the existing structure.
- Chair Simon asked if they are voting on the proposal as it exists or if they would have some recommendations for specific changes

- Vice-Chair Reinhold stated that they had asked the design team to look at other options and were not feasible.
- Applicant stated that they designed the project in line with what zoning allows. The rendering shows the appropriate window configuration. The other drawings included were from an earlier rendition.
 - Mr. Sterling stated that there were many alternatives in the file folder and since he was not familiar with the project or correspondence, the error was his. Mr. Sterling stated he would pull up the correct drawings.
- Applicant stated that they did study the placement of windows on the ADU's north elevation to not align with the neighboring windows and to allow increased privacy
 - Also considering making those north windows semi-transparent rather than fully transparent.
- Commissioner Bodan stated the mass of a single-story ADU would be more appropriate in the proposed location
- Neighboring property owner stated that the back of the alley already has a large apartment building planned which could be used instead of an on-site ADU and that she was opposed to the project.
 - Mr. Sterling reminded the neighboring property owners that public comment had ended and commissioners need to be allowed to deliberate without interruption
- Mr. Sterling reminded Commissioners that there were 7 additional cases for review this evening and they had spent nearly an hour on this single-case. Mr. Sterling recommended that the Commission take action.
- Vice-Chair Reinhold agreed.
- Chair Simon moved to issue a COA for the proposal. Second by Commissioner Sullivan. The motion passed on a roll-call vote of 6-2 (Commissioners Bodan, and Sullivan dissenting).
- Commissioner Cohen stated the standards were met but the proposal is amoral.

E. 1227 Greenwood Street - Ridge HD 20PRES-0315

Guy Elgat, and Valerie Shternberg, submit for a Certificate of Appropriateness proposing to renovate the existing first floor, replace all windows with black, thinly- framed ones, slightly expand the window in the living room, tear down the roof, and add a second floor to 1227 Greenwood St. Finished the entire building in white, smooth stucco. Applicable standards: [Alteration 1-10]; Construction [1-8, and 10-15]; Demolition [1-6]

- Mr. Sterling read the case into the record and explained that major adjustments had been made but the description needed to remain the same as was noticed since the case was continued previously and a new notice was not required.
- Vice-Chair Reinhold asked if the proposal would be reviewed under alteration standards and construction standards or just construction?
 - Mr. Sterling stated as it was originally proposed he would have recommended only standards for construction, but with the revisions, the standards for alteration are also applicable.
- Applicant presented changes from the previous proposal reviewed a month earlier.
 - Most of the existing gable roof is preserved
 - Limited most of the changes to second story addition
 - Materials have been altered although brick at base of home has been retained
 - New second story with two gables of similar slope
 - Removed vinyl siding for stucco to match stucco second story

- Designed to limit bulk at the façade closest to the north neighbors property
 - Front facing façade steps back at second story to reduce bulk as seen from the street and compliment adjacent single-story structures
- Height of proposed structure is still less than most proximate homes
- Discussed neighboring properties and contextual height. A mix of single and two-story homes of varying bulk/mass
- Vice-Chair Reinhold asked for clarification on the transition between the existing brick and proposed stucco
 - Some transitional piece would be needed, and could be metal to match the existing homes metal band. Concerns with the perceived weight of continuing the band around the entire structure
- Commissioner Cohen asked if the metal band in question was originally wood
 - Potentially. Its covered in aluminum and we haven't explored whats beneath
 - Could continue a band all the way around if necessary
 - Vice-Chair Reinhold suggested looking into it. It appears that it wants to come across as it did originally
- Commissioner Cohen acknowledged the work that the architect had undertaken to accomplish the same design goals with different use and applications of materials
- Commissioner Dudnik and Commissioner Cohen discuss the accuracy of the rear elevation as well as the viability of continuing the band across the rear elevation and the placements of gutters and downspouts
- Commissioner Cohen and Commissioner Dudnik discussed the surrounding architecture and the previous submission.
- Vice-Chair Reinhold asked if they were proposing the fiberglass ultrex windows for the entire home
 - Yes
- Commissioner Bodan asked what the original windows were
 - Aluminum divided lite windows with aluminum storms. Outswing casements.
- Commissioner Bodan discussed transitions of materials from second and first floor and asked if the aforementioned band would continue across all elevations
 - Yes, if it continued at the rear, it would need to continue across all elevations, but it is difficult to understand how to accomplish it and the aesthetic impact
- Commissioner Bodan discussed the use of vertical siding. Difficulty with the expression compared to the original horizontality
 - The verticality emphasizes the entrance. Looked at other options for this, but think the verticality of the wood siding is effective.
 - Both horizontal and vertical siding are typical of ranch homes of this vintage
- Commissioner Dudnik stated that the exploration of taller windows at the front entrance makes a lot of sense and perhaps it should be looked at again. The entrance door now is nearly lost.
- Commissioner Cohen asked if there was an overhead plane over the entrance door.
 - Roof overhangs by 3-4 feet currently, but the proposed condition is in plane with the windows.
 - Commissioner Dudnik asked if the entrance could be recessed
 - It does have some protection, just hard to see in elevation

Public Comment

- None

Deliberation

- **Commissioner Cohen made a motion to issue a COA for the proposed project. Second by Commissioner Dudnik and approved 7-0 with one abstention (Dudnik) on a roll-call vote.**
- Commissioner Cohen stated that the applicant should take the comments for potential revisions into consideration to improve the project.

F. 1735 Asbury Avenue – RHD 20PRES-0293

Tom Rowland applies for a certificate of appropriateness – Main house scope: 1. structural enhancements of floor 1 & 2, floor joists to improve floor levelness. 2. Renovation of existing kitchen with new windows and doors. 3. Covered porch and open deck. Coach house scope: 1. Renovation of existing coach house (floor 1 & 2). Applicable standards: Alteration [1-10]; [Construction 1-5, 7, 8, and 10-15]; and Demolition [1-6]

Request to be continued to February 9, 2021.

- Mr. Sterling stated that the applicant had requested a continuance due to water damage.
- Commissioner Dudnik made a motion to continue the case to the February 9 meeting. Second by Commissioner Bodan and approved 7-0 (Commissioner Cohen inaudible) on a roll-call vote.

G. 1509 Forest Avenue - Landmark/LSHD 20PRES-0310

Sergio Barraza applies for a certificate of appropriateness due to hail damage to replace the existing aluminum siding on the house and the garage with Hardie plank lap siding. Applicable standards: Alteration [1-10]

- Mr. Sterling read the case into the record.
- The applicant presented additional information since the previous meeting including the proposed transitions at corners.
- Commissioners had previously asked how the original corners had transitioned and if miters were appropriate.
- After exploration of the original siding, 4" vertical corner boards were used and the same condition (5" corner boards) will be applied to the new siding.
- Original siding exposure and proposed siding exposure were discussed
- Proposal is to remove only the aluminum siding and install new insulation and hardie board atop the original siding. The window surrounds and other transition area trim will still project
- Original siding exposure is 4". Proposed will be 5"
- Commissioner Dudnik asked for clarification on the original siding and if it was a lap siding.
 - Yes, the bottom board in question is a starter. The original siding is a wood lap.
- Original siding is 4" exposure, but hardie board only comes in 5" so it cannot be matched replicated, but can improve on the condition of the aluminum siding.

Public Comment

- None

Deliberation

- **Commissioner Dudnik made a motion to approve a COA for 5” exposure hardie board lap siding with 4” vertical corner boards. Second by Chair Simon and approved unanimously on a roll-call vote.**

H. 2027 Orrington Avenue - Northeast HD

20PRES-0318

Kyle Donoghue, submits for a Certificate of Appropriateness to remove the existing 8-inch exposure aluminum siding from the main house. Install new vinyl siding (double 4” exposure). Applicable standards: [Alteration 1-10]

- Mr. Sterling read the case into the record.
- Mr. Sterling stated he has been unable to contact the applicant although he has been in contact with the homeowner.
- Mr. Sterling recommended action be taken without the applicant present due to the number of continuances and the necessary information being provided for action to be taken.
- Vice-Chair Reinhold stated her preference to continue the case a second time
- Mr. Sterling stated he would recommend taking action rather than continuing it since the vinyl siding being proposed is inappropriate.
- Commissioner Cohen agreed. The proposal is not only vinyl, but its not a lap siding, its 8” siding with a crease in it to mimic a lap siding.
- Commissioner Bodan asked for clarification on what the proposed siding was
 - One 8” piece of siding molded to have a slight offset in the middle to mimic two 4” pieces.

Public Comment

- None

Deliberation

- Chair Simon moved to issue a COA for the proposal. Second by Commissioner Sullivan. The motion failed unanimously by roll-call vote.

I. 2009 Dodge Avenue - Landmark

20PRES-0317

Juan Rosas, submits for a Certificate of Appropriateness to remove existing aluminum siding from the main house. Install new Hardie plank siding (4” exposure). Retain wood siding and shakes under the front gable. Replace existing roof asphalt shingles with asphalt shingles. Applicable standards: [Alteration 1-10]

- Mr. Sterling read the case into the record and explained he had been unable to contact the applicant or property owner.
- Vice-Chair Reinhold stated she had been in contact with the contractor previously and recommended continuing the case one additional time.
- Proposing a hardie plank system. Asked for more information on transitions at the corner during pre-review. A landmark home for its historical not architectural significance.

Public Comment

- None

Deliberation

- Commissioner Itle moved to continue the case to the February 9 meeting. Second by Commissioner Sullivan and unanimously approved by roll-call vote.

4. NEW BUSINESS

A. 416 Lake Street – LSHD

20PRES-0330

Paul Janicki, architect of record, applies for a Certificate of Appropriateness to construct a new single-car alley-accessible garage in the R1 Single-Family Residential District and Lakeshore Historic District. Additionally, the applicant submits for Major Zoning Relief specifically seeking proposed building lot coverage of 49.25% where 30% is the maximum permitted and 42.45% is the legally non-conforming condition (Zoning Code Section 6-8-2-7), a proposed impervious surface ratio of 65.6% where 45% is the maximum permitted and 58.5% is the legally non-conforming condition (Zoning Code Section 6-8-2-10), a 0' rear-yard setback where 3' is required (Zoning Code Section 6-8-2-8 (C) 4.), eaves which encroach on the required rear-yard by 100% where 10% is the maximum permitted (Zoning Code Section 6-4-1-9 (B).), and 5'-1" of separation between the proposed accessory structure and the extant principle structure where 10' is required (Zoning Code Section 6-4-6-2). The Historic Preservation Commission will provide a recommendation to the Zoning Board of Appeals, the determining body for this case. Applicable standards: [Construction [1-5; 7-8; 10-11, and; 13-14]

- Mr. Sterling read the case into the record.
- Vice-Chair Reinhold reiterated that the staff memo recommended a positive recommendation for major zoning relief
- Applicant explained the need for a garage and the substandard lot requiring major zoning relief.
- Applicant discussed alternatives which were considered including a porte cochere or attached garage, both of which were not sympathetic to the historic home. Proposing a single-car garage off the alley.
- Applicant described details from the home which are to be replicated on the proposed garage including the siding, roof form, and belt course
- Vice-Chair Reinhold asked if they could look at the rendering of the proposal. It is informative and shows a contextual solution to a challenging situation
- Commissioner Bodan asked if a non-enclosed pad or roofed structure were considered
 - Climate doesn't really make this a good solution.
 - Car port isn't sympathetic to the Queen Anne style
- Commissioner Cohen stated the important thing to him were the letters from the neighboring property owners in support

Public Comment

- None

Deliberation

- Commissioner Dudnik moved to issue a COA for the proposal. Second by Commissioner Cohen and approved unanimously on a roll-call vote.
- Commissioner Dudnik moved to supply a positive recommendation to the ZBA for the requested major zoning relief. Second by Chair Simon. The motion passed unanimously on a roll-call vote.

B. 110 Burnham Place – LSHD

20PRES-0332

Brad and Ana Couri, owners of record, apply for a certificate of appropriateness to replace multiple steel windows with aluminum clad wood windows, construct an attached

garage addition on the front-facing north elevation, and construct a two-story sunroom addition to the south elevation in the R1 Single-Family Residential Zoning District and Lakeshore Historic District. Applicable standards: [Alteration 1-10]; Construction [1-8, and 10-15]; Demolition [1-6]

- Mr. Sterling read the case into the record.
- Applicant stated the home was recently purchased and they intend a full restoration
- Applicant discussed the proposed window replacements from a steel casement to a aluminum clad wood casement with slightly thicker muntin dimension. New windows needed to meet egress.
- Applicant discussed the addition at the rear replacing the existing covered porch
- Applicant discussed the single-car addition on the front-facing elevation with an open walkway between. Details will be replicated throughout including the slate roof.
- Commissioner Cohen asked for clarification on the double-hung windows being proposed
- Mr. Sterling stated there was some confusion related to the window diagram in the application document. That is just part of the application, not related to this project specifically.
- Applicant stated casements and fixed picture windows are proposed. No double-hungs.
- Vice-Chair Reinhold asked about the open walkway and if it is necessary as it adds unnecessary length to the addition and closer to the property line.
 - With the garage and walkway, the proposal is 5'6" from the lot line where 5' is required and they could just as easily enlarge the garage.
- Commissioner Cohen stated the intention was to shorten the length of the house, not enlarge the garage
- Vice-Chair Reinhold asked about the roundel window over the existing garage and why something so divergent was proposed
 - Existing window was in a bedroom. New window is in a proposed link to the new bedroom over the garage addition. The new and larger window is intended to provide more light into this sitting room.
- Vice-Chair Reinhold said the concern is the interruption in rythm as all single-windows are proposed and then one double-window.
- Commissioner Cohen agreed. A single-window would be better but isn't necessary
 - Applicant stated he would take the recommendation into consideration. They looked at it both ways and he doesn't disagree but the window is the only natural light for an internal room, so maximizing its size was seen as preferable.
- Commissioner Cohen asked about the lack of 3D renderings as required.
- Vice-Chair Reinhold stated that it was determined during pre-review that it was not necessary. We did request some changes, including existing and proposed elevations and some additional line weight and annotations. It is a better application now and is adequate for action to be taken.
- Commissioner Sullivan asked if all windows were being replaced
 - Yes
- Commissioner Sullivan asked if windows were necessary for egress, as an IBC requirement.
 - Yes, and it meets the existing lite pattern and has a similar feel of weight to what was existing

Public Comment

- None

Deliberation

- Vice-Chair Reinhold asked if the neighbors had been contacted
 - Spoken to them. Seems relieved that the home is being restored.
 - Mr. Sterling stated he had a long conversation with the neighboring property owner to the south who was relieved at the distance between their home and the rear addition. Neither for or against the project just looking for information.
- Commissioner Bodan asked about the rear porch and if it was original to the structure.
 - The original porch is existing but has been altered with the jalousie windows.
 - Not a Landmark property
- Mr. Sterling asked about the pass through garage and the second garage door and where it leads.
 - More welcoming for guests to enter the rear yard through the link
 - Mr. Sterling asked specifically about the second garage door on the rear elevation
 - Have a similar situation on their current home and wanted to replicate it. Ease of access from front and rear. No intention to drive a car through it.
- **Chair Simon made a motion to issue a COA for the project. Second by Commissioner Sullivan and approved unanimously by roll-call vote.**

5. APPROVAL OF MEETING MINUTES of December 8, 2020

- Mr. Sterling stated he had not received any amendments
- Secretary Bodan stated she found them to be accurate.
- Secretary Bodan moved to approve the meeting minutes as presented. Second by Commissioner Cohen and approved 6-0 by roll-call vote with two abstentions (Dudnik and Sullivan)

6. APPROVAL OF 2021 MEETING SCHEDULE

- Mr. Sterling stated they requested the December meeting be moved to the first Tuesday rather than the second Tuesday in order to not conflict with the Zoning Board of Appeals meeting.
- Vice-Chair Reinhold asked for clarification that the Commission would meet the second Tuesday of each month except for the first Tuesday in December.
 - i. Mr. Sterling stated that was correct.
- Commissioner Sullivan moved to approve the 2021 meeting schedule as presented. Second by Chair Simon and approved unanimously by roll-call vote.

7. DISCUSSION

A. Pace/CTA Bus Shelters and ADA Pads

- Commissioners discussed the proposal having no objections to the proposed shelters or potential locations although they asked if they could review any firm proposals for locations as they come up to ensure the location doesn't impact integrity of a significant landmark property.

B. Potential Preservation Program Changes and 2021 Retreat

- Mr. Sterling gave a brief introduction and background on the referral by City Council as well as the subsequent report by the Planning Division.
- Chair Simon recommended a subset of commissioners (2-3) review the memo in detail and provide input. The first meeting would be in February.

- Chair Simon, Vice-Chair Reinhold and Commissioner Bodan volunteered.

Adjourned 11:45pm