

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES AND
HISTORIC PRESERVATION COMMISSION
SPECIAL WORKSHOP MEETING
APRIL 19, 2021**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O’Hara called the meeting to order at 6:00 p.m. and Village Clerk Megan Michael called the roll.

The following were present:

Village President: Kathleen O’Hara

Trustees: Barbara Ankenman (arrived at 6:02 p.m.)
Regis Charlot (departed at 6:45 p.m.)
Mark Dewart
Joy Markee
William Meyer
Aaron Towle

HPC: Paul Bergmann
Janie Jerch (arrived at 6:02 p.m.)
Randolph Liebelt
Margarette Minor
Lois Nicol
Cheri Richardson, HPC Vice Chair
Steven Kraus, Chair

Also Present: Megan Michael, Village Clerk
Ben Schuster, Village Attorney
Andrew Fiske, Village Attorney
Drew Irvin, Village Administrator
Glen Cole, Assistant to the Village Administrator (ATVA)

2. ITEM #2 – NON-AGENDA ITEMS AND VISITORS

President O’Hara said the Village President and Board of Trustees allocate fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Village Board of Trustees on any matter not listed on the agenda. Each person addressing the Village Board of Trustees is asked to limit their comments to a maximum of five (5) minutes.

There were no requests to address the Board.

3. **ITEM #3 – HISTORIC PRESERVATION COMMISSION RECOMMENDATIONS TO THE VILLAGE BOARD REGARDING REVISIONS TO AND ADMINISTRATION OF THE VILLAGE’S HISTORIC PRESERVATION REGULATIONS**

President O’Hara said the meeting will consist of a robust dialogue regarding revisions to the Village’s historic preservation regulations and no final decisions will be made this evening. She said over the past three years, the Historic Preservation Commission (HPC) has discussed and debated changes to Lake Bluff’s historic preservation regulations. These regulations provide for the designation and protection of buildings and landscape features that have special significance in the history and development of Lake Bluff. The HPC believes regulatory changes will help the Village be an effective steward of the Village’s architectural legacy.

President O’Hara said to that end and after soliciting feedback from a multitude of stakeholders, the HPC unanimously voted on October 14, 2020 to recommend a number of amendments to the Village’s historic preservation regulations. This recommendation was presented to the Village Board on October 26, 2020 and, after receiving public comment, the Village Board unanimously voted to send the proposed regulatory changes back to the HPC for further discussion and public comment. President O’Hara further stated with this direction and after developing an outreach plan, the HPC held four separate community listening sessions throughout January and February based on themes from previous stakeholder involvement. Following these public meetings, the HPC met again on three other occasions to receive more community feedback, adjust their recommendations, discuss possible preservation incentives, and seek consensus around which structures were viewed as the highest priority for preservation (as requested by stakeholders during their meetings). After all of these meetings, the HPC voted 4-1 at its most recent meeting (March 15, 2021) to transmit its recommendations to the Village Board. She further stated the dissenting member expressed discomfort with recommending changes that do not eliminate the Village’s ability to designate a property as a historic landmark without the owner’s consent.

President O’Hara said given the depth and breadth of policy issues associated with the HPC’s recommendations, the Village Board determined at its March 22, 2021 meeting that a joint meeting with the HPC would be the best format to hear and consider the recommendations.

President O’Hara said at the conclusion of the presentation there will be a robust conversation regarding the proposed regulatory changes/incentives and possible next steps. She said this is an opportunity for the current Board to provide feedback prior to its transition to the newly elected officials.

Following an introduction from President O’Hara, Chair Kraus said the discussion topics will consist of background information, Strategic Context of Choose Lake Bluff, 2020-2021 Discussion Proposed Draft Ordinance Amendments, discussion and possible next steps. Chair Kraus said the goals of the Historic Preservation Ordinance are:

1. To foster civic pride in the beauty and accomplishments of the past as represented in the village landmarks;
2. To preserve, promote, maintain, and enhance the village historic resources and character;
3. To protect and enhance the village attractiveness to residents, businesses, visitors, and prospective home buyers and businesses;

4. To maintain and improve property values in the village;
5. To protect, preserve, and enhance the village aesthetic appearance and character;
6. To encourage the designation of landmark status upon structures, buildings, and sites; and
7. To educate the general public on the significance of historic preservation.

Chair Kraus read the slide showing the timeline and Strategic of Context Choose Lake Bluff framework for preservation which included branding, knowledge, policy and incentives. As there were no comments Chair Kraus continued the presentation by reading the slide showing the 2020-2021 Discussion Proposed Draft Ordinance Amendments and he emphasized that the ultimate use of the property remains with the property owner. Chair Kraus read the slide showing the focus areas addressed at the public listening sessions:

- Encourage, through education, the preservation and rehabilitation of historic structures in Lake Bluff. Discourage demolition of those structures;
- Designate appropriate structures as Village landmarks. Promote certainty in historic landmark designations;
- Allow meaningful time for community discussion and input on proposed significant modifications or demolition of historic community “anchors.” Those structures that visually represent Lake Bluff and its history;
- Minimize procedural delays in redevelopment activities; and
- Facilitate neighborhood streetscape preservation by property owners through their nomination of historic districts.

Chair Kraus read the slide summarizing public comments feedback regarding financial, administrative and designation. Chair Kraus reviewed the proposed changes to designation landmarks regarding (i) how landmarks get designated, (ii) landmark implications, (iii) changes or demolition of non-landmark structures, and (iv) historic districts. Chair Kraus clarified that landmarking can occur without the property owner’s consent. He said the ABR is seeking feedback and guidance from the Village Board in regards to the strategic framework, rehabilitation, ordinance revisions and Lake Bluff online database.

President O’Hara said there have been a tremendous amount of work done by the HPC then opened the floor to comments from the Board.

Trustee Markee thanked the HPC for the tremendous amount of time and effort done on the proposed recommendations. She said she loves the idea of education people currently living in historic homes but it should include the entire community. Trustee Markee said it is her understanding the real estate community had concerns regarding resale and homeowner rights and she thinks a good plan can be accomplished if all concerns are taken into account.

In response to a comment from Trustee Markee, Chair Kraus said the HPC is asking the Board to give the committee a three-year period to work with property owners and hopefully have voluntary landmarking at the end of the period. The HPC and Village Board would then determine if any of the structures should be considered for involuntary landmarking, if so then proceed, if not the process would end.

Trustee Markee expressed her understanding that the goal is to identify homeowners within three years so as not to have a lot of inventory remaining for the HPC and Board to decide if it should be landmarked. Trustee Markee said she understands the need for landmarking then commented as to why she tends to put more faith in homeowners to make the right decision. She said the incentive and zoning options should continue to be explored as these will be available tools then commented on why she was not in favor of historic districts.

In response to a comment from Trustee Markee, Chair Kraus said the recommended expedited review process would use an administrative process which would simplify the review process for demolitions or significant alterations of non-landmarked structures.

Trustee Dewart said it is important to find ways to preserve the historic context of the Village and the HPC have put together a program that is trying to find ways to satisfy preservation goals in a manner equitable to community members. He thinks the Choose Lake Bluff program will help advance the notion of creating a community that is sensitive to its history and context. Trustee Dewart said public feedback is clear regarding property rights until a sensitive project or demolition occurs, but the Village needs to be sensitive to public concerns. Trustee Dewart said property owners should be encourage, landmarking should be a voluntary process so as to avoid a de facto, and existing 50-year guidelines should be used as a placement tool. Trustee Dewart said he likes the proposed changes regarding non-landmark specifically the expedited review process and he would be in favor of the extended review periods for demolition or significant changes to a property to allow the Board an opportunity to set an extended period of time. Trustee Dewart expressed his concern regarding historic districts and mentioned that another possibility could be a small group of neighbors voluntarily landmarking homes on a particular street.

Trustee Meyer thanked the HPC for their hard work and dedication and said he thinks this is an issue of great consequence to the citizens of Lake Bluff. He expressed his concern regarding involuntary landmarking property without the homeowner's consent. If this move forward he recommends eliminating the ability to designate a landmark on private homes in Lake Bluff without the homeowner's consent. Trustee Meyer said he would prefer to avoid potential litigations against the Village as a result of historic districts or infringement on property owners' rights. Trustee Meyer comment on the property tax relief and asked if the property tax burden could be shared amongst some of the other local taxing bodies.

Trustee Ankenman thanked the past and current HPC Members who have significantly contributed to the work. She commented as to why she would prefer to use the term "visual anchors" as opposed to "community asset." She said she hopes the HPC will not pursue homeowners identified on the list, that have expressed strong objection, but respect their decision as this would foster that sense of community, caring and respect for each other. Trustee Ankenman said she thinks property owners should submitted landmark nomination, educational tools should be used to emphasize Lake Bluff assets and incentive tools should be considered to positively influence preservation.

Trustee Towle said he think it is inappropriate for a neighbor to decide the fate of another neighbors home. He thinks historic district could be fine but he does not think government bodies should make those types of designation. Trustee Towle said he thinks a larger percentage, perhaps 100% of voluntary homeowners, should be required to nominate an historic district. Trustee Towle said

the recommendation includes involuntary landmarking as well as additional restrictions and it is difficult to balance homeowners rights and preservation and he is uncomfortable with imposing more restrictions at this time. Trustee Towle said he is in favor of preservation, education, incentive tools and balancing preservation and homeowners rights because the streetscape and old homes really bring a lot of character to the Village.

President O'Hara shared background information regarding previous historic preservation actions and said she believe in character instead of punitive and would be in favor of using incentives/enticements to encourage historic preservation. President O'Hara said it is important to education the current community as well as potential new resident. She said she is uncomfortable with involuntary landmark designation as property owners should make this important decision, it should not be dictated, as this could have a negative long-term impact. President O'Hara thanked the Board for being forthright and said she is hopeful that the new Board will continue the discussions and come up with something compatible and workable within our community.

Chair Kraus thanked the Board for their feedback and comments.

President O'Hara opened the floor for public comments.

Rich Weber said in regards to the historic preservation goals it is his opinion that historic resources and character should be preserved. He said he have renovated approximately 90% of his home and he is not sure how that affects its historical significant. Mr. Weber expressed his opinion that the words "enhance and attract" in Goal #3 and "aesthetics" in Goal #5 are subjective and he has a different opinion regarding "property values" in Goal #4. Mr. Weber said the recommendations creates unnecessary economic burdens, delays for homeowners needing to repair, modify or sell their homes; it decreases property values by covering properties and binding future owners to additional building restrictions and associated delays and financial burdens and empowers the small faction to force designation of historic districts without the support of the majority of the affected homeowners. Mr. Weber expressed his understanding regarding nomination of historic district and voting criteria. He said he appreciate the Board's comments in regards to historic district which empowers the rights of residents to have control over their property. He said it is his opinion that this is an unwarranted effort to extend control over individual property owners and his concern does not correlate to encouragement but more so penalty. Mr. Weber asked if the proposal move forward would there be deed restrictions put in place and said proactive communication should be considered as this will potentially impact homeowners.

Trustee Charlot departed at 6:45 p.m.

Lee Sachnoff thanked the HPC for their hard work and Chair Kraus for acknowledging the fact that this is a balance that has not been reached. He thanked the Board members who expressed their support for a voluntary landmark approach and acknowledge the importance of property owner's rights. Mr. Sachnoff said he previously objected to the proposed historic preservation ordinance because he thinks it is confiscatory. He shared his analysis of how the 365 days would negatively impact the financial wherewithal of the people affected with landmark status and elaborated on why he thinks there is a lack of consideration to the financial consequences of

potential landmarked homeowners. Mr. Sachnoff said he thinks Lake Bluff is a beautiful place to live because of volunteerism for that very reason he would like the landmark designation to also be voluntary.

Village Administrator Irvin responded to questions in the Q&A section regarding deed restriction and communication. He said landmarked ordinance approved by the Board are recorded against the property with the Lake County Recorder of Deeds. He said homeowners identified on the potential list of landmarked property were not notified because the HPC had no specificity with recommendations to the Board regarding the list other than make them aware of the homes that have been identified as potential voluntary landmarking designations. The HPC would engage those property owners with the hopes and goals that they would pursue voluntary landmarking. A discussion followed.

Deborah Fischer said she reviewed the 23 properties identified and the homeowner have lived in these homes for an extended amount of time and contributed to the Village ambience over those years. Ms. Fischer said she thinks voluntary landmarking is wonderful but she does not understand while additional restrictions are being proposed as this could demonize neighbors as opposed to doing something constructive. She said the current timeframe for significant and non-significant structures are appropriate, and any proposed incentives, not punitive actions, should be made available to the current homeowners to encourage renovation, rehabs as opposed to new construction.

Trustee Markee asked if the 365-day demolition timeframe could be decreased because the Village does not want to appear punitive to homeowners that have invested time and money in their homes.

4. **ITEM #4 – ADJOURNMENT**

Trustee Dewart moved to adjourn the regular meeting. Trustee Meyer seconded the motion and the motion passed on a unanimous voice vote at 8:09 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Megan Michael
Village Clerk