

MINUTES OF A REGULAR MEETING

HISTORIC PRESERVATION COMMISSION

APPROVED

DATE: February 6, 2002

TIME: 7:00 p.m.

PLACE: Council Chambers, 400 South Vine Street, Urbana, Illinois 61801

MEMBERS PRESENT: Rich Cahill, Liz Cardman, Sharon Irish, Alice Novak, Bill Rose

MEMBERS EXCUSED: Trent Shepard, Art Zangerl

STAFF PRESENT: Rob Kowalski, Planning Manager; Libby Tyler, CD Director; Teri Hayn, Planning Secretary

OTHERS PRESENT: Steve & Judy Altaner, Joe Ash, Richard Barrett, Carolyn Baxley, Steve Beckett, Chris Billing, Terry & Carol Bosley, Timothy & Linda Bowers, Gerald Brighton, Thomas E. Brown, Carlton & Sheena Bruett, Douglas C. Burt, Sister Charlene M. Cesario, Brian & Marta Conway, Teresa Davis Palmer, Lyle P. Fettig, Aimee Fleming, Mary Fonner, Darryl Foste, John & Norma Jean Gremer, Henry Griffin, John Griswold, Paul & Jean Hackett, Marilyn Heinsohn, Carl Hill, Glen Howard, Eric Jakobsson, Randy Kangas, Ellery & Colleen Knake, David Kraft, Karen Kummer, W. E. & Elizabeth LaBerge, Linda Lawson, David Linton, Elizabeth Macedo, Norman & Loretta McDonough, Dan & Kathy McKenzie, Alice McLaughlin, David Monk, Mark Nilges, Clarence Ogast, Gabe Omo-Osagie, Curtis H. Pettyjohn, Ruth Rankin, Reverend George F. Remm, John Rinkenberger, Pat Roberts, Marty Sachs, Brother Henry Saus, Charles Shaw, Christopher Stohr, Peter Tan, Barbara Tatum, Jacqueline Thuney, Jeff Trainor, Lori Vest, Dianna Visek, Jane Wakeland, Edith Weber, Art & Charlotte Westle, Willie & Addie Williams, Leo M. Wood, Ruth Wyman, Wally Wynn

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

Urbana Historic Preservation Commission Chair, Alice Novak, called the meeting to order at 7:00 p.m. The roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Cahill moved to approve the minutes of the October 29, 2001 meeting. Ms. Irish seconded the motion. The minutes were approved by unanimous vote.

4. WRITTEN COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Alice Novak abstained from the Chair position for this case because she might have the appearance of a conflict of interest with the proposed nomination. She stated that she would be abstaining from voting as well. Sharon Irish became Acting Chair.

HP-02-HDD-1; Preliminary Determination for the nomination of a historic district for West Main Street filed by Carolyn Baxley. The proposed historic district consists of 57 parcels.

Rob Kowalski, Planning Manager, presented the staff report. He began with a brief introduction of the proposed nomination. He reviewed the process of an application for no nomination of a historic district. He explained about protesting the nomination. Mr. Kowalski examined the criteria from Section XII-4-C-1 of the Urbana Zoning Ordinance. There are basically three main criteria, of which at least one must be met in order for the Historic Preservation to consider the nomination worthy of a public hearing. Those criteria were as follows:

- A. A significant number of buildings, structures, sites or objects meeting any of the standards in Section XII-5-C-1.**
- B. An area containing a contiguous grouping of properties having a sense of cohesiveness expressed through a style, period or method of construction.**
- C. An area of sufficient historical integrity to convey a sense of historical time and place.**

Mr. Kowalski continued by saying that staff felt that the request met criteria A and C. He read the options of the Historic Preservation Commission. He stated that staff recommended that the Historic Preservation Commission make the preliminary determination that the proposed nomination meets the criteria for historic district consideration and that the request should be further considered for designation through the public hearing process. This recommendation was made recognizing the fact that twelve of the properties listed in the application as being non-contributing and a significant number of property owners are opposed to the proposed designation. For this reason, it is critical that through the public hearing process the Commission carefully consider the extent of the proposed district and how it meets the provisions of the Historic Preservation Ordinance.

Mr. Kowalski commented that staff had heard from just about every property owner in the proposed district with the exception of three. There is a registered support of thirteen property owners, registered protests of thirty-eight property owners, and the three not heard from.

Lyle Fettig, of 204 Arbours Drive in Savoy, mentioned that he was a member of St. Patrick's Church. He asked Mr. Kowalski for clarification as to whether the proposed nomination included all buildings or just homes? Mr. Kowalski replied that the proposed nomination included all the properties. Mr. Fettig commented that he did not believe that a congregation, such as St. Patrick Church or Canaan Missionary Baptist Church, should be counted as one property. The congregations represent many more people than one house does.

Alice McLaughlin, of 202 East Mumford Drive, stated that she appreciated the desire to preserve historical homes and buildings. They tell a story about the past, which is important for both the present and the future. However, she spoke in opposition to the proposed historic district for three critical reasons, which are as follows: 1) freedom of choice on the part of homeowners, 2) economic hardship imposed on homeowners, and 3) the implication to neighborhoods.

Ms. McLaughlin had experienced this in the past. She once lived in a neighborhood that was adopted as a historical district. The unexpected costs of the homeowners to maintain the historical significance of the homes, the oppression of freedom of choice regarding the homes, the unhealthy bureaucracy and the time spent moving through the system in order to do any actual repairs on the homes created among other factors a great economic hardship on families. Eventually, many families who lived in the area had to move, because they could not afford it.

Ms. McLaughlin values historical significance and feel that it needs to be preserved for future generations. However, she does not feel that historical buildings should ever take precedence over

the greatest resource Urbana has for its future generations, which is the people and the diverse neighborhoods.

Diana Visek, of 608 West Pennsylvania Avenue, expressed concerns of WUNA activists desiring at some point in the near term to put the west Urbana neighborhood into a historic district as well. From those activists' discussions on the internet, it was stated that their major goals for this was to prevent ugly apartment buildings from being built and to stem the tide of property deterioration and blight. She felt that those were extremely worthy goals; however, there are many better ways that are more effective and more direct.

Ms. Visek was concerned with the fact that there are a small number of people who are allowed through the Urbana Zoning Ordinance to turn the proposed area into a historic district in spite of the large number of people who are opposed. If people want to live with restrictive covenants, then they could move to Cherry Hills or any number of other subdivisions and enjoy those rights and privileges. Those people would know, before they moved in, exactly what the rules are. In the proposed historic district, the rules are unknown. The people who bought the proposed properties, invested in those properties, and have been paying property taxes do not know the rules and do not agree with the rules.

Ms. Visek also felt that just because a property is in a historic district even if it is old that it does not mean that it needs to be preserved. Many buildings were made out of inadequate materials that have not stood the test of time. Property owners who have already engaged in major repairs already have a big enough hassle and expense without having to extend the process and paperwork involved. She suggested that if the goals were to deal with ugly developments and deteriorating properties, that the City of Urbana work with ordinances that directly address those problems.

Curtis Pettyjohn, who recently purchased 405 West Illinois, stated that he is currently in the process of restoring the property. He has experienced living in and near historic districts and witnessed historic districts stabilize property values, solidify neighborhoods, and bring people to work together. Mr. Pettyjohn stated that properties are falling to pieces in many of the neighborhoods in the core of downtown area. There are many ways to redeem and rebirth a neighborhood than to tear it down and build a parking lot.

Steve Altaner, of 806 West Main Street, began by asking Mr. Kowalski for clarification as to whether there are 54 or 57 properties in the proposal. He stated that 13 signatures of people who support this proposal of 54 properties in total equals 24.1%, not 25%, which makes this an invalid petition. Dan Burke removed his name from the list; therefore, there are now only 13 signatures of people who support the proposal. According to the Urbana Historic Preservation Ordinance, it states in bold that "The application must be submitted along with signatures representing at least 25%."

Mr. Altaner expressed concerns about the proposal not meeting the minimum criteria of a historic district. Many of the buildings in the proposed district are just old, and in many cases deteriorating and should not be included in any historic district. Many of the written descriptions of the buildings in the proposal are extremely biased towards inclusion in a historic district.

Mr. Altaner continued by saying that 12 out of 54 buildings were already acknowledged in the proposal as being non-contributing due to alterations relative to the young age or absence of any buildings at all. The sole criterion cited for including 24 others out of the 57 was significant heritage value. Mr. Altaner felt that was a vague and weak criterion. According to Webster's New World Dictionary, heritage is defined as a property that is or can be inherited. He commented that if heritage represents a compelling criterion, then all homes should qualify as historic. His understanding of the proposal's justification of significant heritage of these buildings was simply their old age and a list of one or more of the owners or the use of the building over time. For almost all of the buildings, there was no evidence given for a lengthy ownership or any relationship between the current owners and their heirs. Therefore, Mr. Altaner strongly questioned the significant heritage value of these homes.

Mr. Altaner referred to the description of the home at 802 West Main Street. He mentioned that this house was a small, completely ordinary structure with documented heritage value. The proposal exaggerates the historic value of the proposed district.

Mr. Altaner continued by explaining to the Historic Preservation Commission that if they determine that there were enough criteria met to have a public hearing to decide whether the proposed area should be a historic district, then the homeowners would immediately be affected. They would have to apply for a Certificate of Appropriateness or Certificate of Hardship to perform work on their homes. The process could take up to six months. Therefore, it will have a major effect on all the property owners.

Mr. Altaner felt that the historic district would work well for homeowners with deep pockets. He was concerned with the consequences of the proposed historic district possibly damaging and not maintain the overall neighborhood quality and integrity by making the home repairs much more difficult and expensive for the homeowners without those deep pockets. A good example of loss in property value due to historic district designation was Theta Club. The Theta Club lost 15% of the property value in selling the house after being designated a historic district.

Mr. Altaner concluded by expressing concern about a process that can be approved without the consent of up to 75% of the lot owners. He felt that the process was undemocratic and can lead to resentment among neighbors who may view that the ideas of the few can control the actions of the many. He urged the Historic Preservation Commission to reject this proposal.

Mr. Kowalski clarified that there were 57 properties including 311, 401, and 403 West Main Street. The Urbana-Champaign Sanitary District, who did not register a preference, owns these three properties. Of the 57 properties, 25% would be 14 signatures and that was how many were submitted on the application in favor of the historic district. Ms. Tyler added that as Zoning Administrator she accepted and approved the application. Mr. Altaner commented that 14 signatures out of 57 equaled 24.6%, not 25%. Ms. Tyler responded by stating that it is customary to round to the nearest whole number in similar types of Zoning Ordinance interpretations.

Father George Remm, pastor of St. Patrick's Church, read the letter that was sent to the Urbana Historic Preservation Commission in protest of any effort to establish a historic district for the proposed area. Afterwards, he mentioned that the parish had spent the last year in long-range

planning. It is believed that the size of St. Patrick's Church is no longer adequate for the 1,060 units registered there. It is quite possible that extensive renovation including an additional new sanctuary between the present church and the parish center may be considered by the parish in coming years. The congregation through its parish council has made a commitment to stay at its present location. St. Patrick's Church objected to the procedure that would hinder, if not stop, the future development of their congregation and the properties that they occupy. He asked the Historic Preservation Commission to consider the needs of the many families and voters that make up St. Patrick's Roman Catholic Church.

Steve Beckett, trustee of St. Patrick's Church, commented that there are two major church ministries located in the proposed historic district. The Religious Freedom Restoration Act would apply. If these two ministries were included in the historic district, then the impact would be significant. There are large groups of people who come and go from both of these campuses. St. Patrick's campus is not a uniform campus. The original church was completed in 1903. The parish center was constructed in the mid-60s and added on to in the mid-80s. The campus would hardly be described as historic. There are apartment buildings on the same block. A historic district would affect not only the property, but the ministry as well. St. Patrick's Church felt that for the Historic Preservation Commission to legally do something to their ministry and location that the Historic Preservation Commission would have to make specific findings that there are no alternatives. He felt that could not be done with the facts and circumstances of this case. St. Patrick's Church requested that the Historic Preservation Commission disinclude St. Patrick's entire properties from the proposed historic district.

Reverend B. J. Tatum, Senior Pastor of Canaan Baptist Church, stated that several years ago, Canaan Baptist Church acquired several properties, five of which are on Main Street and included in this proposal. It is part of their long-range plan to renovate the church. Due to phenomenal growth in the congregation, the church purchased these properties to allow for expansion. For example, two of those properties (at 406 and 408 West Main Street) have no redeeming value other than age, and to include those properties in the historic district would add no historical value. The church felt that the historic district designation would be prohibitive and restrictive, and that it would violate one of the basic fundamental rights of property owners. Although the church believes in maintaining the character of the neighborhood, this historic district would prevent them from expanding.

Eric Jakobsson, 803 West Main Street, commented that he actually lives in the proposed nominated historic district. He has lived there since 1971 and raised eight children. He never thought of himself as having deep pockets, however, they have made do. Mr. Jakobsson stated that the house was built in 1905. His wife and he moved in the house in 1971 as renters, and in 1979 they bought the house from the representative of the family who built the house. His family is the second family in a century to own the house. He added that his house has a name, Piety Hill.

Mr. Jakobsson commented that he was in favor of the historic district. He stated that he was aware of the costs to maintain his house if designated as part of the historic district. However, he felt it would be worth it to be part of a historic district. Historic districts help to keep entire communities aware of the continuity of human experience.

Ruth Rankin, representative of 502 West Main Street, went on record to state that she was against the proposed historic district.

Gabe Omo-Osagie, of 2409 North High Cross Road, expressed concern of an elite minority trying to decide what is best for everyone. He showed concern for taking the value of a property and essentially giving it to someone else if the proposed historic district is approved. There are some people who may not be able to afford the costs to repair their homes. Mr. Omo-Osagie made reference to having made an offer on the Royer House, and stated that the moment it was made historic, the land was rendered worthless. Homeowners will have to obtain permission before making any repairs. A few people who thought they were smarter than he was were given the power to approve these changes.

Carolyn Baxley, of 510 West Main Street, commented that she has lived there since 1981. She wanted to know what the homeowners in opposition of the historic district believe that a historic district would do to them. She felt that there was a great deal of misinformation of what homeowners can and cannot do to a property located in a historic district. She encouraged homeowners to ask for a copy of the Historic Preservation Ordinance and to read the nomination for the historic district. Many of the people who are opposing this are either rental property owners or institutional owners.

Ms. Baxley submitted the application for several reasons, which are as follows:

1. Urbana has very few of its residential structures of any historic significance left. Main Street has always been a part of the history of Urbana. The Downtown to Campus Plan gave some protection to this area; however, it does not keep homeowners from tearing down the older homes and replacing them with new, modernized homes.
2. The Main Street Historic District would help to stabilize property values. All over the country in areas where historic districts have been instituted, property values have risen and have significantly out-performed the appreciation values of non-historic areas. You can find examples of this on the website: historicdistrictpropertyvalues.com.
3. There would be a positive impact on downtown Urbana, because there would be a positive effect on the promotional efforts that are currently underway.
4. Historic designation provides tax incentives to owner-occupants who rehabilitate their homes to help offset the possible costs.

Judy Altaner, of 806 West Main Street, responded to Mr. Jakobsson's and Ms. Baxley's comments. She stated that she was opposed to this proposal. She does not want someone else to control what she does. She noted that her garage was included in the proposal, and there is no historical value to her garage. Ms. Altaner mentioned that Ms. Baxley does not know what is best for all homeowners. She hoped that the Historic Preservation Commission would allow the majority of the homeowners to prevail.

Brian Conway, of 804 East Mumford, mentioned that Ms. Baxley suggests that homeowners read the Historic Preservation Ordinance. Well, the ordinance states a minimum of 25% be considered.

Ellery Knake, owners of 511 and 601 West Main Street, quoted President Bush in his State of the Union Address about freedom of the right to own property. He agreed with the majority of the people opposing this nomination. Although Ms. Baxley and her family were great neighbors, he felt that he needed to protect his own interest in this case.

Mr. Knake stated that all the red tape and hassle to make improvements would be detrimental. If a roof leaks, a homeowner would want to fix it right away, and not wait six months until the Historic Preservation could vote on how to fix it.

Mr. Knake noted that he and his wife like that they could walk to church at St. Patrick's Church. He supports St. Patrick Church's opinion. There are already several national historic homes in the neighborhood, which he felt was great. However, he did not feel that it should be imposed on other homeowners.

Marta Wakeland-Conway, of 804 East Mumford, stated that there is the technicality of whether there was a 25% interest in this proposal. There was also a question as to whether some of the properties qualified for a historic district. There is not a sense of cohesiveness in the proposed district. There are 14 apartment buildings, 6 duplexes, group houses rented to students, 2 major churches, and of the 54 properties, there are only 18 that are owner-occupied.

Ms. Conway found it ironical that the house at 417 West Main Street was listed in the petition for having significant heritage value while the City of Urbana was seeking court approval for its demolition. She went on to say that at one time this area was listed as part of the Enterprise Zone. With a historic district, there would be no economic development. She was concerned with the reduced property value as demonstrated with the Theta Club. The two churches in the area would be hurt. She was also concerned with the following: 1) freedom of choice (property rights), 2) other positive ways, 3) faith in the Historic Preservation Commission, City Council and the City of Urbana would be at risk.

Karen Kummer, Executive Director of the Preservation and Conservation Association (PACA), mentioned that West Main Street neighborhood is recognized as one of the most historic streets in Urbana, and it is the street that PACA receives the most phone calls about. She believes that throughout the community, Main Street is already recognized as a historic area. It would only make sense to officially designate it as a historic district for its protection.

Ms. Kummer noted that over 60 Illinois communities have Historic Preservation Ordinances. All of these communities have designated historic properties, and many have designated historic districts. The sky has not fallen! In fact, property values in these districts have increased, and the neighborhoods have been stabilized.

Ms. Kummer explained that PACA had undergone the process of filing a Certificate of Appropriateness on the Ricker House. It was very easy to do. It was a short nomination and took less than a month. A lot of the changes that property owners would be seeking for the exterior of their homes would probably be handled in-staff, would probably not require a Certificate of Appropriateness and could be approved right away.

Ms. Kummer stated that historic preservation designation is just a type of zoning. Everyone is already under zoning. Homeowners cannot do whatever they want. Properties are already restricted. However, it is the only zoning that carries incentives with it. She mentioned that Ms. Baxley alluded to the Property Tax Assessment Freeze, which is a very valuable incentive for owner-occupied properties. There is also a federal tax credit if a property owner has income-producing property in the area. 20% tax credit for certified rehabilitations. There is a strong lobby in Congress to get a federal homeowner's tax credit.

Ms. Kummer reminded the Historic Preservation Commission that they only have to deal with one issue, which is whether the nomination meets the criteria for designation. She felt that the neighborhood was cohesive, had strong architectural and historic integrity, and met the three criteria so designated in the nomination.

Dave Kraft, owner of 814 West Main Street, commented that the Historic Preservation Commission was allowed to make the preliminary determination that only portions of the nomination meet the criteria, in which, if this was the case, only those portions should be considered at the public hearing. He stated that he was opposed to his home being included in the historic district. He spent a lot of money restoring the house at 814 West Main Street. He mentioned that he has bids in on material to further restore the house. He promised potential tenants that he would install central air conditioning. Now, he is unsure of what he will be able to do. He thinks the ordinance promotes tearing buildings down in advance of possible designation.

Mr. Kraft responded to an earlier comment about downtown Urbana falling apart by saying that he did not agree. There have been many improvements to downtown Urbana in the last ten years.

Mr. Kraft stated that he was confused about this meeting being held without a 25% supporting interest. He supports the opinion of St. Patrick's Church. He added that his property does not qualify as part of a historic district.

Chuck Shaw, of 401 Scovill, stated that he is a taxpayer in Urbana, and he has to maintain his house. He does not live in a historic district. If there are some incentives given to homeowners in historic districts to maintain their houses, then he was not sure as a taxpayer that he wants to help them.

Mr. Shaw mentioned that he has been a member of St. Patrick's Church all of his life. He noted that the Prairie Center expansion has added value to St. Patrick's Church and to the neighborhood. St. Patrick's Church would like to continue to expand. He was on a committee that researched whether St. Patrick's Church should move out of Urbana, and because of the neighborhood, St. Patrick's Church decided to stay in Urbana.

Wally Wynn, of 406 West Main Street, mentioned that he is a member of Canaan Baptist Church. He stated that buildings get old and deteriorate. Inevitably, buildings destroy themselves. He is a living witness that Canaan Baptist Church changes people. He felt that it is more important to renovate people and to preserve people than buildings.

Chris Billing, of 2404 Edward Street, summarized a few points that he felt was important. He commented that assignment to a historic preservation district does take away some property rights. There may be some benefits, and there certainly are costs. Once a property is in a historic district, then there are not many ways to opt out. Maintenance costs become higher and options are reduced. This does not allow flexibility in dealing with changing times over the next 100 years.

Mr. Billing went on to discuss who benefits from the formation of the historic district. Is it participant property owners or is it the public at large? The higher costs of inclusion in the district are borne by the few for the benefit of the many.

Mr. Billing stated that his personal involvement in this case is as a member of St. Patrick's Church. They will be celebrating its 100 years as a parish. He asked the Historic Preservation to please not take away options for the growth of this parish for the next 100 years. Mr. Billing added that those who wish to participate in the historic district should be allowed; however, those who do not wish to participate should be allowed to choose that option as well.

Darryl Foste, owner of 409 and 411 West Main Street, renovates houses. He bought 405 and 407 West Main Street. He thought that fixing those houses might increase the value of his home and the surrounding neighborhood in general. After talking with several people about what renovations he would and would not be able to do, he became more and more confused and concerned. Renovating houses is his livelihood; therefore, he needs to know what he will be able to do.

Mr. Foste mentioned that an additional problem for the homeowners on the south side of Main Street along the 400 Block was that they have to abide by Federal Flood Plain Regulations as well. In reference to maintenance, living in that flood plain is an ongoing problem in itself. He expressed concern about how the Federal Flood Plain Regulations and the Historic Preservation Ordinance would coincide.

Mark Nilges, of 503 West Main Street, stated that it would be nice to turn back the hands of time. He mentioned that the house at 417 West Main Street has been neglected, condemned, caught on fire twice, and the City of Urbana allowed the owner to leave the house unboarded for six months. If this proposal would save that house, then that would be great.

Ms. Tyler noted that she was the Zoning Administrator for the City of Urbana. She addressed the issue of having 25% of property owners who support this proposal. She mentioned that in dealing with fractions everyday in administering the Zoning Ordinance, whether it is parking spaces, Floor Area Ratio (FAR), or open space height, she uses the customary rounding rule. Point 5 and above is rounded up. In this case, there were 24.5614% of property owners who supported the proposal. Therefore, it was rounded up to 25%. The Zoning Administrator needs to be consistent with rounding. She accepted the application as being complete on January 17, 2002.

Mr. Kowalski commented that the application was submitted for the inclusion of 57 properties. There were 14 signatures of property owners who consented to the nomination for a historic district. There are seven members of the Historic Preservation Commission, of which five members were in attendance. With Ms. Novak abstaining from the voting procedure, there are four remaining members. In order to determine that this nomination met the required criteria and a public hearing

would be appropriate, a simple majority of the remaining members must be in favor of forwarding this case to a public hearing.

Mr. Cahill commented that the Historic Preservation Commission has only the Historic Preservation Ordinance to judge by. People of Urbana elected the Council members that passed the Historic Preservation Ordinance. He believed that Criteria A was met and gave reason to move this case forward to a public hearing. Ms. Irish added that Criteria A in the Historic Preservation Ordinance was stated as follows: *A significant number of buildings, structures, sites or objects meeting any of the standards in Section XII-5-C-1.*

Ms. Cardman stated that she had listened to everyone voice their opinions. She was concerned with the misconception about what Historic Preservation does and does not mean. The ordinance was not designed to determine what nail was to be used on the exterior of a home. She could not think of any other area in Urbana that had an equivalent density of historic properties. She agreed with staff that Main Street qualifies as having significant value as part of the architectural, cultural heritage of Urbana; therefore, Criteria 1A was met. She felt that the nomination met Criteria 1B as well. In fact, St. Patrick's Church was designed by a nationally ranked architect. She would vote yes that the nomination does warrant formal consideration as a historic district.

Mr. Rose commented on the articulate comments from most of the participants during the public input. He felt it was done in a very neighborly fashion. Although the neighbors do not agree on this issue, they will go home and continue to be neighbors.

Mr. Rose continued by saying that the task before the Historic Preservation Commission was to make a preliminary recommendation for a public hearing if the criteria had been met. He mentioned that the Historic Preservation Commission is a fairly new commission. This commission was formed as an amendment to the Urbana Zoning Ordinance.

Mr. Rose expressed concern with the Zoning Administrator's interpretation of 24.56% meeting the 25% requirement. With regard to meeting the criteria stated in the Historic Preservation Ordinance, Mr. Rose felt that the criteria was met, particularly with Criteria A and Criteria C.

Ms. Irish mentioned that she walked down Main Street and took notes on each house listed in the nomination. There were only two houses that she had noticed that the description in the staff report was a stretch. In terms of cohesiveness, she was looking for something that was more than just individual buildings. There are houses that are not doing well. There has been a demolition permit obtained for the house at 417 West Main Street, which is a tragedy.

Ms. Irish thanked the people involved in putting the nomination together for doing a thorough job. There was a lot of work and research involved. She also thanked the homeowners who have already been maintaining their properties beautifully.

Ms. Irish recognized that there is a lot of opposition. She was concerned with the resentment of a historic district being imposed on people. She wants the Historic Preservation to succeed and people in Urbana to grow together in accepting and supporting historic preservation. She stated that there were many misperceptions regarding historic preservation. Many minor changes are allowed.

Another misperception she addressed was regarding the maximum of forty-five days. She stated that the maximum had never been enforced. The turn-around time would obviously be in everyone's best interest to be moved along quickly and expeditiously. There was another misperception about the Theta Club and the money they lost with the property being zoned a historic district.

Mr. Kowalski stated that there was an outline of the Certificate of Appropriateness process included in each packet that was mailed to the homeowners. There are a number of items that any homeowner/property owner could do to their structure without a Certificate of Appropriateness. Minor Works, which is a Certificate of Appropriateness approved at the Administrative Level by the Zoning Administrator and the Chair of the Historic Preservation Commission, is the next level. He continued by saying that beyond anything that would be considered to be a minor work would have to be considered by the Historic Preservation Commission. This would only apply to work on the exterior of the structure. There are not any restrictions on performing work to the inside of a structure in a historic district. He added that the Urbana Zoning Ordinance lists out time frames. He explained that does not mean it takes that long to get an approval. Staff begins the process of an application as soon as it is submitted.

Mr. Rose asked if this petition would fail, would there be a waiting period of a year before the petition could be filed again? Mr. Kowalski answered that was correct if a similar type of petition was filed.

Ms. Tyler reminded the Historic Preservation Commission that they would decide whether this petition was worthy of a public hearing. They would not be deciding whether the application was valid. Under the Zoning Ordinance, the Zoning Administrator had already determined the validity of the application. However, that could be a reason to vote against this nomination going before a public hearing.

Ms. Irish explained that the Historic Preservation Commission was not allowed to expand the nominated historic district; however, the commission can eliminate some buildings from the nomination. She preferred not to shrink the historic district until the Historic Preservation Commission had a better clarification of each individual property.

Mr. Kowalski clarified that if the Historic Preservation Commission decided not to have a public hearing regarding this nomination, then the petition could be resubmitted in less than twelve months time. However, if the Historic Preservation Commission holds a public hearing and forwards this to City Council, and City Council denies the nomination, then the petition could not be resubmitted for twelve months.

Ms. Irish moved to make the preliminary determination that the nomination met the established criteria and was worthy of public hearing to consider designation because of the significant number of buildings, structures and sites that have significant architectural, cultural, political, and social value. The buildings are associated with an important person in local history, represent distinguishing characteristics of an architectural type, are identifiable as familiar features in the community, and are located in areas that yield information important to history. This proposed historic district met the criteria requiring them to be contiguous properties. The properties have a

sense of cohesiveness and contain sufficient historical integrity to convey a sense of historical time and place. Ms. Cardman seconded the motion.

Mr. Rose expressed concerns regarding the motion. The motion was to recommend a public hearing based on the petition and the petition meeting the criteria. His concern was over the conditions of the validity of the petition. His understanding was that the intent of having 25% was to show that a significant body was in support of taking this forward.

Ms. Irish requested to withdraw her motion.

Mr. Rose preferred to interpret 24.5 as being below 25%. He did not question Ms. Tyler's reasoning for rounding up. He felt that she did the right thing. However, he did not feel that the Historic Preservation Commission should have to rely on the Zoning Administrator's interpretations to move the nomination forward to a public hearing given that the issues and concerns regarding this nomination were sensitive. Ms. Cardman believed that the Zoning Administrator's interpretation was one with legal backing.

In the absence of a strong 25% of the property owners being in favor of the nominated historic district, Mr. Rose moved that the nomination would not go forward to a public hearing. Ms. Irish seconded the motion.

Mr. Rose moved to amend the motion to read as follows: *Given that the petition has a marginal 25% support and yet supports the criteria recommended by staff for the historic district, the nomination would not go forward to a public hearing.* Mr. Cahill seconded the amended motion. The roll call was as follows:

| | | | | | |
|------------|---|-----|-------------|---|---------|
| Mr. Cahill | - | Yes | Ms. Cardman | - | Yes |
| Ms. Irish | - | Yes | Ms. Novak | - | Abstain |
| Mr. Rose | - | Yes | | | |

The motion was passed with a vote of 4-0 with 1 abstention.

9. AUDIENCE PARTICIPATION

Ms. Irish turned the position of Chair back over to Ms. Novak.

Dave Kraft, 501 West Green Street, expressed his concern about the inability for a person to change their mind before the meeting after signing the petition. Ms. Novak stated that at the point of clarification, the petition had been submitted and accepted before the rejection of the signature had been attempted. Mr. Kraft felt that a person should be able to take his/her name off a petition by submitting a written request prior to the vote of the Historic Preservation Commission. Ms. Novak responded by saying that there has to be a deadline or else a person would be able to change their mind after City Council had voted.

10. MONITORING OF HISTORIC PROPERTIES

- Warm Air Research Residence – Ms. Novak stated that she was working on the letter to the University of Illinois.
- Elite Diner
- Urbana Post Office – Mr. Kowalski stated that the Urbana Post Office was for sale with two conditions, which are as follows: 1) the new owner allow the Urbana Post Office to stay there rent free and 2) the Urbana Post Office relocates.

11. STAFF REPORT

Mr. Kowalski reported on the following:

- Staff received a grant to cover the costs to put a brochure together for the Historic Preservation in Urbana. He had asked for a delay to find out the result of the West Main Street proposal.
- There has been some interest from the Historic Preservation Commission for another walking tour. Mr. Cahill felt that from the audience's response at this meeting it was even more critical to have another walking tour. He suggested including Green Street, Ricker House, Lindley House, and Elm Street. Mr. Kowalski requested that the Commissioners send any suggestions to him via email. Ms. Novak mentioned that there might be some leftover materials from the previous walking tour. Ms. Cardman expressed concern over the misperceptions of what historic preservation designation means. Mr. Cahill asked if it would be appropriate for members of the Historic Preservation Commission to write a commentary to the News-Gazette. Mr. Kowalski replied that would be fine.

12. STUDY SESSION

There was none.

13. ANNOUNCEMENTS

- "Planning Matters" Conference will be held March 7th and 8th. There are several sessions on Historic Preservation.
- "Forum 2002" Conference will be held in San Antonio on August 1st – 4th. It will be the national alliance of preservation commissions.
- "Let's Go Public" Conference hosted by American Planning Association – Illinois State Section will be held on February 22nd. The focus will be planning and the public participation and how to run effective meetings.
- There is a Lock Blair Scholarship Fund that is designed to help pay for people to go to conferences.
- There will be a class on "Hands on Preservation" instructed by Jeff Gordon held this semester at the University of Illinois.

14. ADJOURNMENT

Ms. Irish moved to adjourn at 10:00 p.m. Ms. Cardman seconded the motion. The motion was passed by unanimous vote.

Submitted,

Rob Kowalski, Secretary