

**MINUTES OF A REGULAR MEETING**

**URBANA HISTORIC PRESERVATION COMMISSION**

**APPROVED**

**DATE:** May 7, 2008

**TIME:** 7:00 p.m.

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

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**MEMBERS PRESENT:** Rich Cahill, Katherine Lipes, Alice Novak, Trent Shepard, Mary Stuart, Art Zangerl

**MEMBERS EXCUSED:** Scott Dossett

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Robert Myers, Planning Division Manager; Rebecca Bird, Community Development Associate; Tony Weck, Recording Secretary

**OTHERS PRESENT:** Carolyn Baxley, Amanda Faust, Fred Rotermund, Marya Ryan, Paul Stauffer, Marie Bohl, Phyllis Winters-Williams, Karen Kummer, Randy Kangas, Dennis Roberts, Brian Adams, Linda Lorenz, James Webster, Howard Wakeland, Scott Spies

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

The meeting was called to order at 7:06 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**

Corrections to the draft minutes of the April 2, 2008 meeting were suggested by Mr. Shepard, Ms. Novak and Ms. Lipes. Mr. Shepard moved that the minutes of the April 2, 2008 meeting be approved as corrected. Ms. Stuart seconded the motion. The minutes were approved as corrected.

#### **4. WRITTEN COMMUNICATIONS**

Ms. Novak announced that May 2008 is National Historic Preservation Month and read a proclamation by Mayor Prussing declaring it as such in Urbana. There was also a memorandum to Mayor Prussing from Public Works Director/City Engineer Bill Gray dated April 23, 2008 regarding the Mumford Horse Barn move. In addition, there was a letter dated April 7, 2008 from the Illinois Historic Preservation Agency to the University of Illinois giving approval for the Mumford Horse Barn move. There was an e-mail message from David Kraft to Tony Weck stating that the renovation of the Urbana-Lincoln Hotel would better serve Urbana than designation of it as a local historic landmark. There was a copy of a National Trust for Historic Preservation listserve posting from Alice Novak, which Ms. Novak printed and distributed to the members of the Commission. In the posting, examples were sought on national hotel chains that had placed locations on locally landmarked buildings in small to midsize communities across the United States. Ms. Novak received 35 responses and included them in the printout she distributed. Lastly, there were two articles on historic hotel renovations in Detroit, Michigan and Oklahoma City, Oklahoma, which Ms. Novak distributed to staff and members of the Commission

#### **5. AUDIENCE PARTICIPATION**

Linda Lorenz spoke in opposition to the proposed demolition of 809 West Main Street (Case #HP2008-EH-01; public hearing held later in this meeting). She stated that the condition of the house at 809 West Main Street was due to deferred maintenance. Owners of older homes know that they have to take extra care. They take the necessary steps to ensure that they are in good condition. She urged the Commission not to allow demolition of the house at 809 West Main Street.

Phyllis Williams also spoke in opposition to the proposed demolition of 809 West Main Street. She also stated the condition of the house at this address being as it is due to deferred maintenance and felt that it would be possible to bring it back to a good state of repair. She urged the Commission not to allow the house at 809 West Main Street to be demolished.

#### **6. CONTINUED PUBLIC HEARINGS**

There were none.

#### **7. OLD BUSINESS**

- **Historic Preservation Commission Bylaws revision**

Rebecca Bird asked if any member of the Commission had questions regarding the changes that had been made to the bylaws. There were no questions. Ms. Bird stated that the revised bylaws would need to be reviewed by City legal counsel a final time before being approved. She said that the Commission could approve the revised bylaws at its next meeting.

**8. NEW PUBLIC HEARINGS**

- **Case #HP-2008-COA-05, #1 Buena Vista Court, Certificate of Appropriateness to Replace Gutters and Downspout, Marya Ryan, Applicant**

Ms. Novak opened the public hearing regarding this case. Ms. Bird presented the staff report to the Commission. She gave a brief explanation of the work to be done at #1 Buena Vista Court, which consisted of the replacement of rain gutters and a downspout. It was staff's recommendation that the Commission approve the application for a Certificate of Appropriateness for this case. Marya Ryan, the applicant, and Paul Stauffer, of Advanced Roofing & Sheet Metal (the contractor), also gave a brief presentation to the Commission, detailing the work to be done. They noted that the replacement gutters and downspout would be of a style and construction keeping with the historic character of the house. Questions from the Commission were answered by the applicant and contractor and there was no further discussion of the case amongst members of the Commission. Mr. Zangerl made a motion to approve the application for Certificate of Appropriateness for this case. Ms. Stuart seconded the motion. With no further discussion, Ms. Novak asked for a roll call and the votes were as follows:

Cahill – yes	Shepard – yes
Lipes – yes	Stuart – yes
Novak – yes	Zangerl – yes

With six “yes” votes and zero “no” votes, the motion carried and the application was approved. Ms. Novak then closed the public hearing.

- **Case #HP-2008-L-01, 209 S. Broadway Avenue (Urbana-Lincoln Hotel), Public Hearing for a Historic Landmark Application, Brian Adams, Applicant**

Ms. Novak opened the public hearing regarding this case. Mr. Myers presented the staff report to the Commission. He reported that on a technical basis, staff concurred with the Commission's prior determination that the Urbana-Lincoln Hotel qualified for local landmark designation based on criteria a, b, c, d, and e of Section XII-5.C of the Urbana Zoning Ordinance. However, that evidence submitted by the current owner of the hotel indicates that local landmark designation will substantially hinder the hotel's potential for revitalization. Due to the importance of the hotel to the vitality of the downtown area and to the economic development of the City of Urbana, it was staff's recommendation that the nomination for landmark designation be denied by the Commission until such time as loss of the hotel is an immediate threat and/or landmark designation no longer hinders the economic vitality of the property. Mr. Myers answered Commission questions for clarification.

Ms. Novak asked if the nominator in this case would like to make a presentation to the Commission. The nominator, Brian Adams, addressed the Commission briefly, explaining his reasons for nomination the Urbana-Lincoln Hotel as a local historic landmark.

Ms. Novak then asked if there were any questions of the nominator from the Commission; there were none.

Ms. Novak then asked if anyone in the audience in opposition to the nomination had questions of the nominator; there were no questions of this nature.

Ms. Novak then invited anyone in the audience who wished to speak in support of the nomination/designation to do so. Carolyn Baxley addressed the Commission, speaking in general support of the designation of the Urbana-Lincoln Hotel as a local historic landmark. Ms. Baxley stated that she previously worked as a meeting planner and is very familiar with the necessary requirements for hotels to be considered good locations for meetings, such as proximity to restaurants, shopping, and public transit. The Urbana-Lincoln Hotel is one of the only hotels in Champaign-Urbana which meets all the basic requirements. Ms. Novak asked if there were any questions of Ms. Baxley from the Commission; there were none. Ms. Novak then asked if there were questions of Ms. Baxley from others present; there were none.

Ms. Novak then invited anyone else in the audience who wished to speak in support of the nomination/designation to do so. Karen Kummer, Executive Director of the Preservation and Conservation Association of Champaign County (PACA), addressed the Commission. She gave background on the Urbana-Lincoln Hotel from its beginning until the present day and spoke in general support of the designation of it as a local historic landmark. Ms. Novak asked if there were any questions of Ms. Kummer from the Commission. Mr. Zangerl asked if the Commission opted not to designate the hotel as a landmark and the property owners found a national hotel brand that would be willing to go into business with them with the stipulation that the exterior of the hotel be changed significantly, and foregoing any preservation-related tax credits, would the hotel lose its National Register of Historic Places listing as a result of said exterior changes? Ms. Kummer answered that loss of National Register listing would depend upon how significant the exterior changes would be but that the said changes would have to be very significant to affect the listing. She said that an official objection would have to be filed with the National Register and that removal from the list is not an automatic process. There might also be the complication, she said, of the hotel being connected to Lincoln Square Village, which is also listed on the National Register, as are the surrounding parking lots.

Ms. Novak then asked if there were any questions of Ms. Kummer from others present; there were none. Ms. Novak then invited anyone else in the audience who wished to speak in support of the nomination/designation to do so; there were no further persons present who wished to speak in this capacity.

Ms. Novak then invited anyone in the audience who wished to speak in opposition to this nomination/designation to do so. Fred Rotermund, Vice-President of Global Hotel Management of Normal, Illinois, addressed the Commission. He concurred with the comments that had been made earlier by Mr. Roberts regarding City staff's position on the nomination. He stated that the foremost opposition encountered from national hotel brands was the oversight from the local community that would be brought on by historic designation. He noted that the Urbana-Lincoln hotel had already gained listing in the National Register of Historic Places and it still did not do well as a hotel.

Ms. Novak asked Mr. Rotermund to share with the Commission some of the other hotels managed by his company. Mr. Rotermund responded that his company manages the following hotel

properties: a Crowne Plaza, a Holiday Inn Express, a Days Inn, a Baymont, a Country Inn & Suites and a Ramada Limited in the Bloomington-Normal era.

Ms. Novak asked if there were any questions of Mr. Rotermund from the Commission. Ms. Stuart asked if Global Hotel Management was a subsidiary of any other or larger entity. Mr. Rotermund responded that the company is owned by Devang Patel. He has other business ventures that are not hotel-related and which might be considered as other divisions of his company.

Mr. Zangerl asked if Mr. Patel was related to the previous owner of the hotel. Mr. Rotermund answered in the negative.

Mr. Zangerl further stated his concern over the statement in the letter from the property owner regarding the possible requirement of a national hotel brand that the exterior of a property be changed to their specifications. He asked Mr. Rotermund what is done in this case. Mr. Rotermund answered that the exterior is changed in accordance with brand policy.

Mr. Zangerl also stated his concern over the statement in the property owner's letter regarding Global Hotel Management's desire to meet any and all design requirements of a selected hotel brand. Though it is the City's desire to keep the hotel's façade intact, Mr. Zangerl made the supposition that despite this, the design of the property's façade would be dictated by the selected brand. He posed the question, what would Global Hotel Management do if a brand affiliate wanted the building "torn down"? Mr. Rotermund replied, "Then we would tear it down." Mr. Rotermund answered that it would also be dictated by the property owner's preference, that the property owner could decline to do business with a given hotel brand if its requirements are found to be objectionable. He stated that the owner believes in the design elements of the 1924 "castle" section of the property; the Jumer's addition, with its Bavarian hunting-lodge theme, he said, is found by both himself and the property owner to be in contrast to the theme of the original portion of the building designed by Joseph Royer. He said that his company would like to bring the historic Royer look to the newer addition of the hotel.

Ms. Stuart asked Mr. Rotermund to describe the process of acquiring a hotel brand when a new property is purchased. She also asked with respect to the Urbana-Lincoln Hotel how Global Hotel Management went about seeking a national brand for this property and by what brands it had been turned down. Mr. Rotermund answered that the first step is to position the property in the market, then the desired brands are contacted and informed that there is a hotel that meets its marketing position and that Global Hotel Management would like to affiliate it with a given brand. The selected brands examine the property, look at the marketing plan and can usually at that point give the owner a preliminary answer. If the property is questionable, he said, the selected brand will often bring additional personnel to examine the property and point out what will need to be done to meet the standards of their brand. He declined to name the brands that had already turned down the owner's request to franchise this property. He was able to say, however, that four major hotel brands had turned down doing so. He said also that the first brand that his company had met with required at least 200 rooms and the Urbana-Lincoln Hotel has only 128 rooms. He noted that expansion was in their scope but that his company faced the constraints of only being able to expand upward instead of outward. The second brand his company contacted required at least 150 rooms. The minimum room requirements for the third and fourth brands were met by the Urbana-Lincoln,

he said, but the objections of those brands involved the additional oversight brought about by historic landmark designation both on the national and local level.

Ms. Stuart further asked in regards to local lenders' refusal to finance the renovation of the hotel without national brand affiliation, how many local lenders had turned down Global Hotel Management. Noting that it seemed to be Global Hotel Management's policy and not a legal requirement to seek financing from local lenders only, Ms. Stuart also inquired as to the argument against seeking out-of-town financing. Mr. Rotermund answered that he did not know what lenders had been approached to apply for financing but that he was aware of two local lenders that had denied financing. He said that his company's principle is that by financing the project locally, all the money stays locally and the company receives personal "hometown" service.

Mr. Shepard asked who would actually be remodeling the hotel, the owner or the national chain. Mr. Rotermund answered that it would be the owner doing the remodeling. He said that the owner receives the product improvement plan from the chain, which outlines what the owner has to do with the hotel property to meet its requirements. The brand makes periodic inspections during the remodeling process to ensure that its requirements are being met and then on the last day before the hotel opens for business under the new brand, brand representatives are present to "turn you on live to the national reservation system." Mr. Shepard sought to clarify that it would be the hotel's owners who would be applying for any necessary Certificates of Appropriateness. He wondered what the brand's objection would be to the additional oversight of historic designation if it would be the property owner dealing with the oversight. Mr. Rotermund replied that while it would be the property owner dealing with the additional oversight, the brand would be concerned with it as well since it would be in a mutual partnership with the owner. He noted that while there were a number of documented successes with national hotel brands enfranchising historically designated properties, there were also a number of undocumented failures.

Ms. Novak asked if Global Hotel Management owned properties in communities other than Urbana and Bloomington-Normal. Mr. Rotermund answered that the company owns a property in Decatur, Illinois and that it has projects in development all over the United States. Ms. Novak further asked where the franchised properties owned by Global Hotel Management were located. Mr. Rotermund responded that their Baymont Inn is located in Springfield and that their Holiday Inn Express locations are in Decatur and Bloomington-Normal. Ms. Novak then asked if all of Global Hotel Management's properties were in modern buildings (structures built within the last 20 years). Mr. Rotermund replied that his company's properties were located in mix of buildings of differing ages; he noted that prior to his company's acquisition of the Urbana-Lincoln Hotel, the oldest building his company owned had been built in 1979. He said that his company currently has no new builds, that their Holiday Inn Express in Decatur would be their first new construction.

Ms. Lipes asked if Global Hotel Management had any hotel properties that were not branded by a national chain. He replied that the Urbana-Lincoln Hotel was his company's only unbranded property.

Ms. Novak asked if Mr. Rotermund knew when was the last time major renovations were done to the Urbana-Lincoln Hotel. Mr. Rotermund answered that the last major renovations took place in 1977. Ms. Novak then made the supposition that it is at least partially likely that National Register

designation, which occurred in 2006, would not have much bearing on the improvement of the hotel since nothing has been done to it since the late 1970s. Mr. Rotermund responded that he could not speak to the effectiveness of previous ownership or management but that financial records of the hotel did not look favorable. Ms. Novak asked Mr. Rotermund if he was attempting to draw a correlation between National Register designation and a drop in use of the hotel. Mr. Rotermund responded that there is no real evidence to support any conclusion since there are too many variables to make that connection. Ms. Novak made mention of the 20% Rehabilitation Investment Tax Credit offered by the Department of the Interior for properties listed on the National Register of Historic Places; she asked Mr. Rotermund if Global Hotel Management would be taking advantage of this financial incentive in its rehabilitation efforts on the hotel. Mr. Rotermund replied that his company would not be utilizing this program. Ms. Novak sought to confirm that the hotel had been in bankruptcy court twice in the past ten years. Mr. Rotermund answered that this was his understanding and that the hotel had filed for bankruptcy when Global Hotel Management acquired it. Ms. Novak asked if the hotel was currently open. Mr. Rotermund responded in the affirmative, that it was open as a non-branded, independent hotel. Ms. Novak asked Mr. Rotermund how Global Hotel Management advertises the hotel. He responded that currently his company does not advertise the hotel. Ms. Novak asked if the hotel was available on any website, to which Mr. Rotermund responded that the hotel has its own website but that it is not actively marketed and there is no effort to do so at the present time. Ms. Novak asked if the hotel had been nationally marketed within the last three years. Mr. Rotermund replied that he did not know for certain but it appeared that it had not been marketed nationally within that timeframe.

Mr. Cahill noted that the Urbana-Lincoln Hotel was listed on a number of internet travel sites that he had himself accessed. Among these were Hotels.com, Orbitz, Travelocity, and Yahoo! Travel. He said that he was able to find it quite easily on all sites that he checked and that the Urbana-Lincoln Hotel was often one of the first properties listed in each search he performed. Given this, he felt that it would be easy to market the hotel.

Ms. Novak noted that there was often a misconception with commercial local landmark designations and asked Mr. Rotermund what his company's concerns and the possible concerns of a national hotel chain would be with regards to a designated property. Mr. Rotermund responded that as the hotel owner and operator there is no fear of landmark designation. He noted that it was not until after his company moved forward on purchasing the property that it was discovered that it is the national hotel brands that have concerns over designated properties. It was Mr. Rotermund's opinion that it was the perceived "bureaucracy" surrounding historically-designated properties that was the concern of the national hotel brands. He also noted that his company had approached a number of boutique hotel brands about locating in the Urbana-Lincoln Hotel. The concern of those brands, he said, was not the possibility of local landmark designation but the local market. He said that the representatives of those brands did not feel that there was sufficient upper-income shopping and dining within walking distance of the property to warrant placement of a boutique hotel brand which commands much high room rates than standard hotels.

After further discussion, Ms. Novak asked if there was anyone in the audience who had questions of Mr. Rotermund. Dennis Roberts inquired into the upgrades that national brands require in order to enfranchise a given property. He wondered if the upgrades that the national brands sought were mostly interior or exterior. Mr. Rotermund answered that the upgrades sought by the national

brands were about 70% interior, 30% exterior. Mr. Roberts asked for examples of the types of things that national brands seek to upgrade in an existing property; specifically he inquired as to the windows in a given building. Mr. Rotermund answered that in his company's Crowne Plaza property, all the windows had to be replaced due to the fact that the building, formerly branded as a Sheraton Hotel, had a façade entirely of glass. He explained that this had become a "dated look" in the eyes of the Crowne Plaza brand and it required the building to be updated to a more modern appearance. Mr. Roberts then asked if it was common for national brands to change the surface texture of the exterior of a building. Mr. Rotermund answered that his company did not have enough properties on which national brands had required such changes to indicate a trend toward the changing of exterior surface materials. Mr. Roberts expressed concern over the quality and durability of the materials to be used if there were any changes to the exterior of the building. Mr. Rotermund responded that any materials used for any such changes would be of a quality such that it would be recognized by the consumer to be upscale.

Ms. Novak asked if there were any others present who wished to speak as opponents of the local landmark designation of the Urbana-Lincoln Hotel. There were no other opponents who wished to speak. Ms. Novak then asked if anyone else wished to make summary comments on this case, including the nominator, Brian Adams. Mr. Adams declined to comment further. She asked if City staff wished to make additional comments before Commission discussion. Mr. Myers replied that staff had no additional comments unless members of the Commission had any questions. There were no questions. Ms. Novak then called for Commission discussion.

Ms. Stuart asked what precedent existed for the Commission taking into account considerations extraneous to preservation. Mr. Myers replied that the Urbana Zoning Ordinance specifies that the Commission should hold a public hearing, take public testimony, and taking these into consideration, make a recommendation. There are no additional standards specified by the Ordinance with regards to what else should be taken into consideration. As a follow-up question, Ms. Stuart asked if the Commission has ever taken into consideration concerns about economic development. Ms. Novak answered in the negative.

Ms. Lipes felt that the Commission's area of expertise is historic preservation and not marketing and branding. She felt that it was the Commission's duty to decide if the historic character of a given building should be preserved. She felt that it was important to use designation as a tool for retaining historic integrity and that it would be up to the City Council to decide if it meets with their objectives for the City.

Ms. Lipes made a motion that the Commission recommend to City Council designation of the Urbana-Lincoln Hotel as a local historic landmark based on the following criteria:

That it has significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state or community;

It is associated with an important person or event in national, state or local history;



It is representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials, or which retains a high degree of integrity;

It is the notable work of a master builder, designer, architect or artist whose individual genius has influenced an area and;

It is identifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.

Ms. Stuart seconded Ms. Lipes' motion. Ms. Stuart stated that if the Commission were to make the recommendation to City Council that the Urbana-Lincoln Hotel be designated as a local landmark, it might be desirable to draft some sort of memorandum characterizing the Commission's reasons for doing so. Ms. Novak suggested that this be discussed after discussion of Ms. Lipes' motion.

Mr. Myers pointed out that regarding the motion on the floor that in the staff report there is a suggested summary of findings which elaborate on the criteria. He said that the suggested summary of findings includes the building's technical merits and so the Commission could rely on the summary and add any additional findings to it if it so chooses. He said that it is typical for cases such as the one presently before the Commission to include the body's findings.

Mr. Zangerl stated that clearly the Commission was concerned about the viability of the hotel, both economically and as a historic resource; he felt far more comfortable reviewing a case on the basis of the criteria that the Commission has traditionally considered with any case that comes before it. He noted that if the Commission votes not to recommend designation of the hotel, the case could not be reconsidered for a period of one year. If the Commission voted to recommend designation, however, he stated that the case would go to City Council and City Council could take into consideration anything it chooses in addition to the criteria specified in the Commission's recommendation. This, he said, is because the City Council is not bound by the same criteria as the Historic Preservation Commission. He reiterated that he would be much more comfortable recommending designation based solely on the prescribed criteria and letting City Council take other factors such as economic concerns into consideration.

Ms. Lipes agreed to amend her motion to include the summary of findings in the staff report as well as the criteria she mentioned in her original motion. Ms. Stuart, having seconded the original motion, agreed to the amendment. Ms. Novak noted that the motion would state that the Commission recommend designation of the Urbana-Lincoln Hotel as a local historic landmark based on criteria a, b, c, d, and e of Section XII-5.C of the Urbana Zoning Ordinance and be accompanied by the summary of findings. There was no further discussion; Ms. Novak asked for a roll call vote. Roll was taken and the votes were as follows:

Mr. Cahill – yes	Mr. Shepard – yes
Ms. Lipes – yes	Ms. Stuart – yes
Ms. Novak – yes	Mr. Zangerl – yes

The motion passed with six “yes” votes and zero “no” votes. Ms. Novak then closed the public hearing.

- **Case #HP 2008-EH-01, 809 W. Main Street, Certificate of Economic Hardship to Demolish a circa 1905 I-house, Howard Wakeland, Applicant**

Ms. Novak opened the public hearing regarding this case. Ms. Bird presented the staff report to the Commission. She reported that it was staff’s finding that the petitioner, Mr. Wakeland, had not yet clearly demonstrated that the house at 809 West Main Street cannot obtain a reasonable economic return without the proposed work being done. Further, Ms. Bird reported that convincing evidence had not been presented from the petitioner to show that total reconstruction of the building is necessary to make a reasonable economic return. It was City staff’s understanding that the applicant would present further evidence at the present public hearing and therefore withheld its recommendation until all information had been submitted and properly assessed. Staff suggested that this may require a continuance to allow for additional assessment and review. Questions were then taken by staff from the Commission.

Ms. Novak asked if the applicant in this case would like to make a presentation to the Commission. The applicant, Howard Wakeland, addressed the Commission, detailing his reasons for wanting to demolish the house at 809 West Main Street. Mr. Wakeland stated that having the choice of remodeling the present structure and continuing use as a rooming house or demolishing and rebuilding a new house that would be limited to no more than four unrelated persons, he chose to demolish. He believed the existing structure to be dangerous largely due to its age. He specifically cited that the electrical system in the house is outdated; that the foundation has settled, causing uneven floor systems; that the bathroom facilities were inadequate in terms of modern standards; that the heating system is inefficient; that the driveway needs replacement, and; that the front porch needs replacement. He stated that he can more efficiently build a new structure which will look the same as the existing house and will provide for better living conditions for its occupants. He further stated his belief that there were no significant features on the existing structure that could not be replicated on a new building. He elaborated that the height of the proposed new structure will be essentially the same as the existing one; that the proportion of the height and width of the new structure will be the same as the existing one; that the window and door openings of the new structure can emulate those of the existing one (he requested some “leeway”, however, on this aspect to facilitate the installation of more modern styles of doors and windows); that the relationships of masses with adjacent structures of the proposed new structure will remain essentially the same as they are with the present structure; that the roof shape and size of the proposed new structure will be essentially the same as those of the existing one; that the new structure will emulate the present roof and eave lines, including the gable at the front of the existing house; that the scale of the proposed new structure will be essentially the same as that of the present one, and; that the directional expression of the proposed new structure will be exactly the same as that of the old structure. Overall, Mr. Wakeland stated that the cost of a major remodel that would bring the existing structure up to date and to the level of a new structure would outweigh the cost of demolishing the present structure and replacing it with a new one.

Mr. Wakeland presented to the Commission an engineering report regarding the house at 809 West Main Street with photographs of the issues with the present house that were outlined in his report.

He also presented a summary appraisal of the house in its current state, which included tax assessment valuation information. Further, he presented a cost estimate for remodeling the present structure, an income, rent and cost comparison for the remodel of the present structure, as well as an inspection report from Kevin Hunsinger, of Hunsinger Enterprises, Inc.

Ms. Novak asked if anyone had any questions of Mr. Wakeland at this point in his presentation. There being none, Mr. Wakeland then asked Russ Dankert, a local architect, to address the Commission on his behalf. Mr. Dankert stated that he was asked to assess the house and that his assessment was that the house is untenable and that he would feel unsafe living in it. He felt that the house could not be easily remodeled, though the possibility of remodeling existed. Further, he felt that a new building would be safer and that replacing the existing structure would be a better investment. Ms. Novak asked if there were any questions for Mr. Dankert. Mr. Zangerl asked if Mr. Dankert would agree that all remodeling items presented by Mr. Wakeland would be essential. Mr. Dankert answered in the affirmative. With no further questions, Mr. Wakeland then asked Scott Spies, a local home inspector to address the Commission on his behalf.

Mr. Spies was asked by Mr. Wakeland to inspect the house at 809 West Main Street and make a determination as to whether Mr. Wakeland's cost estimates for remodeling the house were feasible. Mr. Spies noted that it is not his business to make repair cost estimates and that he inspected the house for Mr. Wakeland as an "objective observer" to determine what repairs this house would need. His findings included that the foundation of the house was in need of significant work, that the floors in the house were very unlevel and that to make the house's foundation and floors level would cause a significant degree of damage to the existing interior plasterwork. He also noted that there were stairways in the house that are so unlevel that they would be considered unsafe by Urbana City Code. He was in agreement that the foundation of the house was in very poor condition. In terms of the house's windows, Mr. Spies did not find anything unique to this particular house and thus, nothing that in his opinion was worth saving. In terms of safety issue, he noted holes in the brick chimney and that no liner had ever been installed in it. He stated that anytime a gas-burning appliance is vented through a brick chimney, a chimney liner must be installed to prevent exhaust gasses from etching the mortar between the bricks. He felt that there was a potential problem with carbon monoxide in the house due to the poor state of repair of the chimney. He found little or nothing that he felt was in good shape and worth saving. Ms. Novak asked if there were any questions for Mr. Spies. Mr. Zangerl asked how the condition of this house compares to other houses of that age in Urbana. Mr. Spies answered that if an older home has a good foundation and has good characteristics, it is well worth saving; the house at 809 West Main Street, he felt, was not in good condition but that it, like anything, could be restored. He felt that this house was in worse condition than most of the houses of that age in the area. Mr. Myers asked Mr. Spies for clarification on his assessment of the stairways in the house. He wondered if Mr. Spies meant that the width and run of the stairways were simply obsolete by modern standards or if the structure of the stairways were in poor condition. Mr. Spies responded with the example of one of the stairways being at least one-and-a-half inches out of level, making them a significant tripping hazard. Mr. Myers also asked Mr. Spies for his assessment of the house's original wood siding, which was overlaid by asbestos siding. Mr. Spies stated that there were several areas in which the asbestos siding was broken and cracked. He noted that in places where the original wood siding was visible, his assessment was that it would likely be more cost effective to put new wood siding on the house than to try to repair the original siding, which was in very poor condition. Mr. Cahill

inquired as to the condition of the roof. Mr. Spies responded that he did not have the opportunity to inspect the roof at length due to the lack of a ladder tall enough to reach the roof of this particular house. Mr. Cahill further inquired as to the condition of the windows and exterior doors, to which Mr. Spies replied that the windows were wood, double-hung, made in an older style which required weight ropes. These precluded any insulation from being installed at the sides of the windows and he noted that most of the weight ropes were broken. Further, Mr. Spies stated that several of the window frames were pulling apart and that there was no weather stripping; due to these facts, his recommendation was that the windows would have to be either completely rebuilt with new weather stripping or replaced with new windows. He noted in regards to the exterior doors, he did not go in or out the front door but the back door was in relatively good condition but the frame was moved enough that it did not seal well at the bottom. He said that it was a single-panel door, which from an energy conservation standpoint makes it a "high leakage" door, that there was no weather stripping around the door and that the trim around the door was not in good condition. Ms. Novak confirmed with Mr. Spies his unfamiliarity with historic structures. Mr. Spies responded that he was unfamiliar with the Urbana Historic Preservation Commission's specifications for historical significance. Ms. Novak then asked Mr. Spies if he had ever worked with rehabilitated historic buildings. Mr. Spies said that he had worked with many renovated homes in Champaign-Urbana and several of the surrounding towns but that he had not done so in the sense of restoring them to period correctness. Ms. Novak followed up by asking if Mr. Spies had been in renovated homes in which the owners had kept the original windows, installed weather stripping, et cetera. Mr. Spies answered in the affirmative. Ms. Novak then sought confirmation from Mr. Spies that one of the "keys" to old windows was that they were made of old-growth lumber that is now irreplaceable. Mr. Spies stated that there were several different qualities of old windows, the quality depending largely on the type of wood used. Ms. Novak asked if most of them were made of pine, to which Mr. Spies responded that many windows were indeed made of pine but that others were made of maple and that "all sorts of different hardwoods" were utilized in this area for windows. He felt that the windows at 809 West Main Street were nothing special and were not necessarily worth saving.

With no further questions of Mr. Spies, Ms. Novak asked of Mr. Wakeland if there were any further experts he wished to have address the Commission. There being none, Mr. Wakeland continued with his presentation. He presented photos showing examples of the house's poor condition. In closing, Mr. Wakeland asked if a "win-win situation" could be created, in which a new house could be constructed to the specifications of the Commission, so that the new structure would fit in seamlessly with the surrounding houses. Further, Mr. Wakeland noted that the house at 809 West Main Street was included in the West Main Street Historic District as a noncontributing property; that it is "woefully structurally deficient"; that its room arrangement is "very awkward", and; he expounded on the structural deficiencies in the floor systems and the difficulties in rectifying them. He asked once again if he could work with the Commission to demolish the existing structure and replace it with one that would fit in with the historic character of the rest of the district.

Ms. Novak asked if there were any questions for Mr. Wakeland from the Commission. Mr. Zangerl asked in light of the fact that an appraisal of this house had been recently done, if Mr. Wakeland had ever considered putting the house up for sale. Mr. Wakeland responded in the negative. He stated that he had traded a brand new apartment building for five properties – including the present one – 24 years ago and at the time the house was acquired it was a rooming house just as it is now. He noted that he did not recall exactly how much was paid for the house at that time but that he did pay

a sum of money for it in addition to the apartment building he traded. He stated that two years after the purchase of the house, the property was “down-zoned” and that it is now in a historic district, which he felt constituted his loss of control over the property. He noted that he would like to work with the Commission to make the West Main Street Historic District “better than it is now”.

With no further questions from the Commission, Ms. Novak asked if anyone in the audience had any questions for Mr. Wakeland. Randy Kangas stated that he had a question for Mr. Spies, who was not present in the room at the time. Ms. Novak responded that Mr. Kangas could pose his question when Mr. Spies returned.

Ms. Novak then asked if there were any proponents of this case who wished to address the Commission in favor of granting a Certificate of Economic Hardship. There were none. At that time, Mr. Spies returned to the meeting and Ms. Novak advised him that Mr. Kangas had a question he wished to pose. She called both Mr. Kangas and Mr. Spies to the table. Mr. Kangas asked Mr. Spies if he had ever inspected the house at 809 West Main Street before. Mr. Spies answered in the negative. Mr. Kangas then asked if Mr. Spies had any “base line” of the condition of the house 24 years ago. Mr. Spies again answered in the negative, noting that most of the existing conditions of the house at present looked as though they existed in the same state 24 years ago. Mr. Kangas then confirmed with Mr. Spies that he was not a City inspector, noting his earlier citation of “unsafe conditions”. Mr. Spies agreed that he is not a City inspector but that his intention in performing home inspections is to identify items which could be safety factors in a house.

Ms. Novak then asked again if anyone in the audience wished to speak in favor of granting the Certificate of Economic Hardship. There was no response. She then invited opponents of the granting of the Certificate of Economic Hardship to address the Commission.

Carolyn Baxley addressed the Commission, asking why in the 24 years that Mr. Wakeland has owned 809 West Main Street any of the problems identified haven’t been corrected. She summarized that “a lot of cosmetic work has been done” and advised that “you just can’t do that with old houses”. She felt that it was “disingenuous” for Mr. Wakeland to claim economic hardship when faced with improvements needed on the house when it has been allowed to fall into its present condition. She noted that she had made an offer to Mr. Wakeland to purchase the house at \$25,000 more than its appraised value and that she had received no response to this offer. She also noted that Mr. Wakeland had been approached in the past by Dan Folk, a resident of the West Main Street Historic District, with regards to Mr. Folk purchasing the house but that this offer also received no response. She related that the question on the minds of neighborhood residents was, why would Mr. Wakeland want to keep this house if it was such a burden?

Ms. Novak asked if there were any questions for Ms. Baxley. Brian Conway, an audience member, asked Ms. Baxley in regards to her offer to purchase 809 West Main Street from Mr. Wakeland, “was there earnest money with it”? Ms. Baxley answered in the negative, as she was unsure as to whether Mr. Wakeland would accept her purchase offer. She said that she sent the offer to Mr. Wakeland and to his attorney, requesting of Mr. Wakeland that if he was interested in her offer, to have his attorney create a contract and to get in touch with her. She said that she received no response. Mr. Conway responded that in real estate terms, this did not constitute an official offer, that an official offer includes earnest money and a contract to sign. Ms. Baxley responded that she

has “bought a lot of property in this town and that’s the way it’s usually started”. Ms. Novak sought clarification from Mr. Conway if he was related to Mr. Wakeland at all. Mr. Conway responded in the affirmative, adding that he was a partner with Mr. Wakeland in some of his properties.

Ms. Novak asked if anyone else wished to speak in opposition to granting the Certificate of Economic Hardship. Randy Kangas addressed the Commission, stating that this case is not concerned with whether or not 809 West Main Street is included in a historic district, that it is not a design review session, and he made the supposition that most persons present would not argue that the house had fallen into disrepair. Rather, he felt that the purpose of this hearing was to determine whether or not an economic hardship waiver was to be allowed. He complimented City staff for its analysis, showing that there are alternatives to demolition. He noted that one missing factor in this analysis was maintenance cost over the years. He stated that he lives across the street from 809 West Main Street and has seen very little work done on it. He further noted that in the past he made a purchase offer on what was then a vacant lot owned by Mr. Wakeland and which is now occupied by one of Mr. Wakeland’s buildings. He said that he received no response to this offer. He questioned why the house at 809 West Main Street was in its present state when it has had 24 years in which to be improved. He felt that Mr. Wakeland’s analysis on the house focused more on the highest rate of return than economic hardship and was unclear as to where in the analysis an economic hardship was proven, noting that it was stated in the analysis that the house can be rehabilitated with a return on the investment. Mr. Kangas’s main concern, however, was the “incentives to neglect properties” and he advised that if the Commission grant Mr. Wakeland’s application for Certificate of Economic Hardship, it is in effect sending a message that it is acceptable to “demolish by neglect”. In closing, he urged the Commission to deny the application and offered to answer any questions.

Ms. Novak asked if there were any questions of Mr. Kangas. There were none. Ms. Novak then asked if anyone else wished to speak in opposition to the granting of the Certificate of Economic Hardship in this case. There was no response. She then invited Mr. Wakeland to present a summary of comments to the Commission.

Mr. Wakeland stated that due to changes in zoning and changes in historic preservation efforts in Urbana, this house became a lesser priority for his property management company. He noted that he had invested nearly \$35 million dollars in the Lincoln Avenue area in other properties. He said that those properties were more important for his company to “work on and push” than 809 West Main Street. In the meantime, he said, 809 West Main Street was kept at a “livable level” and he noted that his property management company has a very high ranking with Student Legal Services at the University of Illinois. In closing, he noted that he has “tried very hard to not get this into an individual fight” between neighboring property owners and he found the discussion that had taken place at this public hearing “not very appealing”. He did not disagree with being asked why he retains this property “but beyond that” he felt that “that kind of discussion does not belong on this floor”. He ended by apologizing for becoming “unwound”, saying that he had “tried very hard” not to do so.

Ms. Novak thanked Mr. Wakeland for his input and asked if there was any staff summary. There was none. She then invited Commission discussion, saying that she would entertain a motion and reminding all that the time was 10:25 p.m. She also reminded the Commission that their task was

whether or not to grant a Certificate of Economic Hardship and nothing more. Mr. Myers felt that the expert testimony presented during this public hearing had satisfactorily answered the questions regarding whether or not all improvements to the house that Mr. Wakeland had stated as necessary in his analysis. He found the expert testimony credible but felt that room was left to question to what extent all the listed repair work needed to be done. He left that question up to the Commission.

There was a brief period of discussion of the case by the Commission. Ms. Stuart felt that the question of economic return from this property has to be “amortized” retrospectively since the time that it was acquired by Mr. Wakeland. She felt that “it did not reach its current deplorable condition overnight”, that when the property was acquired 24 years ago the same structural deficits existed, and that it must have been apparent that some of the maintenance work listed in Mr. Wakeland’s analysis would be required of the house at that time. She also felt that as further deterioration occurred over the years, decisions were made not to address the maintenance issues the house was presenting; and at the same time, the economic return on the original acquisition was received in terms of the rent collected from tenants of the property and that the depreciation on the house was taken into consideration. Contextualizing the issue of economic return, Ms. Stuart moved that the Historic Preservation Commission deny the application for Certificate of Economic Hardship on those grounds. Mr. Shepard seconded the motion.

Ms. Novak invited additional discussion from the Commission. Ms. Lipes sought confirmation from Mr. Myers with regards to what exactly is the Commission’s duty to decide on this matter. She wondered whether or not what has happened with this house in the last 24 years was really relevant and whether or not it should be considered. Mr. Myers responded that in terms of maintenance, the house has not been neglected to the point that it is a dangerous building or that it is on the verge of collapse. Ms. Novak asked if the house was subject to the City’s rental registration program, to which Mr. Myers answered in the affirmative. Ms. Novak asked if the house has been approved by the rental registration program, to which Mr. Myers answered in the negative, saying that the house had not yet been inspected. He explained that there is a cycle of systematic inspections for rental properties throughout the City and that not every rental property is inspected every year but that this house will be inspected approximately every two years.

In answer to Ms. Lipes’ question, Mr. Myers stated that the Commission would need to decide at this public hearing if in terms of the proposed work, can the property obtain a reasonable economic return without the proposed work? If the Commission determines that the property cannot obtain a reasonable economic return without the proposed work, then according to the Urbana Zoning Ordinance, there is a delay period of up to 90 days in which alternatives are to be examined. At the end of that 90-day period, if a reasonable economic return still cannot be obtained, a Certificate of Economic Hardship is to be issued. The question to be answered, Mr. Myers said, is, can a reasonable economic return be obtained without performing the proposed work, the proposed work being demolition.

Ms. Stuart, in addressing Ms. Lipes’ concerns, stated that the economic hardship can be considered in the context of deferred maintenance in the sense that the costs of renovation of the house at this point are offset by the money that has not been invested in maintenance. Ms. Novak agreed with Ms. Stuart; she felt that it had not been adequately proven that a reasonable economic return cannot

be made on this property. She noted that Mr. Wakeland himself had stated that the tenants in the house were happy living there, and that new drywall had been installed, fresh paint had been applied to the interior almost on an annual basis, that the bathrooms had been remodeled, and that new appliances had been installed. She felt that if it becomes the case where this house does not meet the requirements of the City's rental registration program or other problems arise in the future, the case may be brought before the Commission at such time for reconsideration. She felt, however, that this house suffered from a "conscious state of neglect" and she said that the Commission should not "reward that by authorizing this Certificate of Economic Hardship".

Ms. Novak asked if there was further discussion on the case. Mr. Shepard stated that he was not convinced that there was a hardship in this case, that there is no possibility of economic return on this property without demolishing it. With no further discussion, Ms. Novak asked for a roll call vote on Ms. Stuart's motion to deny the application for Certificate of Economic Hardship. Roll was taken and the votes were as follows:

Cahill – yes	Shepard – yes
Lipes – yes	Stuart – yes
Novak – yes	Zangerl – no

With five "yes" votes and one "no" vote, the motion passed and the application for Certificate of Economic Hardship was denied. Ms. Novak then closed the public hearing.

## **9. NEW BUSINESS**

There was none.

## **10. MONITORING OF HISTORIC PROPERTIES**

Mr. Shepard inquired as to the status of the demolition of 508 West Elm Street. Mr. Cahill responded that JSM Apartments has an option on the property and are currently examining their options. Ms. Novak sought confirmation that this property was in the MOR district, to which Ms. Bird replied in the affirmative. Ms. Novak then asked if the structure at 508 West Elm Street could be demolished without approval of the proposed replacement structure by the Development Review Board. Mr. Myers answered in the affirmative, saying that demolition could occur without approval of the replacement structure.

## **11. STAFF REPORT**

There was none.

## **12. STUDY SESSION**

There was none.



### 13. ANNOUNCEMENTS

Rebecca Bird made the following announcements:

- Certificate of Appropriateness applied for by Dan Folk which was anticipated would come before the Commission at this meeting had been temporarily withdrawn.
- The Children's Building Fair would take place on Saturday, May 17<sup>th</sup> from 11:00 a.m. to 4:00 p.m. at the Orpheum Children's Science Museum and that the Champaign and Urbana Historic Preservation Commissions would not have a booth at this event as they have had in the past. There will be a new booth entitled *Build Your Own Main Street*, being hosted by the Champaign Downtown Association.
- A Historic Walking Tour on Saturday, May 17th, meeting at 11:00 a.m. outside of the Orpheum. It would be a guided walking tour of 12 local and national landmarks in west-downtown and West Side Park, hosted by the Champaign Historic Preservation Commission.
- The Champaign County Historical Archives is reapplying for a grant through the LSTA Program at the Illinois State Library. The grant's purpose is to digitize historical records and is called *Historic Champaign County Homes & Neighborhoods*. Mayor Prussing signed a letter of support for this project and sent it to the State Archives.
- Ms. Novak announced that she had submitted 70 new historic survey forms to the City of Urbana which will fill in gaps left by properties that had not yet been surveyed in the West Urbana neighborhood.

### 14. ADJOURNMENT

Mr. Zangerl made a motion that the meeting be adjourned. Ms. Lipes seconded the motion. All Commissioners present were in favor and the meeting was adjourned at 10:42 p.m.

Submitted,

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Robert Myers, AICP  
Planning Division Manager