

**Oak Park Historic Preservation Commission**  
**January 12, 2017 Meeting Minutes**  
**Oak Park Village Hall, Council Chambers – Room 201, 7:30 pm**

**ROLL CALL**

**PRESENT:** Chair Christopher Payne, Greg Battoglia, Jennifer Bridge, Rebecca Houze, Laura Jordahl, Dan Moroney, David Sokol, Noel Weidner  
**ABSENT:** Don McLean, Aleksandra Tadic  
**STAFF:** Paul Stephanides, Village Attorney; Douglas Kaarre, AICP, Urban Planner  
**ALSO PRESENT:** Robert Tucker, Village Trustee

**AGENDA APPROVAL**

*Motion by Sokol to amend the agenda by moving the Commission Procedures item from Other Business to Item A under the Regular Agenda. Second by Jordahl. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

**NON-AGENDA PUBLIC COMMENT**

None

**MINUTES**

*Motion by Sokol to approve the minutes of the December 8, 2016 meeting as submitted. Second by Jordahl. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

**REGULAR AGENDA**

**A. Commission Procedures: Conflict of Interest and Abstaining**

Chair Payne stated that the memo from the Village Attorney provided an outline of the policies regarding conflict of interest and the procedures of abstaining. He asked if the commission members had any comments or questions for the Village Attorney.

Commissioner Moroney asked if individual commission members can be held liable for their actions.

Attorney Stephanides stated that there are criminal statutes that could be implemented. This Commission and its members are public officials under the Village Code. There are two codes issues relating to conflict of issues: 1) you cannot have any business interests in any entities appearing before the Commission – paid or unpaid; or 2) have an interest in any contract, legislative or administrative action, zoning decision, permit or licensing decision, or other matter. Actions the Commission takes are official actions of the Village. Representing clients before this Commission by recusing yourself is not permitted.

Commissioner Moroney stated that the 2011 memo, which was not prepared by you, stated these things as well.

Attorney Stephanides stated that he does not know why the Commission was not aware of this. This is provided by the Village Code but also by State Statute.

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Commissioner Moroney stated that some of the Commission members that he admires most, such as architects and contractors, have businesses in town and are familiar with Oak Park and it's too bad they would be unable to serve on the Commission.

Attorney Stephanides stated that you only need to be concerned if that business would have matters before the Historic Preservation Commission.

Commissioner Moroney stated that some of them did at one time or another recuse themselves from a project they were representing as a contractor or an architect. So there is a State statute with nothing to be done about it?

Attorney Stephanides stated that he doesn't see any change on the horizon. If anything, it would be toughened.

Commissioner Battoglia asked if this would apply to property owners on the Commission.

Attorney Stephanides stated that the statute only refers to business entities.

Commissioner Sokol asked if this had anything to do with the Village being a Certified Local Government?

Attorney Stephanides stated that the Village Code identifies which commissions are public officials.

Commissioner Moroney asked if it was a conflict of interest if you've known someone for a long time, are friends or if it's a family member.

Attorney Stephanides stated that it is not a conflict of interest under the code, but when in doubt, ask his office.

Chair Payne asked if you are an employee for a large firm that is asking for something before the Commission. You are not representing the client, but your firm does. Is that a conflict?

Attorney Stephanides stated that there are different codes referring to that situation. It is probably not a conflict since there is not ownership involved, but we should look into it further.

Chair Payne asked when recusal or abstention are appropriate or not appropriate.

Attorney Stephanides stated that recusing is appropriate when there is the potential for conflict, or there is doubt.

Commissioner Moroney asked if you can recuse yourself if you feel uncomfortable.

Attorney Stephanides stated yes. Also, you don't have to recuse yourself if you are a neighbor of a project. If you have a financial interest in a project before the commission, you cannot be on the commission.

Chair Payne thanked him for attending and answering their questions.

B. **HPC 2016-87: 238 S. Kenilworth Avenue (Gill): Public Hearing regarding a Certificate of Appropriateness to construct a two-story side side and rear addition on a two-story frame house (Ridgeland/Oak Park Historic District)**

Chair Payne noted that there are two items in the Commission's Procedures for Hearings that require a motion to amend the 14-day submittal requirement as follows:

Section 9.4 Evidence shall be presented in the following order, except as modified by the Chair:

- (a) *All exhibits shall be marked and presented to the Commission fourteen (14) days prior to the hearing, and shall include evidence as described in Section 7-9-14 of Article 9, Chapter 7 of the Oak Park Village Code. Exhibits submitted to the Commission less than fourteen (14) days prior to the hearing shall be excluded from the hearing, except in those instances where the Chair, for good cause shown, shall, in the Chair's sole discretion, waive the fourteen (14) day requirement.*
- (b) *A list of witnesses accompanied by a resume or curriculum vitae shall be submitted to the Commission at least fourteen (14) days prior to the hearing.*

*Motion by Sokol to amend the Procedures for Hearings to waive the 14-day submittal requirements for exhibits and witness resumes. Second by Battoglia. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

Village Attorney Stephanides swore in all those who would provide testimony for the evening.

Michelle Gill, property owner, stated that she is there with there with her husband Tom. "*Historic preservation is a discipline that recognizes the value of change over time.*" They reviewed the Strategic Historic Preservation Plan and found that passage central to the theme and relevant to their situation. They believe their renovation is in keeping with the spirit of this plan that was adopted in 2010. They have partnered with the Historic Preservation Commission to adhere to a number of recommended guidelines and designed an addition that sustains the original residence and neighborhood character, while also improving their quality of life. They are proud stewards of their community with the goal of improving their property, not marginalizing it. Their neighborhood supports their renovation. Many of their neighbors offered to attend the meeting, and some did. They offered an alternative by collecting 30 letters in support from their block and within 250 feet. Most wrote personal comments in support. They understand from the Strategic Historic Preservation Plan that preservationists want to maintain and sustain Oak Park's historic resources, because they make Oak Park a desirable community for residents, visitors and investors. Our neighbors know that they are preserving the character of their house and making the community more desirable. Their neighbors, along with the Historic Preservation Commission, have witnessed, and applauded, their previous renovations, including the new front porch and wood plank siding, which received an award. Their house does not have the same stature as a Frank Lloyd Wright landmark, and should not be held to the same standard when considering historic preservation. Instead we ask that you view your Guidelines as guidelines, a partnership between homeowners and the Village. We ask that you reconsider your decision on our proposal using your Guidelines in the context of this Strategic Plan because, "*Historic Preservation as a discipline recognizes the value of change over time.*" Thank you for your consideration.

Chris Wollmuth, CW Design, stated that he is the architect for the proposal. He brought the project to the Architectural Review Committee back in August at the preliminary level. They got some good input to go in a good direction. After making those changes they went to the December meeting

where they met with the HPC and no action was taken. They got a sense of the concerns and suggestions of some things to pursue and went back to the drawing board again. However, they felt their original solution and some real merits and needed to be reconsidered. Their goal is that the HPC see the project under some very specific circumstances that are unique to this context. The house has gone through renovations. They took off vinyl siding and added a wrap-around porch. They had some goals when they came to him – their kitchen at the back was cut off from the family room. There were no sight lines and they had challenging circulation. That is a common thing in Oak Park. Also the family room is relatively small. You can only seat 4-5 people comfortably. They have two daughters and so they can only have 1-2 guests. The second floor is chopped up, has narrow hallways and only has one bathroom. Something that is common.

This house is unique in that the primary load-bearing walls run north-south. Also, this house has a side yard. There is 19 feet to the south side yard. The average distance between the five houses to the north is 11 feet. The owners wanted to take advantage of the underutilized space in the side yard. They are extending the bay out an additional nine feet and a little longer in the back. This addresses their interior concerns by enlarging the family room and improving the circulation by connecting the kitchen and creating clear sight lines through the home. They currently have seating on their front porch, and they have to walk all the way through the house from the kitchen to get there. This new addition allows them to access the porch directly from the family room. The second floor creates a nice master suite.

The addition is set back from the front and so is a subtle addition. The uniqueness of the gables came up during the Architectural Review Committee meeting. They mimic the gables as a way to keep the character. Right now the only place the shingles are on the upper part of the house is in the gables. They are bringing the shingles down to the trim level so they can show that it is an addition, per the Guidelines. The rear addition is larger but is hidden from the front and they are using that to minimize the overall effect.

Reviewing the Guidelines Items 1, 3 and 4 really didn't raise concerns but he would be happy to answer questions. The one concern that did come up under Item 1 was compatibility. How you keep the configuration of the original. They are keeping a trim piece that defines the original bay windows, so someone looking can understand that something was added.

The other concern was distinguishing the old from the new. They are addressing that with the shingles and at the base. The rest of the home has a narrow transition strip and then the shingles appear at the base. They are doing a wider transition strip that relates to the front porch and then doing a wide plank siding below that. Everyone looking at it can see what is old and new.

The biggest sticking point is whether the side bay is a character-defining feature of the building. It was suggested that we look at a rear addition, which they did. They kept the kitchen in the same location, but it doesn't create the space they need as a family. It creates a family room in the rear behind the kitchen. You start to create a public and private side of the house. You divorce the kitchen from the front of the house, which is a deficit. Then they looked at pushing the kitchen all the way to the back, but they would need to create an opening in the load-bearing wall, requiring a header across the room. Also, the further you move the additions to the back, the further away they are from the front porch.

More importantly is the impact of a rear addition on the neighbors and the community at large. The usable space at the back yard becomes minimized. You could still have a patio, but it becomes scrunched between the garage and the addition. Why would you do that when you could create a more generous space? Side yard spaces are not usable because they are between the houses. You don't want your kids playing where neighbors are looking down on them or there are sightline to the front.

All of the homes roughly line up and everyone will now be looking at a rear addition in the back yards, and they don't think that's a great solution. There are times when that is necessary, but they have another option here. Because of the over-dig required to put foundations in, they may get

into the roots of the two large mature trees in the back yard. It puts those two trees at risk. So going out the back may not be the best solution.

The design as proposed stays in character with these bays, the family room doesn't need a header across it and keeps the home compact, keeps the front a vital part of the home. A lot of times when he does these types of additions off the back, the family tells him later that they don't use the front of their house anymore, and that is unfortunate.

They would also like to talk about whether this side bay is really a defining feature of this home. That is a high bar in his mind. Something this community doesn't look at as much is the back of homes because they aren't visible. Visibility is important on whether something is worth saving. He reviewed a series of photos of the house from the street making the point that they bay is hidden from view from the street by the front porch. This does not make it a defining feature. The addition is on a secondary façade.

They are trying to retain the open space in the back yard, which is at a premium in Oak Park. The addition retains and reinforces the connections in the home. They are revitalizing the whole house. They hope the Commission will view the Guidelines more broadly. Put the project in a broader context. Even with the addition they will maintain the average spacing between houses. The space in the back is valuable space. The addition works with the structure and layout. This will be another step in the evolution of the house. The family has lived there for 18 years and won a preservation award for the siding restoration. It optimizes the house and the yard, it recognizes and preserves the neighborhood, it keeps that spacing the same, it doesn't change the dynamic of the neighborhood, it strikes a balance. Historic preservation is valued in the community, but balancing it with other things can be important.

Planner Kaarre stated that he won't go through the entire staff report because it reiterates a lot of what you have already heard. One major thing that has been discussed is whether the side bay is a character-defining feature and whether the construction of the front porch in 2011 eliminates the bay as a defining feature. One thing that was not discussed in December is that this house is one of a set of four at the south end of Kenilworth. They all still have the two-story bay on the south side, and you can still see their resemblance. He showed photos of 238, 242, 239 and 243 S. Kenilworth. They all have the chamfered, or angled, first floor bay. The front porch on 242 is approximately the size and type of porch that would have originally been on the house. The 2011 front porch addition was in keeping with the type of house, but was not a restoration for this particular house. You can clearly see the two-story bay, but you cannot see the first floor chamfered section. In his opinion you can see there is a side bay, and it is part of the character of this type of house. That is still a feature of the house. Extending the addition out that far into the side yard is not keeping within the massing and proportion of the house, especially when you look at it within the character with the context of the neighboring houses. Although it is not out of scale with the neighborhood, it is the alteration of the character of the side bay. The staff recommendation has not changed and is not in support of the application.

Commissioner Battoglia asked if the front of house had been significantly altered, because it doesn't have a bay on the front, and the other three houses do have bays on the front.

Planner Kaarre stated that the 1895 Sanborn map shows that the house originally did not have a bay on the front, and the house at 242 did.

Commissioner Battoglia stated that the side bay is the only thing that is common to all four properties then.

Planner Kaarre responded that he can't answer that question because he does not have the 1895 Sanborn map for the west side of the street, but based on the current homes, that seems correct.

Chris Wollmuth stated that a feature of the house is a false gable is lined up with the picture window in the living room. They tried to create a similar relationship in the addition, where the false gable relates to a window which relates to a door below. They're trying to build on the character of the home. He understands the context that Staff is trying to point out, but if this house had two chamfered bays, then that would be a different discussion. They are picking up the front-facing features.

Attorney Stephanides asked that the Commission enter the exhibits into the public record.

*Motion by Sokol to enter Exhibits A-K into the public record. Second by Houze. Motion approved. 8-0.  
AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne  
NAY: None*

*Motion by Bridge to add the homeowners letter to Exhibit I and the applicant's powerpoint presentation as Exhibit K. Second by Houze. Motion approved. 8-0.  
AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne  
NAY: None*

Commissioner Battoglia stated that he was not at the Architectural Review Committee meeting. He asked if they commented on the extension of the bay.

Chris Wollmuth stated that there was no definitive statement that was voted up or down. They also focused on the roofline and different treatments of the wall.

Chair Payne noted that the Architectural Review Committee did not make any recommendation to the Commission on the project.

Commissioner Houze asked when the front porch was added.

Planner Kaarre stated that it was constructed in 2011.

Commissioner Moroney asked the distance from the corner of the home to the bay.

Chris Wollmuth stated about 13'5".

Carrie Hageman, 232 S. Kenilworth Avenue, stated that she is a neighbor and a strong proponent of historic preservation. She was once a director of an 1873 house museum that she helped restore. She feels strongly about preservation, but also as a neighbor that there are other characteristics that should be taken into account. The architect did address them, but she would like to emphasize her concern. This stretch of rear yard stretches eight houses. It's something that is common in the early years in Oak Park, where the back yards were very visible. Something she enjoyed when she moved here was kids playing, talking over the fence, some don't even have fences. The idea that there could be a rear addition that could destroy that for their block is a quality of life issue and a historic preservation issue as well. Looking at maintaining some kind of preservation here, they need to look at the spirit of the Guidelines and keep that in mind. There is an historic value to what is going on in the back yard and she asks them to take that into account.

Commissioner Houze wondered if there is another similar grouping of these types of houses in the neighborhood or in Oak Park – to have four so close together like this.

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Planner Kaarre stated that he knows of other types of houses, but not this particular type.

Chris Wollmuth stated that 238 relates to the other houses but they are more a group of three houses. Not having a front bay makes it akin but not a direct relationship. If there is a relationship to be preserved, it's that.

Chair Payne stated that they will now close the evidentiary portion and begin deliberation.

Commissioner Moroney stated that he was not at the December meeting and so this is his first time weighing in on the project. If the house were not in the historic district he would stand up and applaud the design and maximize the lot, respect the flow. You've done everything right. When he looks at what they've done and what it used to look like, they really have contributed to Oak Park's architectural heritage. When he reads the New Addition Policy guidelines 1-5, they really are subject to interpretation and can be subjective. Anyone on this commission can be on a spectrum of how you define them. Admittedly he is probably on one end than a strict preservationist. He has always struggled as a commissioner between historic preservation and homeowner rights and the rights of the community. For him when he looks at whether the bay is a character-defining feature, it is set back 15 feet, the porch is new, and it does obstruct it. Someone could tear off the porch one day, but as it stands right now, he has a hard time viewing it as such a defining feature that he has to tell the owners no, they can't do it and it would wreck the home. It's not enough of a defining feature for him to not allow them to make their home more compatible with their life and their desires. As a commission they do need to reflect the appetite of the community for historic preservation. They have gotten the message from the block on what their desires are. It doesn't undermine their ordinance. You can go to River Forest where they have teardowns galore, or Hinsdale where half their homes were torn down. In this case he is 100% fine with the application as submitted.

Commissioner Weidner stated that he is concerned with the precedent that might be set for other applications that come before them. It is in a historic district. They are tasked with maintaining the character of the historic district. That's not just Frank Lloyd Wright houses. That is the dichotomy between something older and something horizontal or more modern like Wright.

Commissioner Sokol stated that last time he was convinced that this was not appropriate, but the porch did bother him. He went and looked at it twice. He understands that the porch could go away, but the fact that the porch exists, and that it obscures the bay, he finds it hard to be airtight opposition to approval. He is not an architect, but the argument of the load-bearing walls do make it more impractical, along with the existence of the legally recognized porch does detract from the strong case to be made from the visual impact of the bay.

Commissioner Houze stated that she will add a slightly different way of looking at it. She agrees that the porch is lovely. But because it was an addition, it does detract already from the original character of the home. If they were to remove that other character-defining feature of the bay, it almost erases it from the original position it has within this grouping of four homes of that character. She has mixed feelings about it. She likes the design, but it's important within the historic district to maintain those little bits that we still have that link the block together.

Commissioner Jordahl stated that the porch was approved and not reconstructed from an original design. In her mind that makes the notion of another addition that is more in keeping with the Guidelines viable. She thinks the chamfered bay is a minor detail compared to the front porch. She appreciates the design of the addition. She was not at the December meeting, but was at the Architectural Review Committee and remembers much of the discussion and the feedback given by the committee. Whether the addition should have been in the rear was taken into consideration

through a lot of hard work and respect. She feels more in line with accepting the proposal at this point.

Chair Payne stated that he wanted to explain how they apply the ordinance and guidelines across the historic districts and landmarks. He disagrees strongly that they should apply them based upon how strong a local block club is. Though he applauds their block getting behind them – it's a testament to their block and family. But if they started making decisions based upon who the nice people are and who gets along are, they would have a very different looking Village at the end of the day. Also, just because it's not a Frank Lloyd Wright house, doesn't mean that it doesn't warrant the same level of protection. There are homes of every different style that make up the district, and they create a district to protect all of them, not just to pick a few individual landmarks. One piece of testimony that he did find compelling that he wouldn't normally is the idea of the view through the back yards. If this was in the middle of the block it would be less apparent. You can see it from the side street. If an addition was put on the back of this home, it would be visible from the street. He still comes down on a couple pros- and -cons in terms of how the ordinance is written and the New Addition Policy of the Guidelines. It seems that on some level it is taking into consideration the character of the neighborhood because of that trying to not do a back-yard addition. Also, the character and materials of the addition – even though he disagrees that the massing is not appropriate, it looks nothing like the other three homes that it used to look very much like. It's the erasing of that history that he still has a problem with. That goes to scale and massing of the addition on the side yard, as well as the removal of the side bay and adding on that two-story addition on the side. There are some pros and cons to the proposal. There are some things that are in-line with the ordinance and several things that are not. Whether it's on a secondary façade and makes a visual distinction between old and new, the proposal somewhat has those things, but they are not strong components of the design.

Commissioner Bridge stated that she concurs about preserving the distinctions of groupings. There was a comment earlier about siblings. There are variations on siblings and it would be unfortunate if some of those variations were erased in this house or in others.

*Motion by Moroney to approve the Certificate of Appropriateness application for a two-story addition at 238 S. Kenilworth Avenue as submitted. Second by Jordahl. Motion denied 4-4.*

*AYE: Battaglia, Jordahl, Moroney, Sokol*

*NAY: Bridge, Houze, Weidner, Chair Payne*

Planner Kaarre noted that he prepared preliminary Findings of Fact which would require the Commission to determine which Findings to include for approval this evening.

Chair Payne noted that the addition did not comply with the ordinance as it relates to the size and scale and massing of the existing structure and that the new addition removed significant character-defining features of historic material visible from the street.

Commissioner Weidner stated that his concern was that it would disrupt the dichotomy of late 19<sup>th</sup> century and early 20<sup>th</sup> century architecture in the district and set a precedent for other applications that could come before them.

Commissioner Houze stated that her point was the proposed addition disrupts the historical character of grouping of buildings on the block.

Commissioner Weidner stated that the verticality of the Victorian vs. the horizontality of something more modern, like Frank Lloyd Wright, was taken into consideration when the historic district was



created. You can see that progression in the district. This Victorian is vertical and adding an addition on the side would take away from that.

*Motion by Battoglia to approve the Findings of Fact as set forth at this meeting pending completion by staff. Second by Bridge. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

*Motion by Houze to close the public hearing. Second by Weidner. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

- C. **HPC 2017-01: 835 N. Grove Avenue (Cultra): Certificate of Appropriateness to construct a two-story south side addition on a two-story frame house (Frank Lloyd Wright-Prairie School of Architecture Historic District)**

Chair Payne noted that the applicants for 835 N. Grove Avenue requested to be continued to the February meeting.

## **CONSENT AGENDA**

### **OTHER BUSINESS**

**I-290 Draft Environmental Impact Statement:** Planner Kaarre stated that he received the entire Environmental Impact Statement and he copied them on the Cultural Resources section. Parsons Brinckerhoff are the consultants for the project. They surveyed the entire project area. We provided them with our identified properties, and they identified four additional properties that are eligible for listing on the National Register. It also refer to impacts on historic resources, which are thought to be minimal. There are two public hearings coming up. They are still in the public hearing phase.

Commissioner Sokol stated that he is very, very concerned about the impact on the Conservatory and the Maze Library, as well as other buildings along both sides along Harrison and Garfield. The UIC-CUPPA building settled during work downtown. Due to the jarring nature of the construction, there is potential for real damage to these buildings. They are being very glib about there being no impacts. He thinks they should take every possible step to minimize the damage. This Commission should also make a statement.

Planner Kaarre stated that if the Commission wishes to make a statement, it needs to make its concerns known through the Village Manager's office. Chair Payne should contact Trustee Tucker.

### **ADJOURN**

*Motion by Sokol to adjourn. Second by Jordahl. Motion approved 8-0.*

*AYE: Battoglia, Bridge, Houze, Jordahl, Moroney, Sokol, Weidner, Chair Payne*

*NAY: None*

The meeting adjourned at 9:05 p.m.

Minutes prepared by Douglas Kaarre, AICP, Urban Planner.