

MINUTES OF A REGULAR MEETING

URBANA HISTORIC PRESERVATION COMMISSION

APPROVED

DATE: May 2, 2007

TIME: 7:00 p.m.

PLACE: City Council Chamber, 400 South Vine Street, Urbana, Illinois

MEMBERS PRESENT: Rich Cahill, Scott Dossett, Katherine Lipes, Alice Novak, Mary Stuart, Art Zangerl

MEMBERS EXCUSED: Trent Shepard

MEMBERS ABSENT: none

STAFF PRESENT: Robert Myers, Planning Division Manager; Rebecca Bird, Planning Division Intern; Tony Weck, Recording Secretary

OTHERS PRESENT: Carolyn Baxley, Linda Lorenz, Bernadine Stake, Glenn Berman, G.D. Brighton, Michael Jay, Marc Miller, Karen Kummer, Brian Adams, Paul Cionczyk, Sheila Ketchens, Milorad Ketchens, Brandon Bowersox, Georgia Morgan, Margaret Miller, Nancy Cox

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:04 p.m. by Historic Preservation Commission Chair, Alice Novak. Roll was taken and a quorum was declared.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF HISTORIC PRESERVATION COMMISSION MINUTES

Ms. Novak made some corrections to the minutes of the April 4, 2007 meeting. With no other corrections or revisions proposed by the Commission, Mr. Cahill moved to approve the minutes as amended. Mr. Dossett seconded the motion. Upon a vote, the minutes were unanimously approved as amended.

4. WRITTEN COMMUNICATIONS

Communications from and to the following individuals were presented:

- A letter from Trent Shepard to the Commission
- An e-mail from Monica Cox to Robert Myers
- An e-mail from Dannie Otto to Robert Myers
- An e-mail from Deborah Katz-Downie and Stephen R. Downie to Alice Novak and Robert Myers
- An e-mail from Sally Prunty to Robert Myers
- An e-mail from Suzanne Bachmann to Robert Myers
- An e-mail from Kate Hunter to Robert Myers
- An e-mail from Long Wan Tan to Robert Myers
- An e-mail from Alice Novak to Robert Myers and Tony Weck and from Alice Novak to Kevin Phillips, Robert Myers and Tony Weck

5. AUDIENCE PARTICIPATION

Alice Novak opened the meeting to audience participation. She noted that those who wished to speak on 502 and/or 504 West Elm Street would be given an opportunity to do so during the public hearings on the agenda this meeting. Glenn Berman addressed the Commission as a representative of R Rentals, a property management company in the community. Mr. Berman noted that R Rentals is the majority owner in the Masonic Temple building at 115 W. Main Street and he wished to advise the Commission on some upcoming projects to that building which would need to be reviewed by the Commission. He provided photos of the parts of the building that would be repaired and described the repairs to be made.

6. CONTINUED PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW PUBLIC HEARINGS

- **Case #HP 2007-L-01 – 502 W. Elm St. (The Sutton House): Public hearing for a historic landmark application, Brian Adams and Ilona Matkovszki, applicants.**

Ms. Novak asked City staff to present its findings on the case. Robert Myers noted that both the application for the present property and that for 504 West Elm Street were by the same applicants, Brian Adams and Ilona Matkovszki. He stated that at the April 4, 2007 meeting of the Commission, a preliminary determination was made that both 502 West Elm Street and 504 West Elm Street qualify for landmark designation under the established criteria. He also noted that the task for the present meeting would be to hold a public hearing, take public input and following the closing of

the public hearing, to make a recommendation to the City Council either for or against designation of both properties as local landmarks. It would then be the decision of City Council as to whether or not one, both, or neither of these properties would be so designated. Mr. Myers also thanked Planning Intern Rebecca Bird for the help she provided in all the aspects of the process of bringing this and the next case before the Commission.

Ms. Novak opened the public hearing and invited the applicants to address the Commission. Brian Adams spoke on behalf of the nomination for this property. He stated that both 502 and 504 West Elm Street are aesthetically and architecturally pleasing, that he lives across the street from these properties and is thus faced with them frequently. He felt that it was important for the City to protect these houses based on their history and based on the fact that the West Elm Street neighborhood was historically very prominent.

Ms. Novak then invited the property owner to address the Commission. Attorney Marc Miller spoke to the Commission on behalf his client, Erwin Goldfarb, owner of the property. He submitted to the Commission a written objection to designation (“Entry of Appearance by the Property Owner with Objections”) and a correct legal description provided by Chicago Title Insurance Company. Mr. Miller stated that the position of the property owner was the same as at the previous meeting, that the burden of proof that the property qualifies for landmark designation has not been met. Ms. Stuart asked Mr. Miller if he would elaborate as to specifically how the criteria have not been met. Mr. Miller responded that the position of the property owner is that the arguments for nomination in the application do not meet the criteria and that it was his feeling that this was all the property owner is required to do. Ms. Stuart questioned what requirements for burden of proof Mr. Miller was referring to, to which he responded that the burden of proof rests on the petitioner to support the petition and he said that he and his client do not believe that what was asserted in the petition meets the criteria as prescribed in the Urbana Historic Preservation Ordinance for nomination. Ms. Stuart responded that she believes there is an equal burden on the objecting party to explain why the nomination does not meet the prescribed criteria.

With no other comment on behalf of the owner, Ms. Novak invited anyone in the audience who wished to speak as a proponent of this nomination.

Bernadine Stake stated that she had reviewed the City’s 2005 Comprehensive Plan and noted that many parts of it talk about preserving the community’s history. She also noted that 502 West Elm Street is a rare surviving example of Queen Anne style architecture in Urbana and one of the first identified examples of such in the City.

Carolyn Baxley next addressed the Commission, stating that she lives very close to this property and to 504 West Elm Street and supported the designation of the two properties as local landmarks. She commented on their history and stated that she had recently suggested to the Committee of the Whole that incentives should be devised to encourage more people to nominate properties for local landmark status. She also stated that properties such as this one and 504 West Elm Street are why the Mixed Office-Residential zoning district was established, to protect properties such as these.

Georgia Morgan next addressed the Commission, stating that she concurred with everything Carolyn Baxley had said. She felt that 502 and 504 West Elm Street are beautiful structures that

represent the history of Urbana and that it is the community's duty to preserve them for the future of Urbana.

Dan Folk next addressed the Commission in favor of the application. He stated that it was hard for him to imagine what the City Council had in mind for historic structures if it were not this property. He stated further that in light of the importance of the house's builder and the importance of the West Elm Street neighborhood in Urbana's history, the property should be designated as a local landmark and that he supported such nomination completely.

Chris Berti next addressed the Commission, stating that he is an associate professor of art at Parkland College and as such he makes it his business to study how art and aesthetics affect people's psyche. He stated that part of the reason he moved to his home in Urbana is its proximity to the downtown and to the library but he also enjoys going past this property and seeing this house. He said that while the sight of the house at 502 West Elm doesn't add to his life in a material fashion, it does enhance his life. He stated that this house is a link to the past and noted that there are other communities with the same zeal as he feels for preserving historical structures. He cited Galena and Quincy as two Illinois communities which have more historic structures than Urbana. The fact that Urbana has so few makes them all the more precious and makes a strong argument to preserve them. The house's proximity to downtown, he said, enhances the downtown area and is a showcase of the neighborhood.

Karen Kummer next addressed the Commission on behalf of the Preservation and Conservation Association (PACA). She spoke in support of nomination of this property as a historic landmark and commented that the application for nomination was one of the best-researched and well-documented nominations that have been written for either Urbana or Champaign. The amount of research and in-depth context that went into the nomination for this house, she felt, was outstanding. She felt that this house is clearly eligible for landmark status and stated that PACA would provide any assistance it could in future projects with it should it become a landmark.

Dr. Milorad Ketchens next addressed the Commission, reaffirming the feeling he stated at the previous meeting that 502 West Elm Street needs to be made a local landmark. He reinforced that a building such as this must be saved.

Ms. Novak invited anyone from the audience who wished to speak in opposition to the landmark nomination to address the Commission. No additional comments from the audience were provided.

Ms. Novak called for discussion from the Commission. Mr. Zangerl requested a five-minute recess in order to review the written materials submitted to the Commission by the property owners representative. He made a motion to recess for five minutes. Mr. Dossett seconded the motion. Upon a unanimous vote from the Commission, a five-minute recess was called at 7:40 p.m.

At 7:45 p.m., Alice Novak called the meeting to order. She then asked City staff to provide its opinion on the case. Rebecca Bird stated that based on the significance of the Sutton House (502 West Elm Street) to the community and the fact that the property retains sufficient integrity, Staff has recommended that the Commission recommend approval to the City Council. She stated that Staff has not heard testimony tonight that would change this recommendation.

Ms. Novak next asked for questions and/or discussion from Commissioners. Mr. Dossett stated that he could not argue with the legal assertions A and B in the Entry of Appearance by the Property Owner with Objections and that others could decide this if necessary. However, there is no question about which property is under consideration in this case as is well-known by all and well-known by the Commission. He also stated that 502 West Elm Street application is especially robust in terms of historical significance and context.

Mr. Zangerl stated that for the purposes of discussion, he was making a motion that 502 West Elm Street should be designated as a local landmark on the basis of criteria a, b, c, and e as set forth in the Urbana Historic Preservation Ordinance. Mr. Dossett seconded the motion. Mr. Zangerl stated that it was clear that the importance of this house is primarily in terms of its architecture and that the civic component associated with the Sutton family satisfies the requirement that the property has significant value as part of the architectural, artistic, civic, cultural, educational, ethnic, political or social heritage of the nation, state or community. In terms of criterion b, Mr. Zangerl stated that the Sutton family was obviously important in local social, political and economic history. He mentioned that when a fire destroyed most of Urbana's downtown, then mostly of wood construction, the Sutton family, which owned a brick factory, provided the bricks to rebuild much of what is now known as "historic Urbana". In terms of criteria c, he agreed with City staff that there remains a high degree of integrity to this structure. He noted that most of the materials originally used to construct this house remain intact and that it is a very unusual example of the Queen Anne style, being done in brick, and that not many of these exist in Urbana. In terms of criterion e, he agreed that this structure is identifiable as an established and familiar visual feature owing to its unique physical characteristics. For those reasons, he summarized, the nomination meets Historic Preservation Ordinance requirements a, b, c, and e. Ms. Stuart added that if this property does not meet the burden of proof as prescribed by the ordinance, she could not imagine a property that would. She felt that the application was airtight in each of the four respects noted by Mr. Zangerl and voiced her disappointment that the property owner would not offer specific information as to how the application does not meet the criteria. Lastly, she expressed her support for this nomination.

With no further discussion from the Commission, Ms. Novak called for a vote on the motion. Upon a roll call voice vote, the Commission voted six ayes and no nays in favor of the motion. Ms. Novak noted that because there was objection from the property owner, a supermajority vote (five out of seven in favor of) from the City Council would be required for designation. The decision by City Council was expected to take place at the May 21st, 2007 City Council meeting. The public hearing for this case was then closed.

- **Case #HP 2007-L-02 – 504 W. Elm St. (The Freeman House): Public hearing for a landmark application, Brian Adams and Ilona Matkovszki, applicants.**

Ms. Novak opened the public hearing for this case and asked for City staff commentary. Mr. Myers stated that City staff had no additional information to provide on this case and that staff's recommendation would be reserved until after the public participation portion of the hearing. Ms. Novak then invited the applicants to address the Commission.

Brian Adams stated that he had already made his reasons for nominating 502 and 504 West Elm Street known and noted that the architect for 504 was Joseph Royer. He also noted that the first owner of the house was Gus Freeman, who started out as an engineer in the community, was married to a member of the Busey family and eventually established the Princess Theatre in downtown. He felt that the house is a time capsule of Urbana history and as May is National Preservation Month, the designation of this property and 502 West Elm Street would be a very good way to kick-start the recognition of historic buildings and the concern for history in Urbana.

Ms. Novak then invited the representative for the property owner to address the Commission. Mr. Miller stated that his client's position on this case was the same as that for 502 West Elm Street. He provided the Commission with a written objection ("Entry of Appearance by the Property Owner with Objections"), which he stated was basically the same as that for the case for 502 West Elm Street. With no questions from the Commission for Mr. Miller on this case, Ms. Novak asked if there were any other comments by the property owners representatives. There was no further comment.

Ms. Novak then invited any proponents of this nomination to speak. Bernadine Stake addressed the Commission, stating that she thought she had never seen anything so thorough as this application for local landmark status. She recognized that it takes a lot of work to nominate a property for landmark status and stated her feeling that the Freeman House is just as important and beautiful as the Sutton House. She noted that the architect for the property was Joseph Royer, who designed many other landmark buildings in Urbana such as the Champaign County Courthouse and that there is a lot of history connected with the Freeman House. She lastly stated her hope that the property would achieve landmark status and questioned whether it would be recognized on the state level once designated. Ms. Novak answered in the negative, that it would be recognized as a local landmark only.

Chris Berti next addressed the Commission, stating that he did not previously realize that Joseph Royer had also designed several significant historic buildings that are still standing and that this is a strong case for preserving this building. He felt that since the Freeman House sits right next to the Sutton House, they support each other's case for preservation.

Carolyn Baxley next addressed the Commission, stating that she had a very personal interest in this house, since she and her husband own the Princess Theatre which was owned by Gus Freeman. She said that it is particularly important to her to see this house designated as a landmark because it took a great deal of courage and financial resources to invest in theatres at the time of the construction of the Princess. Clearly by Gus Freeman marrying into the Busey family, she stated, there was some support from them as well, which created a tie between downtown, this house, and one of Urbana's founding families. She concluded by encouraging the Commission to approve this nomination.

Georgia Morgan next addressed the Commission, stating that she has lived in Urbana for 35 years and when she has had occasion to walk to the library or the downtown, she would often walk past 502 and 504 West Elm Street and long before she knew anything about architecture, she knew there was something special about these houses. She was especially interested in the fact that the Freeman House was built by Joseph Royer since there are two Royer-built houses directly behind

her house. She felt that since these houses were already designated landmarks, this was one more reason to add the Sutton and Freeman houses to Urbana's list of historic landmarks.

Karen Kummer next addressed the Commission on behalf of PACA. She stated that the organization supported the nomination for this property and reiterated her earlier comments about this building and its neighbor. She stated that amongst the buildings in Urbana that PACA receives calls concerning, the Sutton and Freeman houses rank among the top in terms of number of calls. This, she said, is a testament to the fact that these houses are already known quantities in the community and valued as historic structures by it.

Dan Folk next addressed the Commission, stating that he did not have anything to add regarding 504 West Elm Street that he did not say about 502 and restated his feeling that if this property does not qualify for historic landmark designation, it would be hard for him to believe that any building in Urbana could.

Iлона Matkovszki, the co-applicant in this case, then addressed the Commission, stating her belief that 504 West Elm Street is an important visual landmark in Urbana. She said it is built in a style that doesn't exist anywhere else in Urbana, that being the Classical Revival Style. She gave a summary of the property's history and its importance in the history of Urbana. She concluded by stating that the locational aspect of the building is another reason for designating this property as a local landmark.

With no further proponent comment from the audience, Ms. Novak asked if anyone wished to speak in opposition to the application. No comments were made.

She then called for a motion from the Commission. Mr. Dossett made a motion that the Commission recommend to City Council that the application for landmark designation in this case be approved. Ms. Novak asked him to specify on which criteria in the Historic Preservation Ordinance he was making his motion. He specified that the criteria were a, b, c, d, and e, based on all evidence heard by the Commission. Mr. Cahill seconded the nomination.

Ms. Novak asked if City staff had a recommendation. Ms. Bird stated that based on the documented significance of the Freeman house to the community and the fact that the property retains sufficient integrity, City staff recommends that the Commission recommend approval of the landmark nomination to City Council.

Ms. Novak then asked for discussion from the Commission. Mr. Zangerl stated that under criterion a, the building is very important for its Classical Revival architectural style and is an excellent example, and also for its cultural component, owing to the fact that the Freemans opened the Princess Theatre in the downtown. For criterion b, he stated that the important individuals associated with this structure are Freeman and Busey, significant for the component of culture and local history. Under criterion c, he stated that the house meets this criterion for its style, craftsmanship and the high degree of integrity that it retains. Under criterion d, he stated that the house is very significant due to the fact that it was designed by Joseph Royer. Lastly, under criterion e, he stated that the house is a very unique rendition of the Classical Revival Style and is

associated with a very historic part of the community on Elm Street. He concluded by stating that he would be supporting the motion made by Mr. Dossett.

With no further discussion from the Commission, Ms. Novak called for a vote from the Commission on this case. Upon a roll call voice vote, the Commission voted six ayes and no nays to recommend approved of the application to the City Council. Ms. Novak then closed the public hearing for this case, stating that both properties considered by the Commission at this meeting had been recommended for approval to City Council. She stated that the meeting at which City Council would act on the matter was expected to be Monday, May 21st and that both nominations would require a supermajority for approval.

9. NEW BUSINESS

There was none.

10. MONITORING OF HISTORIC PROPERTIES

Mr. Dossett inquired as to the landmark status of the three round barns owned by the University of Illinois, which are located on St. Mary's Road. Ms. Novak answered that they are listed on the National Register of Historic Places. Mr. Dossett asked what that status tells us about the University's requirements for maintenance or improvement of those buildings. Ms. Novak answered that the National Register does not enforce maintenance of properties but since the buildings are state-owned, they are covered under the Illinois State Agency Historic Resources Preservation Act (commonly known as Illinois State Law 707), which requires that state agencies consider the effects their actions have on significant properties. Mr. Dossett stated that he was concerned about the viability of those buildings as he has noticed they are falling into a poor state of repair. Mr. Cahill urged Mr. Dossett to talk to the University of Illinois Preservation Officer, Melvin Skvarla on this matter. He said that he has spoken to Mr. Skvarla on the matter of the moving of the Mumford House and that he is also concerned about the condition of the round barns. He furthered that the Commission cannot designate something as a local landmark that is on University property. Ms. Novak stated that the Commission could ask for an inquiry as to whether or not Illinois State Law 707 has been initiated with regards to the Mumford House.

Mr. Cahill made a motion that the City of Urbana make a formal inquiry to the Illinois State Historic Preservation Agency about the status of the Mumford House. Mr. Dossett seconded the motion. Mr. Cahill said that anything the City can do to get the State moving in regards to this law will be positive. Ms. Lipes asked if Ms. Novak had heard anything in response to inquiries she had herself been making with regards to the Mumford House. Ms. Novak answered that a few weeks prior to this meeting she has spoken with David Ballman, President of Landmarks Illinois, a Chicago-based statewide historic preservation association. Mr. Ballman had met with the University, Ms. Novak said, and reported to her that the University had not invoked Illinois State Law 707 with regards to the Mumford house because they were unsure as to where they were going to move it. With no further discussion, Ms. Novak called for a vote on the motion on the floor. The Commission voted unanimously to formal ask for an inquiry as to the status of the Mumford House.

11. STAFF REPORT

- **High School Art Contest Update**

Rebecca Bird updated the Commission on the status of the High School Art Contest. She stated that 52 submissions were turned in on the day before this meeting and that they were at the time of the meeting being matted by International Galleries at Lincoln Square Village. She said that they would be hung on May 13th or 14th in Lincoln Square Village, in the hallway toward Health Alliance. She stated that the contest has five sponsors, PACA, The Art Co-Op, the Cinema Gallery, Busey Bank, and the Urbana Business Association. In closing, she stated that a reception and awards ceremony is being scheduled and she asked about the Commissioners' availability between May 11th and 25th. Ms. Novak asked when the judging would take place. Ms. Bird answered that it would take place May 14th through 16th.

- **Windows Workshop**

Mr. Myers reported that the City had received a grant from the Illinois Historic Preservation Agency and had signed and returned the grant agreement. The projected date for the workshop, he reported, is August 25th. Mr. Cahill asked if a location had yet been selected. Mr. Myers answered in the negative but that he had been contacted by an IMC representative suggesting that they might be interested in hosting the workshop at the Old Urbana Post Office. Mr. Dossett hoped that the workshop would at least touch on the tensions between aesthetics and energy efficiency.

- **Neighborhood Conservation Districts**

Mr. Myers updated the Commission on the progress of Neighborhood Conservation Districts. He reviewed recommendations that had been received by the Urbana Plan Commission. Ms. Stuart inquired as to the historic preservation incentives proposed by Councilmember Roberts at the most recent Committee of the Whole meeting. Mr. Myers responded that City Council had asked staff to research and return with more detailed recommendations on preservation incentives. Ms. Bird added that Councilmember Roberts had created a list of incentives for landmarking and upon research by staff, no programs were found with financial incentives solely for landmarking of a property. She stated that City Council wished to pursue incentives just for landmarking and since that time, staff has been working on this. Mr. Myers mentioned that one of the incentives Councilmember Roberts had suggested was a 50% property tax abatement on the City's portion of taxes levied. He stated that staff is still working on this and is to report back to City Council on the matter. Staff will copy the Commission with these materials. Ms. Stuart noted that coverage in the *News-Gazette* stated that in addition to the proposed 50% tax abatement, there was also proposed a special historic landmark fund. She inquired as to whether or not the latter was still on the table. Mr. Myers answered, yes, that the proposal included using some or all of the funds generated by demolition permits for the historic landmark fund. Mr. Dossett asked how much a demolition permit cost and why it could not cost more. Mr. Myers answered that fees are charged to reimburse the City for services and are not intended to be a deterrent or revenue source for other projects. Mr. Dossett then asked what factors are considered when someone applies for a demolition permit, which Mr. Myers explained briefly. Mr. Dossett asked if what will replace a demolished structure is taken into consideration during the review of demolition permit applications, to which Mr. Myers

answered that whether the building to be taken down safely is what is reviewed for the demolition permit itself.

12. STUDY SESSION

There was none.

13. ANNOUNCEMENTS

The following announcements were made:

Ms. Novak mentioned the upcoming Kids' Building Fair, which is scheduled for Saturday, May 19th, from 11:00 a.m. until 4:00 p.m. and suggested that if the Commission is to hold the pastel rubbings of architectural features event, which it usually sponsors, there will be three shifts in which a member of the Commission would need to staff the event.

14. ADJOURNMENT

Mr. Dossett moved to adjourn the meeting. Ms. Lipes seconded the motion. The meeting adjourned at 8:47 p.m.

Submitted,

Robert Myers, Planning Division Manager