



MINUTES
PUBLISHED BY THE AUTHORITY OF THE HISTORIC PRESERVATION COMMISSION OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
BLOOMINGTON POLICE DEPARTMENT, OSBORN ROOM
305 S EAST STREET, BLOOMINGTON, IL 61701
THURSDAY, JANUARY 19, 2023 5:00 P.M.

The Historic Preservation Commission convened in regular session in-person in the Osborne Room at the Bloomington Police Department, at 5:05 p.m., Thursday, January 19, 2023.

The meeting was called to order by Chair Koos.

ROLL CALL

Attendee Name	Title	Status
Mr. Greg Koos	Chair	Present
Mr. Paul Scharnett	Vice Chair	Present
Ms. Georgene Chissell	Commissioner	Absent
Ms. Sherry Graehling	Commissioner	Present
Ms. Dawn Peters	Commissioner	Present
Mr. John Elterich	Commissioner	Present
Ms. Kim Miller	Commissioner	Absent
Mr. Jon Branham	City Planner	Present
Mr. Glen Wetterow	City Planner	Present
Ms. Kimberly Smith	Assistant Director of Economic and Community Development	Present
Mr. George Boyle	Assistant Corporation Counsel	Present

PUBLIC COMMENT

Brad Williams (613 E. Grove Street) Spoke to complement the City of Bloomington and the Historic Preservation Commission on Forty Years of existence of this Commission, created in 1983. It was noted that Chair Greg Koos was part of the original Commission membership. The Commission thanked Mr. Williams for his comment.

MINUTES

The Commission reviewed the minutes of the December 15, 2022, Historic Preservation Commission meeting. Commissioner Scharnett noted a scrivener’s error on Page 11.

Commissioner Elterich made a motion to accept the minutes, as amended. The motion was seconded by Commissioner Koos. All were in favor (5-0).

REGULAR AGENDA

A. BHP-30-22 Consideration, review and action on a request submitted by Franklin Park Foundation for an S-4 (Historic Preservation Overlay) District (Local Historic Preservation Designation) for the property at 809 N. McLean Street. PIN:21-04-210-001. *CONTINUED FROM NOVEMBER and DECEMBER MEETINGS.*

Mr. Branham presented the Staff Report, noting the property is already designated as within a Local Historic District and has the S-4 Zoning Overlay applied. Mr. Branham highlighted that the more appropriate action would be to amend to the current designation, as the Code does not provide for redesignation of already-designated properties.

Mr. Elterich asked for clarification on what an amendment would be. Mr. Branham explained that the amendment would be to the existing designating ordinance to allow inclusion of additional criteria that can be used in review for Certificates of Appropriateness.

Commissioner Scharnett asked what the effect of an amendment would be, and what would be voted on at the present meeting. Staff clarified that no amendment has been requested; the request is for designation. Commissioner Elterich stated the subject property is already designated, and he fails to understand why the Petitioner is asking for designation again.

Chair Koos asked for confirmation there is no difference in how the S-4 designation is applied to Local Landmarks and Local Historic Districts. Mr. Branham concurred. Ms. Smith clarified that S-4 designation is an overlay district for zoning: the zoning map amendment is heard by the Planning Commission, with the Resolution transmitted by the Historic Preservation Commission as one of the components of the criteria for review. Landmarks and Districts are not materially different in their creation or application under the Code.

Commissioner Scharnett inquired about the Petitioner's intended effect of the application.

Chair Koos opened the public hearing.

Tim Maurer (317 E. Chestnut) Mr. Maurer noted that his comments will address agenda items A, B, and C. He explained that his intent is to designate the subject properties as Landmarks in addition to the current Historic District designation and cited a 1983 Ordinance. Mr. Maurer noted architectural and cultural items contributing to the character of properties in area, including the subject of the case.

He stated the "S-4" designation and "Local Historic" designation are separable, citing § 44-804. Mr. Maurer indicated the 1983 Ordinance designating the Franklin Square Historic District does not identify specific architectural or historic features that contribute, and thus is insufficient for providing protection for the District. He stated the subject property has open maintenance violations, a questionable history of Certificates of Appropriateness and Funk Grants, and the visible deterioration demonstrates the ineffectiveness of the Historic District designation to protect the property. He emphasized the importance of transmitting a list of architectural details to be protected to current and future owners.

Commissioner Scharnett asked if Mr. Maurer has provided a list of the architectural features he wants protected to Staff. Mr. Maurer answered in the negative, and stated the City has 60 days from the Commission's recommendation of Landmark status to put

together a report. Mr. Boyle stated that the 60 days discussed in the Code are from the time of application until the case is heard at a public hearing. Mr. Maurer offered to read the portion of the Code he was referring to. The Commission and Staff declined the offer as copies of the Code were present for review.

Mr. Boyle stated that the subject properties are already designated S-4 and as contributing structures in part of a Historic District, and inquired whether it would be more appropriate to request amendment of the existing designation to specifically state architectural features. He restated the Commission's question, "what do we get by changing them to Landmarks that we wouldn't get by amending the Historic District designation?" Mr. Maurer noted not all the buildings in the District are historic and contributing. Mr. Koos disagreed, and discussion ensued. Mr. Maurer stated Landmark designation for contributing structures is more impactful than amending the District.

Commissioner Scharnett noted that there is not a significant difference between the Landmark designation and Historic District nomination process, as both require features to be called out. He noted the effect of either designation is the same, with District designation benefiting more property owners. He commented that the subject applications seem to call out some properties are more important than others. Mr. Maurer noted that the problem is the properties falling into disrepair. Commissioner Scharnett clarified that there are two different possible issues at hand—a failing Ordinance or the failing execution thereof—but that redesignation would change neither. Mr. Maurer said he would defer his response until the Legal Counsel of the Foundation could be consulted.

Ms. Peters explained that the Commission does not have control over homes falling into disrepair.

Chair Koos agreed that what is supposed to be protected in Franklin Square is not well described, but disagreed that only the subject buildings need to be protected. Mr. Koos noted another method for achieving what Mr. Maurer is seeking is to acquire the architectural descriptions of all of the properties in the District and amend the designation. The City has the ability to enforce property maintenance and code compliance in court, and has demonstrated that ability in the past at 504 E. Walnut Street. Mr. Maurer noted he is not against protecting all Franklin Square buildings and would endorse amending the designation, but is concerned about the time required to complete it.

Commissioner Peters iterated there is no difference between Landmark and Historic District designation and the Preservation Plan specifically states the same feature criteria should be applied to Districts. She supports amending the designating Ordinance to reflect the contributing architectural and cultural elements.

No additional testimony was provided. Chair Koos closed the public hearing.

Commissioner Scharnett concurred with Chair Koos that the intent of the applications is admirable, but the process is not appropriate. Commissioner Elterich inquired whether the original Ordinance had been located. Discussion ensued about the process and timeline for designation of the Franklin Square Historic District. Mr. Boyle stated if there is an Ordinance prior to the 1983 Ordinance that is more specific Staff has been unable to find it.

Commissioner Koos inquired whether there was an Ordinance that governs the Commission from 1983. Staff replied that has not been researched. Mr. Boyle noted that the Commission is currently authorized by § 44-17.

Commissioner Peters suggested an amendment be proposed that includes items to be protected, the Commission survey and amend all S-4 designations, as appropriate, and ensure that the current Code is amended to ensure the same requirement of feature identification and protection apply for both Landmarks and Districts.

Chair Koos requested a Draft Amendment propose a change of description of the property to cover the entire area, incorporating streets/gutters/sidewalks and the park. Assistant Director Smith noted that changing the boundaries and legal description of a designation would result in a new designation case, not an amendment. She also clarified the timeline and process for designation cases. Mr. Boyle recommended that the Commission make findings on the current applications at this time, and that separate application should be made for an amendment to the existing designation, for hearing at a future meeting.

Mr. Koos stated his preference to pursue amendments for all of the properties at the same time. Mr. Scharnett noted many of the properties share features that could be blanketed in an Ordinance rather than addressed separately. Mr. Boyle clarified procedure items. Chair Koos requested that related discussion be tabled until the following meeting.

Commissioner Elterich asserted that redesignating something that is already designated is superfluous. Commissioner Peters made a motion to establish findings of facts and deny the request for a S-4 Preservation District overlay designation for 809 N. McLean Street on the grounds that one already exists. Seconded by Mr. Elterich.

Mr. Scharnett - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Koos - Yes. (5-0). The motion passed.

B. BHP-31-22 Consideration, review and action on a request submitted by Franklin Park Foundation for an S-4 (Historic Preservation Overlay) District (Local Historic Preservation Designation) for property at 901 N. McLean Street. PIN:21-04-207-005. CONTINUED FROM NOVEMBER and DECEMBER MEETINGS.

Chair Koos opened the public hearing.

Tim Maurer (317 E. Chestnut) stated that there is a distinction between a Landmark and a Historic District in the Code, and that the result of not designating will be detrimental to the building. He stated that Code Enforcement and the Preservation Commission have not taken any interest in ensuring it is preserved and asked that the Commission take action.

Commissioner Scharnett asked whether any of the properties have National Register Landmark Status. Mr. Maurer was unaware of any. Mr. Scharnett inquired whether the Franklin Park Foundation had considered applying for National Landmark status for any of the properties. Mr. Maurer replied that they are considering a different approach in the case of an adverse finding. Mr. Scharnett noted that National Register designation provides incentives and restrictions. Mr. Maurer discussed his objectives and how National Register designation does not achieve them.

Mr. Maurer stated that decisions on how to apply zoning are not in the purview of the Historic Preservation Commission, but the Planning Commission, and the HPC should only be making findings on whether the properties have historic significance. He

explained his understanding of the process and duties of each step in the designation and amendment process in the current City Code. Mr. Koos stated that changing the property from being part of a District to an individual Landmark will have no impact on how the City enforces Ordinances. Mr. Maurer disagreed. Mr. Koos inquired whether Mr. Maurer had filed formal complaints about the condition of the buildings. Mr. Maurer answered in the affirmative.

Commissioner Scharnett stated that the form of the request is the problem with the case and asked for clarification on whether Mr. Maurer could return and request amendment if his current requests are denied. Mr. Boyle confirmed.

Mr. Maurer asked Mr. Boyle about the Designation process. Mr. Boyle indicated there are criteria for consideration. Mr. Maurer explained the rest of the process and requirements. Mr. Elterich read the Applicability section of the Historic Preservation District which indicates S-4 “may be applied to a single property (historic landmark) or group of properties (historic district),” stating that means they are designated the same.

Commissioner Graehling noted Community Preservation Plan Opportunity 3.2 (Prepare comprehensive design guidelines for Bloomington’s historic districts and landmarks,) and stated that completion of that work would solve the problem. Mr. Maurer asked what was being done in the meantime. Mr. Scharnett explained that is not HPC purview.

No further testimony was provided. No additional Commission discussion.

Commissioner Peters made a motion to establish findings of facts and deny the request for a S-4 Preservation District overlay designation for 901 N. McLean Street on the grounds that one already exists. Seconded by Commissioner Graehling.

Mr. Scharnett - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Koos - Yes. (5-0). The motion passed.

C. BHP-32-22 Consideration, review and action on a request submitted by Franklin Park Foundation for an S-4 (Historic Preservation Overlay) District (Local Historic Preservation Designation) for property at 310 E. Walnut Street. PIN:21-04-202-016. *CONTINUED FROM NOVEMBER and DECEMBER MEETINGS.*

Chair Koos opened the public hearing.

No testimony was provided. No Commission discussion was held.

Commissioner Peters made a motion to establish findings of facts and deny the request for a S-4 Preservation District overlay designation for 310 E. Walnut Street on the grounds that one already exists. Seconded by Commissioner Graehling.

Mr. Scharnett - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Koos - Yes. (5-0). The motion passed.

D. BHP-34-22 Consideration of the historical or architectural significance for the structure located at 407 W. Market Street, in accordance with the demolition review procedures. PIN 21-04-158-006. *CONTINUED FROM DECEMBER MEETING.*

Mr. Branham presented the applicant’s request to table to following meeting. The Commission approved tabling to the February 16, 2023, regular meeting.

E. BHP-01-23 Consideration, review and action on a request submitted by Brice Wolf for a Certificate of Appropriateness for roof replacement for the property located at 305 E. Chestnut Street. PIN 21-04-209-003.

Mr. Branham presented the staff report with recommendation for approval. He noted that the applicant is making the request retroactively.

Chair Koos opened the public hearing.

Brice Wolf (909 Bunn Street) spoke on behalf of the application. In October the insurance on the property was going to be cancelled because of the condition of the roof and leaks occurring. In November they applied for a building permit and were told to stop because they needed approval because of being S-4. He started the project on November 28 to complete the project before winter. He thought the project would be approved since they were replacing black architectural shingles with black architectural shingles and improving the weatherization. He stated the work has been completed and looks good.

Commissioner Scharnett inquired about roof ventilation. Mr. Wolf explained he replaced the existing ridge vent and explained additional work and cautions taken. Mr. Scharnett inquired whether the eaves are vented. Mr. Wolf stated there are soffit vents. Mr. Scharnett asked whether the attic space is vaulted. Mr. Wolf answered in the affirmative. Mr. Scharnett asked whether insulation is applied directly to the roof deck. There are chutes for ventilation. No further questions.

Commissioner Scharnett asked the age of the roof that was replaced. Mr. Wolf stated it was likely 15-20 years old and shingles were in terrible shape.

No additional testimony was provided.

Chair Koos reminded the Commission that a recent retroactive request for a Certificate of Appropriateness was denied because no building permit had been acquired. Mr. Scharnett pointed out that in this instance there was a good faith effort made. Mr. Boyle suggested that the HPC confine their review to the work and the structure, as prescribed by the Ordinance, but stated the Legal Department can report back on whether there are enforcement actions that will be taken. Ms. Smith explained that the goal is compliance, and the applicant is seeking that by trying to gain the appropriate approvals.

Commissioner Graehling made a motion to approve the Certificate of Appropriateness. Mr. Scharnett seconded.

Mr. Koos - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Scharnett - Yes. (5-0). The motion passed.

Mr. Branham will send a notice of approval to the applicant and the property owner.

F. BHP-02-23 Consideration, review and action on a request submitted by Janina King for a Certificate of Appropriateness for soffit, fascia, and siding replacement for the property located at 901 E. Jefferson Street. PIN 21-04-303-014. (Ward 4.)

Mr. Branham presented the staff report with recommendation for approval. He noted that the contractor was unable to attend the hearing.

Chair Koos opened the public hearing.

Janina King (901 E. Jefferson Street), spoke in favor of the request. The intent is to repair or restore, replace only when needed, and match when possible. Most of the replacement will be facia, using poplar, and the contractor understands the property is historic. She did apply for one grant associated with the project, but the scope of work has expanded, and she will be applying for a second.

Commissioner Scharnett inquired which kind of insulation is in the walls. Ms. King was not sure. Mr. Scharnett explained it looks like there is a moisture issue from the interior causing some of the damage seen in the pictures. Ms. King explained they purchased the property mid-flip and work seemed to have been rushed; they have had multiple problems. The painter said there was no priming as part of the prior paint job which was causing some of the issues. Mr. Scharnett explained what he was seeing in the images that indicated insulation issues they may want to investigate and resolve.

Chair Koos inquired whether they have had any work done to the box gutters. Ms. King answered in the negative and stated they are one source of damage. The level of work required for the gutters is unknown until they get into the project, but they expect a lot of reframing. She does not believe they are leaking into the facia or soffits.

Commissioner Elterich inquired about the gutter lining. Ms. King stated she believed they are copper and knows they may need quite a bit of work.

Mr. Scharnett noted the drip edge is directing water back toward the facia because of over-bend. He inquired whether there is ventilation in the soffit. Ms. King answered in the negative. Mr. Scharnett recommended looking into some sort of ventilation.

No additional testimony was provided.

Commissioner Scharnett stated he does not believe poplar is appropriate for the exterior and material should be revised; crown molding, if needs to be replaced, should be as close a match as possible; examination of underlying reason for damage should be pursued. Cedar or composite materials would be appropriate. He is comfortable recommending those modifications without requiring the applicant to return with an update.

Commissioner Peters asked for clarification on paint preparation to ensure no power washing was included. Ms. King stated the contractor had not mentioned power washing.

Commissioner Graehling made a motion to approve the Certificate of Appropriateness, contingent upon submission of an appropriate methods and a materials list for use in the project. Mr. Scharnett seconded.

Mr. Koos - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Scharnett - Yes. (5-0). The motion passed.

Mr. Elterich and the Commission thanked Ms. King for caring for the home. Ms. King highlighted the difficulty in finding contractors capable of completing the work and the increased expenses they have seen in the past few years, as well as her love for the home.

G. BHP-03-23 Consideration, review and action on a request submitted by Janina King for a Funk Grant in the amount of \$5,000.00 for soffit, fascia, and siding replacement for the property located at 901 E. Jefferson Street. PIN 21-04-303-014. (Ward 4.)

Chair Koos opened the public hearing.

Janina King (901 E. Jefferson Street), spoke in favor of the request to explain that the painting project they will see later is separate from the repair and restoration project before them, and she would like to submit for a second grant for that project later.

Mr. Branham explained that the Funk Grant program allows up to two grants per year for “major” restoration projects. Ms. Smith read the relevant Funk Grant guideline. Mr. Scharnett explained that they have awarded two amounts of \$5,000 at the same time before for major fire damage. Ms. Graehling noted another instance for a property on Gridley.

The Board discussed the intent of the Funk Grant program, language in the criteria and guidelines, and how it has been applied in the past. The consensus was that the language of the current item (soffit, fascia, and siding replacement) does not include the painting components of the overall project, which therefor may be applied for later, as a second annual grant for major restoration work. Ms. Peters requested an updated bid with the project costs split out. Ms. King agreed to provide such.

Commissioner Scharnett made a motion to approve the request submitted by Janina King for a Funk Grant in the amount of \$5,000.00 for soffit, fascia, and siding replacement for the property located at 901 E. Jefferson Street. Commissioner Peters seconded.

Mr. Koos - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Scharnett - Yes. (5-0). The motion passed.

H. BHP-04-23 Consideration, review and action on a request submitted by Anthony Seckler for a Certificate of Appropriateness for front porch step replacement, and railing and newel post addition for the property located at 905 E. Jefferson Street. PIN 21-04-303-003. (Ward 4.)

Chair Koos opened the public hearing.

Anthony Seckler (905 E. Jefferson Street) Stated replacements will be with like wood and all will be painted to match. Brad Williams is conducting the work and can speak to any materials specifics. A new guard rail will be added on the west porch for safety.

Chair Koos noted that the brick on the west porch looks like the porch was added after the original construction. Mr. Seckler concurred, but it was already there when he purchased it. Mr. Koos noted that means the proposed railings are not altering an original feature. Mr. Seckler explained the railings will match the front porch.

Brad Williams (613 E. Grove) explained the wood for replacement will be red cedar and Douglas fir to match or put back what is there. Spindles will be made to match original and in mahogany. Newel post rot will be addressed. Front steps will be completely replaced.

No additional testimony was provided. No Commission discussion was held.

Commissioner Scharnett made a motion to approve the Certificate of Appropriateness. Commissioner Elterich seconded.

Mr. Koos - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Scharnett - Yes. (5-0). The motion passed.

I. BHP-05-23 Consideration, review and action on a request submitted by Anthony Seckler for a Funk Grant in the amount of \$4,480.00 for front porch step replacement, and railing and newel post addition for the property located at 905 E. Jefferson Street. PIN 21-04- 303-003. (Ward 4.)

Chair Koos opened the public hearing. No testimony was provided. No Commission discussion was held.

Commissioner Graehling made a motion to approve the request submitted by Anthony Seckler for a Funk Grant in the amount of \$4,480.00 for front porch step replacement, and railing and newel post addition for the property located at 905 E. Jefferson Street. Commissioner Elterich seconded.

Mr. Koos - Yes, Ms. Graehling - Yes, Ms. Peters - Yes, Mr. Elterich - Yes, and Chair Scharnett - Yes. (5-0). The motion passed.

OLD BUSINESS

Updates regarding the Community Preservation Plan (CPP).

Commissioner Peters noted that reference to “Theme 4” in staff memo should be to “Theme 5.” Commissioner Scharnett noted that Theme 2 had also recently met with Staff.

Chair Koos noted he was still working on the Miller Park nomination.

NEW BUSINESS

Update regarding Ch. 44 text amendments

Assistant Director Smith provided an overview of text amendments that are moving forward through the Planning Commission and the impacts to the Historic Preservation components, including minor procedural changes.

Other New Business

Commissioners Graehling stated that she believes the Commission needs to discuss and pursue the work outlined in Opportunity 3.2 in the near future. She asked that the Commission consider and return with ideas at the next meeting.

Chair Koos supported the idea but believes it will not address the specifics of the designating ordinances where the features needs to be detailed for protection.

Commissioner Koos noted he nominated Franklin Square as an Endangered Place to Landmarks Illinois, and the variety of construction and surfaces require specific discussion. The guidance piece in 3.2 is really about guiding the homeowners, not permitting guidance for Staff or future Commissioners.

Ms. Graehling explained that she was referring to a blanket discussion of broad categories that should be included for all properties. Mr. Scharnett concurred and elaborated.

Mr. Koos believes that because of the insufficiency of the existing ordinances City permitting staff felt there was a lack of guidance and may have permitted work without HPC review.

Mr. Scharnett noted a lack of clarity on what should result in a Certificate of Appropriateness on like-for-like repairs since there is no definition in the Code; materials, profiles, and colors should be included, as defined by National Parks Services. Mr. Koos referenced Code Enforcement and Permitting processes. Ms. Peters provided an example of work permitted on a garage. Ms. Smith read what requires a Certificate of Appropriateness from § 44-1710 and suggested further defining what is exempt. Mr. Scharnett concurred.

Mr. Koos questioned what can be done until all of the designating ordinances have been updated. Mr. Branham clarified that all changes, permit-requiring or not, are seen by staff to determine if review is needed. Mr. Scharnett made review process suggestions. The Commission and Staff discussed enforcement and options of preventing deterioration.

Ms. Peters inquired whether there had been any applications for new Commissioners. Mr. Branham stated that, per City Administration, there have not been any new applications made.

ADJOURNMENT

Ms. Peters motioned to adjourn. Mr. Scharnett seconded. All were in favor. The meeting was adjourned at 7:33pm.