



Office of the Chicago City
Clerk



O2012-1319

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	3/14/2012
Sponsor(s):	Mendoza, Susana A. (Clerk)
Type:	Ordinance
Title:	<i>Historical landmark designation for Mid-City Trust Bank</i>
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

March 9, 2012

The Honorable Susana Mendoza
City Clerk
City of Chicago
Room 107, City Hall
121 North LaSalle Street
Chicago, Illinois 60602

RE: Recommendation that the (Former) Mid-City Trust and Savings Bank Building at 2 S. Halsted St. be designated a Chicago Landmark

Dear Clerk Mendoza:

We are filing with your office for introduction at the March 14, 2012, City Council meeting as a transmittal to the Mayor and City Council of Chicago the recommendation of the Commission on Chicago Landmarks that the (Former) Mid-City Trust and Savings Bank Building at 2 S. Halsted St. be designated as a Chicago Landmark.

The material being submitted to you for this proposal includes the:

1. Recommendation of the Commission on Chicago Landmarks; and
2. Proposed Ordinance.

Thank you for your cooperation in this matter.

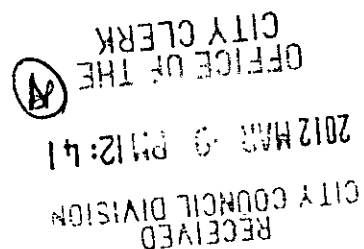
Sincerely,

Eleanor Esser Gorski, AIA
Assistant Commissioner
Historic Preservation Division
Bureau of Planning and Zoning

Originated by:
Matt Crawford
City Planner IV
Historic Preservation Division

Encl.

cc: Alderman Walter Burnett, Jr., 27th Ward



ORDINANCE

(Former) Mid-City Trust and Savings Bank Building 2 S. Halsted St.

WHEREAS, pursuant to the procedures set forth in the Municipal Code of Chicago (the "Municipal Code"), Sections 2-120-630 through -690, the Commission on Chicago Landmarks (the "Commission") has determined that the (former) Mid-City Trust and Savings Bank Building at 2 S. Halsted Street, as more precisely described in **Exhibit A** attached hereto and incorporated herein (the "Building"), satisfies three (3) criteria for landmark designation as set forth in Sections 2-120-620 (1), (4) and (6) of the Municipal Code; and

WHEREAS, the Building represents a distinct building type found in Chicago's neighborhoods that conveys aspects of the city's and the country's history from the early-twentieth century, including (i) the role banks played in the economic development of the city's neighborhoods by providing financial security and loans, (ii) the development of outlying commercial centers in Chicago's neighborhoods, (iii) the prominence of independent banks prior to the legalization of branch banking, (iv) the stabilization of the banking industry after the establishment of the Federal Reserve in 1913, (v) the great economic growth of the 1920s, and (vi) the economic disruption of the Great Depression; and

WHEREAS, the Building occupies a prominent location in its neighborhood context, at the intersection of Madison and Halsted Streets, exemplifying the importance of the financial institution on the city's Near West Side; and

WHEREAS, floors three (3) through six (6) display the Building's original appearance in 1911 as a combined store-and-office building with simple terra-cotta details designed by Chicago architect Horatio R. Wilson; and

WHEREAS, the Building conveys the evolution of bank architecture from common forms of commercial architecture displayed by the 1911 portions of the Building, toward specialized, monumental Classical-style buildings exhibited by the 1928 exterior redesign and new interior banking hall of the Building; and

WHEREAS, the 1928 exterior redesign and new interior banking hall of the Building by the Chicago architectural firm of Perkins, Fellows & Hamilton reflects a high point of bank architecture in America that began to flourish after the financial panic of 1907, before being abruptly halted by the Great Depression in 1929; a period in which bankers and their architects created monumental bank buildings that would signal to the banking customer the notion that their money would be safe and that the financial institution was well-capitalized and enduring; and

WHEREAS, the 1928 renovation of the Building features an arcaded façade treatment with a series of round-arched openings flanked by pilasters, a common feature of Classical Revival-style bank buildings from the 1920s; and

WHEREAS, the 1928 renovation of the Building also includes decoration inspired by the Romanesque-style of architecture combining such features as chevron geometric patterns, stylized animal figures, interwoven and spiraling floral ornament, and knotwork motifs; and

WHEREAS, the Building displays excellent craftsmanship in traditional materials, including carved limestone, decorative cast iron and terra cotta, polished marble and granite, and bronze architectural metal fixtures; and

WHEREAS, the Building retains its 1928 banking hall, a double height space with mezzanine finished with marble and terra-cotta which when built was one of the largest banking floor spaces outside the loop; and

WHEREAS, the Building satisfies the three (3) criteria for landmark designation set forth in Sections 2-120-620 (1), (4), and (6) of the Municipal Code; and

WHEREAS, consistent with Section 2-120-630 of the Municipal Code, the Building has a "significant historic, community, architectural, or aesthetic interest or value, the integrity of which is preserved in light of its location, design, setting, materials, workmanship and ability to express such historic, community, architectural, or aesthetic interest or value"; and

WHEREAS, on February 2, 2012, the Commission adopted a resolution recommending to the City Council of the City of Chicago that the Building be designated a Chicago Landmark; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The Building is hereby designated as a Chicago Landmark in accordance with Section 2-120-700 of the Municipal Code.

SECTION 3. For purposes of Section 2-120-740 of the Municipal Code governing permit review, the significant historical and architectural features of the Building are identified as:

- All exterior elevations, including rooflines, of the Building; and
- In the interior, the entrance lobby and main banking hall, including the skylight, original check desks and counters, and historic lighting and other fixtures.

SECTION 4. The Commission is hereby directed to create a suitable plaque appropriately identifying the Building as a Chicago Landmark.

SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect upon its passage and approval.

Exhibit A
(Former) Mid-City Trust and Savings Bank Building
2 S. Halsted St.
Property Description

Legal Description:

LOTS 1 AND 2 AND THE NORTH 3/5, BEING THE NORTH THIRTY FEET, OF LOT 3, (EXCEPT PRESENT STREETS AND ALLEYS) IN BLOCK 1 IN DUNCAN'S ADDITION TO CHICAGO, TOGETHER WITH THE BUILDING, BUILDINGS AND IMPROVEMENTS

THEREUPON SITUATED, A SUBDIVISION OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

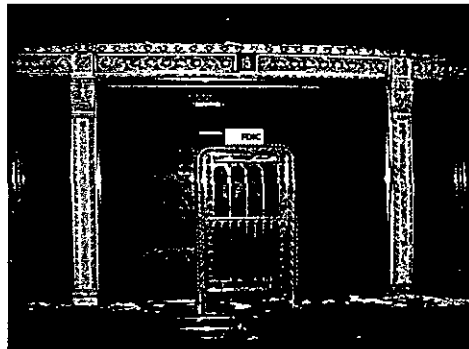
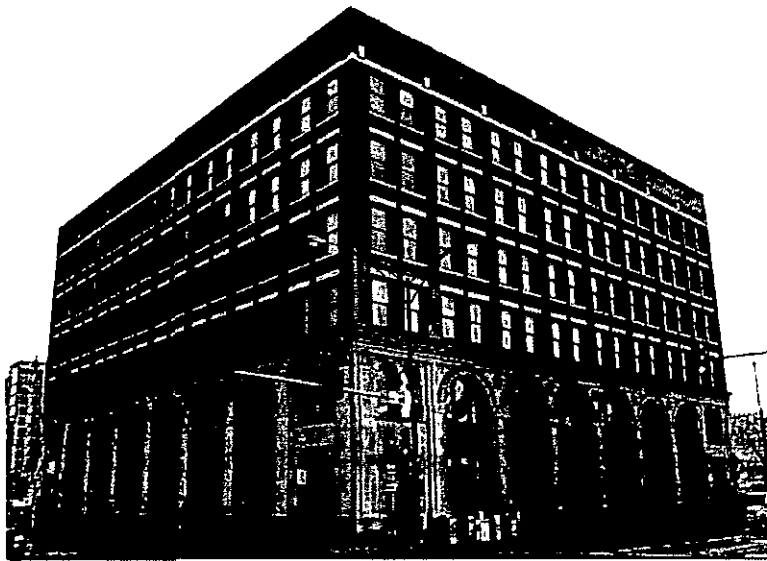
PIN:

17-17-209-009-0000

Commonly Known as:

2 S. Halsted Street, Chicago, IL

LANDMARK DESIGNATION REPORT



(Former) Mid-City Trust and Savings Bank

2 S. Halsted St. / 801 W. Madison St.

Final Landmark Recommendation adopted by the Commission on Chicago Landmarks, February 2, 2012



**CITY OF CHICAGO
Rahm Emanuel, Mayor**

**Department of Housing and Economic Development
Andrew J. Mooney, Commissioner**

The Commission on Chicago Landmarks, whose nine members are appointed by the Mayor and City Council, was established in 1968 by city ordinance. The Commission is responsible for recommending to the City Council which individual buildings, sites, objects, or districts should be designated as Chicago Landmarks, which protects them by law.

The landmark designation process begins with a staff study and a preliminary summary of information related to the potential designation criteria. The next step is a preliminary vote by the landmarks commission as to whether the proposed landmark is worthy of consideration. This vote not only initiates the formal designation process, but it places the review of city permits for the property under the jurisdiction of the Commission until a final landmark recommendation is acted on by the City Council.

This Landmark Designation Report is subject to possible revision and amendment during the designation process. Only language contained within a designation ordinance adopted by the City Council should be regarded as final.

(FORMER) MID-CITY TRUST AND SAVINGS BANK

2 S. Halsted St. / 801 W. Madison St.

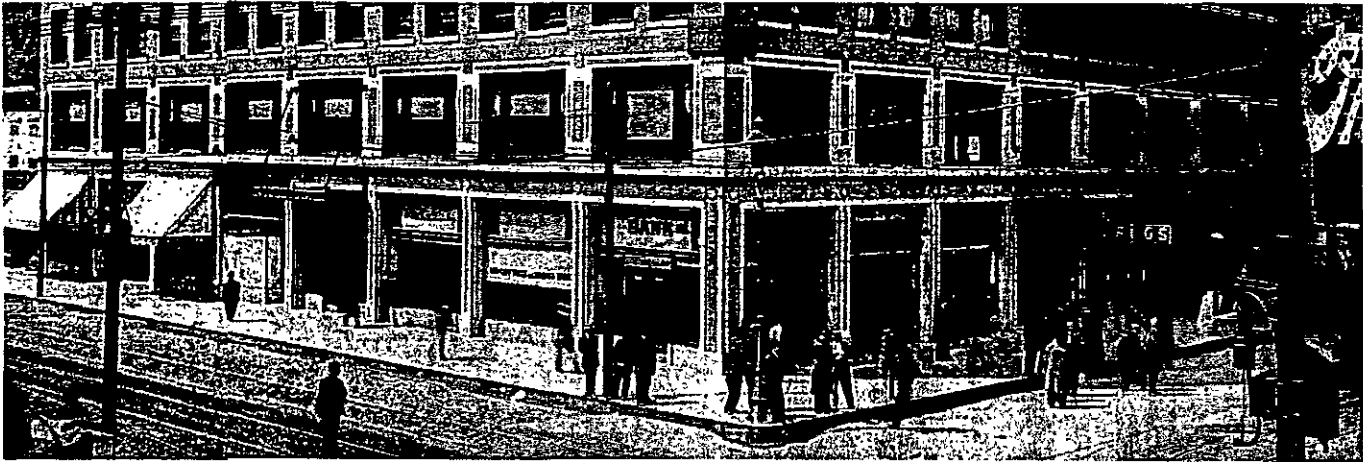
**DATE: 1911-12 (ORIGINAL BUILDING)
1928 (REMODELED EXTERIOR AND NEW INTERIOR BANKING HALL)**

**ARCHITECTS: HORATIO R. WILSON (ORIGINAL BUILDING)
PERKINS, FELLOWS AND HAMILTON (REMODELED EXTERIOR
AND NEW INTERIOR BANKING HALL)**

From the post-Chicago Fire period up to the Great Depression of 1929, Chicago experienced rapid growth, creating a "city of neighborhoods" each with its own commercial and economic life. Independent neighborhood banks played an important role in the economic and commercial development of the city's diverse neighborhoods by providing financial security and loans. Many of these institutions profited from the growth of their surrounding neighborhoods and reinvested in their respective communities with architecturally distinguished bank buildings.

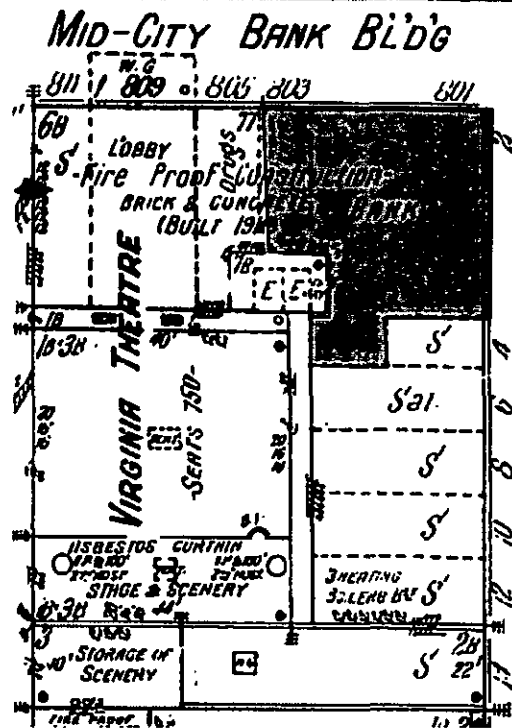
The (former) Mid-City Trust and Savings Bank building is a fine example of the many historic bank buildings located throughout Chicago, and designation of the building was first proposed in 2007 as part of a group of sixteen neighborhood bank buildings. Thirteen of those buildings (listed on page 17) have since been designated as Chicago Landmarks. These buildings, as well as Mid-City, share a common history, all having been built in a legal and economic environment that encouraged the proliferation of independent banks. The financial institutions that built these buildings provided financial services and security in Chicago's outlying communities that helped shape the city's growth as a patchwork of distinct neighborhood.

Mid-City and the other neighborhood banks which have been designated also share a common architectural theme; in their design and construction these buildings represent some of the best historic architecture found in the city's neighborhoods. Like Mid-City, most were built during a golden age of bank architecture in America which flourished after the financial panic of 1907 before being abruptly halted by the Great Depression in 1929; a period in which bankers and their architects created monumental bank buildings that would signal to the banking customer the notion that their money would be safe and the bank was here to stay. High-style architecture and expensive materials reinforced this message, and conveyed the perception that the bank was a well-capitalized and cultivated institution.



The historic photo of the building (above) as it appeared between 1911 and 1928 reveals architect Horatio Wilson's original design for the first two stories. At street level large storefront windows spanned the structural piers which were clad with white terra cotta. The second floor featured wide Chicago-style windows trimmed with terra cotta.

The 1917 Sanborn map (right) shows that the bank occupied a relatively small space at the northeast corner of the building, indicated by shading. The remaining street-level spaces were occupied by six small storefronts, a saloon, and a drugstore, in addition to the lobby to the Virginia Theater.



1911



1928

Before and after photos of the exterior (above) showing its transformation in 1928 which, on the exterior, replaced the relatively plain 1911 façade with a monumental Classical Revival-style arcade.

Like many neighborhood commercial banks, Mid-City was located at the intersection of two major commercial thoroughfares. When it was built the surrounding neighborhood in the eastern portion of the Near West Side included a mix of residential, commercial, manufacturing, and entertainment venues. Jane Addams' Hull House complex, surrounded by a crowded working-class immigrant neighborhood, was located a half mile south of the bank. The institution enjoyed steady growth, deriving its business mainly from the nearby Randolph and Fulton Street markets and the manufacturing plants west of the Chicago River.

1928 Remodeling

The early years of the bank must have been profitable because fourteen years after the completion of the building, the Mid-City Bank undertook a \$500,000 expansion and renovation that transformed the 1911 building. Under the headline "Brightens Halsted and Madison" the July 18, 1926 edition of the *Chicago Tribune* published a rendering of the building with an article noting that the bank had engaged the architectural firm of Perkins, Fellows & Hamilton to renovate the building "into one of the most attractive homes on the west side" and one of the largest banking floor spaces of any institution of its kind outside the loop. The scope of work included acquisition of the Virginia Theater building to make way for the expanded banking hall.

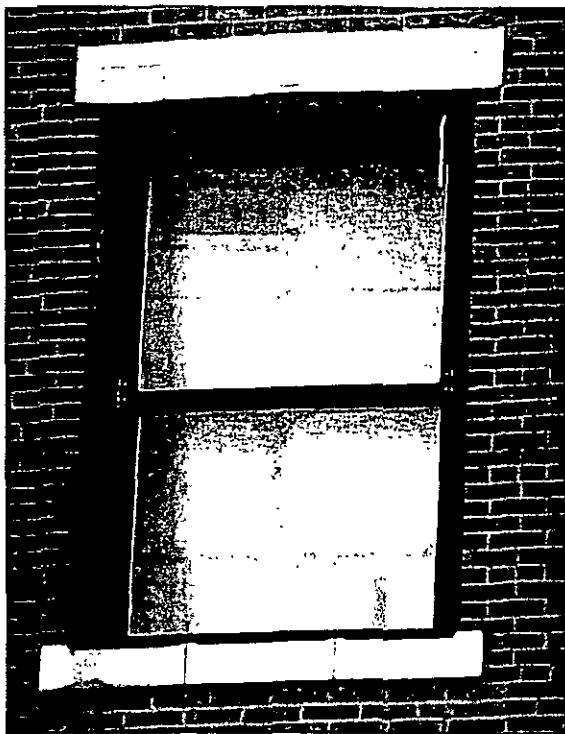
Perkins, Fellows & Hamilton's transformation of the building redesigned the first two stories of the exterior, and expanded and rebuilt the interior of the first two stories. On the exterior the 1911 design of the first two stories was replaced with a Classical Revival-style arcade clad in limestone resting on a polished granite plinth. The half-round arches that form the arcade spring from square pilasters with cushion capitals. In width, the arches span the six structural bays at the center of the Madison and Halsted Street facades, and they rise the full height of the two-story base. Each arch frames a large window opening divided vertically into three casements by mullions and horizontally by a spandrel panel at the floor line between the first and second stories. With the exception of the south bay of the Halsted façade, the bays on each end of both facades contain recessed entrances with bronze door frames and transom windows. Above each of these entrances are a pair of small arched window openings. The two-story limestone base is topped with a classical cornice.

While the overall character of the 1928 base is dominated by the Classical Revival style, the decorative details are clearly inspired by the Romanesque style of architecture that flourished from the late-10th to the 12th century in northern Italy, Spain, and France. The architectural decoration of that style was in turn influenced by the illustrated manuscripts of the medieval period. Typical motifs of the style include the intertwined floral ornament and knotwork patterns around the arches and door openings and the cushion-shaped pilaster capitals decorated with contorted animal figures. Decoration on the exterior that hints at the building's banking function are a series of medallions depicting Presidents Washington, Jefferson and Lincoln much as they appear on their respective coins.

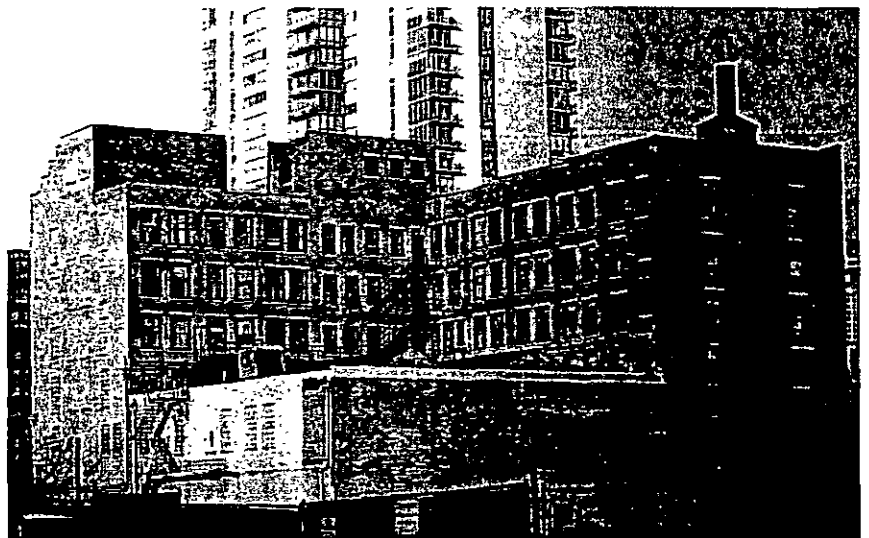
Of special note is the ornamentation of the cast-iron spandrels, each of which is subdivided into three panels. The left panel depicts a winged lion, associated with royalty and courage, as well as the symbol of St. Mark. Hermes the Messenger, perhaps the most familiar figures of ancient Greek mythology, occupies the central panel. He is classically depicted as an athletic youth



The Madison Street elevation as it appears today. Perkins, Fellows & Hamilton's 1928 limestone arcade transformed the exterior of the building's first two stories. With the exception of the lost cornice, floors three to six remain much as they appeared in 1911.



The window openings on floors three to six (above) from 1911 include white terra-cotta lintels with simple geometric decoration; sills are plain white terra cotta.



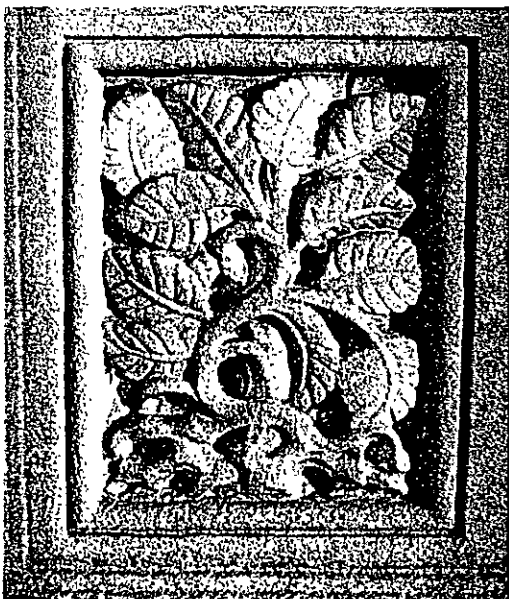
The less-visible west and south elevations (above) are common brick. The two story portion of the building in the foreground was originally the location of the separate Virginia Theater building. The theater was either completely demolished or radically altered to create the grand banking hall in 1928.



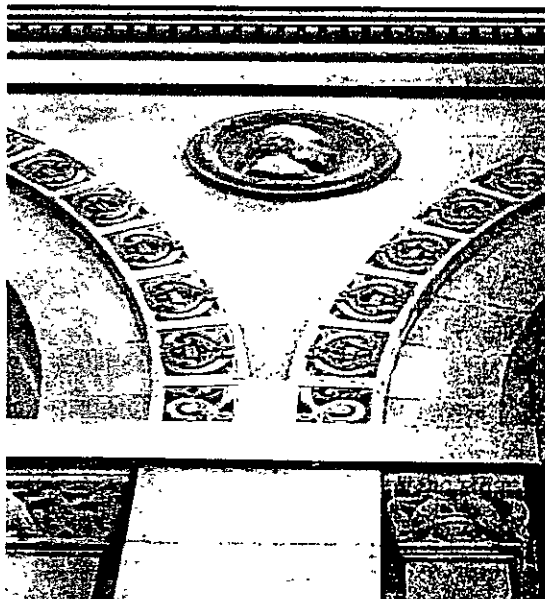
a.



b.



c.



d.

Details from the 1928 base of the building (left) reveal a high degree of craftsmanship in carved limestone. The unusual Romanesque-style decoration includes chevron geometric patterns (a.), stylized animal figures (b.), interwoven and spiraling floral ornament (c.), and a band of knotwork ornament around the arches (d.).



In addition to carved stone, the building has finely rendered ornament in cast-iron at the spandrels (left).

with winged hat and sandals and the herald's staff, or caduceus. The third panel frames a stylized American eagle.

The separate Virginia Theater was vacated and either completely demolished or substantially altered to become the two-story portion at the southwest corner of the building. The street-level storefronts and theater lobby as well as the second floor were also gutted. Into this new interior volume the architects inserted a 15,000 square foot banking hall finished with decorative polychrome terra cotta, marble and brass. The first floor included thirty-two teller stations, offices, and vaults surrounding a large public space. A portion of the second floor was removed to create a double-height space with a skylight in the banking hall. Around this opening are additional offices and a director's room with either bronze windows or open loggias that open onto the banking floor below.

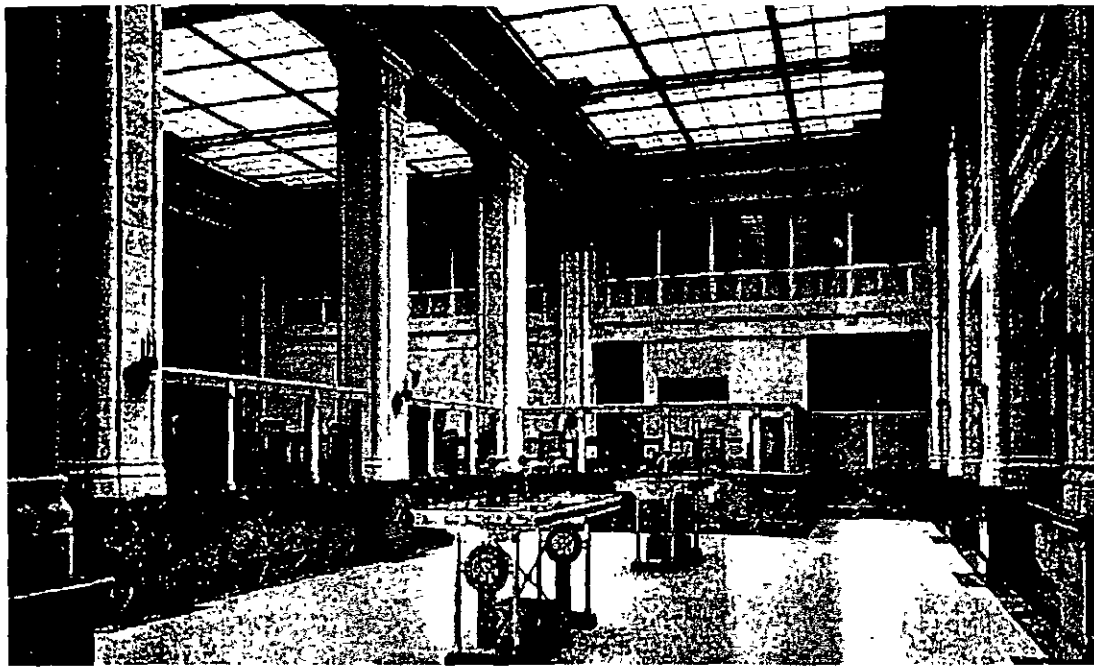
The substantial redesign of the interior banking hall was featured in the August 5, 1928 issue of *The American Architect* with plan drawings and photographs. Much of the architectural character and decoration illustrated in that article remains in place today. The lofty space is interspersed with columns with black and green marble bases and terra-cotta shafts. The capitals of these columns are decorated with contorted animal figures, interwoven and spiraling floral ornament, continuing the Romanesque-style ornament found on the exterior.

The numerous teller cages are set behind black- and green-marble counters. The teller windows are set in decorative terra-cotta frames, and the wickets, or openings in these teller windows, are bronze also with Romanesque decorative motifs.

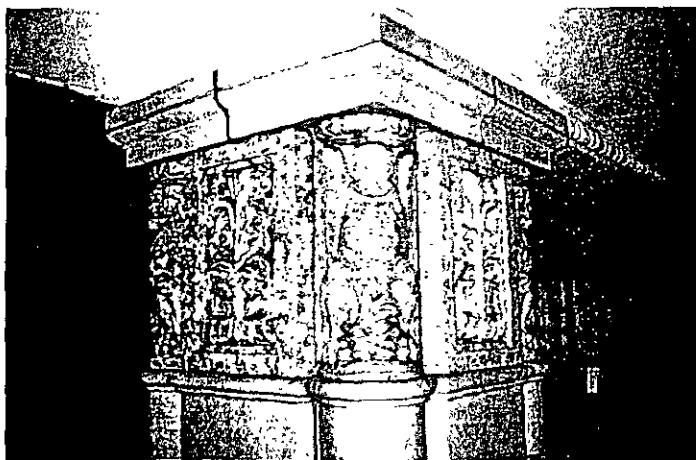
Like the columns, the walls of the interior are clad with cream-colored terra-cotta tiles. The fascia of the mezzanine surrounding the double-height space takes on polychrome decoration where there are figures of owls, griffons and galleons rendered in blue, green and yellow hues. The double-height ceiling is trimmed with moldings rendered with Romanesque motifs. The framework of the historic skylight remains, though the glass has been replaced with tile. The floor is finished with light-gray marble with black marble accents. The mezzanine level is reached by a curved terra-cotta stairway which leads to the wood-paneled directors' room with its fireplace framed with a copper and terra-cotta mantelpiece.

The (former) Mid-City Trust and Savings Bank building combines elements from its original construction in 1911 as well as its substantial renovation in 1928, a change to the building which possesses historic significance in itself. As a combined work, the building retains excellent physical integrity, displayed through its siting, scale, overall design. It retains the majority of historic materials and detailing that it possessed in 1928.

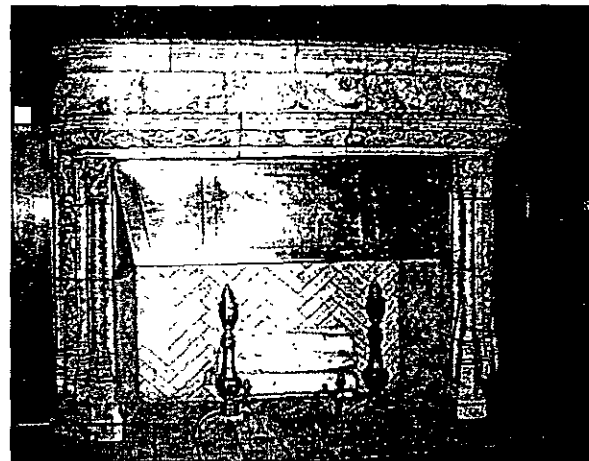
Changes to the building's exterior include the loss of the cornice and the replacement of the windows on floors three to six. On the interior the skylight has been covered with acoustic tiles. These changes are reversible and do not inhibit the building's ability to convey its historic and architectural character.



The 1928 transformation of the building was brought to the attention of architects nationwide in the pages of the August 1928 issue of *The American Architect* which published plans and photos of the building, including a view of the banking hall with its skylight (left).



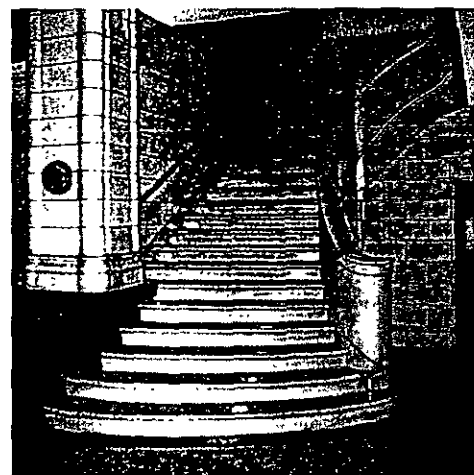
a.



c.



b.



d.

The Romanesque-style decoration of the exterior is continued in the banking hall, including the animal forms in the column capitals (a.) and the spiraling floral and knotwork ornament of the teller cages (b.). Other interior details include a terra cotta and copper mantelpiece (c.) and a curved terra-cotta and marble stairway (d.).

Mid-City Bank survived the Great Depression partly through a merger with another bank in 1933, changing its name to the Mid-City National Bank. After World War II, the surrounding neighborhood deteriorated and the bank found itself in the heart of Chicago's Skid Row. Despite the decline, the bank persisted by picking up customers from other Near West Side banks that had moved out of the area, and further benefitted when the neighborhood began to recover in the 1970s. The bank remains in business as MB Financial Bank in the same area, though recently moved to a newer building across the street from its original location.

Horatio R. Wilson

The six story L-portion of the building was designed by architect Horatio R. Wilson in 1911. A well-known and prolific early architect in Chicago, Horatio Reed Wilson (1858-1917), was born and educated in Jamestown, New York. He worked as a designer for Chicago architect Charles J. Hull from 1878-1885, and beginning in 1885 was in continuous practice in Chicago in partnership with different architects. Wilson established an independent office in 1900, designing a number of important buildings over the next decade, including the Illinois Theater in Chicago, the L.C. Case Office Building in Racine, WI (1905), the Sharp Office Building in Kansas City, and the Railroad Station in Wheaton, Illinois, for the Aurora, Elgin & Chicago Railroad.

After 1910, Wilson and John A. Armstrong organized the firm of H.R. Wilson & Co., which Wilson headed until his death. The firm designed office and warehouse buildings, apartment houses and hotels. Extant buildings by the firm include the McNaul Tire Co. (a Chicago Landmark) at 2120 W. Michigan Ave. (later Chess Records, 1911) and the J.P. Smith Shoe Co. factory building at 915-25 W. Huron St. (1912; now River West Loft Apartments).

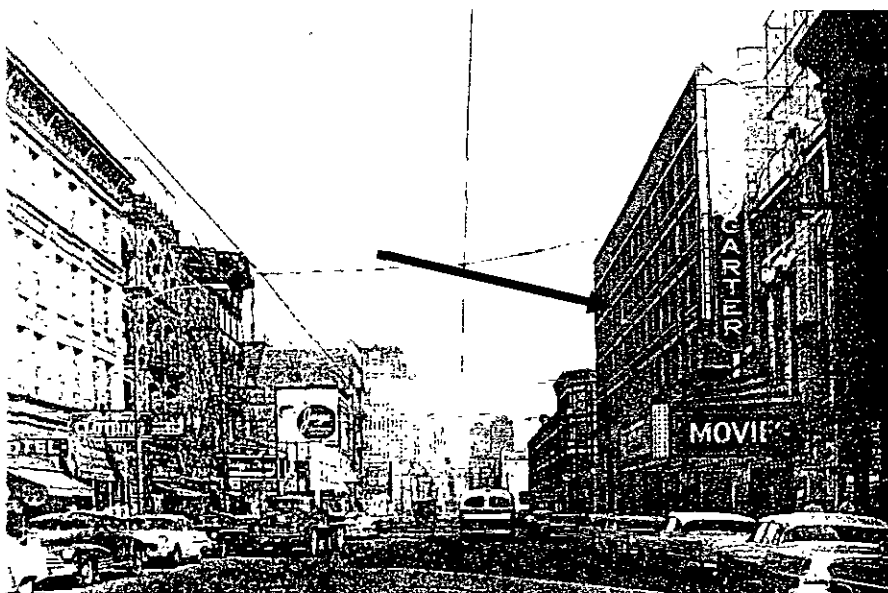
Perkins, Fellows & Hamilton

The 1928 exterior redesign and new interior banking hall of the Mid-City Trust and Savings Bank building is the work of the architectural firm of Perkins, Fellows & Hamilton. The partnership of Dwight Perkins (1867-1941), William Fellows (1870-1948), and John Hamilton (1878-1955) is one of the most significant, early twentieth-century Chicago architecture firms designing prominent buildings from 1910 to 1929 in progressive, non-historic architectural styles reflecting the influence of the Prairie School style. Among the firm's most important works is the 1912 Lion House at the Lincoln Park Zoo and the nearby South Pond Refectory (now Café Brauer). (Both are designated Chicago Landmarks.)

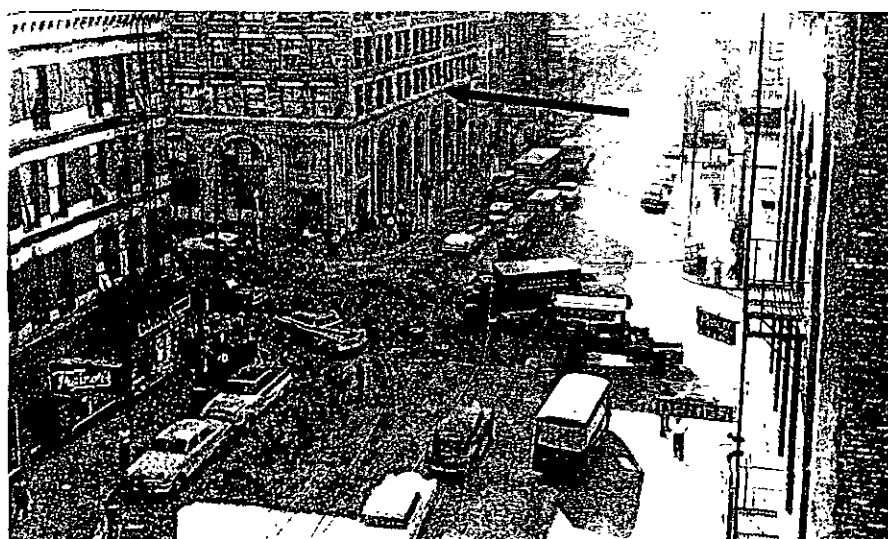
Prior to his partnership with Fellows and Hamilton, Dwight Perkins designed a number of public schools in Chicago noteworthy for their progressive designs, details and craftsmanship, including the 1910 Carl Schurz High School (a Chicago Landmark), Bowen High School, and Cleveland and Trumbull Public Schools.



The post card at left is a hand-colored photograph of the Madison and Hasted intersection. The Mid-City Bank (marked with the arrow) is depicted prior to its 1928 renovation.



The photos at left show the Madison and Hasted intersection around 1950. Of all the historic buildings depicted in the photos, only the Mid-City Bank building survives.



NEIGHBORHOOD BANKING IN TWENTIETH-CENTURY CHICAGO

During the early-twentieth century, the establishment of independent banks played a major role in bolstering the development of Chicago's neighborhoods. The rapid expansion of the city and its transportation network resulted in a vast series of outlying neighborhoods by the early 1900s, each with its own identity and shopping district. Bustling local commercial centers—typically located near the intersection of street car or elevated rail lines—offered a wide range of venues for shopping and entertainment, featuring clusters of small shops, restaurants, theaters, office buildings and department stores. These “cities within a city” met the basic needs of residents, who saw no reason to travel downtown regularly.

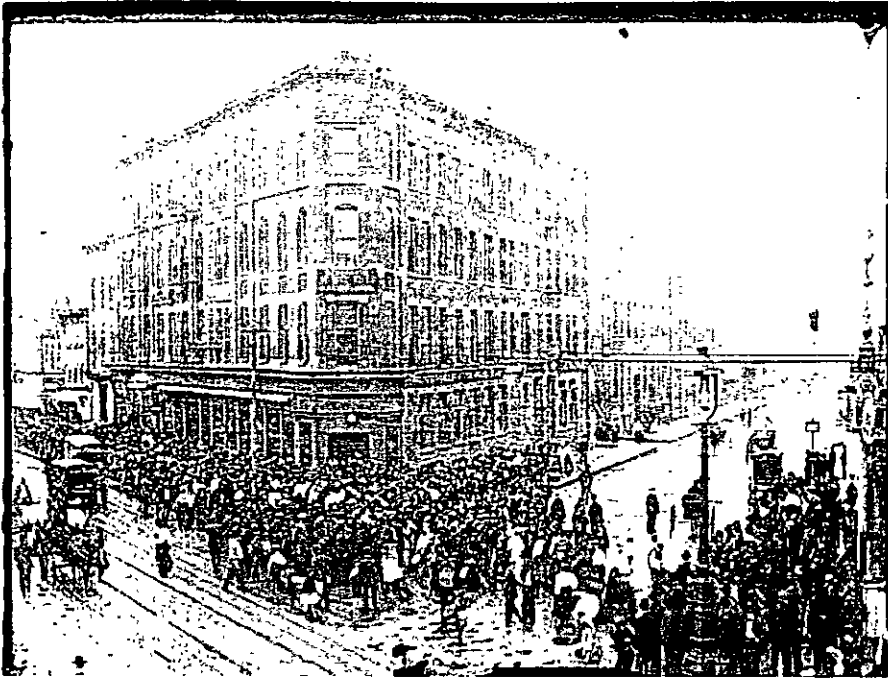
During the same period, Illinois state law prohibited banks from opening branches. The intention of the law was to encourage the establishment of small, independent banks to serve the many small farm communities scattered throughout the state, and to discourage bank monopolies. In Chicago the legislation resulted in the large number of independent banks located in the city's neighborhoods where they offered mortgages, business loans, and checking and savings accounts for middle- and working-class residents. Reflecting their neighborhood focus, banking institutions were typically organized by prominent local businessmen who served as directors and officers, and their stock was generally owned by local residents and merchants.

A national financial panic and recession in 1906 led to the establishment of the Federal Reserve in 1913 which reformed the banking industry. The increased stability further encouraged the growth of banks nationally and in Chicago.

A July 28, 1921, advertisement in the *Chicago Tribune* highlights a contemporary view of neighborhood banks:

The result of the very bigness of Chicago has brought about localized business centers. Step by step with the growth of Chicago has come the establishment of a wonderful array of outlying banks. These financial institutions exert a tremendous influence on the business and civic life of Chicago. They are more than clearing houses of their respective community. In most cases they are the community centers as well. On the evenings in the hours these banks open their doors to the public, hundreds of thousands of people assemble to transact their banking business. Not only are these banks safe, convenient depositories for the funds of the people, they are investment centers.

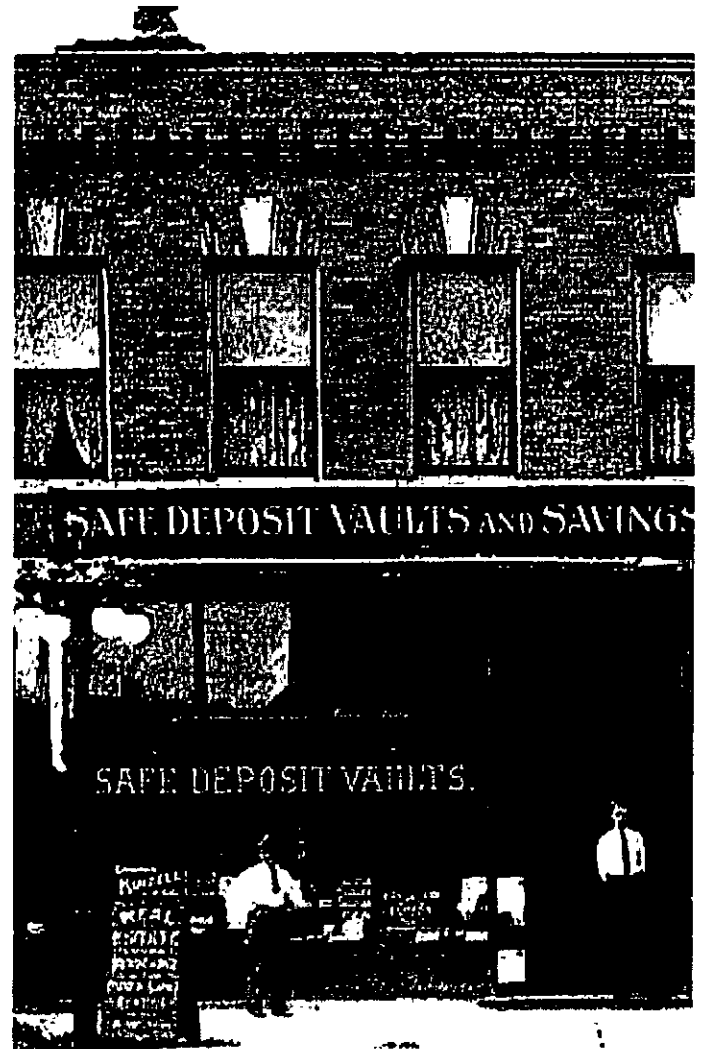
In 1900 there were 11 neighborhood bank buildings in Chicago, with total deposits of \$22 million. At the start of World War I in 1914 the number had grown to 66 neighborhood banks with deposits of \$126 million. The greatest proliferation of neighborhood banks, however, occurred during the 1920s, a period of tremendous growth in Chicago and the nation. In 1924, there were 173 neighborhood banks with total deposits of \$615 million. Their number peaked at 195 in January 1929, with deposits totaling \$769 million. There were more deposits in Chicago's outlying neighborhood banks than in all the combined banks of six states—Idaho, New Mexico, Wyoming, Delaware, Montana, and North Dakota.



The photo at left shows a "bank run" on the Milwaukee Avenue State Bank in August 1906. Bank failures and an economic recession in 1906 led to banking reforms under the Federal Reserve Act of 1913. Stabilization of the banking industry encouraged the establishment of banks.



Before the monumental banks of the 1920s, Chicago's early banks were inconspicuous buildings that differed little from other commercial buildings. A good example is the bank on Fullerton Avenue from 1909 (right). The photo of the Milwaukee Avenue State Bank interior during the 1906 "run" (above) illustrates that early banking halls were similarly nondescript.



The spectacular growth of Chicago's neighborhood banks over such a short period of time made the panic that occurred after the Stock Market Crash of 1929 all the more devastating. Between 1929 and 1932, a wave of bank failures reduced the ranks of Chicago's 195 neighborhood banks to 110, as the institutions paid out the enormous sum of \$450 million on depositors' demands. For many banks, the process of liquidation continued throughout the 1930s.

As the growth of outlying banking in Chicago was closely tied to real estate developments in its neighborhoods, the tremendous deflation in Chicago real estate and real estate investments hastened the decline. The real estate situation grew steadily worse following a wave of bank failures that culminated in June 1931. The panic that ensued during "bank runs" at the time was described in a March 1932 article in Chicago's *Commerce* magazine:

There was scarcely a neighborhood bank that did not have an out and out run. In more than one hundred banks, at one time, crowds pushed and jostled as people fought to draw money. Hysteria was everywhere. Bank officers, directors and business men made speeches from the counter tops in crowded lobbies. Words availed but little and cash continued to be paid out. In six months after that 20 more banks had closed in the wake of that tidal wave.

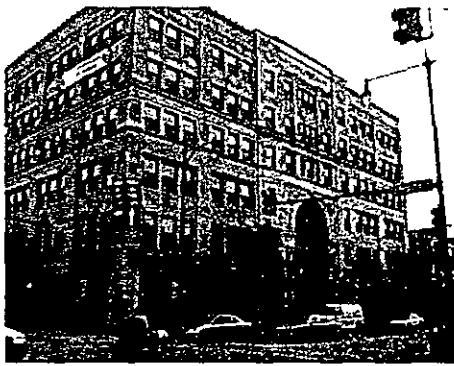
By 1933, President Franklin D. Roosevelt concluded that only a national "bank holiday" would restore the system. Soon thereafter Congress changed most of the banking laws, and the established the Federal Deposit Insurance Corporation (FDIC) was established to protect depositors against bank runs or thefts.

EARLY TWENTIETH-CENTURY BANK ARCHITECTURE IN CHICAGO

In the late nineteenth and first decade of the twentieth century, Chicago's neighborhood banks were typically housed in a portion of a commercial building and were architecturally indistinguishable from other retail buildings. Gradually bank buildings developed as free-standing, self-contained and purpose-built structures. By the 1920s, the banks built in Chicago's neighborhoods had evolved into monumental structures that rivaled neighborhood churches and schools in terms of architectural design and quality of construction. The (former) Mid-City Bank is unusual in that it reflects both phases of the evolution of this building type, from its 1911 design in which the bank occupied a small, inconspicuous portion of the building, to its transformation in 1928 with a imposing two-story façade and grand banking hall.

Mid-City Bank's location at the intersection of two prominent streets is typical of other neighborhood banks which are typically sited near key intersections in commercial districts, often on corners, serving as prominent visual landmarks for residents of those neighborhoods. By the 1920s these imposing structures were readily distinguished from the surrounding

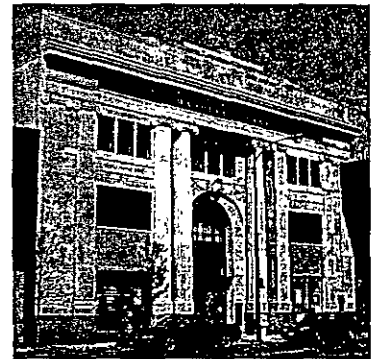
NEIGHBORHOOD BANK BUILDINGS DESIGNATED AS CHICAGO LANDMARKS



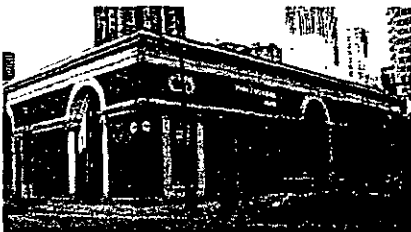
BELMONT-SHEFFIELD TRUST AND SAVINGS BANK
1001 W. Belmont Avenue
Date: 1928-1929
Architect: John A. Nyden & Co.



FULLERTON STATE BANK
1425 W. Fullerton Avenue
Date: 1923
Architect: Karl M. Vitzthum



MARQUETTE PARK STATE BANK
6314 S. Western Avenue
Date: 1924
Architect: Karl M. Vitzthum



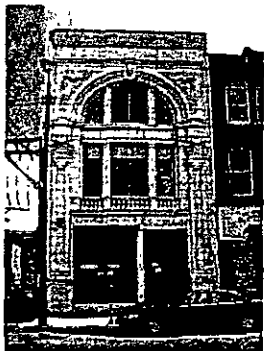
COSMOPOLITAN STATE BANK
801 N. Clark Street
Date: 1920
Architect: Schmidt, Garden and Martin



SOUTH SIDE TRUST AND SAVINGS
4659 S. Cottage Grove Avenue
Date: 1922
Architect: A. A. Schwartz



KIMBELL TRUST AND SAVINGS BANK
3600 W. Fullerton Avenue
Date: 1924
Architect: William Gibbons Uffendell



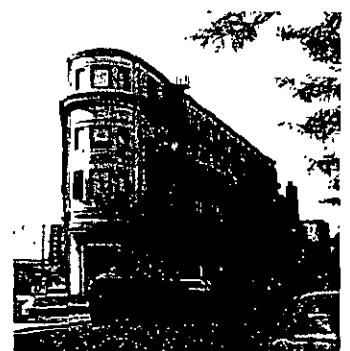
CALUMET NATIONAL
9117 S. Commercial Av.
Date: 1910
Architect: John A. Domickson



SHERIDAN TRUST AND SAVINGS
4753 N. Broadway
Date: 1924
Architect: Marshall and Fox
Additional Stories: 1928, Huszagh and Hill



CHICAGO CITY BANK AND TRUST
815 W. 63rd Street
Date: 1930
Architect: Abraham Epstein



MARSHFIELD TRUST AND SAVINGS
3321 N. Lincoln Avenue
Date: 1923-1924
Architect: William Gibbons Uffendell



STOCK YARDS NATIONAL
4150 S. Halsted Street
Date: 1924
Architect: Abraham Epstein



HYDE PARK-KENWOOD NATIONAL BANK
1525 E. 53rd Street
Date: 1928
Architect: Karl M. Vitzthum



SWEDISH AMERICAN STATE BANK
5400 N. Clark Street
Date: 1913
Architect: Ottenheimer, Stern, and

streetscape due to their distinctive designs, often incorporating classical and more monumentally-scaled elements, quality cladding materials, and fine craftsmanship.

Stylistically, Mid-City's redesign in 1928 with a Classical Revival-style arcade is consistent with the dominant trend in bank design in the 1920s. With its ability to convey a sense of security, permanence, and strength, the Classical Revival style was well-suited to the image bankers sought to convey. Ancient Greek and Roman architecture serves as the foundation of the style, as does later the Renaissance and the early-twentieth-century Beaux Arts classicism. The architecture of the 1893 World's Columbian Exposition in Chicago extended the popularity of the Classical Revival style across the United States.

Classical Revival-style bank facades were often designed to resemble either the column-and-pediment form derived from Greek and Roman temples or an arcaded façade distinguished by repeating two-story round-headed arches. The (former) Mid-City Trust and Savings Bank Building is an excellent example of the latter arrangement, combined with Romanesque Revival-style architectural ornament.

Like Mid-City Bank, several neighborhood banks retain their original banking halls which include expensive, durable, and fireproof finishes, especially marble, terra cotta and custom architectural metalwork. To minimize accounting errors, bankers demanded maximum lighting, thus skylights, large windows, and custom lighting fixtures are a common feature. Early-twentieth century banking halls were highly specialized interiors that provided architects an opportunity to design down to the last detail in fixtures and furnishings. Prominent teller counters, with tall metal or glass cages, mark the separation between customer spaces and the secure working areas of the bank.

CRITERIA FOR DESIGNATION

According to the Municipal Code of Chicago (Section 2-120-690), the Commission on Chicago Landmarks has the authority to make a recommendation of landmark designation to the City Council for a building, structure, or district if the Commission determines it meets two or more of the stated "criteria for landmark designation," as well as the integrity criterion. The criteria which the (former) Mid-City Trust and Savings Bank building satisfies are defined in the Commission's "Recommendation to the City Council of Chicago that Chicago Landmark Designation be adopted the (former) Mid-City Trust and Savings Bank building," dated February 2, 2012.

SIGNIFICANT HISTORICAL AND ARCHITECTURAL FEATURES

Whenever a building, structure, object, or district is under consideration for landmark designation, the Commission on Chicago Landmarks is required to identify the "significant historical

and architectural features” of the property. This is done to enable the owners and the public to understand which elements are considered most important to preserve the historical and architectural character of the proposed landmark. The Commission has identified the significant features for each bank, and these are defined in the Commission’s “Recommendation to the City Council of Chicago that Chicago Landmark Designation be adopted the (former) Mid-City Trust and Savings Bank building,” dated February 2, 2012.

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ACKNOWLEDGMENTS

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Illustrations

Historic Preservation Division: Cover, pp. 4 (bottom), 8, 9, 11, 16.

Sanborn Fire Insurance Map: p. 6 (middle).

www.mbfinc.com: p. 6 (top).

Skopec, Diamond Jubilee: p. 11 (bottom left).

Chicago Daily News negatives collection, Chicago History Museum, <http://memory.loc.gov>: p. 14 (top, middle).

American Architect: p. 11 (bottom right).

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Printed February 2012.

**CITY OF CHICAGO
COMMISSION ON CHICAGO LANDMARKS**

February 2, 2012

**RECOMMENDATION TO THE CITY COUNCIL OF CHICAGO THAT
CHICAGO LANDMARK DESIGNATION BE ADOPTED FOR**

**(Former) MID-CITY TRUST AND SAVINGS BANK BUILDING
2 S. Halsted St.**

Docket No. 2012-01

To the Mayor and Members of the City Council of the City of Chicago:

Pursuant to Section 2-120-690 of the Municipal Code of the City of Chicago (the "Municipal Code"), the Commission on Chicago Landmarks (the "Commission") has determined that the (former) Mid-City Trust and Savings Bank Building (the "Building") is worthy of Chicago Landmark designation. On the basis of careful consideration of the history and architecture of the Building, the Commission has found that it satisfies the following three (3) criteria set forth in Section 2-120-620 of the Municipal Code:

1. *Its value as an example of the architectural, cultural, economic, historic, social, or other aspect of the heritage of the City of Chicago, State of Illinois, or the United States.*
4. *Its exemplification of an architectural type or style distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.*
6. *Its representation of an architectural, cultural, economic, historic, social, or other theme expressed through distinctive areas, districts, places, buildings, structures, works of art, or other objects that may or may not be contiguous.*

I. BACKGROUND

The formal landmark designation process for the Building began on September 6, 2007, when the Commission received a "preliminary summary of information" at the Commission's regular meeting of September 6th from the then-Department of Planning and Development ("DPD") summarizing the historical and architectural background of the Building, as one of a group of thirteen (13) neighborhood bank buildings. At said meeting, the Commission voted to approve a "preliminary landmark recommendation" for the Building, based on its finding that it appeared to meet three of the seven criteria for designation, as well as the integrity criterion, listed in the Chicago Landmarks Ordinance (the "Landmarks Ordinance").

At its regular meeting of December 6, 2007, the Commission received a revised and amended "preliminary summary of information" from DPD summarizing the historical and architectural background of an additional three (3) neighborhood bank buildings—for a total of sixteen (16) neighborhood bank buildings. At said meeting, the Commission voted to approve a revised and

amended preliminary landmark recommendation (the "Amended Preliminary Recommendation"). The Amended Preliminary Recommendation reaffirmed that the Building appeared to meet three (3) of the seven (7) criteria for designation, as well as the "integrity" criterion.

The revised and amended copy of the Commission's Landmark Designation Report for the Building (initially adopted by the Commission on December 6, 2007, revised and adopted as of the date hereof) which contains specific information about the Building's architectural and historical significance, is incorporated herein and attached hereto as **Exhibit A** (the "Designation Report").

At its regular meeting of December 6, 2007, the Commission also received a report from Arnold L. Randall, then-Commissioner of DPD, stating that the proposed landmark designation of the Building supports the City's overall planning goals and is consistent with the City's governing policies and plans. This report is incorporated herein and attached hereto as **Exhibit B** (the "DPD Report").

On January 15, 2008, the Commission officially requested consent to the proposed landmark designation from the owner the Building, Nebel Inc. ("Owner"). On February 26, 2008, the Commission received from the Owner a written consent form that indicated the Owner's non-consent to the proposed designation. The Commission notified the Owner, as well as the owners of six (6) other neighborhood bank buildings who either did not consent or did not respond to the Commission's request-for-consent, that a public hearing was scheduled for April 15, 2008.

At the public hearing on April 15, 2008, the Owner was present and represented by its then-attorney, Mr. Brian Kluever. Mr. Kluever requested and was granted party status in opposition to the proposed designation of the Building. Mr. Kluever stated that the interior of the banking hall had sustained substantial water infiltration which had damaged proposed-significant features of the interior and had caused indoor air quality problems associated with mold growth. Mr. Kluever also stated that the majority of historic interior fixtures within the space had been removed from the Building by the prior owner.

To allow additional time for this new information to be considered, the Owner requested to withdraw its non-consent, and requested that the Commission extend the expiration date of the request-for-consent period (i.e., February 29, 2008) by up to one hundred twenty (120) days. This letter also indicated that the Owner waived the requirement that the Commission determine whether to recommend the proposed landmark designation to the City Council within thirty (30) days after the conclusion of the public hearing held on April 15, 2008, pursuant to Sec. 2-120-690 of the of the Landmarks Ordinance.

As the expiration of the extended request-for-consent period (i.e., June 30, 2008) approached, the Owner requested additional time to respond to the Commission's request-for-consent in order to further refine plans for redevelopment of the Building for the Commission's review. In order to allow the Owner additional time to consent or not to consent to the landmark designation, on June 30, 2008, the City of Chicago ("City") and the Owner entered into a tolling agreement (such agreement, the "Tolling Agreement"). The Tolling Agreement tolled, postponed and suspended the dates and deadlines contained in Sections 2-120-650, 2-120-670, 2-120-680, 2-120-690, 2-

120-700, 2-120-705 and 2-120-720, and any other relevant sections of the Landmarks Ordinance relating thereto. The Tolling Agreement extended the period of time for the Owner to respond to the Commission's request-for-consent to October 27, 2008.

From October 27, 2008 to November 1, 2011, pursuant to requests from the Owner, the City and the Owner entered into eleven (11) amendments to the Tolling Agreement. Pursuant to these amendments to the Tolling Agreement, the dates and deadlines contained in Sections 2-120-650, 2-120-670, 2-120-680, 2-120-690, 2-120-700, 2-120-705 and 2-120-720, and any other relevant sections of the Landmarks Ordinance relating thereto, were tolled, postponed or suspended. The amendments to the Tolling Agreement also extended the Owner's deadline for responding to the Commission's request-for-consent.

As of November 1, 2011, the expiration of the eleventh and final amendment to the Tolling Agreement, the Commission had not received consent to the proposed designation from the Owner. The Tolling Agreement, as amended, required the Commission to hold a public hearing on the Amended Preliminary Recommendation with respect to the Building as a Chicago landmark within ninety (90) days of the expiration of the tolling period, as amended (i.e., within ninety (90) days following November 1, 2011).

II. PUBLIC HEARING

A public hearing was convened, as scheduled and noticed, on Thursday, January 19, 2012, at 9:30 a.m. at City Hall, 121 N. LaSalle St., Rm. 201-A. Commission member Mary Ann Smith served as hearing officer, assisted by Arthur Dolinsky, Senior Counsel of the Real Estate Division of the City's Law Department, as legal counsel to the Commission, and Eleanor Gorski, Assistant Commissioner of the Historic Preservation Division of the Department of Housing and Economic Development. The hearing was conducted in accordance with the Commission's Rules and Regulations, specifically Article II regarding the conduct of public hearings for landmark designation.

Matt Crawford, City Planner for the Historic Preservation Division of the City of Chicago, Department of Housing and Economic Development, gave a presentation on the proposed landmark designation.

Howard Kilberg, the attorney representing the building Owner, requested and was granted party status by the hearing officer and made a presentation in opposition to the designation. His presentation included the testimony of Mr. Van Tomaras as a witness.

Two statements were made by members of the general public, in favor of the proposed designation:

- Suzanne Germann, representing Landmarks Illinois.
- Jonathan Fine, representing Preservation Chicago.

A letter of support for the proposed designation from Honorable Walter Burnett, Jr., Alderman of the 27th Ward was also noted for the record.

One statement was made by a member of the general public, in opposition to the proposed designation, by Dean T. Maragos, general counsel of the Greek Town / Halsted Street Special Service Area Number 16.

Frederic Bavastro, representing the Owner, made a statement in opposition to the proposed designation.

A letter of opposition to the proposed designation from the West Loop Community Organization was also noted for the record.

The transcript from the public hearing is attached hereto as **Exhibit C** (the "Transcript").

III. FINDINGS OF THE COMMISSION ON CHICAGO LANDMARKS

WHEREAS, the Building represents a distinct building type found in Chicago's neighborhoods that conveys aspects of the city's and the country's history from early-twentieth century, including (i) the role banks played in the economic development of the city's neighborhoods by providing financial security and loans, (ii) the development of outlying commercial centers in Chicago's neighborhoods, (iii) the prominence of independent banks prior to the legalization of branch banking, (iv) the stabilization of the banking industry after the establishment of the Federal Reserve in 1913, (v) the great economic growth of the 1920s, and (vi) the economic disruption of the Great Depression; and

WHEREAS, the Building occupies a prominent location in its neighborhood context, at the intersection of Madison and Halsted Streets, exemplifying the importance of the financial institution on the Near West Side; and

WHEREAS, floors three to six display the Building's original appearance in 1911 as a combined store and office building with simple terra-cotta details designed by Chicago architect Horatio R. Wilson; and

WHEREAS, the Building conveys the evolution of bank architecture from common forms of commercial architecture displayed by the 1911 portions of the building, toward specialized, monumental Classical-style buildings exhibited by the 1928 exterior redesign and new interior banking hall of the Building; and

WHEREAS, the 1928 exterior redesign and new interior banking hall of the Building by the Chicago architectural firm of Perkins, Fellows & Hamilton reflects a high point of bank architecture in America that began to flourish after the financial panic of 1907 before being abruptly halted by the Great Depression in 1929; a period in which bankers and their architects created monumental bank buildings that would signal to the banking customer the notion that their money would be safe and that the financial institution was well-capitalized and enduring; and

WHEREAS, the 1928 renovation of the Building features an arcaded façade treatment with a series of round-arched openings flanked by pilasters, a common feature of Classical Revival-style bank buildings from the 1920s; and

WHEREAS, the 1928 renovation of the Building also includes decoration inspired by the Romanesque-style of architecture combining such features as chevron geometric patterns, stylized animal figures, interwoven and spiraling floral ornament, and knotwork motifs; and

WHEREAS, the Building displays excellent craftsmanship in traditional materials, including carved limestone, decorative cast iron and terra cotta, polished marble and granite, and bronze architectural metal fixtures; and

WHEREAS, the Building retains its 1928 banking hall, a double height space with mezzanine finished with marble and terra-cotta which when built was one of the largest banking floor spaces outside the loop; and

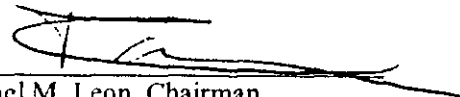
WHEREAS, the Building meets the three (3) criteria for landmark designation set forth in Sections 2-120-620 (1), (4) and (6) of the Municipal Code; and

WHEREAS, consistent with Section 2-120-630 of the Municipal Code, the Building has a significant historic, community, architectural, or aesthetic interest or value, the integrity of which is preserved in light of its location, design, setting, materials, workmanship, and ability to express such historic, community, architectural, or aesthetic interest or value; now, therefore,

THE COMMISSION ON CHICAGO LANDMARKS HEREBY:

1. Incorporates the preamble and Sections I, II and III into its finding; and
2. Adopts the Designation Report, as revised, and dated as of this 2nd day of February 2012; and
3. Finds, based on the Designation Report, DPD Report, Transcript and the entire record before the Commission, that the Building meets the three (3) criteria for landmark designation set forth in Sections 2-120-620 (1), (4), and (6) of the Municipal Code; and
4. Finds that the Building satisfies the "integrity" requirement set forth in Section 2-120-630 of the Municipal Code; and
5. Finds that the significant historical and architectural features of the Building are identified as follows:
 - All exterior elevations, including rooflines, of the Building; and
 - In the interior, the entrance lobby and main banking hall, including the skylight, original check desks and counters, and historic lighting and other fixtures.

This recommendation was adopted 6-1, (J. Heulihan in opposition).



Rafael M. Leon, Chairman
Commission on Chicago Landmarks

Dated: February 2, 2012



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Arnold L. Randall
Commissioner

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Exhibit B

DEPARTMENT OF PLANNING AND DEVELOPMENT

December 6, 2007

Report to the Commission on Chicago Landmarks

on the

Neighborhood Bank Buildings

(Former) Belmont-Sheffield Trust and Savings Bank Building, 1001 W. Belmont Avenue*
(Former) Calumet National Bank, 9117 S. Commercial Avenue
(Former) Chicago City Bank and Trust Company, 815 W. 63rd Street
(Former) Cosmopolitan State Bank, 801 N. Clark Street
(Former) Fullerton State Bank Building, 1425 W. Fullerton Avenue*
(Former) Hyde Park-Kenwood National Bank, 1525 E. 53rd Street
(Former) Kimbell Trust and Savings Bank, 3600 W. Fullerton Avenue
(Former) Marquette Park State Bank, 6314 S. Western Avenue
(Former) Mid-City Trust and Savings Bank, 2 S. Halsted Street
(Former) Marshfield Trust and Savings Bank, 3321 N. Lincoln Avenue
(Former) North Federal Savings and Loan, 100 W. North Avenue
(Former) Pioneer Trust and Savings Bank, 4000 W. North Avenue
(Former) Sheridan Trust and Savings Bank, 4753 N. Broadway
(Former) South Side Trust Building, 4659 S. Cottage Grove Avenue*
(Former) Stock Yards National Bank, 4150 S. Halsted Street
(Former) Swedish American State Bank, 5400 N. Clark Street

Upon further study and analysis of the above-identified list of "Neighborhood Bank Buildings," the Department recommends that: (a) three additional bank buildings, as indicated above with an asterisk (*), be included in the Preliminary Recommendation for landmark designation; (b) the Preliminary Summary of Information be revised as attached to reflect this and other revisions; and (c) the Commission affirms that, as revised, the expanded group of sixteen Neighborhood Bank Buildings meets the criteria for designation identified in the Preliminary Summary of Information.

With this recommendation, the Department believes that the proposed designations support the City's overall planning goals and are consistent with the City's governing policies and plans.

The sixteen bank buildings proposed for designation as Chicago Landmarks convey the historic, economic, and commercial development of Chicago's diverse neighborhoods. Most were built during a "golden age" of bank architecture in America between 1907 and 1929, and one was built in the



postwar period. To convey a sense of permanence and security, these buildings exhibit formal styles of architecture, expensive materials, and fine craftsmanship.

The proposed designations of these buildings would compliment the City's efforts to identify and preserve the rich architectural and historical heritage of Chicago's diverse neighborhoods. Several of the banks are located in areas that have an area, community, conservation area, redevelopment, and/or tax increment financing plan or designation (see Table A, attached hereto and incorporated herein), often where the respective goals and objectives support the preservation of important historic resources, including through landmark designation and economic incentives. Some of the banks are also part of cohesive neighborhood commercial districts which have been designated "P" Streets under the zoning code due to their pedestrian orientation, vibrant commercial and retail shopping uses, and distinctive architectural character. All the buildings occupy or are near prominent intersections, and, in concert with their distinctive architectural and historical character, are visual landmarks in their respective neighborhoods.

Thirteen of the sixteen banks were included in the Chicago Historic Resources Survey with an "orange" rating, meaning they possess historical and architectural significance to their respective communities. Two of the bank buildings are also within historic districts listed on the National Register of Historic Places: the former Sheridan Trust and Savings Bank as part of the Uptown Square Historic District and the Hyde Park-Kenwood Bank as part of the Hyde-Park Kenwood District. The former Belmont-Sheffield Trust and Savings Bank Building is individually listed on the National Register of Historic Places.

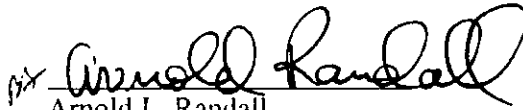

Arnold L. Randall
Commissioner

Table A

Building	Address	Ward	Community Area	Planning and Development designations and plans
Former Hyde Park-Kenwood National Bank Building	1525 E. 53rd St.	4	Hyde Park	53rd Street TIF Hyde Park-Kenwood (National Register) Historic District Orange in the Chicago Historic Resources Survey
Former South Side Trust Building	4659 S. Cottage Grove Ave.	4	Grand Boulevard	43rd and Cottage Grove TIF Enterprise Zone #2 South Side Empowerment Zone Cottage Grove Physical Assessment
Former Calumet National Bank Building	9117 S. Commercial Ave.	10	South Chicago	Commercial Avenue TIF Enterprise Zone #3 Commercial Avenue SSA Calumet Design Guidelines and Land Use Plan Designated Pedestrian Street Orange in the Chicago Historic Resources Survey
Former Stock Yards National Bank Building	4150 S. Halsted St.	11	New City	Stockyards Annex TIF South Side Empowerment Zone Stockyards Industrial Corridor Stockyards SSA Orange in the Chicago Historic Resources Survey
Former Marquette Park State Bank Building	6314-20 S Western Ave.	15	Chicago Lawn	Orange in the Chicago Historic Resources Survey
Former Chicago City Bank and Trust Company Building	815 W. 63rd St.	20	Englewood	Englewood Neighborhood TIF Enterprise Zone #6 Orange in the Chicago Historic Resources Survey
Former Mid-City Trust and Savings Bank Building	2 S. Halsted St.	27	Near West Side	Near West TIF Near West Side Plan Greek Town SSA Orange in the Chicago Historic Resources Survey
Former Pioneer Trust and Savings Bank Building	4000 W. North Ave.	30	Humboldt Park	Pulaski Industrial Corridor TIF Small Business Improvement Fund Orange in the Chicago Historic Resources Survey
Former Kimbell Trust and Savings Bank Building	3600 W. Fullerton Ave.	35	Logan Square	Orange in the Chicago Historic Resources Survey
Former Swedish American State Bank Building	5400 N. Clark St.	40	Edgewater	Designated Pedestrian Street Orange in the Chicago Historic Resources Survey

Table A

Building	Address	Ward	Community Area	Planning and Development designations and plans
Former Cosmopolitan State Bank Building	801 N. Clark St	42	Near North Side	Central Area Plan Orange in the Chicago Historic Resources Survey
Former North Federal Savings and Loan Building	100 W. North Ave	43	Lincoln Park	
Former Belmont-Sheffield Trust and Savings Bank Building	1001 W. Belmont Ave.	44	Lake View	Central Lakeview SSA Individually listed on the National Register
Former Sheridan Trust and Savings Bank Building	4753 N. Broadway Ave	46	Uptown	Lawrence & Broadway TIF Andersonville-Clark SSA Designated Pedestrian Street Uptown Square (National Register) Historic District Orange in the Chicago Historic Resources Survey
Former Marshfield Trust and Savings Bank Building	3321-25 N Lincoln Ave.	32	Lake View	Lakeview SSA Designated Pedestrian Street Orange in the Chicago Historic Resources Survey
Former Fullerton State Bank Building	1425 W. Fullerton Ave.	32	Lincoln Park	Orange in the Chicago Historic Resources Survey

COMMISSION ON CHICAGO LANDMARKS

Exhibit C

PUBLIC HEARING REGARDING

THE PROPOSED CHICAGO LANDMARK DESIGNATION OF THE
(Former) MID-CITY TRUST AND SAVINGS BANK BUILDING
2 South Halsted Street

Thursday, January 19, 2012

City Hall - Room 201-A

9:30 a.m.

Docket No. 2012-01

Ms. Mary Ann Smith, Hearing Officer
Commission on Chicago Landmarks

Mr. Arthur S. Dolinsky, Senior Counsel
Department of Law
Real Estate and Land Use Division

Ms. Eleanor Esser Gorski, Assistant Commissioner
Department of Housing and Economic Development
Historic Preservation Division

1 HEARING OFFICER SMITH: Good morning, ladies
2 and gentlemen.

3 We will be serenaded somewhat by the
4 City Council hearing going on in the City Council
09:32AM 5 chambers concerning the remap. So it may be an
6 exciting day -- I'm sure it will be an exciting
7 day.

8 Anyone wishing to provide testimony,
9 please, if you would sign up on the appropriate
09:32AM 10 form on the table at the side.

11 So we now officially begin the
12 public hearing regarding the proposed landmark
13 designation of the Mid-City Trust -- the former
14 Mid-City Trust and Savings Bank building located
09:33AM 15 at 2 South Halsted.

16 We will begin by just reminding
17 people that our Commissioner Eleanor Gorski will
18 begin with comments about the research and progress
19 concerning this potential designation for us, and
09:33AM 20 then we'll take care of a little bit of housekeeping
21 and then get to testimony for and against. Okay?

22 So, Madam Commissioner.

23 MS. GORSKI: Good morning.

24 My name is Eleanor Esser Gorski and

1 I'm the Assistant Commissioner of the Historic
2 Preservation Division of the Department of Housing
3 and Economic Development.

09:34AM

4 I'd like to go through the Chronology
5 of Events and Incorporation of Commission Documents
6 Into the Record for this hearing.

09:34AM

7 At its regular meeting of
8 September 6, 2007, the Commission on Chicago
9 Landmarks approved a preliminary landmark
10 recommendation for the former Mid-City Trust and
11 Savings Bank building as a Chicago Landmark, as
12 part of a group of 13 neighborhood bank buildings.
13 The Commission found that the building appeared to
14 meet three of the seven criteria for designation,
15 as well as the integrity criterion, identified in
16 the Chicago Landmarks Ordinance, Municipal Code
17 of the City of Chicago, Section 2-120-580. The
18 preliminary recommendation identified as Commission
19 Document 1, initiated the consideration process for
20 further study and analysis for the possible
21 designation of the building as a Chicago Landmark.
22 As part of the preliminary recommendation, the
23 Commission preliminarily identified the significant
24 historical and architectural features of the

09:34AM

09:35AM

1 building as:

2 * all exterior elevations,
3 including rooflines, of the building;
4 and

09:35AM

5 * on the interior, the first-
6 floor entrance lobby, and the main
7 banking hall, including the skylight,
8 original check desks and counters, and
9 historic lighting and other fixtures.

09:35AM

10 As part of a preliminary
11 recommendation, the Commission adopted a preliminary
12 summary of information, dated September 6th, 2007,
13 and identified as Commission Document 2.

09:35AM

14 The then Department of Planning and
15 Development, on behalf of the Commission, notified
16 the owner of the building, Mr. Frederick Bavasto of
17 Nebel, Incorporated, Nebel, Inc., otherwise known
18 as the owner, of the preliminary recommendation in
19 a letter, dated September 17th, 2007, which is

09:36AM

20 identified as Commission Document 3.

21 At its regular meeting of December 6,
22 2007, the Commission voted to approve a revised and
23 amended preliminary landmark recommendation, the
24 amended preliminary recommendation, which included

1 an additional three neighborhood bank buildings for
2 a total of 16 buildings. The amended preliminary
3 recommendation, identified as Commission Document 4,
4 reaffirmed that the building appeared to meet three
09:36AM 5 of the seven criteria for designation, as well as
6 the integrity criterion. The Commission also
7 reaffirmed the building's significant historical
8 and architectural features, preliminarily
9 identified on September 6th, 2007, and described
09:36AM 10 above.

11 As part of the amended preliminary
12 recommendation, the Commission adopted a revised
13 and amended preliminary summary of the information,
14 dated December 6th, 2007, and identified as
09:37AM 15 Commission Document 5.

16 The research notebook compiled by
17 the Commission staff regarding the proposed
18 landmark designation of the building is identified
19 as Commission Document 6.

09:37AM 20 Also at its regular meeting of
21 December 6th, 2007, the Commission received a
22 report, identified as Commission Document 7, from
23 Arnold L. Randall, then-Commissioner of the then-
24 Department of Planning and Development, stating

1 that the proposed landmark designation of the
2 building supports the City's overall planning goals
3 and is consistent with the City's governing
4 policies and plans.

09:37AM 5 In a letter dated January 15, 2008,
6 the Commission officially requested the consent to
7 the proposed landmark designation from the owner.
8 A copy of this letter, which requested the return
9 of the written consent form indicating consent or
09:38AM 10 non-consent by February 29th, 2008, is identified
11 as Commission Document 8.

12 On February 26th, 2008, the
13 Commission received from the owner a written
14 consent form that indicated the owner's non-consent
09:38AM 15 to the proposed designation, identified as
16 Commission Document 9.

17 In a letter dated March 18th, 2008,
18 and identified as Commission Document 10, the
19 Commission notified the owner, as well as the
09:38AM 20 owners of six other neighborhood bank buildings,
21 who either did not consent or did not respond to
22 the Commission's request-for-consent, that a public
23 hearing was scheduled for April 15th, 2008.

24 At the public hearing on April 15,

1 2008, recorded in a transcript identified as
2 Commission Document 11, the owner was present
3 and represented by its then-attorney, Mr. Brian
4 Kluever. Mr. Kluever requested and was granted
5 party status in opposition to the proposed
6 designation of the building.

7 Mr. Kluever stated that the interior
8 of the banking hall had sustained substantial water
9 infiltration which had damaged proposed-significant
10 features of the interior and had caused indoor
11 air quality problems associated with mold growth.

12 Mr. Kluever also stated that the majority of
13 historic interior fixtures within the space had
14 been removed from the building by the prior owner.

15 Mr. Kluever presented a condition
16 survey of the building prepared in 2005, which
17 was incorporated into the hearing record and is
18 identified as Commission Document 12. Mr. Kluever
19 also offered to arrange a walk-through of the
20 building with Commission staff to view the condition
21 of the interior. That visit occurred on May 22nd,
22 2008 and is discussed below.

23 To allow additional time for this
24 new information to be considered, in a letter dated

1 April 24, 2008, and identified as Commission
2 Document 13, the owner requested to withdraw its
3 non-consent, which had been submitted pursuant to
4 Section 2-120-650 of the Chicago Landmarks
09:40AM 5 Ordinance, and requested that the Commission extend
6 the expiration date of the request-for-consent
7 period, i.e. February 29th, 2008, by up to 120 days.

8 This letter also indicated that the
9 owner waived the requirement that the Commission
09:40AM 10 determine whether to recommend the proposed
11 landmark designation to the City Council within
12 30 days after the conclusion of the public
13 hearing held on April 15, 2008, pursuant to
14 Section 2-120-690 of the Chicago Landmarks
09:41AM 15 Ordinance.

16 In a letter dated May 1st, 2008,
17 and identified as Commission Document 14, the
18 Commission accepted the owner's withdrawal of
19 non-consent, acknowledged the owner had waived the
09:41AM 20 30-day deadline, and granted an extension of time
21 for the owner to respond to the request-for-consent
22 to June 30th, 2008.

23 On May 22nd, 2008, Commission staff
24 met with the owner and Mr. Kluever at the building

1 and conducted a walk-through of the building's
2 interior and exterior. The owner's architect, Van
3 Tomaras of Design 21 Company, Incorporated, was
4 also present.

09:41AM 5 The owner told Commission staff that
6 it intended to redevelop the building as a boutique
7 hotel. The water damage was found to be minimal
8 and no longer active and the majority of the
9 interior fixtures remained in place. Photos from
09:42AM 10 that site visit are identified as Commission
11 Document 15.

12 As the expiration of the extended
13 request-for-consent period, June 30th, 2008,
14 approached, the owner requested additional time to
09:42AM 15 respond to the Commission's request-for-consent in
16 order to further refine plans for redevelopment of
17 the building for the Commission's review. In order
18 to allow the owner additional time to consent or
19 not to consent to the landmark designation, on
09:42AM 20 June 30th, 2008 the City of Chicago entered into a
21 tolling agreement with the owner, such agreement is
22 known as the tolling agreement, identified as
23 Commission Document 16.

24 The tolling agreement tolled,

09:43AM

1 postponed, and suspended the dates and deadlines
2 contained at Sections 2-120-650, 2-120-670,
3 2-120-680, 2-120-690, 2-120-700, 2-120-705, and
4 2-120-720 and any other relevant sections of the
5 Chicago Landmarks Ordinance relating hereto. The
6 tolling agreement extended the period of time
7 for the owner to respond to the Commissions's
8 request-for-consent to October 27th, 2008.

09:43AM

9 In an email dated October 14th,
10 2008, and identified as Commission Document 17,
11 Mr. Kluever informed the then-Department of
12 Planning and Development that Orchid Pavilion
13 Design and Development, L.L.C., was in negotiations
14 with the owner to lease the building for purposes
15 of redeveloping it as a boutique hotel. Further,
16 in order to finalize its lease agreement with
17 Orchid, the owner requested a short extension to
18 the tolling agreement to December 1st, 2008.

09:44AM

19 On October 27th, 2008, the City and
20 owner entered into an amendment to the tolling
21 agreement, known as the first amendment, and
22 identified as Commission Document 18. Pursuant to
23 the first amendment to the tolling agreement, the
24 dates and deadlines contained in the sections that

1 I previously mentioned, and any other relevant
2 sections of the Chicago Landmarks Ordinance
3 relating thereto, were tolled, postponed or
4 suspended through December 15th, 2008, known as
5 the amended tolling period.

09:44AM

6 In a letter dated December 15,
7 2008, and identified as Commission Document 19,
8 Mr. Kluever informed the then-Department of
9 Planning and Development that Orchid was still in
10 negotiations with the owner to lease the building,
11 and the owner was requesting a further extension of
12 the tolling agreement.

09:44AM

13 On December 15th, 2008, the City
14 and owner entered into a second amendment to the
15 tolling agreement, the second amendment, identified
16 as Commission Document 20. Pursuant to the second
17 amendment to the tolling agreement, the dates and
18 deadlines contained again in the sections of the
19 Municipal Code I previously mentioned, and any
20 other relevant sections of the Chicago Landmarks
21 Ordinance relating thereto, were tolled, postponed
22 or suspended through March 15th, 2009, again, the
23 Amended Tolling Period.

09:45AM

09:45AM

24 In a letter dated March 13th,

1 2009, and identified as Commission Document 21,
2 Mr. Kluever informed the then-Department of Zoning
3 and Land-Use Planning that the owner and Orchid had
4 not yet consummated a long-term lease due to market
09:45AM 5 conditions, and the owner was requesting a further
6 extension to the tolling agreement.

7 On March 15th, 2009, the City and
8 owner entered into a third amendment to the tolling
9 agreement, or third amendment, identified as
09:46AM 10 Commission Document 22. Pursuant to the third
11 amendment to the tolling agreement, the dates and
12 deadlines contained in the sections of the
13 Municipal Code, as referenced previously, and any
14 other relevant sections of the Chicago Landmarks
09:46AM 15 Ordinance relating thereto, were tolled, postponed,
16 or suspended through September 15th, 2009.

17 In a letter dated August 24th, 2009,
18 and identified as Commission Document 23, the then-
19 Department of Zoning and Land-Use Planning received
09:46AM 20 a letter from Attorney Howard Kilberg stating that
21 he had been retained by the owner to replace
22 Mr. Kluever. In addition, the letter stated that
23 in lieu of Orchid, the owner was exploring a joint
24 venture with a developer that was preparing plans

1 for property immediately south and west of the
2 building, and the owner was requesting a further
3 extension to the tolling agreement.

4 In a letter dated September 1st,
09:47AM 5 2009, and identified as Commission Document 24, the
6 then-Department of Zoning and Land-Use Planning
7 received a letter from the Honorable Walter
8 Burnett, Jr., Alderman for the 27th Ward within
9 which the building is located. The letter
09:47AM 10 requested that the tolling agreement be further
11 extended so that the owner can continue negotiating
12 a joint venture.

13 On September 15th, 2009, the City
14 and owner entered into a fourth amendment to the
09:47AM 15 tolling agreement, the fourth amendment, identified
16 as Commission Document 25. Pursuant to the fourth
17 amendment to the tolling agreement, the dates and
18 deadlines contained in the relevant sections of the
19 Municipal Code, previously referenced, and any
09:48AM 20 other relevant sections of the Chicago Landmarks
21 Ordinance relating thereto, were tolled, postponed,
22 or suspended through January 12, 2010, the amended
23 tolling period.

24 From the end of 2009 through

1 November 1st, 2011, Commission staff continued to
2 work with the owner and its attorney, Mr. Kilberg,
3 to arrive at a negotiated consent. During that
4 time, Mr. Kilberg informed Commission staff that
09:48AM 5 numerous parties were exploring options for
6 redevelopment of the building, including Belgian
7 and Greek investors for a hotel, a grocery chain, a
8 restaurateur, and a high-tech company.

9 The owner requested and was granted
09:48AM 10 seven extensions to the tolling agreement. These
11 fifth through eleventh amendments are identified as
12 Commission Documents 26 through 32. The last of
13 those amendments, the eleventh amendment, extended
14 the expiration of the tolling agreement, and the
09:49AM 15 owner's deadline for responding to the Commission's
16 request-for-consent, to November 1st, 2011.
17 Requests by Mr. Kilberg to further extend the
18 tolling agreement have not been granted.

19 In meetings and discussions with
09:49AM 20 Commission staff from 2009 to December 1st, 2011,
21 the owner and Mr. Kilberg have suggested that the
22 owner would consent to landmark designation under
23 certain conditions, including the Commission's
24 allowing the owner to add a visible addition to the

1 building's roof. .

2 On November 14th, 2011, the owner
3 submitted for review by the Commission's Permit
4 Review Committee at its regular meeting on

09:49AM

5 December 1st, 2011, a proposed conceptual project
6 for the building, involving a three-story rooftop
7 addition, reconstruction of the missing cornice,
8 new windows, two new storefront entrances, a new
9 canopy, and a new projecting sign. The project

09:50AM

10 information submitted to and reviewed by the
11 committee is identified as Commission Document 33.

12 Due to the conceptual nature of the
13 project, the Committee's review was limited to
14 providing the owner with guidance as to some of the
15 criteria that may apply to the Committee's review
16 of the project if and when the Committee reviews
17 the owner's application for a building permit.

09:50AM

18 The owner's attorney, Mr. Kilberg,
19 and architect, Mr. Tomaras, attended the meeting
20 and presented the proposed project to the Committee.
21 Mr. Kilberg stated that in order to make redevelop-
22 ment of the building into a hotel economically
23 viable, the rooftop addition needed to be a minimum
24 of three stories, and that the owner would consent

09:50AM

1 to landmark designation if the Commission approved
2 a three-story rooftop addition.

3 Cindy Roubik of the Commission
4 staff presented a staff report on the project to
09:51AM 5 the Committee. Based on the *U.S. Secretary of*
6 *the Interior's Standards for Rehabilitation of*
7 *Historic Buildings* and the *Commission's Guidelines*
8 *for Alterations to Historic Buildings and New*
9 *Construction*, the Commission staff report,
09:51AM 10 identified as Commission Document 34, recommended
11 that the roof-top addition should be limited to one
12 story with its maximum height, as measured from
13 grade to the highest point of the roofline, not to
14 exceed 88 feet. The Committee voted to accept the
09:51AM 15 Commission staff's recommendation.

16 Mr. Kilberg stated that the owner
17 would not consent to the Commission's request-for-
18 consent to landmark designation. The Committee's
19 guidance on the project was summarized in a letter
09:52AM 20 to the owner and Mr. Kilberg from the Commission
21 dated December 16th, 2011, and identified as
22 Commission Document 35.

23 To date, the owner has not consented
24 to the proposed designation of the building as a

1 Chicago Landmark. As noted above, pursuant to the
2 eleventh amendment to the tolling agreement, the
3 dates and deadlines contained in Sections 2-120-
4 650, 2-120-670, 2-120-680, 2-120-690, 2-120-700,
09:52AM 5 2-120-705, and 2-120-720, and any other relevant
6 sections of the Chicago Landmarks Ordinance relating
7 hereto, were tolled, postponed, or suspended through
8 November 1st, 2011.

9 The tolling agreement, as amended,
09:53AM 10 requires the Commission to hold a public hearing
11 on the amended preliminary recommendation with
12 respect to the building as a Chicago Landmark
13 within 90 days of the expiration of the tolling
14 period, as may be amended, should the owner not
09:53AM 15 consent to landmark designation prior to such
16 public hearing.

17 In a letter dated December 9th,
18 2011, and identified as Commission Document 36,
19 the Commission notified the owner of the hearing
09:53AM 20 scheduled today.

21 Notices of the hearing date were
22 posted in the public right-of-way at the building,
23 and were published as a legal matter in the *Chicago*
24 *Sun-Times*. A letter from Chicago Department of

1 Transportation Deputy Commissioner William Cheaks, .
2 identified as Commission Document 37, attests that
3 the sign advertising the hearing date was posted on
4 December 20th, 2011. A certificate from the
09:54AM 5 *Chicago Sun-Times* attesting to the publication on
6 December 14th, 2011, of the legal notice for
7 today's public hearing is identified as Commission
8 Document 38. The public hearing notice was also
9 posted on the Department of Housing and Economic
09:54AM 10 Development's website. Copies of photographs used
11 in the Commission staff's presentation at today's
12 hearing are identified as Commission Document 39.

13 Other correspondence and information
14 received from the owner or the owner's representa-
09:54AM 15 tives pertaining to the proposed designation is
16 identified as Commission Document 40.

17 And that concludes my summary.
18 I request that the documents that I referenced be
19 entered into the record.

09:54AM 20 That's it.

21 HEARING OFFICER SMITH: My name is Mary Ann
22 Smith, and I'm a member of the Commission on
23 Chicago Landmarks. I'll be the hearing officer
24 for today's hearing.

1 Seated next to me is Arthur Dolinsky,
2 Senior Counsel of the Real Estate Division of the
3 City's Law Department. He's the Commission's
4 counsel for today's public hearing.

09:55AM

5 I would like to briefly describe the
6 nature of the hearing and sort of the schedule of
7 events that will take place in the hearing.

09:55AM

8 The Commission on Chicago Landmarks
9 was established and is governed by the Municipal
10 Code of Chicago. The procedures for today's
11 public hearing are contained in Article II of the
12 Commission's rules and regs governing hearings
13 on landmark designations.

09:55AM

14 The purposes and duties of the
15 Commission are set forth in the Municipal Code
16 and include the identification, preservation,
17 protection, enhancement, and encouragement of the
18 continued utilization and the rehabilitation of
19 such areas, districts, places, buildings,

09:56AM

20 structures, works of art, and other objects having
21 a special historical, community, architectural, or
22 aesthetic interest or value to the City of Chicago
23 and its citizens.

24 The Commission carries out this

1 mandate by recommending to the City Council that
2 specific areas, districts, places, buildings,
3 structures, works of art, and other objects be
4 designated as official Chicago Landmarks.

09:56AM

5 The Commission, as you heard Eleanor
6 speak to, bases its recommendations on the seven
7 criteria set forth in the Municipal Code and the
8 integrity criterion set out in the Municipal Code
9 as well. The purpose of today's hearing is for the
10 Commission to receive relevant facts and information
11 to assist the Commission in deciding whether to
12 recommend that the former Mid-City Trust and
13 Savings Bank building meets the criteria set forth
14 in these sections of the Municipal Code of the City
15 of Chicago.

09:57AM

16 We've heard Eleanor's report on how
17 we got here today. So here we are, and at this
18 moments, I'd like to ask if any -- if there are any
19 requests for party status in this discussion.

09:57AM

20 There are none, the record will
21 show.

22 Is this a request to be -- are you
23 requesting to be a party in the discussion or --

24 MR. KILBERG: Me?

.1 HEARING OFFICER SMITH: Yeah.

2 MR. KILBERG: No.

3 HEARING OFFICER SMITH: The owner is?

4 MR. KILBERG: He did. Yes, he signed the
09:58AM 5 pink sheet.

6 HEARING OFFICER SMITH: Oh, okay. Okay.

7 Forgive me.

8 MR. KILBERG: Madam Chairman?

9 HEARING OFFICER SMITH: Yes.

09:58AM 10 MR. KILBERG: There is a witness here today
11 who has to leave, and I'm wondering if we could
12 skip by the schedule for a moment --

13 HEARING OFFICER SMITH: All right. Let me
14 just do this. Let me rule then that party status
09:58AM 15 has been granted to the owner. Okay? So that's
16 clear. So we have one request for party status and
17 that has been granted.

18 Thank you very much.

19 We have now a report from the staff
09:58AM 20 and then we will expeditiously proceed through the
21 normal course of business. I promise we will help
22 your -- does your person have to catch a plane?

23 MR. KILBERG: Mr. Maragos has another
24 meeting which --

1 HEARING OFFICER SMITH: Oh, okay.

2 MR. KILBERG: -- involves the City Council.

3 MR. MARAGOS: I have a hearing, your Honor,
4 at 400 West Superior that I have to attend.

09:58AM 5 HEARING OFFICER SMITH: What time are you
6 scheduled?

7 MR. MARAGOS: 10:30. And that's been a
8 little bit of my problem. I apologize.

9 HEARING OFFICER SMITH: Okay.

09:59AM 10 MR. MARAGOS: I will wait and I will get --

11 MR. KILBERG: We won't be asking him any
12 questions. He just wants to make a statement for
13 the record.

14 HEARING OFFICER SMITH: And we know that he
09:59AM 15 is an efficient and expeditious speaker and that he
16 will make his statement with great succinctness.

17 So Mr. Maragos, come up, please.

18 MR. MARAGOS: Thank you very much.

19 HEARING OFFICER SMITH: Mr. Maragos.

09:59AM 20 MR. MARAGOS: Thank you, Madam Chairm- --
21 Chairwoman and members of this committee.

22 First of all, I want to thank you
23 very much for expediting the process by which I can
24 testify, and I want to thank you for allowing me to

1 testify today.

2 My name is Dean T. Maragos, and I am
3 an advisor to the Greektown's Special Service Area
4 Tax Commission No. 16.

09:59AM

5 The real estate which is the
6 subject matter of this public hearing, 2 South
7 Halsted Street is located in the Greektown SSA
8 Tax Commission No. 16.

10:00AM

9 The Special Service Area has had a
10 major revitalization role in Greektown in the past,
11 for the past 16 years commencing with Mayor Daley
12 and his revitalization program which has been very
13 successful. The SSA has been involved reviewing
14 all major projects for the past 16 years and
15 reporting its opinion to the aldermen and to other
16 members of the City.

10:00AM

17 The December 6th, 2007 report of the
18 Chicago Department of Planning and Development to
19 the Landmark Commission did, in fact, include the
20 Greektown Tax Commission as a district that may be
21 affected by a landmarking of 2 South Halsted, and I
22 have a copy of the document if you need copies of
23 that.

10:00AM

24 Per the SSA procedures with Alderman

1 Burnett being consulted, we asked the owners of
2 the property to appear before the SSA at its next
3 meeting on January 26th, 2012. In order that SSA
4 review this matter and provide its opinion to
10:01AM 5 Alderman Burnett and other members of the City,
6 including this Commission, if we are allowed to
7 speak at that time.

8 We understand that in its opinion
9 to Alderman Burnett that the criteria for the
10:01AM 10 designation of 2 South Halsted as a Chicago
11 Landmark is very vital to the SSA's existence and
12 growth. The SSA's opinion of the substantial
13 economic impact and on the jobs in the community
14 and the tax consequences to the City as well as to
10:01AM 15 the owner of 2 South Halsted, if it is landmarked
16 is substantial.

17 I'm aware today that our sister
18 organization in the West Loop area, specifically
19 the West Loop Gate Organization, after meeting with
10:01AM 20 the Nebel Group, are against the landmarking on
21 this parcel.

22 In accordance with the request of
23 Alderman Burnett, the owners of the building have
24 agreed to appear before the SSA 16 on January 26th

1 at our next available date. The Alderman was
2 advised that on behalf of the SSA, the SSA would be
3 asking that this public hearing be continued to
4 another date so that we can address all of the
10:02AM 5 required issues presented to the SSA by Alderman
6 Burnett and the Nebel Group.

7 In performance of my duties as
8 advisor to the SSA, I've reviewed the Ordinance as
9 it relates to this meeting. In the course of my
10:02AM 10 due diligence in preparation for this meeting and
11 for the SSA meeting on January 26th, issues have
12 arisen regarding the process and the builder and
13 there was not enough time to properly address them
14 or to convene on an earlier date for the SSA to
10:02AM 15 address them.

16 Therefore, I request that this
17 matter be continued until after January 26th so
18 that the SSA can meet with the owners of 2 South
19 Halsted and, thereafter, consider the issues to be
10:02AM 20 addressed and respond in an appropriate and timely
21 manner to the Commissioners, the Aldermen, and
22 other members of interest to the community.

23 As you know, Madam Chair, this area
24 was substantially in difficult times prior to 1995

1 and '96. And I had the honor and privilege of
2 working with Mayor Daley's team to revitalize this
3 issue. This area on Mid-City Bank was previously
4 going to be revitalized by the bank itself.

10:03AM 5 Unfortunately, a few of the community organizations
6 objected to the height and that killed the project.
7 We lost 500 jobs about in the year 2000.

8 This is a very, very important
9 aspect of our community. If the economic impact
10:03AM 10 and growth of the Nebel Group to construct will
11 mean additional funds to SSA, currently our limit
12 is 120,000, we need every dime to keep revitalizing
13 Greektown.

14 I appreciate the opportunity to
10:03AM 15 speak.

16 HEARING OFFICER SMITH: Thank you. And you
17 need to state your name and address and who you're
18 representing.

19 MR. MARAGOS: Sure. My name is Dean T.
10:04AM 20 Maragos. I'm with law firm of Maragos & Maragos,
21 Limited. Our address is at One North LaSalle
22 Street, Chicago, Illinois, 60602.

23 I've been the advisor to the
24 Greektown SSA since 1996.

1 HEARING OFFICER SMITH: Thank you. And I
2 hope you make your meeting on time.

3 MR. MARAGOS: Thank you very much, madam.

4 HEARING OFFICER SMITH: All right. And, yes,
10:04AM 5 just to clarify, the chair rules that the documents
6 are to be enclosed now in the proceedings -- the
7 documents that Eleanor referenced.

8 Okay. Thank you.

9 And now we'll have staff give us a
10:04AM 10 report on the preliminary landmark recommendation
11 and following this, we will take questions by
12 owners or other parties.

13 Let me also note that Alderman
14 Burnett, who's referenced frequently in these
10:05AM 15 discussions, is obviously tied up in the explosive
16 proceedings in the City Council chambers and cannot
17 be with us at the moment.

18 MR. CRAWFORD: Thank you, Commissioner Smith.

19 As noted in the Chronology that
10:05AM 20 Eleanor read, the Commission has preliminarily
21 found that the former Mid-City Bank Building
22 meets three of the seven criteria for landmark
23 designation.

24 These include Criterion 1, for the

1 building's value as an example of the City's
2 architectural, economic, historic, social, and
3 cultural heritage. These aspects of heritage
4 include:

10:05AM

5 * The Mid-City Bank played
6 an important role in the economic and
7 commercial development of its surrounding
8 neighborhood in the early 20th century
9 by providing jobs, financial security,
10 and loans; and

10:06AM

11 * Paralleling the growth of the
12 neighborhood, Mid-City Bank reinvested
13 in the community with an architecturally
14 distinguished bank building; and

10:06AM

15 * The development of the bank
16 building in two phases, in 1911 and in
17 1928, reflects the economic prosperity
18 of those years, as well as an evolution
19 in bank architecture in that period from
20 modest to grandly scaled buildings of
21 the 1920s.

10:06AM

22 The Commission has also preliminarily
23 found that the building meets Criterion 4, for
24 its exemplification of important architecture,

1 distinguished by innovation, rarity, and uniqueness,
2 and overall quality of design, detail, materials,
3 and craftsmanship, specifically:

4 * Mid-City, like other Chicago
10:06AM 5 neighborhood banks built after the
6 financial panic of 1907 and before the
7 Great Depression of 1929, represents a
8 distinct and recognizable building type
9 in Chicago's neighborhoods; and

10:07AM 10 * The transformation of the
11 building in 1928 represents a historically
12 significant change to the building that
13 displays a high-quality Classical and
14 Romanesque design, executed with finely-
10:07AM 15 crafted historic materials, including
16 carved stone, cast-iron, cast-bronze,
17 polished terra cotta and marble; and

18 * The bank's decision to retain
19 parts of the older building in 1928 was
10:07AM 20 unique compared to other banks at that
21 time, and reflects a conservative approach
22 that may have helped the bank become a
23 rare survivor of the Great Depression that
24 survives today; and

1 * The building's use of decorative
2 motifs drawn from Romanesque-style
3 Christian architecture of the medieval
4 period is extremely rare in Chicago for
10:07AM 5 any building type, much less a bank.

6 And Criterion 6, for the bank's
7 representation of architectural, economic, and
8 historic themes that it shares in common with
9 neighborhood bank buildings throughout the city,
10:08AM 10 including several that have recently been
11 designated by City Council as landmarks. These
12 themes include:

13 * The role of the neighborhood
14 bank in the financial development and
10:08AM 15 support of Chicago's diverse neighborhoods
16 as the city grew; and

17 * The proliferation of luxury --
18 of luxuriant neighborhood bank buildings
19 in the 1920s which reflected the economic
10:08AM 20 boom of that decade nationally; and

21 * The abrupt halt of bank
22 construction in 1929, and the subsequent
23 failure of many banking institutions,
24 reflect the economic hardship and

1 dislocation of the Great Depression.

2 The Mid-City Bank Building is a
3 six-story steel-frame structure, with concrete
4 floors, and brick and stone exterior walls.

10:08AM 5 The building as has been noted was
6 built in two stages:

7 First, in 1911, the bank hired
8 architect Horatio Wilson to design a combined
9 office-and-store building. The brick upper four
10:09AM 10 stories are the most visible remnants of that
11 design today.

12 In 1928, the bank hired the
13 architectural firm of Perkins, Fellows, and
14 Hamilton, to design a large-scale expansion and
10:09AM 15 renovation of the building, creating a grand
16 banking hall on the interior and redesigning the
17 base of the building in a Classical mode.

18 Like many neighborhood commercial
19 banks, Mid-City is located at the intersection of
10:09AM 20 two major commercial thoroughfares, Madison and
21 Halsted Streets.

22 When it was built, the surrounding
23 neighborhood -- in the eastern portion of the
24 Near West Side -- included a mix of residential,

1 commercial, manufacturing, and entertainment
2 venues.

10:09AM

3 Also Jane Addams's Hull House
4 complex, surrounded by a crowded working-class
5 immigrant neighborhood, was historically located a
6 half mile to the south of the bank.

7 Historically this intersection has
8 been a focal point of both commercial and theater
9 development.

10:09AM

10 This pre-1928 postcard is a hand-
11 colored photograph of the intersection. It shows
12 the bustling streetscape with many signs and
13 theater marquees, such as the Star and Garter
14 Theater to the right there in the foreground, as
15 well as the Mid-City Bank Building prior to its
16 1928 renovation. That's the blue arrow pointing
17 to the Mid-City Bank Building there in that photo.

10:10AM

18 Some other photos from the mid-
19 1950s, this us all that we could find historically.
20 Again showing a bustling streetscape filled with
21 historic buildings from various ages. And I just
22 wanted to note that Mid-City is the only surviving
23 historic building at this intersection.

10:10AM

24 On April 10th, 1910, the *Chicago*

1 Tribune announced that the Mid-City Trust and
2 Savings Bank had hired architect Horatio Wilson to
3 design, quote, "a thoroughly modern structure at
4 the southwest corner of Madison and Halsted
10:11AM 5 Streets."

6 A second announcement on June 25th,
7 1910, shown here, noted that the bank had paid a
8 record price for the land. It also described the
9 plans for the new bank as high-class fireproof
10:11AM 10 steel construction with exterior clad in dark red
11 brick with cream white terra cotta trimmings.

12 Further, the article stated that
13 this was to be a mixed-use building, with the bank
14 occupying, quote, "the corner space on the first
10:11AM 15 floor, with retail stores on the remainder of the
16 first floor and offices above," unquote.

17 This is the only known photo of how
18 the building appeared after its construction in
19 1911, and before its transformation in 1928. On
10:11AM 20 the exterior, the top four floors of the 1911
21 building appear much as they do today, with the
22 exception of a lost cornice.

23 As we said, the building was greatly
24 remodeled in 1928, and to understand the extent of

1 this change, I'd like in the next few slides to
2 show what the building was like before the 1928
3 transformation.

10:12AM

4 If we zoom in on the exterior of the
5 first two floors of the building in 1911, we see
6 that architect Wilson's design is much different
7 than what exists today.

10:12AM

8 The first floor featured large
9 rectangular storefront windows spanning the
10 structural piers which were clad with white terra
11 cotta.

10:12AM

12 The second floor windows were
13 Chicago-style windows, which are a central fixed
14 casement window flanked on either side by a double-
15 hung window. These were also trimmed with terra
16 cotta.

10:12AM

17 An array of window signage and
18 entrances shows that there was a multiplicity of
19 businesses within the bank building at least on the
20 first floor. You can also see some signage on the
21 upper floor referring to doctors and surgeons.

22 Perhaps more clear than the
23 historic photo in the previous slide, this detail
24 of the 1917 Sanborn Fire Insurance Map of the

1 building shows that, in plan, the original 1911
2 building consisted only of the L-shape, that is the
3 six-story portion of the current building, shaded
4 in red.

10:13AM 5 Remarkably, inside the L was a
6 separate building; the preexisting Virginia
7 Theater, shaded blue here. The two-story, 750-seat
8 theater was completed in 1908, three years prior to
9 the bank building.

10:13AM 10 Access to the theater was provided
11 through a lobby in the Madison -- through the
12 Madison Street elevation of the 1911 building.
13 Before that date, access was likely made through
14 earlier buildings on the site.

10:13AM 15 The rendering on the right shows the
16 interior of the theater lobby and was published in
17 1907 by the Chicago Architectural Sketch Club.

18 Back to the vintage postcard. We
19 can see the marquee of the Virginia Theater, shaded
10:14AM 20 here in the red box. Behind that is the Star and
21 Garter in the foreground. And that would be the
22 marquee protruding from the Mid-City Bank Building.

23 Back to the Sanborns. We see that
24 before 1928 this was a multi-use building. The

1 bank occupied a relatively small portion at the
2 corner of the first floor, shaded in red here.

3 This is consistent with bank
4 architecture before the 1920s, a boom period when
10:14AM 5 banks wanted to have more monumental and luxurious
6 and large buildings. Before 1920, banks tended to
7 be, particularly in Chicago neighborhoods, smaller
8 and more like retail stores.

9 Other tenants on the first floor of
10:14AM 10 the building included five stores, outlined here in
11 light green; as well as a saloon, shown here in
12 yellow; and a drugstore, shown here in orange.

13 Polk's Chicago City Directory
14 provides a glimpse of the tenants who rented office
10:15AM 15 space in the upper floors of the building, which
16 included physicians, dentists, lawyers, publishers,
17 trade associations, and light manufacturing, as
18 well as offices of the Socialist Party. Strange
19 bedfellows for the bank building.

10:15AM 20 The foregoing slides show that:

21 * from 1911 to 1928 the Mid-City
22 Bank Building was a mixed-use office and
23 storage building, and

24 * the current two-story portion

1 of the building was actually a separate
2 theater building, and

3 * that the first two floors of
4 the building's interior were occupied by
10:15AM 5 numerous tenants with the bank taking a
6 small portion of the space, and

7 * that the first two floors of
8 the exterior were relatively plain.

9 That all changed in 1928.

10:15AM 10 Under the headline Brightens Halsted
11 and Madison, the July 18th, 1926 edition of the
12 *Chicago Tribune* published a rendering of the
13 building, with an article noting that the bank had
14 engaged the architectural firm of Perkins, Fellows
10:16AM 15 & Hamilton to renovate the building into one of
16 the most attractive homes on the West Side.

17 Work was to begin immediately and
18 the project was completed in 1928.

19 Perkins, Fellows & Hamilton's
10:16AM 20 transformation of the building redesigned the first
21 two stories of the exterior, and expanded and
22 rebuilt the interior first two stories entirely.

23 Here are the before and after photos
24 of the exterior showing the replacement of the

1 relatively plain 1911 facade with an elegant two-
2 story base with a Classical Revival arcade.

3 The arcade is clad in carved
4 limestone, resting on a polished granite plinth.

10:16AM 5 The half-round arches that form the
6 arcade spring from square pilasters with cushion
7 capitals.

8 In width, the arches span the six
9 structural bays at the center of the Madison and
10:17AM 10 Halsted Street facades, and they rise the full
11 height of the two-story base.

12 Each arch frames a large window
13 opening, divided horizontally by a spandrel panel
14 at the floor line between the first and second
10:17AM 15 floors.

16 The bays on each end of both facades
17 contain recessed entrances with bronze door frames
18 and transom windows topped with two smaller arched
19 windows.

10:17AM 20 While the overall arrangement of the
21 two-story base is a Classical arcade, the decorative
22 details are clearly inspired by the Romanesque-
23 style architecture, a style that flourished in
24 Christian churches from the late 10th through 12th

1 centuries in Europe.

2 Primarily an ecclesiastical
3 style, Romanesque decoration was inspired by the
4 illuminated manuscripts from the period.

10:18AM 5 Typical motifs of the style seen at
6 Mid-City shown here include intertwined floral
7 ornament, paired arches with chevron band molding
8 set upon squat columns, the so-called cushion
9 capitals with contorted animal figures and knot-
10 work patterns.

11 All of these details exhibit a very
12 high degree of craftsmanship in carved limestone.

13 In addition to stone, the building
14 has fine ornament rendered in cast-iron, as seen in
10:18AM 15 the spandrel panels.

16 The left panel depicts a winged
17 lion, often associated with royalty and courage, as
18 well as of the symbol of St. Mark.

19 Hermes the Messenger, perhaps the
10:18AM 20 most familiar figure of ancient Greek mythology,
21 occupies the central panel and is classically
22 depicted as an athletic youth with the herald's
23 staff or caduceus.

24 The third panel frames an American

1 eagle, a lone reference to the building's function
2 as a bank.

10:19AM

3 With the exception of the loss of
4 the cornice, the upper four floors of the building
5 have changed little from their 1911 design.

6 Exterior walls are red-face brick
7 laid in a common bond.

10:19AM

8 The building's numerous window
9 openings are arranged in pairs, in a series of
10 eight structural bays on each elevation.

11 Window heads are trimmed with white
12 terra cotta lintels with simple geometric
13 decoration, and the sills of plain white terra
14 cotta.

10:19AM

15 On the right, a stringcourse and
16 fragments of modillions above the sixth-floor
17 windows, are all that remain of the lost cornice.

10:19AM

18 The west elevation facing the alley,
19 at the left side of the photo, and the south
20 elevation, originally facing an abutting building,
21 and currently facing a construction site, are less
22 visible and simply treated.

23 Walls are plain Chicago common
24 brick, with window openings with plain terra cotta

1 lintels and sills.

2 The two-story portion of the
3 building in the foreground was the location of the
4 Virginia Theater, until that was subsumed by the
10:20AM 5 banking hall expansion in 1928.

6 In the 1928 transformation -- or,
7 rather, the 1928 transformation of the building was
8 brought to the attention of architects nationwide
9 in the pages of the August 1928 issue of *The*
10:20AM 10 *American Architect*, shown here.

11 The article focused on Perkins,
12 Fellows & Hamilton's successful and complete design
13 of the banking hall.

14 Published photos from the article
10:20AM 15 show that much of the building's architectural
16 character and decoration remains in place today.

17 The plan drawings show that the
18 Virginia Theater building, its footprint shaded in
19 blue in the plan, was vacated and either completely
10:20AM 20 demolished or substantially altered to create the
21 grand banking hall, and the first two floors of the
22 building went from an L-shape to square shaped
23 plan.

24 Into the new space the architects

1 inserted a 15,000 square foot banking hall,
2 finished with decorative polychrome terra cotta,
3 polished marble, and brass.

4 It was one of the largest banking
10:21AM 5 floor spaces of any institution of its kind outside
6 the Loop.

7 Here are a few photos of the
8 interior as it appeared in the walk-through
9 mentioned in the chronology, May 22nd, 2008.

10:21AM 10 Here are three of the numerous
11 teller cages which are set black and green marble
12 counters.

13 The teller windows are set in terra
14 cotta frames with decorative bronze wickets.

10:21AM 15 The lofty space is interspersed with
16 columns with black and green marble bases and terra
17 cotta shafts, and the floor is finished with light-
18 gray marble with black marble accents.

19 A curved terra cotta stairway leads
10:22AM 20 to the mezzanine surrounding the double-height
21 space.

22 And on that level you find the
23 paneled bank directors room, with its fireplace
24 framed with a copper and terra cotta mantelpiece.

1 Consistent with the 1928 exterior
2 changes, the architects used Romanesque-style
3 decoration on the interior.

4 Good examples include these column
10:22AM 5 capitals with their contorted animal figures. And
6 you can't see it, but there's also the MC logo of
7 the bank molded in that capital. And also low is
8 the portion of the framing that goes on the teller
9 cages, that's actually molded terra cotta. And we
10:22AM 10 see the typical knotwork pattern and animal figures
11 associated with the Romanesque.

12 There is some polychrome terra cotta
13 on the interior. These are found in the balcony of
14 the mezzanine. Depicted here are owls, griffons,
10:23AM 15 and galleons rendered in green and yellow hues.

16 The bank survived the Great
17 Depression partly through a merger with another
18 bank in 1933, and the possibility can't be excluded
19 that its conservative building approach, i.e.,
10:23AM 20 reusing its 1911 building helped.

21 After World War II, the surrounding
22 neighborhood deteriorated and became -- and the
23 bank found itself really in the heart of what was
24 then Chicago's Skid Row. Despite the decline, the

1 bank survived by picking up customers from other
2 Near West Side banks that had moved out of the
3 area, and further benefitted when the neighborhood
4 began to recover in the 1980s, slowly.

10:23AM

5 The bank remains in business as MB
6 Financial Bank in the same area, though recently
7 moved to a newer building across the street from
8 its original location.

10:24AM

9 Now that I have discussed the
10 design, construction, and evolution of the Mid-City
11 Bank building in particular, I'd like to summarize
12 the broader historic context around it. As noted
13 in the Chronology, the proposed designation of
14 Mid-City was initiated as part of a group of

10:24AM

15 16 neighborhood banks which share a historical and
16 architectural context. 13 of those buildings have
17 since been designation as Chicago landmarks.

10:24AM

18 The history of the neighborhood
19 banking in Chicago really begins around 1900 when
20 there were only 11 neighborhood banks in the city.

21 These were often no more than
22 storefronts in common commercial buildings, such as
23 the first, Kimbell Bank on Fullerton Avenue at left
24 in around 1900.

1 And the interiors of these early
2 bank buildings were very plain compared to what
3 came later in the 1920s. The bank interior from
4 1906 is shown in the slide at right. That's the
5 Milwaukee Avenue State Bank.

10:24AM

6 A national financial panic in 1907
7 destabilized the banking industry resulting in bank
8 runs that year, like this one on Milwaukee Avenue.
9 The panic of 1907 led to the establishment of the
10 Federal Reserve System in 1913, which greatly
11 improved the stability of the banking industry.

10:25AM

12 At the same time, Illinois law
13 prohibited banks from opening branches in an effort
14 to prevent large bank monopolies.

10:25AM

15 So it was by the 19-teens and '20s,
16 legal and economic conditions set the stage for a
17 boom in bank construction in Chicago, including:

18 * the rapid growth of Chicago's
19 outlying neighborhoods,

10:25AM

20 * the federal stabilization of
21 the banking industry,

22 * and the state prohibition on
23 branch-banking.

24 Chicago's neighborhood banks serve

1 as prominent visual landmarks in their communities. .
2 They're typically sited at or near prominent
3 intersections like these examples.

4 In addition to their prominent
10:25AM 5 location, Chicago neighborhood bank buildings stand
6 out from their surroundings in terms the use of
7 high-style design, typically the Classical style of
8 architecture.

9 Most display a high degree of
10:26AM 10 skilled craftsmanship in traditional materials,
11 such as carved stone, terra cotta, and architectural
12 metal.

13 Like Mid-City, several of these
14 buildings retain their historic grand banking hall,
10:26AM 15 elaborate interiors which were often an extension
16 of the formal exterior, and integral to the
17 historic character of the building as a whole.

18 In addition to the great volume of
19 the banking hall, the interior features expensive
10:26AM 20 finishes, such as polishing -- polishing -- these
21 interiors tended to have expensive finishes such as
22 polished marble, terrazzo, cast-brass, and
23 ornamental plaster. Historic fixtures such as
24 teller counters and check writing tables were also

1 as integral to the design.

2 Though their ages and styles differ,

3 Chicago's neighborhood banks are monuments to

4 money specific to their time and place. Each

10:26AM

5 reflects the State of Illinois' prohibition on

6 branch banking which encouraged the growth of

7 independent neighborhood banks in Chicago's

8 neighborhoods. They all employed architectural

9 styles popular at the time of their construction,

10:27AM

10 they are all sited at prominent locations, and they

11 all employed the best technology of their day to

12 attract customers and to establish a distinct

13 presence in their neighborhood community.

14 So to conclude, the Mid-City Bank

10:27AM

15 building reflects the important role independent

16 neighborhood banks played in Chicago's neighbor-

17 hoods.

18 Its evolution from a plain office

19 and store building from 1911 to a high-style

10:27AM

20 banking hall with a Classical base from 1928

21 reflects the economic growth of the period, as well

22 as an evolution in what bankers, their architects,

23 and their customers thought a bank should look

24 like.

1 The significant historical and
2 architectural features have been preliminarily
3 identified by the Commission as:

4 * all exterior elevations,
10:27AM 5 including rooflines, of the building;
6 and

7 * on the interior, the entrance
8 lobby and main banking hall, including
9 the skylight, original check desks,
10:28AM 10 counters, and historic lighting and other
11 fixtures.

12 Thank you.

13 And I'd like to note as well that
14 yesterday afternoon I did receive a letter of
10:28AM 15 support for the proposed designation from Alderman
16 Burnett.

17 HEARING OFFICER SMITH: This is an appropriate
18 time to briefly review the focus of the hearing
19 today.

10:28AM 20 The Commission's rules and regs
21 strictly limit presentations at this landmark
22 designation public hearing to information solely
23 relevant to whether or not the proposed designation
24 meets criteria for Chicago Landmark designation.

1 In accordance with the Commission's
2 rules and regs information relating to zoning,
3 permit applications, the building code, or
4 potential economic impact are not heard at this
10:29AM 5 hearing or entertained during these proceedings.

6 Okay? This is -- the standard
7 mission of this hearing is to consider the landmark
8 designation criteria, not other comments regarding
9 zoning, permit applications, building code,
10:29AM 10 economic impact, so on and so forth. Okay?

11 So having -- thank you. Thank you
12 so much.

13 Having reminded ourselves of the
14 mission of the hearing and having heard about the
10:29AM 15 history of how we got ourselves here today, and the
16 research and work by the plan Commission staff of
17 the Department of Economic Development, Division of
18 Landmarks, we now go to speakers in support of and
19 opposing landmark designation.

10:30AM 20 One moment, please.

21 Questions will be taken afterwards.
22 So we've already gone out of order to take a
23 statement requesting a delay or opposition from
24 Mr. Maragos. So we will now take -- let's see, we

1 have only one party to testify today, and that is
2 the party representing the owner.

3 So we'll start with your statement.

4 MR. KILBERG: Thank you, Madam Chairman.

10:30AM

5 I do reserve the right to ask
6 questions of the Commission.

7 HEARING OFFICER SMITH: Yes. Thank God I
8 have the attorney next to me to make sure I'm on
9 the ball here and cover all the bases.

10:31AM

10 MR. KILBERG: I've know you for a long time,
11 Alderman, you've never missed a ball.

12 HEARING OFFICER SMITH: Yes.

13 For the record, please state your
14 name, your relationship to the property, and --

10:31AM

15 MR. KILBERG: My name is --

16 HEARING OFFICER SMITH: -- your address?

17 MR. KILBERG: -- Howard Kilberg. I'm an
18 attorney in the Loop. I office at One North
19 LaSalle, and I have been an attorney since 1972.

10:31AM

20 I take pleasure appearing before you
21 today.

22 I am counsel to Nebel, Inc., the
23 owner of either 801 West Halsted Street [sic], also
24 known as 2 South Halsted Street, which is the

1 property the Commission seeks to landmark.

2 Mr. Frederick Bavasto, one of the
3 two shareholders and owners of the building has
4 flown in from Belgrade to be hear today and his the
10:31AM 5 objection to the designation. The other owner
6 Alexandre Bavasto, was unable to attend because
7 weather conditions delayed his flight departure
8 from Europe.

9 I take great pride in being an
10:32AM 10 advocate, and this is an adversary. And I am
11 asking the Commissioner -- and I am really sorry to
12 see that none of the other commissioners are here.
13 I find that rather disappointing that nobody could
14 find the time to be here today.

10:32AM 15 I understand that it is done by
16 transcript, but it's my impression that you don't
17 get the feeling of what goes on in a meeting when
18 somebody is objecting to having their property
19 taken by, I call it quasi eminent domain proceeding,
10:32AM 20 and they don't want to at least show the courtesy
21 to the people who have come here. They all knew he
22 was coming in from Europe. I made it very clear.

23 And I am very sorry. But I do thank
24 you, Madam Chairman, for being here. You and I

1 have had a long history when you were an alderman,
2 and there wasn't ever a time that you and I
3 couldn't find commonality --

4 (Cell phone ringing.)

10:33AM

5 MR. KILBERG: And I turned it off.

6 I apologize.

7 I have a new phone. I think I'm a
8 good attorney, but I'm a bad technician.

9 HEARING OFFICER SMITH: Been there.

10:33AM

10 But let's get to the criteria.

11 MR. KILBERG: Well, I --

12 HEARING OFFICER SMITH: Yeah.

13 MR. KILBERG: I'd like to continue.

14 And so in my experience with the

10:33AM

15 Commissioner, with you, Madam Chairman, I have
16 always been able to find commonality and agreement.
17 But I'm asking --

18 (Cell phone ringing.)

19 MR. KILBERG: I apologize.

10:33AM

20 HEARING OFFICER SMITH: That's all right. Go
21 ahead.

22 MR. KILBERG: Is this where you throw it out?

23 HEARING OFFICER SMITH: Yes.

24 MR. KILBERG: Take that out.

1 (Laughter.)

2 MR. KILBERG: I am asking you to terminate
3 these proceedings. I believe that the -- you
4 may know or may not know that the criteria that
10:34AM 5 are being discussed today have been found to be
6 unconstitutional. I assume you know that.

7 HEARING OFFICER SMITH: If you're referring
8 to -- are you referring to the *Hanna* litigation?

9 MR. KILBERG: Yes.

10:34AM 10 HEARING OFFICER SMITH: I have been advised
11 by counsel that the City's Landmarks Ordinance is
12 in effect; then the hearing is proper.

13 (Cell phone ringing.)

14 MR. KILBERG: Well --

10:34AM 15 HEARING OFFICER SMITH: So we will not
16 terminate the hearing.

17 We'll terminate the cell phone, but
18 not the hearing.

19 (Brief pause.)

10:35AM 20 MR. KILBERG: I apologize.

21 HEARING OFFICER SMITH: We have a protocol
22 issue here and, that is, if you have any questions
23 for the Landmark staff, could you please ask them
24 now?

1 MR. KILBERG: I actually began and reserved
2 my right to do that after I made the statement,
3 because I want to be clear on the record that we
4 object to these proceedings. And, if I may, Madam
10:35AM 5 Chairman, the Illinois Appellate Court -- because I
6 want this in the record.

7 HEARING OFFICER SMITH: I just -- I just want
8 to make sure that we don't impair your ability to
9 ask questions of the staff.

10:36AM 10 MR. KILBERG: No. I reserved the right when
11 I began.

12 HEARING OFFICER SMITH: Yeah, but this is not
13 a typical court proceeding. This is -- the rules
14 and regs for this hearing are slightly different.

10:36AM 15 MR. KILBERG: Right.

16 HEARING OFFICER SMITH: So you're going to
17 have all the time you want to speak to your --

18 MR. KILBERG: I really don't want to proceed
19 with questions until I've made the record about
10:36AM 20 this case.

21 HEARING OFFICER SMITH: Okay. But you have
22 to -- that's protocol. So we don't want violate
23 protocol. And we want to have this the most solid
24 hearing possible.

1 So if you could kindly ask your
2 questions of staff.

3 MR. KILBERG: I will.

4 HEARING OFFICER SMITH: He's right here and
10:36AM 5 available. Then we'll get to your comments. And,
6 believe me, I'm ready -- I'll stay here until
7 midnight.

8 MR. KILBERG: I am very concerned. And I
9 am stating for the record that I object to the
10:36AM 10 proceedings, that you are acting against Illinois
11 law, you are disregarding the rules of the Illinois
12 Supreme Court, the case has been remanded back
13 to Judge Hall, only to determine whether or not
14 the remainder of the Ordinance was declared
10:37AM 15 unconstitutional.

16 And I would challenge the gentleman
17 who's your counsel, who is a fine gentleman, to
18 show me anybody other than the City of Chicago that
19 will say that this case, these seven criteria, were
10:37AM 20 not declared unconstitutional. Even -- even your
21 counterpart, the Illinois Landmark Association -- I
22 brought their article which was published -- even
23 they agreed that it was declared unconstitutional.

24 And so I am making it clear that

1 I believe that anything that happens today is in-
2 violation of the law and that we are at the
3 precipice of additional legal action. And I --
4 and I don't like to say that.

10:37AM 5 HEARING OFFICER SMITH: Well, your statement
6 is part of the record, and --

7 MR. KILBERG: And now I will get to my
8 questions.

9 HEARING OFFICER SMITH: Thank you so much.

10:38AM 10 MR. KILBERG: Mr. Crawford, will you please
11 explain to the Commissioner what is the uniqueness
12 about this particular building that qualifies it to
13 be a landmark? What is unique about it?

14 MR. CRAWFORD: I think that I intimated to
10:38AM 15 some of those points in the presentation.

16 One is that it uses Romanesque
17 ornament. And we talk a lot about Romanesque
18 architecture in Chicago, which we do have, a lot of
19 it within the context of Richardsonian Romanesque.

10:39AM 20 That type of Richardsonian Romanesque architecture
21 really didn't use any of its ornament. It relied
22 mostly on muscular arches of that style.

23 Here we actually see the ornament
24 come in. And this is the only building I know in

1 Chicago that has this very distinctive ornament
2 that's Romanesque in style, Northern Italian. It's
3 really based on the illustrated in the illuminated
4 manuscripts. You can see that in the intertwining
10:39AM 5 flowers and botanic forms and knotwork forms. All
6 of these other Christian symbols, like the winged
7 figure of St. Mark. All of these things are, I
8 think, unique. I can't even think of a religious
9 building, much less a bank.

10:39AM 10 MR. KILBERG: Does that make it unique to the
11 extent that it's critical to the history of the
12 City of Chicago?

13 MR. CRAWFORD: Now, critical to history of
14 Chicago, where is that from?

10:40AM 15 MR. KILBERG: That is in your criteria for
16 designation on page 65 of your summary.

17 MR. CRAWFORD: So that text in bold is
18 actually not the words of the Chicago Landmarks
19 Ordinance. That's more of a parenthetical
10:40AM 20 description for the reader, to kind of ease the
21 reader.

22 MR. KILBERG: Was that reader the Commission?
23 Wasn't that -- wasn't that document provided to the
24 Commission upon which they voted?

1 MR. CRAWFORD: Absolutely.

2 MR. KILBERG: Fine. So then please explain
3 to me how is this critical to the history of the
4 City of Chicago, flowers and Christian symbols.

10:40AM

5 Not that I have any objection to Christian symbols,
6 but I'd like to know how these particular elements
7 are critical to the history and what will happen to
8 the history of Chicago if they are removed in some
9 other way or relocated somewhere else.

10:41AM

10 MR. CRAWFORD: What the Ordinance says is
11 the building has value as an example of the
12 architectural, cultural, economic, historic, social,
13 or other aspect of the heritage of the City of
14 Chicago, State of Illinois, or the United States.

10:41AM

15 MR. KILBERG: That's not the question I asked
16 you.

17 MR. CRAWFORD: I can only respond to the
18 language of the criteria.

19 MR. KILBERG: Is it because the criteria are
20 possibly vague?

10:41AM

21 MR. CRAWFORD: No. It's because that is a
22 subheading that's not part of the Ordinance.

23 MR. KILBERG: But it was given to the
24 commissioners -- I'm going to object. I'm going to

1 object that the attorney for the Commission is
2 telling the witness what to say, and I --

3 HEARING OFFICER SMITH: So noted.

4 MR. KILBERG: I want it noted, I want him
10:41AM 5 to be sure that he doesn't repeat what he said.

6 And, Counsel, you should know
7 better.

8 MR. DOLINSKY: I'm the attorney for this.

9 MR. KILBERG: You're the attorney of --
10:41AM 10 you're the attorney of the Commission. You are not
11 to tell the witness what to say.

12 MR. DOLINSKY: I think --

13 HEARING OFFICER SMITH: It's clear --

14 MR. KILBERG: And, I'm sorry, that's just
10:41AM 15 inappropriate.

16 HEARING OFFICER SMITH: Well, we could have
17 staff witnesses sit up here and there could be
18 conversations back and forth. He was gracious
19 enough to sit right next to you so you could --

10:42AM 20 MR. KILBERG: I know that. I've worked with
21 Matt the last three years.

22 HEARING OFFICER SMITH: Okay. So let's get
23 on with it then. We know --

24 MR. KILBERG: I think that the conduct is

1 inappropriate.

2 HEARING OFFICER SMITH: Let's get on with it.

3 MR. CRAWFORD: So that's my answer, Howard,
4 that it's critical to the City's heritage, yes. I
10:42AM 5 would say that in my presentation I have shown you
6 a building that is architecturally distinctive,
7 it's important, it's got historically significant
8 changes.

9 In addition to that, it played an
10:42AM 10 important role in the City's economic development
11 along with other banks. It's not just a piece of
12 architect, it's also a part of our heritage.

13 MR. KILBERG: Excuse me.

14 Would you nice enough and describe
10:43AM 15 the arches of this particular building on the first
16 and second floor and the design between the first
17 and second floor as applied to the exterior of the
18 building.

19 MR. CRAWFORD: Specifically, what would you
10:43AM 20 like me to discuss?

21 MR. KILBERG: Here (indicating), these
22 arches.

23 MR. CRAWFORD: So those are half-round arches
24 that you find in Romanesque architecture. You also

1 find it in Classical architecture. The arrangement
2 of an arch -- several arches in a row like that
3 forms what's called an arcade.

10:44AM

4 MR. KILBERG: Is this style typical or unique
5 in the City of Chicago?

6 MR. CRAWFORD: Is it typical? Yes.

7 MR. KILBERG: The arch.

10:44AM

8 MR. CRAWFORD: It's typical. We find this
9 type of style in Chicago, so I would say it's
10 typical..

11 MR. KILBERG: So does it appear on other
12 buildings that have been -- other bank buildings
13 that have been landmarked?

14 MR. CRAWFORD: Absolutely.

10:44AM

15 MR. KILBERG: And so this design is not
16 unique to this building.

17 MR. CRAWFORD: Right. But I think that the
18 Ordinance says atypical or unique, not and.

10:44AM

19 MR. KILBERG: I agree that it may be typical
20 or unique, but I'm asking is -- this is typical.

21 MR. CRAWFORD: It's typical.

22 MR. KILBERG: And the spandrels, are these
23 typical?

24 MR. CRAWFORD: The spandrels, I would say, on

1 one general large arched opening that's double
2 height, they are typical, yes. You do find them
3 frequently.

10:45AM 4 MR. KILBERG: I'm going to show you a picture
5 of the -- I apologize, I don't know the exact name
6 of the bank. This is on the corner of Ashland and
7 Fullerton.

8 MR. CRAWFORD: Uh-huh.

10:45AM 9 MR. KILBERG: And I'm asking you if the
10 spandrels -- I'll show you here -- are similar in
11 style and design to the ones on Mid-City Bank?

12 MR. CRAWFORD: What you're showing me here
13 are cast-iron spandrels with what I would call more
14 catalog ornament. It's a fairly typical kind of
10:45AM 15 arrangement of full patterns with some cresting at
16 the top of the panel.

17 MR. KILBERG: It does -- it does have the
18 arcade?

19 MR. CRAWFORD: It does.

10:45AM 20 And what we see at Mid-City is
21 something that I think is step finer, in terms of
22 its iconography, in terms of its execution, in
23 terms of its level of detail.

24 This is I think far more plain. But

1 in concept, that's what it is.

2 MR. KILBERG: And I'll show you the -- I
3 thought it was called the Pittsfield Bank. It's on
4 Lincoln Avenue, and --

10:46AM 5 HEARING OFFICER SMITH: Sir, if you wish to
6 submit this material --

7 MR. KILBERG: I will.

8 HEARING OFFICER SMITH: -- for the record, I
9 will --

10:46AM 10 MR. KILBERG: A group exhibit.

11 HEARING OFFICER SMITH: All right. We'll
12 call it Exhibit --

13 MR. KILBERG: Group Exhibit 1.

14 HEARING OFFICER SMITH: Smith 1.

10:46AM 15 MR. KILBERG: Okay. And so --

16 MR. CRAWFORD: This is the Marshfield Bank,
17 which was -- now is a condominium building. They
18 actually consented to landmark designation as part
19 of the group.

10:46AM 20 MR. KILBERG: Correct.

21 And, again, the arches are the same
22 as --

23 MR. CRAWFORD: Correct.

24 MR. KILBERG: -- Mid-City Bank.

1 MR. CRAWFORD: Correct.

2 MR. KILBERG: And the spandrels are similar
3 to --

4 MR. CRAWFORD: Similar, yeah.

10:47AM 5 MR. KILBERG: Right.

6 And do you know that on the -- there
7 is a top floor.

8 MR. CRAWFORD: Right.

9 MR. KILBERG: Do you know if that top floor
10 was an addition or was it part of the original
11 bank?

12 MR. CRAWFORD: So the research on this
13 building -- the renderings like I showed in the
14 presentation -- whenever a bank was built in the
10:47AM 15 '20s, they somehow got a rendering into the paper.
16 The rendering that was published in the Trib for
17 this building showed about -- the building now is
18 about five stories.

19 MR. KILBERG: Correct.

10:47AM 20 MR. CRAWFORD: Originally showed it at about
21 10, 12, something like that, maybe 13. And for
22 whatever happened, they scaled back during the
23 construction. So you have this kind of strange
24 condition of a cornice line where you think the

1 building is going to go up farther, but it only
2 goes up one more story.

3 MR. KILBERG: But you don't know whether or
4 not that top floor is original or was added later
10:47AM 5 on.

6 MR. CRAWFORD: Permit records say that's
7 original --

8 MR. KILBERG: Okay. Thank you.

9 MR. CRAWFORD: -- and the rendering.

10:48AM 10 MR. KILBERG: I've seen the rendering.

11 And when we go to the bank on
12 Fullerton, again, I would ask you whether or not
13 the arch system on the first and second floors are
14 similar to those of the Mid-City --

10:48AM 15 MR. CRAWFORD: Absolutely. Right.

16 MR. KILBERG: The spandrels are different.

17 MR. CRAWFORD: You really can't see the
18 spandrels on this building because there's exterior
19 storm windows.

10:48AM 20 MR. KILBERG: Right.

21 MR. CRAWFORD: They're hard to see, but
22 they're there.

23 MR. KILBERG: But the style is similar.

24 MR. CRAWFORD: Right. As I said, it's a

1 type of architect that we find in Chicago and so,
2 therefore, it's typical.

3 MR. KILBERG: Do you know if the bank on
4 Fullerton consented or objected?

10:48AM 5 MR. CRAWFORD: I believe Fullerton did not
6 consent to designation.

7 MR. KILBERG: Do you know if anybody was, in
8 fact, landmarked?

9 MR. CRAWFORD: Yes, there was.

10:49AM 10 MR. KILBERG: Do you know how many banks
11 didn't -- did not consent to the landmark status?

12 MR. CRAWFORD: I'd have to go through my
13 list. If you'd give me a minute.

14 MR. KILBERG: Approximately.

10:49AM 15 MR. CRAWFORD: Marshfield Trust and Savings
16 Bank on Lincoln which we discussed, the condo
17 association did consent.

18 Swedish American State Bank did not
19 consent.

10:49AM 20 Sheridan Trust and Savings Bank on
21 Broadway did consent.

22 Belmont-Sheffield Trust and Savings
23 on Belmont did not consent.

24 Fullerton State Bank, as you

1 mentioned, did not consent.

2 North Federal, North and Clark
3 Street, did not consent.

4 Cosmopolitan State Bank did consent.

10:50AM

5 Seems to me that's what we're
6 talking about.

7 Hyde Park did consent.

8 Calumet National Bank, I believe
9 they did not reply, which is a non-consent.

10:50AM

10 South Side is a non-consent.

11 Chicago City Bank and Trust in
12 Englewood did consent.

13 Marquette Park did consent.

14 Stock Yard, City owned it, so we
15 better consent.

10:50AM

16 Pioneer Bank, we're still in talks
17 with them.

18 Kimbell did consent.

19 MR. KILBERG: And not in this list is the
20 bank on Ashland Avenue, correct?

10:51AM

21 MR. CRAWFORD: Well, that was a separate
22 designation.

23 MR. KILBERG: And did they consent?

24 MR. CRAWFORD: I don't know.

1 MR. KILBERG: Do you know if the ones that
2 you discussed today that did not consent, were all
3 of them landmarked?

4 MR. CRAWFORD: Yes, with the exception of
10:51AM 5 one. On one, the proposal was withdrawn without
6 prejudice.

7 MR. KILBERG: With respect to the construction
8 of Mid-City Bank, do you know how long the second
9 through sixth floors were used as warehouses and
10:52AM 10 offices?

11 MR. CRAWFORD: That's the thing. I'm not
12 sure that that's true. And if we go back to that
13 Polk's Directory -- if you want to go back in the
14 slides, we can -- but I have the page highlighted
10:52AM 15 there, which lists all the tenants by room and
16 floor in that building, and I didn't see anything
17 that would lead me to think it was a warehouse
18 usage. I saw, you know, physicians, dentists,
19 lawyers.

10:52AM 20 MR. KILBERG: That was in?

21 MR. CRAWFORD: '20 to '29.

22 MR. KILBERG: We're talking about when this
23 was building in 1917 [sic].

24 MR. CRAWFORD: Yeah. At the same time,

1 though, if you look at a permits of the building
2 and if look you at those announcements published in
3 the *Tribune*, the bank was touting it as an office
4 building, store-office building, and that's what it
5 said in the permit.

6 When they filed the permit, they put
7 down in writing what type of building it is. And
8 if it was warehouse, they'd write warehouse or
9 they'd write loft. For this, they wrote store and
10 office.

11 MR. KILBERG: This type of building is -- the
12 original type of building is very common, is it
13 not, in that neighborhood? This type of six-story
14 brick building.

15 MR. CRAWFORD: Was common; was common.

16 MR. KILBERG: Yeah.

17 MR. CRAWFORD: Now, as I mentioned, this is a
18 lone survivor in that particular area.

19 MR. KILBERG: But the building itself, the
20 style is replicated still in that area, is it not?

21 MR. CRAWFORD: I haven't noticed that,
22 necessarily, Howard. I think a lot of those
23 industrial buildings that have been turned into
24 condos in that part of town are later, more from

1 the teens and '20s.

2 MR. KILBERG: I'm going to show you what I'll
3 call Exhibit 2 and ask if you seen this -- ever
4 seen this building.

10:54AM 5 MR. CRAWFORD: It doesn't -- again, there's
6 so many of this type. And I think that's what you
7 wanted me to say, right?

8 MR. KILBERG: Right.

9 MR. CRAWFORD: The only issue here, the only
10 kind of -- what lends this building more of a
11 warehouse or a more simple appearance is that its
12 windows use what are called "jack arches," which
13 they actually used in the common brick of the wall
14 to form the head of the window opening, and they
10:54AM 15 probably have a stone sill.

16 At Mid-City, they upped it a little
17 bit in 1911 by trimming up the windows with cream-
18 colored terra cotta. That's a slight upgrade,
19 and --

10:55AM 20 MR. KILBERG: But the --

21 MR. CRAWFORD: -- it certainly would have
22 appealed to a professional who's looking for an
23 office.

24 This type of building really screams,

1 you know, "industrial." You're going to go in
2 there, it's going to be noisy. These tended to have
3 wood-frame construction.

4 Again, I'm looking at floor-to-floor
10:55AM 5 heights are taller here, which again makes me think
6 this is more of an industrial-type building. But
7 the windows, that jack arch and that treatment,
8 number of windows, also kind of lead me to think
9 that this was originally a loft or a warehouse
10:55AM 10 building.

11 MR. KILBERG: Would you agree that they are
12 similar in style to the original building? And
13 I'll show you what I'll call Exhibit No. 3.

14 I think this is a picture you may
10:56AM 15 not have had that I located similar to yours, but
16 this is the expanded version.

17 MR. CRAWFORD: Nice.

18 MR. KILBERG: I do good work too.

19 MR. CRAWFORD: Yeah, you do.

10:56AM 20 HEARING OFFICER SMITH: Yes, yes, yes. We
21 need copies up here.

22 MR. CRAWFORD: Now, the real difference
23 here --

24 HEARING OFFICER SMITH: We need copies of

1 Exhibit 1.

2 MR. KILBERG: I have it here.

3 MR. CRAWFORD: So you're comparing -- you
4 want me to compare --

10:56AM 5 MR. KILBERG: I'll just ask you --

6 MR. CRAWFORD: -- Van Buren with our building
7 in 1911.

8 MR. KILBERG: I'm merely asking you if the
9 styles are similar.

10:56AM 10 MR. CRAWFORD: Well, part of its style -- the
11 styles aren't similar. You're talking about more --
12 I think what you mean is how the form is similar.

13 Yes, they're blocky buildings
14 occupying what is a city block or going right from
10:57AM 15 the edge of the sidewalk. They're roughly the same
16 height.

17 MR. KILBERG: Yeah. Actually, they're both
18 six-stories tall.

19 MR. CRAWFORD: They're made primarily of
10:57AM 20 brick. But there the story kind of -- then things
21 start to differ. Because if you look at this
22 building -- it's hard to see how this -- so for
23 Van Buren, we're looking at a base of the building.
24 It's hard to see what's original in the photo, if

1 there is any original fabric in the photo.

2 MR. KILBERG: I would just interject, the
3 first floor has been totally remodeled with all new
4 windows, but the --

10:57AM 5 HEARING OFFICER SMITH: Wait. What --

6 MS. GORSKI: Exhibit 2?

7 HEARING OFFICER SMITH: You'll need to say
8 that again.

9 MR. KILBERG: Exhibit 2.

10:57AM 10 It still has its original lintel.

11 MR. CRAWFORD: Yes, there is a line there.

12 MR. KILBERG: And the building at 801 West
13 Madison also had a lintel. Different style, but
14 they both had lintels.

10:58AM 15 MR. CRAWFORD: It's a line.

16 MR. KILBERG: Right.

17 MR. CRAWFORD: We don't know what this -- I
18 can't see what this line is made of.

19 But we do know about 1911 -- and

10:58AM 20 there's a couple things that make this stand out
21 and rise above this building at the first two
22 floors. One is the large storefront openings with
23 terra cotta trim. These large openings were
24 necessitated by having steel-frame construction in

1 the building. Without that, you couldn't get
2 windows this wide at the bottom of the building.
3 So you can actually see the steel structure coming
4 down in between each of these storefront windows.

10:58AM 5 MR. KILBERG: You're talking about No. 3,
6 correct?

7 MR. CRAWFORD: I'm talking about the 1911
8 building.

9 MR. KILBERG: Exhibit No. 3.

10:58AM 10 MR. CRAWFORD: So they're clad in terra
11 cotta. You have maximum window space to display
12 goods and to get light into the store. Okay. So
13 that's one thing.

14 We don't know -- if this building
10:59AM 15 doesn't have a steel frame, which I don't think it
16 does, you can't get that, you can't get those large
17 storefront openings, and they wouldn't have needed
18 if it's just a warehouse. So that's one thing,
19 you've got the terra cotta and you've got these
10:59AM 20 large openings in the first floor.

21 The second thing is on the second
22 floor of our 1911 building, we see something that's
23 called the Chicago window. And that is something
24 that was developed in Chicago during this time. It

1 was a distinctive feature of Chicago architecture.
2 Basically it's a fixed casement window flanked on
3 either side by a double-hung window, and it was
4 used for commercial buildings in the early modern
10:59AM 5 period of Chicago architecture. It kind of became
6 a trademark of Chicago's architecture of that
7 period.

8 MR. KILBERG: Doesn't Van Buren have the same
9 double-hung window?

10:59AM 10 MR. CRAWFORD: It has double-hung windows but
11 not the Chicago window.

12 The Chicago window is a fixed
13 casement flanked on either side with a double-hung,
14 so you're combining three windows. You're getting
11:00AM 15 a wide area, but also some ventilation on either
16 side. So it was a compromise and it was invented
17 here and ubiquitous here.

18 MR. KILBERG: I must just note for the record
19 that I believe that the windows in 839 West Van
11:00AM 20 Buren are replacement windows, and the windows in
21 2 South Halsted are original -- I believe that some
22 of them are original and some of them have been
23 replaced. Some of them I think are aluminum clad,
24 and there are some, I think, wood ones that still

1 do exist.

2 Getting back to -- so you would
3 not agree that the buildings have the same street
4 presence that, umm ...

11:00AM 5 MR. CRAWFORD: Even in 1911, even if it's --
6 even in its more simplified form of 1911, the
7 Mid-City Bank building, which we're talking about,
8 still had street presence far more than this.

9 HEARING OFFICER SMITH: If you could just
11:01AM 10 specific, far more than which?

11 MR. CRAWFORD: Sorry. Far more than the
12 photo of 839 West Van Buren.

13 Again, I think the issue -- the main
14 difference between the two buildings and what it
11:01AM 15 allowed the architects to do would be its structure.
16 839 Van Buren is mill construction or what's called
17 heavy-timber construction, and that limited what
18 the architect could do in terms of window sizes.

19 MR. KILBERG: Do you have any building in
11:01AM 20 Chicago similar to Exhibit No. 3, which is the
21 1911 building, that has been made a landmark?

22 MR. CRAWFORD: That's a -- that's a tough
23 question.

24 I'd really have to go -- we have

1 some 50 districts and several hundred landmarks,
2 comprising a total of 10,000 buildings. I'm not
3 prepared to sort all that data out in my head. I
4 can come up with something after the hearing.

11:02AM

5 We certainly see buildings of this
6 vintage, of this use. We find them in Chicago
7 landmark districts. I can think of several in the
8 Milwaukee Avenue District that were built around
9 this time. As store -- that's what they were known
10 as, store and office buildings. So they have one
11 or two floors of stores with offices above.

11:02AM

12 MR. KILBERG: So this wasn't built as a bank
13 building.

14 MR. CRAWFORD: It was built as a bank
15 building.

11:02AM

16 MR. KILBERG: Well, try to --

17 MR. CRAWFORD: The bank built it, and they
18 took the prime spot. And they also understood that
19 by renting the upper floors of the real estate to
20 the stores, they were taking income, capitalizing
21 the bank, and putting away money to eventually wipe
22 away those other stores and create this grand bank
23 hall. So it was brilliant, basically the building
24 paid for itself.

11:02AM

1 MR. KILBERG: Well, that's not really the
2 question. This was not built as a bank building.

3 If you were to compare it to the
4 other buildings that were constructed which were
11:03AM 5 landmark, such as the Marshfield building, Pioneer
6 Trust, the Marquette building, the South Side Trust,
7 the --

8 MR. CRAWFORD: No. Some of those were --
9 some of those buildings had the same combination of
11:03AM 10 office, store, and bank in their original design.
11 And I can point them out to you.

12 MR. KILBERG: I find that mentioned nowhere
13 in this report.

14 MR. CRAWFORD: Well, let me try to find that
11:03AM 15 reference.

16 To your point about this building,
17 what did people call it, what was it thought of as,
18 well, if look at the 1917 Sanborn Map it says
19 Mid-City Bank Building, not a warehouse or not
11:04AM 20 office building with Mid-City in the corner. It
21 was Mid-City Bank Building.

22 MR. KILBERG: I would suggest that the name
23 of the building doesn't mean that it is a bank
24 building. If you compare it to the buildings that

1 you have in your register, such as Mid-City [sic]
2 Trust and Savings, Fullerton State Bank, Belmont-
3 Sheffield Trust, Sheridan Trust, all these banks
4 were built as bank buildings.

11:04AM

5 MR. CRAWFORD: Not entirely. Let's look at a
6 caption of the Hyde Park Bank, which I believe
7 has -- still has retail storefronts all along the
8 sidewalk level. The banking hall is on the second
9 floor, and above that are several floors of office
10 tenants, and it was built that way.

11:04AM

11 And here's the quote: "To maximize
12 valuable real estate -- page 8, bottom of the
13 page -- "To maximize valuable real estate, banks
14 incorporated multiple income-generating uses into
15 the building design. At the Hyde Park-Kenwood Bank
16 above, the banking hall is located on second floor
17 allowing for retail shops at the street level."

11:05AM

18 Also the Sheridan Trust and Savings
19 Bank, which is on the right, which you're all
20 familiar with, incorporated nine stores of
21 commercial space above the banking floor -- nine
22 stories, sorry, of commercial office space.

11:05AM

23 So this is clearly a pattern. If
24 the bank can do it, if they had enough capital,

1 they would build multi-use buildings to generate
2 income and several of them did that. And --

3 HEARING OFFICER SMITH: Sir, would you
4 identify the document you're reading from?

11:05AM 5 MR. CRAWFORD: This is the designation of --
6 Preliminary Summary of Information dated -- revised
7 as of December 2007.

8 So that's one theme. And then if
9 we go through, well, which banks did this? I can
11:06AM 10 go through each one.

11 MR. KILBERG: Well, but the banks built the
12 buildings originally to be large-scale banks.

13 MR. CRAWFORD: The banks would occupy --

14 MR. KILBERG: These banks were not rehabs,
11:06AM 15 were they?

16 MR. CRAWFORD: Correct.

17 MR. KILBERG: Thank you.

18 MR. CRAWFORD: Correct. That is --

19 MR. KILBERG: Mid-City -- Mid-City was a
11:06AM 20 rehab, wasn't it?

21 MR. CRAWFORD: That's -- you are correct.

22 MR. KILBERG: And in fact the advertisement
23 in the paper called it a rehabilitation.

24 MR. CRAWFORD: Correct.

1 MR. KILBERG: Thank you.

2 So then it wasn't built as a bank
3 building. And --

4 MR. CRAWFORD: It was built as a bank building
11:06AM 5 in 1911. And then in 1928, the bank building
6 renovated itself and expanded it.

7 MR. KILBERG: Well, then we'll just disagree
8 and go forward.

9 HEARING OFFICER SMITH: We're through with
11:06AM 10 that segment and moving on to another topic?

11 MR. KILBERG: No. I'm on Criteria 4.

12 HEARING OFFICER SMITH: All right.

13 MR. KILBERG: You say that these buildings
14 are the best and most important examples in the --
11:07AM 15 of this building type in the City.

16 MR. CRAWFORD: Where is that?

17 MR. KILBERG: This is on page 55, Criteria 4,
18 this is important architecture.

19 MR. CRAWFORD: Bullet point one, Collectively
11:07AM 20 these early and mid-20th century bank buildings,
21 many of which were designed by prominent Chicago
22 architects, constitute some of the best and
23 most important examples of a building type, the
24 neighborhood bank, in the city.

1 So they are some of the best --

2 MR. KILBERG: Was this building one of the
3 best?

11:07AM

4 MR. CRAWFORD: Yes. The Commission has
5 preliminarily found --

6 MR. KILBERG: I -- I --

7 MR. CRAWFORD: -- it is one of that group,
8 some of the best.

11:07AM

9 MR. KILBERG: I'm asking you. Is this --
10 when you compare it to the other buildings that
11 were designated, is this one of the best?

12 MR. CRAWFORD: I would say in terms of its
13 interior, this is the best.

14 MR. KILBERG: On the exterior, Mr. Crawford?

11:08AM

15 MR. CRAWFORD: On the exterior --

16 MR. KILBERG: On the exterior, is this one of
17 the best?

18 MR. CRAWFORD: It holds up well with its
19 colleagues.

11:08AM

20 MR. KILBERG: I would like you just to tell
21 me, is this one of the best?

22 MR. CRAWFORD: One of the best.

23 MR. KILBERG: And you say that in comparison
24 to Hyde Park-Kenwood Bank, you say it compares to

1 that?

2 MR. CRAWFORD: It's a very fine building. We
3 love all our children equally, Howard. You have to
4 meet criteria.

11:08AM 5 MR. KILBERG: Well, you said the magic word
6 again. Those criteria are somewhat vague.

7 And is this building considered a
8 midrise highrise, midrise skyscraper? What is it?

9 MR. CRAWFORD: I don't think we pinned that
11:09AM 10 particular name on this building because it was six
11 stories. I think the name -- we did apply that
12 name, and it's arbitrary, but we did apply that
13 name to Sheridan, we did apply that name to Hyde
14 Park. And those buildings are really up in the
11:09AM 15 range of -- if you look at Sheridan, 15 stories.
16 Hyde Park; similarly Hyde Park is up around 15,
17 even more like 20.

18 HEARING OFFICER SMITH: We'll take just a
19 second.

11:10AM 20 (Brief pause.)

21 HEARING OFFICER SMITH: It looks like Council
22 has broken up, and the commotion has moved out to
23 the hall.

24 Okay. Continue.

1 MR. KILBERG: Thank you.

2 MR. CRAWFORD: So your question was we didn't
3 apply the term to midrise to some of the bank
4 buildings in the group. And my response is, yes,
11:10AM 5 we did. We applied it to Sheridan, which was I
6 think about 10 stories, maybe 12. And then I know
7 we applied it to Hyde Park; it was probably 15,
8 18 stories.

9 MR. KILBERG: But this one was not a midrise,
11:10AM 10 correct?

11 MR. CRAWFORD: You know, we didn't have a
12 strong cut-off line that I can remember on what
13 was, and where did we cut it off. But I doubt that
14 this was one of the midrises.

11:11AM 15 MR. KILBERG: This building wasn't -- was
16 this building built to be identified as a bank, in
17 your opinion?

18 MR. CRAWFORD: I think that's a good question,
19 and I think that points out -- I tried to point
11:11AM 20 that out in my presentation. The banks, prior to
21 the 1920s didn't really have this idea of having a
22 big architectural presence and stand-alone building.
23 That didn't really come around until the financial
24 prosperity of the '20s.

1 When this was built in 1911, banks
2 saw themselves in terms of a physical location,
3 something like a storefront often, and I showed you
4 some examples. And that's also pointed out on the
5 slide on the screen right now.

11:12AM

6 MR. KILBERG: And in Exhibit 3.

7 MR. CRAWFORD: Right. The bank has the prime
8 spot, but, you know, there's other signs for other
9 buildings, and clearly it's in a mix. So I think
10 the bank -- we know that they paid for and built
11 this building, and it was their Mid-City Bank
12 building, and that they rented the upper floors to
13 tenants.

11:12AM

14 Now, I think part of that 1928
15 change was to respond to fashions in architecture
16 at that time, where it was common for the banks to
17 present a more monumental, Classical experience to
18 convey this idea that the bank was cultured, that
19 it was well capitalized, and the customer's money
20 was going to be safe in a massive building, and
21 they were there to stay. So that's what -- I think
22 that's what drove this kind of transformation of
23 the building in 1928.

11:12AM

24 MR. KILBERG: I have no further questions.

1 HEARING OFFICER SMITH: Thank you, sir.

2 MR. KILBERG: Thank you, Matt.

3 HEARING OFFICER SMITH: At this point we
4 welcome your statement.

11:13AM 5 MR. KILBERG: On January 30th, 2009, in
6 the case of *Hanna v. City of Chicago*, Case
7 No. 06 CH 19422, the Illinois Appellate Court found,
8 among other things, that the seven criteria would
9 determine whether a building is subject to land-
11:13AM 10 marking were found to be not only unintelligible,
11 but they were found to be unconstitutional.

12 The City of Chicago appealed that
13 decision, and on July 7, 2009, the Illinois Supreme
14 Court refused to hear that appeal. The Appellate
11:14AM 15 Court found that the Circuit Court Judge, Sophia
16 Hall, had improperly dismissed the complaint of
17 Hanna who objected to having his residence included
18 in a proposed landmark district.

19 The Appellate Court remanded the
11:14AM 20 case back to the Circuit Court to determine
21 whether the remaining part of the Ordinance was
22 unconstitutional. And Judge Hall has yet to rule
23 on the constitutionality of the remainder of the
24 Ordinance.

1 When I first found out about this
2 case, I conferred with ten other lawyers in the
3 city, whose counsel I respect, including Jenner &
4 Block, Holland & Knight, and other lawyers who deal
11:14AM 5 in constitutional law. Being biased because this
6 was an ongoing matter, I wanted objective opinions.
7 Each of the attorneys agree with me that the seven
8 criteria were found to be unconstitutional. We
9 also agree that the finding was not dicta.

11:15AM 10 I actually Googled Chicago Landmarks
11 Ordinance, and I found consensus from respected
12 newspapers, law firms, real estate commentators
13 that the seven criteria were found to be
14 unconstitutional.

11:15AM 15 One moment.

16 I, again, this morning -- this is
17 Group Exhibit 4 -- I Googled Chicago Landmarks
18 Ordinance again, and there is not a single
19 divergent opinion.

11:15AM 20 (Brief pause.)

21 HEARING OFFICER SMITH: Excuse me. A brief
22 interlude; the aldermanic --

23 MR. KILBERG: It's an aldermanic privilege.

24 HEARING OFFICER SMITH: Exactly.

1 Just one moment, please.

2 (Discussion off the record.)

3 HEARING OFFICER SMITH: I'm sorry for the
4 interruption.

11:16AM

5 MR. KILBERG: It's okay.

6 I Googled the Chicago Landmarks

7 Ordinance, and I just did the first ten. Each and

8 every one of these, each and every one of these

9 found -- whether *Chicago Tribune*, *Crane's*, Shefsky

11:16AM

10 Law Firm, other law firms -- they all independently
11 agree that the decision was unconstitutional as to
12 the nine [sic] criteria.

13 One of them was -- and this is

14 Exhibit 5 -- was the Landmarks Illinois, your

11:17AM

15 counterpart. And they agree that the decision was
16 unconstitutional as to the seven criteria. And it
17 says, I quote, It is expected that when the case is
18 concluded later this summer, Judge Hall will enter
19 a final order that finds the language in the Chicago

11:17AM

20 Landmarks Ordinance to be vague. The City of
21 Chicago formally appealed the decision. However,
22 until then, the trial -- the court made such a
23 ruling that local landmarks ordinance will remain
24 in effect.

1 That's their opinion, but they do
2 agree that it was found to be unconstitutional.
3 And what was sent back to Judge Hall was the
4 remainder -- it was the remainder of the -- I'll
5 tender those to you.

11:17AM

6 HEARING OFFICER SMITH: Thank you.

7 MR. KILBERG: It was the remainder of the
8 ordinance that was declared to be unconstitutional.

9 However, I did have a conversation
10 with Mr. -- with your counsel, Mr. Dolinsky, and he
11 finally did agree that the decision with respect to
12 unconstitutionality was not dicta. And dicta means
13 an aside. It wasn't a side comment.

11:18AM

14 And so Corporation Counsel danced
15 around the issue and has never said yes or no
16 whether or not the seven -- the City of Chicago
17 says that the seven criteria are lawful.

11:18AM

18 We shared an email, and he suggested
19 to me, Well, the Appellate Court didn't make a
20 judgment. Well, they don't make a judgment; they
21 either affirm or deny or remand.

11:18AM

22 And in this case they remanded. And
23 it was clear, what was remanded was the remainder
24 of the ordinance. And to be very clear about it,

1 the Supreme Court refused the appeal of the City.
2 They actually refused their appeal. And I would
3 like to read, if I may, into the record what the
4 Appellate Court said.

11:19AM 5 HEARING OFFICER SMITH: Well, I just would
6 like to comment that I've already noted your
7 objection, and I noted that I have been advised by
8 counsel that this hearing is valid and proper.

9 MR. KILBERG: I would like to know under what
11:19AM 10 basis it's valid and proper.

11 HEARING OFFICER SMITH: Well, as you said,
12 the court commented that until such time as they
13 are reconsidered, the landmarks ordinance will stay
14 in place.

11:19AM 15 MR. KILBERG: No. That was the comment of
16 the Illinois Landmarks Commission.

17 HEARING OFFICER SMITH: Got it.

18 MR. KILBERG: So I would like to address the
19 question to counsel.

11:20AM 20 MR. DOLINSKY: You're not in a position to
21 question me. If you're presenting --

22 HEARING OFFICER SMITH: Protocol does not
23 prescribe for --

24 MR. KILBERG: Well, that's fine.

1 Then, Counsel, I'd appreciate it
2 then since we had the conversation: You would
3 agree, would you not, that you sent me an email
4 telling me it was not dicta; is that correct.

11:20AM 5 MR. DOLINSKY: As the Hearing Officer said,
6 you're allowed to admit statements into evidence,
7 and you're not questioning us.

8 HEARING OFFICER SMITH: Right. We need to
9 stick to protocol.

11:20AM 10 MR. KILBERG: Well, I find the protocol a bit
11 awkward when there's side conversations with the
12 attorney and the chairwoman, who I do respect, it's
13 like coaching a witness. And that is not what a
14 public hearing is supposed to be about.

11:20AM 15 HEARING OFFICER SMITH: I'd ask --

16 MR. KILBERG: And so I want to read into the
17 record exactly what the Supreme -- what the
18 Appellate Court said.

19 It said on the bottom of page 15:

11:21AM 20 "We note, however, that even if
21 we were to find that the Commission's
22 function was merely advisory, the seven
23 criteria outlined in the Ordinance to
24 assist the Commission in recommending

1 buildings or districts for landmark
2 status remains unconstitutionally vague,
3 as discussed in the previous section."

4 On page 16 of that same decision,
11:21AM 5 under Section II, Intelligible Standards, the
6 Appellate Court said:

7 "As stated in the previous
8 section, we find that the seven
9 criteria outlined in the ordinances are
11:21AM 10 unconstitutionally vague and therefore
11 do not adequately provide intelligible
12 standards by which to guide the
13 Commission. Accordingly, we find
14 that the plaintiffs adequately stated
11:22AM 15 the cause of action in Count II of
16 the complaint when they alleged that
17 Ordinance permitted the improper
18 delegation of authority."

19 That language is unambiguous. It
11:22AM 20 says twice within one page that they found this to
21 be unconstitutional. And, therefore, what -- the
22 proceedings today will eventually involve additional
23 litigation. And I find -- and I don't -- I would
24 ask the Chairwoman to continue this proceeding

1 until the court determine whether or not the entire
2 Ordinance or this section is constitutional.

3 Time is not of the essence in this
4 particular matter. The building remains vacant.

11:22AM 5 And I think it would not be unreasonable to take
6 the course of safety, avoid litigation, and let the
7 court decide whether or not this proceeding is
8 either constitutional or unconstitutional. Nothing
9 would be lost; nothing would be gained. The

11:23AM 10 building status quo would remain. And it would be
11 determined, once and for all, if the Ordinance is
12 to be found constitutional or unconstitutional and
13 whether this section, the seven criteria, remain
14 unconstitutional. That would be the correct thing
11:23AM 15 to do.

16 The fact that you would suggest
17 to me, Madam Chairman, that your counsel said you
18 can go through, then I would like to, at least,
19 have an explanation for the record why the -- why
11:23AM 20 the Commission would proceed, under what reason,
21 what legal reason you will proceed when there is
22 certainly a question of whether or not these
23 proceedings are constitutionally valid or not.

24 HEARING OFFICER SMITH: I'd like to recommend

1 that you move on to other points in your
2 presentation, and that there are other venues
3 where you can take up this issue that you are so
4 passionately discussing.

11:24AM

5 At the moment, we are proceeding
6 according to protocol, and the rules and regs of
7 the City of Chicago. The hearing will continue.
8 We're going to conclude. We're not taking a vote
9 today. But we really need to hear the rest of

11:24AM

10 your presentation. We've noted your objections
11 repeatedly, and I have responded regarding the
12 advice of counsel of the City of Chicago. It is a
13 City of Chicago hearing.

11:24AM

14 And now we will continue. And I
15 strongly recommend that you get to your other
16 points.

17 Thank you.

18 MR. KILBERG: Noted.

11:25AM

19 The Ordinance requires that the
20 Commissioner of the Department of Housing and
21 Economic Development issue a letter saying that
22 he has reviewed the Chicago comprehensive plan and
23 has looked at the economic consequences of the
24 endorsement of the Ordinance.

1 But as you take a look at a letter
2 from the Commission, it makes no reference to it
3 reviewed the Chicago plan and it makes no finding
4 or recommendation as to whether or not the
5 Department considered the economic consequences
6 in the plan.

7 One moment, please.

8 This will be Exhibit 6.

9 HEARING OFFICER SMITH: Thank you.

10 MR. KILBERG: You will see in the report the
11 Commissioner, Mr. Randall, made no reference at
12 all that he reviewed the Chicago plan, he made no
13 review of the economic -- of comparing the economic
14 consequences to the neighborhood with respect to
15 the landmarking of this building.

16 This report is defective. It does
17 not satisfy the Ordinance. And for those reasons,
18 we would suggest that the designation is improper.
19 The document speaks for itself.

20 The next requirement is that the
21 Department is supposed to provide a prominent
22 notice -- a prominent notice of the hearing.

23 HEARING OFFICER SMITH: One moment.

24 Yeah. Eleanor, the Commissioner,

1 covered the notification efforts and accomplish-
2 ments in her comments.

3 MR. KILBERG: I heard them.

4 HEARING OFFICER SMITH: Yeah.

11:27AM 5 MR. KILBERG: However, the word -- the
6 effective word in the Ordinance is "prominent."
7 And I would suggest to you, Madam Chairman, that a
8 sign that's 10-foot tall that only puts notice on
9 one side is not prominent. And I have some
11:28AM 10 photographs.

11 I must admit, when I went to the
12 building to look at it, it wasn't even visible.

13 And so I would have a group exhibit.
14 And we'll call this -- would be Group Exhibit 6.

11:28AM 15 And the first one --

16 HEARING OFFICER SMITH: Are we on 6 or 7?

17 7.

18 MR. KILBERG: I apologize.

19 The first one is just a pedestrian
11:28AM 20 standing by the sign.

21 HEARING OFFICER SMITH: Thank you.

22 MR. KILBERG: And you can see how tall it is.
23 And we had remeasured it, and it's 10 feet tall.

24 The second one is a prominent

1 attorney by the sign. It's me.

2 HEARING OFFICER SMITH: This will be 8.

3 Marked as 7 continued.

4 MR. KILBERG: Right.

11:29AM

5 And you can see where that sign is
6 in relation to where I am. You'll also notice that
7 it is not posted on both sides. Nobody walking
8 north on Halsted Street would ever see that sign.

11:29AM

9 The building also has an 801 Madison
10 address. There is no sign on Madison. And so if
11 you're walking either east or west on Madison, you
12 cannot see the sign.

13 This is another picture of the same
14 group, and --

11:30AM

15 HEARING OFFICER SMITH: Is this more of 7?

16 MR. KILBERG: Yep.

17 Again, you can barely see the sign.
18 I do have a measurement and the bottom of the sign
19 is 7 feet, 10 inches. And --

11:30AM

20 HEARING OFFICER SMITH: Can you restate that?
21 Do you mean --

22 MR. KILBERG: The bottom of the sign is
23 7 feet, 10 inches from the ground.

24 HEARING OFFICER SMITH: From the ground.

1 Thank you.

2 MR. KILBERG: And here is another picture
3 of the sign, which does not give notice to anybody
4 walking on Halsted Street going north.

11:31AM 5 I might just add for the record that
6 nobody ever contacted the owner of the building
7 or me to inquire if they could put signs in the
8 building so they could be read at eye level.

9 HEARING OFFICER SMITH: Thank you.

11:31AM 10 MR. KILBERG: Adjacent to the sign is a
11 No Turn sign, 3 -- 4 feet away.

12 Here's another example of what a
13 prominent notice might be. Same attorney.

14 And, finally, I'm going to call your
11:31AM 15 attention to what the Department of Housing and
16 Economic Development, Bureau of Planning -- Bureau
17 of Planning and Zoning uses as their sign to give
18 adequate notice.

19 I only have two. I'm sorry.

11:32AM 20 This is an example of what the
21 Chairwoman knows from her own experience what we
22 use for zoning amendments and other public notices.
23 These are spread out very -- the rules are spread
24 out very clearly in the Ordinance, Section 17-107C3,

1 I believe. And this is what a notice is supposed
2 to be. It tells somebody there is going to be a
3 hearing and it's at eye level.

4 Just post it on the building, so you
11:32AM 5 could see it, or an adjacent building. And it
6 requires, by the way, the ordinance, both sides of
7 the posting notice.

8 And I would suggest that the notice
9 in this hearing does not meet the qualifications of
11:33AM 10 the Ordinance and circumvents it. And I would ask
11 that the hearing -- that a new notice be posted and
12 the hearing commence at another date.

13 I understand the motion will be
14 denied, but I'm making it for the record.

11:33AM 15 And I think these really speak
16 well to whether or not anybody would ever see
17 these notices. The owner went by of the building,
18 the architects went by the building, nobody saw
19 them. You have to look up 10-feet tall to read
11:33AM 20 the notice. It has about 12 lines on it and in
21 print that is barely legible.

22 That is not adequate notice. I'm
23 not suggesting it was done intentionally. I'm just
24 suggesting it isn't fair and it doesn't meet the

1 standards required by the Ordinance.

2 I did look for some legal
3 definitions, and they all were relating to notices
4 and printed materials for somebody that might be
11:34AM 5 waiving the right to a trial and maybe waiving a
6 warranty, and those all require bold print. But I
7 was unable to locate any provision regarding a
8 public notice that did not cover both addresses of
9 the building.

11:34AM 10 Again, this building has two
11 addresses: 801 West Halsted [sic], and 2 South
12 Halsted.

13 Even if you follow the Ordinance in
14 the same section since we're both in Section 17, I
11:34AM 15 would suggest that at a minimum you have to follow
16 the requirements of the Ordinance which says both
17 sides at eye level.

18 And I don't think that this notice
19 covers that particular requirement.

11:35AM 20 I'd like to take a brief break for
21 about five or six minutes.

22 HEARING OFFICER SMITH: Well, we do want
23 to -- we were kind enough to move out of order to
24 here Mr. Maragos. We have other people who also

1 have commitments. -

2 I'll grant a five-minute break right
3 now, but really --

4 MR. KILBERG: That's about all I need.

11:35AM

5 HEARING OFFICER SMITH: Okay. Five minutes,
6 everybody.

7 MR. KILBERG: Thank you.

8 (Recess taken.)

11:44AM

9 HEARING OFFICER SMITH: And, sir, we have a
10 civilian in the audience who needs to testify, who
11 has to be someplace.

12 MR. KILBERG: I'll step aside.

13 HEARING OFFICER SMITH: Oh, no, no. I was
14 going to -- do you want to do that? You can

11:44AM

15 finish, and then --

16 MR. KILBERG: No, please.

17 HEARING OFFICER SMITH: Okay. We have Suzanne
18 Germann, Landmarks Illinois.

19 Are you related to Roger Germann?

11:45AM

20 MS. GERMANN: No.

21 (Discussion off the record.)

22 HEARING OFFICER SMITH: Okay. Sorry.

23 Go ahead.

24 MS. GERMANN: I'm East Coast Germann, whatever

1 that is.

2 Suzanne Germann from Landmarks
3 Illinois.

4 My address?

11:45AM 5 HEARING OFFICER SMITH: Yes.

6 MS. GERMANN: 53 West Jackson, Suite 1315,
7 Chicago, 60604.

8 Good morning.

9 I would like to submit our testimony
11:45AM 10 in favor of this building's designation and offer
11 our perspective as part of your deliberation.

12 Landmarks Illinois has for 40 years
13 advocated for the preservation and adaptive use of
14 historic buildings. The Mid-City Trust and Savings
11:45AM 15 Bank clearly reflects the evolution of the design
16 of banks as a building type; from the conservative
17 attitude of designing a building that blended with
18 adjacent retail and commercial development to the
19 later trend of designing majestic structures that
11:46AM 20 stood out as important businesses in the neighbor-
21 hood.

22 The Mid-City Trust and Savings
23 Bank is the only example in the City's proposed
24 neighborhood bank district that reflects both of

1 these design trends, as its owners built the
2 building in keeping with the conservative trend and
3 then altered and expanded the building to be in
4 keeping with this later trend of bank design.

11:46AM

5 The integrity of the building
6 remains very high for both the exterior and the
7 interior, and we believe it fully meets of criteria
8 for designation.

11:46AM

9 We strongly support the former
10 Mid-City Trust and Savings Bank for local landmark
11 designation.

12 Thank you very much.

13 MR. KILBERG: I would like to call Van
14 Tomaras as a witness, please.

11:47AM

15 HEARING OFFICER SMITH: Keep in mind that
16 the Ordinance does -- keep in mind please that the
17 Ordinance does provide for questioning of witnesses
18 by the staff and the Commission members.

19 MR. KILBERG: Yes.

11:47AM

20 HEARING OFFICER SMITH: Welcome.

21 MR. TOMARAS: Good morning.

22 HEARING OFFICER SMITH: Almost, yes, good
23 morning.

24 Your name, please, your address, and

1 your affiliation to the issue.

2 MR. TOMARAS: My name is Van Tomaras. I
3 reside at 1016 West Madison Street, Chicago,
4 Illinois, 60607.

11:48AM 5 I am registered architect, and my
6 affiliation with the project is that I have done
7 some assessment, technical work for the building in
8 the previous years. And I was called here by
9 Mr. Howard Kilberg to testify on the issue of the
11:48AM 10 Landmarks Commission designation of the building in
11 question.

12 I want to point out that my
13 testimony today is not to praise or degrade the
14 experience and the quality of work of our fellow
11:48AM 15 architects that did work in the 1910s and '20s.
16 I'm merely here to answer questions and see if I
17 can shed light into the situation.

18 Thank you.

19 MR. KILBERG: Mr. Tomaras, you've indicated
11:49AM 20 you are familiar with the building, are you not?

21 MR. TOMARAS: Yes, I am.

22 MR. KILBERG: And have you been throughout
23 the entire building?

24 MR. TOMARAS: Yes, I have.

1 MR. KILBERG: Inside and outside?

2 MR. TOMARAS: Yes, inside and outside.

3 MR. KILBERG: And in the course of being an
4 architect, you had to make some of evaluations of
11:49AM 5 the building, did you not?

6 MR. TOMARAS: Yes, I did.

7 MR. KILBERG: And in the course of your
8 practice as an architect, are you familiar with
9 other buildings in that immediate area?

11:49AM 10 MR. TOMARAS: Yes, several of the buildings.

11 MR. KILBERG: And could you explain to me the
12 nature of the original building that was constructed
13 in 1911, which is shown on Exhibit 3?

14 MR. TOMARAS: The building construction, type
11:50AM 15 construction is noncombustible. It's a post-and-
16 beam construction with exterior columns and masonry
17 walls, while the floors and the roof have been
18 constructed out of reinforced concrete.

19 It is a typical design of the period
11:50AM 20 for heavy-duty floor loading buildings, either for
21 commercial or manufacturing use. Also they allow
22 for business and commercial usage and occupancy.

23 MR. KILBERG: And are you familiar with the
24 building at 839 West Van Buren, Exhibit 2.

1 MR. TOMARAS: Yes, I am. The building is a
2 few blocks from my house.

3 MR. KILBERG: And how would you describe that
4 building?

11:51AM 5 MR. TOMARAS: The building on Jackson has
6 similar design characteristics as many, I would
7 say, hundreds of warehouse and commercial buildings
8 in the area. Square windows, the short bay spans
9 which accommodate heavy loads for manufacturing.

11:51AM 10 The designation of the first floor
11 usually was for businesses. Some of the business
12 have terra cotta designs, some of the buildings
13 have limestone designs, some buildings have
14 intricate face brick designs to identify and glorify
11:52AM 15 the first floor usage, while on the upper floors
16 they would use the space for manufacturing, offices,
17 and other commercial, even storage in the area.

18 Keep in mind the entire area as of
19 1995 was designated as a manufacturing area because
11:52AM 20 we had heavy manufacturing presence in the West
21 Loop area.

22 MR. KILBERG: When you compare the design --
23 well, let me rephrase that.

24 Is it customary for architects when

1 they design these type of warehouse, manufacturing,
2 multi-use buildings in the early 1900s, all put
3 their own distinctive mark on them in some way?

4 MR. TOMARAS: Yes, that is more than
11:53AM 5 customary. Every architect that designs a building
6 wants to put a signature on the building. You
7 don't want to be known as the guy that copies
8 everybody's design. So I would say, although the
9 buildings are similar, each one of them has its own
11:53AM 10 character.

11 MR. KILBERG: With respect to the Exhibit 3,
12 the original 1911 building, are you familiar with
13 the third, fourth, fifth, and sixth floors of the
14 building?

11:53AM 15 MR. TOMARAS: Yes, I am.

16 MR. KILBERG: And how do they compare today
17 to the third, fourth, fifth, and sixth floors of
18 the existing vacant building at 801 West Madison,
19 2 South Halsted?

11:54AM 20 MR. TOMARAS: I didn't get the question.

21 MR. KILBERG: Has the fourth -- third,
22 fourth, fifth, and six floor of the building at
23 2 South Halsted changed in any material way from
24 1911 as of 2012?

1 MR. TOMARAS: Yes it has.

2 MR. KILBERG: And how did they change?

11:54AM

3 MR. TOMARAS: The major element which was
4 designed in 1910, the canopy at the top of the
5 building, is no longer there; it has been removed.
6 And all of the windows facing Halsted and Madison
7 Street from the mezzanine floor up have been
8 totally removed and you have the typical aluminum
9 replacement windows installed.

11:55AM

10 MR. KILBERG: And what about on the south and
11 west side of this building?

11:55AM

12 MR. TOMARAS: The south and west side of the
13 building was not paid as much attention as the
14 Halsted and Madison Street facades. It's common
15 brick and not much altered from the original
16 construction. And windows that are in the south
17 and west elevations are also replacement aluminum
18 windows. They had replaced the original windows.

11:55AM

19 MR. KILBERG: Do you have an opinion as
20 to whether or not there is anything unique or
21 remarkable about the third, fourth, fifth, and
22 sixth floors of the 2 South Halsted building?

23 MR. TOMARAS: I would not say that there's
24 anything unique or remarkable. This is a post-and-

1 beam construction, but they can be found around the
2 city of Chicago in any industrial or manufacturing
3 neighborhood.

11:56AM 4 MR. KILBERG: Does the third, fourth, fifth,
5 and sixth floors of 2 South Halsted express any
6 characteristics that would make this a monumental
7 building giving permanence and trust to the
8 neighborhood?

9 MR. TOMARAS: No, not really.

11:56AM 10 MR. KILBERG: Do the third, fourth, fifth,
11 and sixth floors of this building provide a
12 prominent visual landmark as it was built in 1911?

13 MR. TOMARAS: Well, can we go back to that
14 photograph before I answer. I'd like to see the
11:57AM 15 building.

16 What was the question?

17 MR. KILBERG: Is there anything about the
18 third, fourth, fifth, or sixth floors of this
19 building that make it a prominent visual landmark
11:57AM 20 as it was in 1911 in relation to the buildings
21 around it?

22 MR. TOMARAS: No, not really. You have
23 several buildings of that style.

24 MR. KILBERG: And today is there anything

1 prominent or distinguishing about the third,
2 fourth, and fifth, and six floors of this building
3 on all four sides?

4 MR. TOMARAS: I would say no.

11:58AM 5 MR. KILBERG: You would not classify this
6 building as a midrise building, midrise highrise,
7 would you?

8 MR. TOMARAS: Well, the designation of a
9 midrise building is over 80 feet. If we are
11:58AM 10 technical, then we're missing a few feet. It could
11 be lowrise but not a highrise.

12 MR. KILBERG: Would you call the third,
13 fourth, fifth, and sixth floors of this building
14 an important example of the building type in the
11:58AM 15 neighborhood of Halsted and Madison Streets.

16 MR. TOMARAS: Every building is important to
17 the owners and certain people. But as far as
18 designating the four floors as a very important and
19 prominent design, no, I would not say that.

11:59AM 20 MR. KILBERG: When you compare this building
21 to the building on Halsted, would your answers be
22 the same if I ask you about whether or not that
23 building was prominent or offer any particular
24 example of quality architecture?

1 MR. TOMARAS: Did you say the building on
2 Halsted?

3 MR. KILBERG: I'm sorry. On Van Buren.

4 There's nothing that's really
11:59AM 5 prominent about the Van Buren building.

6 MR. TOMARAS: Is this the Jackson building
7 you're referred to? This is the Jackson building
8 before?

9 MR. KILBERG: I did. I misspoke. It is
11:59AM 10 Van Buren and not Jackson.

11 HEARING OFFICER SMITH: Well, what exhibit
12 are you looking at?

13 MR. KILBERG: Exhibit No. 2.

14 MR. TOMARAS: Give a simple analysis. Both
12:00PM 15 buildings above the first floor look very similar.
16 The materials, the exterior materials are brick.
17 The building on Van Buren has a bit of a arch at
18 the top of the windows while the original in B, or
19 the original Mid-City building has square openings.

12:00PM 20 They have a distinctive column
21 between windows. They both have a terra cotta
22 design at the termination of the first floor, and
23 this is to distinguish the upper floor office,
24 manufacturing, or whatever they use it, from the

1 first floor commercial.

2 Similar in the sense that they have
3 the bays, the window is between the bays, the face
4 brick material. Both have a parapet wall which
12:01PM 5 extends above the top floor and that could be the
6 location of a canopy; and they both have the long
7 narrow high windows on the first floor, identifying
8 the commercial space.

9 MR. KILBERG: And you're aware that in 1929,
12:01PM 10 the building was remodeled, are you not?

11 MR. TOMARAS: Yes.

12 MR. KILBERG: And if you look at the City's
13 Exhibit No. 1, which is projected on the screen,
14 that has been described by the City as a Classical
12:02PM 15 arcade facade. Would that be the fair statement?

16 MR. TOMARAS: Yes, it would.

17 MR. KILBERG: And in Group Exhibit 1, we
18 looked at some other buildings on Fullerton and
19 Ashland and Lincoln Avenue -- and actually on
12:02PM 20 Fullerton.

21 And now I'm going to show you the
22 Group Exhibit 1, and I'm going to ask you if the
23 designs of those buildings on Ashland and
24 Fullerton, Fullerton Avenue and Lincoln Avenue,

1 are they of a similar design both in the structure
2 of the arcades and the spandrels and the various
3 fluted columns? Would they all be considered
4 similar?

12:03PM 5 MR. TOMARAS: Yes. We could classify them as
6 Romanesque, Neo-Classical with Art Deco infills as
7 far as the design of the terra cotta ornament.

8 MR. KILBERG: And so if this building was not
9 landmarked, would the city still have examples of
12:03PM 10 the architecture on this building, on the 2 South
11 Halsted building that exists elsewhere in the City?

12 MR. TOMARAS: Could you please repeat the
13 question?

14 MR. KILBERG: If in building were not
12:03PM 15 landmarked would the staple Romanesque arcade style
16 be prefer served in the buildings on Ashland Avenue
17 Fullerton and Lincoln Avenue that we discussed in
18 Group Exhibit 1.

19 MR. TOMARAS: Yes, it would be preserved.
12:04PM 20 Not only banks, other buildings also they have this
21 style and design.

22 MR. KILBERG: And so there is -- would it be
23 your testimony that there -- that this design is
24 not unique?

1 MR. TOMARAS: This design is not unique as a
2 style of architecture. It could be a loft building
3 that has been applied.

4 MR. KILBERG: So would it be fair to say that
12:04PM 5 every architect puts his own mark on the exterior
6 in some way, but in a general perspective, the
7 design is preserved elsewhere in the city.

8 MR. TOMARAS: Yes. If architects following
9 certain design style, whether it is Romanesque,
12:05PM 10 whether it is Greek Classical design, or Art Deco
11 or Baroque, designing a building with a specific
12 style, you have to follow the basic design
13 requirements.

14 MR. KILBERG: Do you know what it means for
12:05PM 15 a building to be a critical part of the City's
16 history? Do you know what that means?

17 MR. TOMARAS: Not necessarily.

18 MR. KILBERG: Do you know what it means
19 when a building is considered to be important
12:05PM 20 architecture? Do you know what that word important
21 architecture means?

22 MR. TOMARAS: Yes.

23 MR. KILBERG: What does that mean to you?

24 MR. TOMARAS: A building that has the

1 specific elements of a specific architecture style,
2 specific materials that will represent that style
3 as it stands.

4 MR. KILBERG: Do you know what it means to be
12:06PM 5 a unique -- strike that -- what it means to be a
6 distinctive physical appearance or presence? Do
7 you know what those words mean?

8 MR. TOMARAS: In the dictionary form, yes.

9 MR. KILBERG: Is there anything in the design
12:06PM 10 of the first and second floors of the Mid-City Bank
11 that exemplifies innovation, in your opinion?

12 MR. TOMARAS: Yes.

13 MR. KILBERG: What?

14 MR. TOMARAS: The part of the exterior facade
12:07PM 15 that -- on two facades, the Madison Street and the
16 Halsted Street. It is a signature of the architect
17 that did the design for the first two floors.

18 MR. KILBERG: But is that innovative in an
19 architectural term? Is there anything innovative
12:07PM 20 about the design of the first and second floor?

21 MR. TOMARAS: It does not depict a new style.

22 MR. KILBERG: Is there anything particularly
23 rare about this design on the first and second
24 floors?

1 MR. TOMARAS: As I mentioned before, this is
2 a Romanesque design that was designed for this
3 particular building with specific detail, but does
4 not constitute a new, innovative architectural
12:07PM 5 design.

6 MR. KILBERG: And would you also say that
7 this particular style is not rare in the City of
8 Chicago?

9 MR. TOMARAS: No, the style is not rare.
12:08PM 10 Everybody used the Romanesque style --

11 MR. KILBERG: Is there anything --

12 MR. TOMARAS: -- at the turn of the century.

13 MR. KILBERG: Is there anything unique about
14 this particular design on the first and second
12:08PM 15 floors of this building? Unique.

16 MR. TOMARAS: I don't know how to answer
17 this. It is unique in its character, but it's not
18 unique in style.

19 MR. KILBERG: When you compare it to the
12:08PM 20 buildings in Group Exhibit 1, when you compare
21 those three buildings and this building, would your
22 testimony be that they are not unique and they are
23 very similar? Each -- let me withdraw that.

24 Would it be your opinion that in

1 architectural style, this design is not unique
2 and has been demonstrated in other buildings that
3 have already been landmarked?

12:09PM 4 MR. TOMARAS: The style of architecture is
5 not unique. It is a representation of Romanesque
6 and Neo-Classical architecture which is repeated in
7 many buildings.

12:09PM 8 MR. KILBERG: And when this building was
9 constructed in 1911, you saw a picture of the area
10 in a postcard, did you not? It was an exhibit of
11 the City.

12 MR. TOMARAS: Yes.

12:09PM 13 MR. KILBERG: And how would you describe
14 that neighborhood in relation to this particular
15 building?

12:10PM 16 MR. TOMARAS: The building was constructed by
17 a financial institution that had the money to do
18 the six-story building. And they were part of the
19 neighborhood, and I believe that every financial
20 institution in that area is even more on the
21 business and manufacturing use rather than
22 residence, because this was mostly manufacturing
23 and commercial.

24 As far as the design that was

1 constructed in 1910, the architect, Horatio Wilson,
2 designed the building, and it looks from the
3 photographs as a utilitarian building. The heavy-
4 duty fireproof flooring would withstand heavy loads
5 for storage or manufacturing.

12:10PM

6 And they designed the terra cotta
7 design, which was limited on the first floor, was
8 to impress everybody in the area that would look at
9 the building at the eye level.

12:11PM

10 The upper portion of the building
11 was not given significant design consideration,
12 which will follow the Romanesque architecture.
13 It's just the first floor on Halsted and Madison
14 Street were given some attention. The west

12:11PM

15 elevation was nothing to brag about. It's still
16 substandard as it is -- as it was then. It's still
17 there today, and also the south elevation.

18 MR. KILBERG: Would you say that the building
19 built in 1911 had a distinctive physical appearance
20 which was a familiar visual feature in the
21 neighborhood?

12:11PM

22 MR. TOMARAS: At that time, I do not know how
23 the character of the streets was and what kind of
24 buildings they have adjacent to the building. But

1 as a volume, as a block at the corner of Halsted
2 and Madison, it definitely would be an imposing
3 structure.

4 MR. KILBERG: But it was not distinctive.

12:12PM 5 MR. TOMARAS: I would not say it was
6 distinctive. It doesn't have a specific elaborate
7 design.

8 By the way, the design that was
9 there in 1910 is no longer there because of the
12:12PM 10 renovation. So whatever it was has been removed.

11 MR. KILBERG: With respect to the first and
12 second floors that were part of the remodeling of
13 the building, would it be your testimony that the
14 first and second floors of this building are no
12:13PM 15 more -- no greater appearance than the buildings in
16 Group Exhibit 1.

17 It's no greater, no less than the
18 other.

19 MR. TOMARAS: I would definitely agree.

12:13PM 20 MR. KILBERG: Do you have an opinion as to
21 whether or not this entire building is critical to
22 the history of the City of Chicago?

23 MR. TOMARAS: Coming into this meeting, I
24 have a question that I don't have resolved yet.

1 I do not have a final opinion, but I struggle to
2 understand what the Landmark Commission and the
3 owner try to achieve.

12:14PM

4 Are we looking at the originality of
5 the 1910 building designed by Wilson and constructed
6 based on his design? Are we trying to bring the
7 elements of a rehab which occurred 20 years later?
8 And that rehab was only concentrated on improving
9 the first and second floor facades on two streets
10 only.

12:15PM

11 Are we try to designate the upper
12 four floors with the middle-of-the-line replacement
13 aluminum windows? Are we will try to designate the
14 upper floors without the original canopy? Are we
15 trying to designate the west and south elevations
16 which, at best, depict the worst architectural
17 design for a six-story building? Or are we trying
18 to designate three buildings: the west and south
19 elevation; the upper floors, the third, fourth,
20 fifth, and sixth; or the first floor?

12:16PM

21 I don't have an opinion because I'm
22 very much confused as to what you are trying to
23 achieve. We lost the flair and the design of the
24 original building. We have a design 20 years

1 later, which is an addition, and does not give
2 consideration to the upper floors of the original
3 building, and we have the elements of the original
4 building diminished by removing the windows and
12:16PM 5 removing the canopy, which would make it original
6 design.

7 Is it critical to save the building
8 for the purpose of the owner and its use? Yes.

9 Is it a landmark building candidate
12:16PM 10 for designation? I do not know that. I am
11 actually confused as to what we're trying to
12 achieve. If we define the scope of work, maybe I
13 can give you an answer.

14 MR. KILBERG: Is the facade of the first and
12:17PM 15 second floors -- I'll withdraw that.

16 Is it your opinion -- do you have an
17 opinion of whether or not the third, fourth, fifth,
18 and sixth floors of this particular building merit
19 landmarking?

12:17PM 20 MR. TOMARAS: No, I do not agree. They do
21 not merit landmarking.

22 MR. KILBERG: And do you have an opinion
23 as to whether or not the facade of the Halsted
24 Street and the facade of Madison Street should be

1 landmarked?

2 MR. TOMARAS: I think the design has merits,
3 yes.

12:18PM

4 MR. KILBERG: Does it have merits or it
5 should be landmarked?

12:18PM

6 MR. TOMARAS: I do not know. All I am saying
7 is that the Romanesque design as it appears with
8 the detail is in line with other examples that were
9 submitted here today. Whether it merits landmark,
10 that's up to the Landmarks Commission and their
11 criteria to decide whether this merits landmark
12 status or not.

12:18PM

13 MR. KILBERG: Are you rendering this opinion
14 because when you read the seven criteria, they are
15 not clear and vague?

16 MR. TOMARAS: I do not know the legal
17 criteria on that.

18 MR. KILBERG: But you've read them as an
19 architect?

12:18PM

20 MR. TOMARAS: Yes, I did.

21 MR. KILBERG: And are they clear or are they
22 vague?

23 MR. TOMARAS: No, they're not quite clear.

24 MR. KILBERG: I have no further questions at

1 this time --

2 HEARING OFFICER SMITH: Thank you.

3 MR. KILBERG: -- of this witness.

4 HEARING OFFICER SMITH: Of this witness.

12:19PM 5 As you know, since you have explained
6 you've read the Landmarks --

7 MR. KILBERG: I've waiting for the shoe.

8 HEARING OFFICER SMITH: Yeah. We try to be
9 generous with everyone's time. And if you have

12:19PM 10 another witness --

11 MR. KILBERG: I do. And the owner wants to
12 make a statement.

13 HEARING OFFICER SMITH: So as you know, you
14 are allotted an hour.

12:19PM 15 MR. KILBERG: Correct. Although somebody did
16 say earlier they would stay until midnight.

17 HEARING OFFICER SMITH: I said that, and I'm
18 happy to do that.

19 MR. KILBERG: I had no intention.

12:19PM 20 HEARING OFFICER SMITH: We do have other
21 people also who would like to testify. So can you
22 give us an approximation how much time you think
23 your --

24 MR. KILBERG: I think the owner would like to

1 make a statement. That may skirt the bounds of the
2 actual requirements, but I would ask you to be
3 somewhat liberal, one, because there's a language
4 difficulty; and, two, he did fly in from Europe.

12:20PM

5 And I would just like to let you
6 know just as an aside -- and we're not really
7 talking economics specifically -- but this building
8 has taxes every year of \$60,000. And it has
9 remained vacant, unrentable, and unsalable, can't

12:20PM

10 find any ventures. The architect of this building
11 has created an economic nightmare because nobody
12 can use the building. And I think that my client
13 would like to share his opinion and frustration,
14 and I would ask you to be somewhat forgiving.

12:21PM

15 HEARING OFFICER SMITH: We're well-prepared.
16 Yes, if you have -- you have only the owner who
17 would like to speak?

12:21PM

18 MR. KILBERG: I have one other architect who
19 I may ask not to testify. I think it may have been
20 covered by this gentleman.

21 HEARING OFFICER SMITH: Well, thank you.

22 MR. KILBERG: Maybe. I'll confer with him
23 while my owner has a -- is allowed to make a
24 statement.

1 HEARING OFFICER SMITH: All right. Because
2 the protocol requires that you stay within the
3 time limit and that we try to bring everyone
4 together at the same time under the auspices of
12:21PM 5 your presentation.
6 MR. KILBERG: Other than the architect and --
7 HEARING OFFICER SMITH: And your owner.
8 MR. KILBERG: There's nobody else that I saw
9 on the list that wanted to speak.
12:21PM 10 HEARING OFFICER SMITH: All right. I'd like
11 to invite -- hold on one minute.
12 Forgive me. We are within the
13 classification of a party participant. The
14 Commissioner and Law and the staff have the right
12:22PM 15 to ask questions if they wish to --
16 MR. KILBERG: Oh, yes. That's fine.
17 HEARING OFFICER SMITH: -- of the witness.
18 Do you have questions of the
19 witness?
12:22PM 20 MR. GORSKI: If I may, I did have a question.
21 You mentioned -- and I believe I
22 caught this correctly -- 1995 the West Loop was
23 designated for manufacturing; is that correct?
24 MR. TOMARAS: Up to 1995.

1 MS. GORSKI: Up to.

2 MR. TOMARAS: The zoning book states that a
3 large percentage, I would say 80 to 85 percent, of
4 the buildings on the east-west streets from Lake
12:23PM 5 Street all the way up to Van Buren and from Halsted
6 all the way back to Ashland are designated as
7 manufacturing areas.

8 MS. GORSKI: That designation ended in 1995?

9 MR. TOMARAS: No. 1995, the City Council
12:23PM 10 started approving the development of residential
11 areas instead of manufacturing for the legal
12 purpose of getting new district designations. They
13 started going with B, which is business, and C,
14 commercial. And manufacturing then became either a
12:23PM 15 commercial or a business district would allow
16 commercial on the first floor and residential both.

17 So the zoning started changing
18 drastically from 1995 up. I have all the old all
19 right books, even earlier. I'd be very happy to
12:24PM 20 give you one book to see what the designation was.

21 MS. GORSKI: So is it fair to say that zoning
22 reflects changes in an area and the different uses,
23 and that it can change over time?

24 MR. TOMARAS: Definitely changes every year,

1 but that was the first change with the West Loop
2 redevelopment plan took effect. The renovation of
3 several set of these were done in mass production,
4 you know, residential, light manufacturing, and
12:24PM 5 commercial on the first floor. So yes, there was a
6 drastic change since 1995 and up.

7 MS. GORSKI: So older buildings similar to
8 the Van Buren building, I believe in Exhibit 2,
9 were able to change their use yet retain the look
12:24PM 10 on the outside of the building in those residential
11 conversions?

12 MR. TOMARAS: Unfortunately, no. Madison
13 Street is no longer what it was before. They
14 demolished some very nice historic buildings to
12:25PM 15 make way for new development and new design, as you
16 see it today. So no, they did not save many of the
17 buildings.

18 MS. GORSKI: So the Van Buren building,
19 Exhibit 2, is a rare building then and that they
12:25PM 20 demolished many of those types?

21 MR. TOMARAS: The Van Buren building and
22 hundreds of other buildings were saved, not because
23 of the looks, because of the special architectural
24 integrity, mostly structure. If a building is

1 sound, it is better to renovate it than demolish
2 and build it again. If it's not, they demolish.
3 This is a -- this is a trend that's still going on
4 today.

12:25PM 5 MS. GORSKI: So the ones existing were
6 renovated in some way?

7 MR. TOMARAS: All of the existing buildings.
8 I cannot see any one in the area that is not
9 renovated, and renovated much before, a mixed
10 occupancy, resident and commercial.

11 MS. GORSKI: Okay. Thank you.

12 MR. TOMARAS: You're welcome.

13 MR. KILBERG: I just have one.

14 HEARING OFFICER SMITH: Well, protocol
12:26PM 15 prescribes that the staff has the right to ask
16 questions.

17 Do you have questions?

18 MR. CRAWFORD: I have nothing.

19 HEARING OFFICER SMITH: Nothing.

12:26PM 20 Okay.

21 MR. KILBERG: Just one final question. Do
22 you know the percentage of the original facade that
23 remains on the building?

24 MR. TOMARAS: I have some plans. It is

1 . 31 percent between the ground and second floor; and
2 69 or 70 percent for the rest of the facades.

3 MR. KILBERG: So 69 to 70 percent of the
4 original building remains.

12:26PM 5 MR. TOMARAS: Correct.

6 MR. KILBERG: Which is the third, fourth,
7 fifth, and sixth floors of Madison; third, fourth,
8 fifth, and sixth floors of Halsted; all of the west
9 side of the building, which is an alley; and all
10 the south side of the building, which is adjacent
11 to the new Gateway project.

12 MR. TOMARAS: Yes. With the exception of the
13 two-story addition, which was done in 1928.

14 MR. KILBERG: That's all?

12:27PM 15 HEARING OFFICER SMITH: Thank you.

16 I'd like to actually congratulate
17 you for your -- the depth of your participation
18 and what's going on in your community. We need
19 more people like you to typically be hands-on and
12:27PM 20 involved.

21 MR. TOMARAS: Thank you.

22 MR. KILBERG: By the way, he had an old
23 building on West Madison Street. He bought it and
24 he actually renovated it and kept it with the

1 original facade, as an aside.

2 HEARING OFFICER SMITH: Thank you very much.

3 I have to restate -- part of my
4 responsibility is to restate the fact that we are
12:27PM 5 not to be discussing zoning or economic impacts or
6 permits or economic hardship, none of these issues
7 are pertinent to the landmarking discussion that's
8 underway.

9 I hope that you've explained that to
12:28PM 10 the building owner.

11 MR. KILBERG: I have.

12 HEARING OFFICER SMITH: Because we look
13 forward to hearing his remarks.

14 MR. KILBERG: I have, but I would suggest
12:28PM 15 that there is a bit of a language difficulty, and
16 so he doesn't always understand the exact concept.

17 HEARING OFFICER SMITH: I have to tell you
18 there are 71 languages and dialects in the 48th
19 Ward, which I represented. So we're ready.

12:28PM 20 First of all, welcome.

21 MR. BAVASTO: Thank you to invite me.

22 HEARING OFFICER SMITH: It is now afternoon.
23 Good afternoon.

24 MR. BAVASTO: Good afternoon.

1 My name is Frederick Bavasto, and
2 I'm the owner of the building with my brother.
3 Unfortunately he couldn't come today.

4 We came --

12:28PM 5 HEARING OFFICER SMITH: We do need an address
6 for the record.

7 MR. BAVASTO: Our address is 900 Lake Shore
8 Drive. I live between Serbia and United States,
9 where we have our real estate activity. We are
12:29PM 10 still active. We are still motivated to invest in
11 the United States despite the situation, the
12 general situation that everybody knows.

13 I came here to express my
14 disappointment because I -- I would like to speak,
12:29PM 15 I put a little touch of history around all this
16 matter. It was very awful for me, because we were
17 one of the visionary of the future development of
18 the West Loop.

19 And this motivation that my family
12:29PM 20 has taken the risk during the '80s when there was a
21 big crisis in Chicago. My father came to the
22 States with the advice of my grandmother who was
23 saved by American soldiers in the camps.

24 I was thinking about all these

1 people who died during the war, the American
2 soldiers who create the American dreams. And also
3 the people of the economy because they motivate
4 people like my grandparents who come in the country
12:30PM 5 that they were trusting.

6 So when my father came following the
7 advice of his mother, some people showing the West
8 Loop. His advisor beg him to don't invest in an
9 area where people were sleeping in the street,
12:30PM 10 where there were drugs and prostitution. You could
11 not even walk there, it was so dangerous. There
12 was nothing, empty lots.

13 All these nice picture that the
14 gentleman show us, as I remember, all these
12:30PM 15 building disappear. There was even a beautiful
16 theater next to this building that I saw in one of
17 his picture, completely disappeared. And I don't
18 see that the Landmark with any objection.

19 We take the risk because we were
12:31PM 20 believing in a future despite all the advice from
21 the local people. We did buy land behind the
22 building, which today an industry call H₂O Plus.

23 We were the ones who believed the
24 future of this area.

1 The City came to knock on our door
2 and take us away our future parking and maybe
3 disappear all of our dreams and all our protection
4 and all the investments that we did, to give up a
12:31PM 5 beautiful design for use of the building. The City
6 doesn't take in consideration the beauty of the
7 building as we are discussing. They "favorize" an
8 industrial production. And that's why there is no
9 discussion about if it was industrial or not
12:31PM 10 industrial. It was industrial because they take
11 this away by eminent domain, our land, to put
12 industrial production. We stay years and years
13 trying to find a solution. We are fighting during
14 all this difficult time to bring investors who are
12:32PM 15 running away due to those augmentation.

16 I'm thinking today not about the
17 flowers on the wall, but I'm thinking today about
18 the thousands of people in the United States where
19 we are just with no more money to pay their health
12:32PM 20 insurance, with no money to pay the education of
21 their children, while living in a nightmare because
22 they don't know if pay their bills. We are here
23 to create jobs. We are here to create hundreds
24 of jobs. And I don't understand we are still

1 fighting, paying bills years and years, and even
2 for the City is going to be a good income having
3 more tax income for the City of Chicago.

4 We want to create jobs, and I think
12:32PM 5 that if you want to leave a present for all these
6 people who died in the wars, who give the
7 motivation to the people to come in this country to
8 invest, it's time to share with sacrifice and to
9 lead the people to invest in great jobs to make
12:33PM 10 people happy. That will be the way to reborn and
11 to give the chance to the people. If we want to
12 preserve those -- I don't want to give any opinions
13 because I don't have enough experience.

14 But I will also tell you that many
12:33PM 15 of what I saw in the picture disappeared. We were
16 the victim of vandals. They stole us all the
17 medallions inside, the stole us all the ramps of
18 the stair. There is no more what I saw in this
19 picture. There is nothing. This building has been
12:33PM 20 also transformed. I don't recognize many things of
21 the past picture that I saw all because all these
22 rooms that have been transformed.

23 So I ask you one thing in the name
24 of my family and the fight that we are trying to

1 maintain to create something positive in this
2 beautiful neighborhood now as we were the first who
3 had the right vision for the future is to give a
4 chance not to us, but to give a chance to the
12:34PM 5 hundreds of people who will get the jobs and will
6 have a better life in the coming days.

7 We all knows that the economy is in
8 a tragical situation. That's very important. We
9 cannot hide it, we have to speak about it because
12:34PM 10 it's the daily news, it's daily, and this is a
11 world problem, it's not anymore an American. So at
12 least we did all the effort to convince people to
13 follow us. And I ask in this difficult period to
14 have an understanding and we will do our best to
12:34PM 15 help and to provide jobs to the people to survive,
16 I would say. That's it.

17 And that's all what I wanted to say.

18 HEARING OFFICER SMITH: Technically I'm not
19 supposed to ask question, but when you refer to the
12:34PM 20 war that your grandparents experienced, are you
21 talking about World War II?

22 MR. BAVASTO: Yes.

23 HEARING OFFICER SMITH: Thank you.

24 MR. BAVASTO: And I remember my grandmother

1 always tell me, One day -- I mean, she says to my
2 father, One day I will some -- put some saving
3 again on the sides. I want to put my money in a
4 country that I can trust.

12:35PM 5 But even though we take the risk to
6 invest in the West Loop where it was the worst area
7 in the '80s, we did had facing some surprise with
8 this industrial production, and all this vision of
9 the City who was no -- the City had no vision on
12:35PM 10 this building for taking us away the parking used
11 to create and harmonize a wonderful purchase.

12 Now we are blocked, there is nothing
13 we can do. You chose this path, and we are very
14 disappointed to what we are facing because we are
12:35PM 15 investing a lot trying to do something better. And
16 today, I think to create jobs is the most important
17 for the people. I mean, it's ...

18 HEARING OFFICER SMITH: Thank you; thank you.

19 And Commissioner or staff, if anyone
12:35PM 20 has questions.

21 Thank you.

22 MR. BAVASTO: Thank you to let me express
23 myself. I know that --

24 HEARING OFFICER SMITH: No, no.

1 MR. BAVASTO: -- I understand what you say,
2 but I think it's important that also to share with
3 other people our souls and to leave a chance to
4 other people also in the future to have a better
12:36PM 5 life with our future projection.

6 And that's all I can say.

7 HEARING OFFICER SMITH: Thank you.

8 MR. KILBERG: I do just want to make a side
9 comment. I'm not sure you thoroughly got it.

12:36PM 10 His family bought both 801 West
11 Madison and 845. And 845 provided the parking for
12 801. And because of the eminent domain proceedings,
13 801 lost its parking. And because of the loss of
14 parking, that is the reason why it has been unable
12:36PM 15 to find anybody that will take a -- the first and
16 the second floors of the building to make the
17 building viable.

18 HEARING OFFICER SMITH: We got it; we got it.

19 MR. KILBERG: I appreciate that comment. But
12:37PM 20 I wanted just to tie it in. I know I went outside
21 the bounds. But I wanted to put in some sort of
22 clarity what he was trying to express to you. And
23 I want you thank you for giving him an opportunity.

24 HEARING OFFICER SMITH: Well, he was very

1 clear, very clear.

2 Thank you so much.

3 And that concludes -- we're through,
4 right?

12:37PM 5 MR. KILBERG: Just one moment.

6 HEARING OFFICER SMITH: Because we really
7 have to move on.

8 MR. KILBERG: We are done. We are done.

9 HEARING OFFICER SMITH: Thank you.

12:37PM 10 I just have to go on record saying
11 that as hearing officer I'll determine how much of
12 these elements are officially introduced into the
13 record.

14 MR. KILBERG: One more thing.

12:37PM 15 HEARING OFFICER SMITH: Yes.

16 MR. KILBERG: West Loop did want their letter
17 to be introduced.

18 HEARING OFFICER SMITH: I've got it.

19 MR. KILBERG: They wanted it to be read into
12:38PM 20 the record. However, it is a long letter.

21 HEARING OFFICER SMITH: It is.

22 MR. KILBERG: But I do think that the letter
23 does -- the neighborhood association objects to the
24 landmark status.

1 HEARING OFFICER SMITH: Okay. But protocol
2 requires that we now take a witness in support and
3 then we will address --

4 MR. KILBERG: I'm sorry?

12:38PM 5 HEARING OFFICER SMITH: We have a witness in
6 support.

7 Now we hear from Jonathan Fine,
8 Preservation Chicago.

9 Could you -- yes.

12:38PM 10 Mr. Fine.

11 MR FINE: Thank you, Commissioner.

12 HEARING OFFICER SMITH: And thank you for
13 your patience.

14 MR FINE: It's my job and my duty and my
12:38PM 15 pleasure.

16 For the record my name is Jonathan
17 Fine. I'm the Executive Director of Preservation
18 Chicago. We're here today to testify in support of
19 the landmark designation.

12:39PM 20 We recognize that this is a long
21 process, starting in about 2007; 2006, 2007. And
22 we're glad that it's finally coming to a resolution.

23 We do recognize all the challenges
24 that the owner has. And our viewpoint on this

1 issue is that even with the landmark designation
2 moving forward, in our experience there has been
3 enough flexibility with the excellent staff at the
4 Landmarks Commission where we believe that the
12:39PM 5 owner can be able to achieve an economically viable
6 project, which we all want and hope for, while at
7 the same time meeting the criteria of the Landmarks
8 Ordinance.

9 So thank you.

12:39PM 10 HEARING OFFICER SMITH: We have to focus on
11 the criteria.

12 MR FINE: Correct.

13 HEARING OFFICER SMITH: Well, thank you very
14 much.

12:40PM 15 Any questions?

16 MR. KILBERG: Yeah.

17 HEARING OFFICER SMITH: I'm sorry. That's
18 not permitted.

19 MR FINE: I'm just giving a public comment,
12:40PM 20 not subject to cross.

21 HEARING OFFICER SMITH: I'm trying to behave
22 myself here. I have to behave myself.

23 With regard to the West Loop
24 Community Organization, they're saying they cannot

1 endorse the proposed of landmark status of 801 West
2 Madison at this given time. Okay?

3 And this letter is being submitted
4 into the record.

12:40PM 5 MR. KILBERG: I think they asked you also to
6 continue the matter.

7 HEARING OFFICER SMITH: We're not taking a
8 vote today.

9 MR. KILBERG: I didn't ask you that. I'm
12:40PM 10 merely asking you to read that as part into the
11 record as well.

12 HEARING OFFICER SMITH: Oh. And they asked
13 us to continue the matter, which we are not doing.

14 And so I think that we are drawing
12:41PM 15 to a conclusion. We have heard the designated
16 parties, we've heard the civilians and advocates.

17 And, again, I think the staff has
18 done a great job. And many of us have referred to
19 the letter of support from Walter Burnett, the
12:41PM 20 Alderman of the 27th Ward.

21 I thank you all for your patience
22 and your expertise. The concern that you are
23 giving to the City of Chicago, and we are all
24 better for it.

1 And I want to thank the amazing
2 people at a Landmarks Commission, who I had not
3 worked with enough in the past, but I am thrilled
4 to be doing it now.

12:41PM

5 Thank you so much, and thank you
6 advocates.

7 (The public hearing in the
8 above-entitled matter was
9 adjourned.)

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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)

4 I, Marcia Yoshizumi, a Certified
5 Shorthand Reporter in and for the County of Cook
6 and State of Illinois, do hereby certify that I
7 reported in shorthand the proceedings of said
8 hearing as appears from my stenographic notes so
9 taken and transcribed under my direction.

10
11 IN WITNESS WHEREOF, I have hereunto set
12 my hand and affixed my seal of office at Chicago,
13 Illinois, this 26th day of January 2012.

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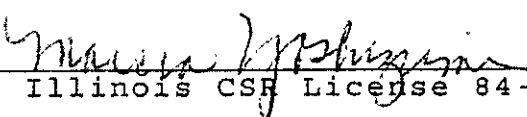
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