

**HISTORIC PRESERVATION COMMISSION AND
CITY COUNCIL
CITY OF URBANA, ILLINOIS**

**IN RE THE APPLICATION FOR HISTORIC)
LANDMARK DESIGNATION OF THE)
PROPERTY LOCATED AT 611 W. ELM ST.)**

**BRIAN ADAMS)
Applicant,)**

Case No. HP-2015-L-01

**HUNSINGER ENTERPRISES, INC.)
Owner.)**

**MEMORANDUM IN OPPOSITION TO HISTORIC LANDMARK DESIGNATION
OF THE PROPERTY LOCATED AT 611 W. ELM STREET**

NOW COMES HUNSINGER ENTERPRISES, INC. (“HEI”), owner of the property located at 611 W. Elm Street, through its attorneys, WEBBER & THIES, P.C., and presents its Memorandum in Opposition to the Historic Landmark Designation of the Property Located at 611 W. Elm Street, as follows:

INTRODUCTION

On October 16, 2015, Brian Adams (the “Applicant”) filed with the Department of Community Development Services for the City of Urbana, IL, Planning Division, an application to designate the property located at 611 W. Elm Street, Urbana, IL 61801 (the “Property”) as a historic landmark (the “Application”). The Applicant alleges that the Property meets the following criteria for designation as a landmark, pursuant to Section XII-5(C)(1) of the City of Urbana Historic Preservation Ordinance (“the Ordinance”):

- (i) The Property has significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political, or social heritage of the nation, state or community (*see id.* at Section XII-5(C)(1)(a)); and

(ii) The Property is representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous material and which retains a high degree of integrity (*see id.* at Section XII-5(C)(1)(c)).

Application, page 2.

In support of his Application, Applicant alleges that the Property is a “unique local example of the Dutch Colonial Revival style” and that it retains a “high degree of integrity.”

Application, page 6.

However, as HEI will demonstrate below, the Historic Preservation Commission (“Commission”) should not recommend approval of the Application and the Urbana City Council should deny the Application for three reasons: first, the Property does not meet any of the designation criteria set forth in the Ordinance; second, the Ordinance is unconstitutionally vague and therefore, facially invalid; and third, the Ordinance is unconstitutional as applied to the Property.

ARGUMENT

I. The Property does not meet any of the designation criteria set forth in the Ordinance

The Ordinance defines landmark as “[a] property, building, structure, site, or object which is worthy of preservation because of its historic and/or architectural significance to the City of Urbana designated pursuant to procedures prescribed herein.” Ordinance, Section XII-2. In order to be designated as a historic landmark, a property must meet “one or more” of the seven criteria set forth in Section XII-5(C)(1). *Id.* at Section XII-5(C)(1). Under the Ordinance, the burden of proof is on the Applicant to show that the property meets one of the criteria to be considered for landmark status. *Id.* at Section XII-5(D)(1).

Because the Ordinance does not define the terms set forth in the proposed criteria, such terms are hereinafter interpreted according to their plain meaning.

Applicant alleges that the Property meets criteria “a” and “c” of Section XII-5(C)(1) of the Ordinance. *Id.* at Section XII-5(C)(1)(a) and (c). However, as demonstrated below, the Property does not meet any of the criteria established by Section XII-5(C)(1) of the Ordinance and, therefore, cannot be designated as a landmark.

A. The Property does not meet the standard for criterion “a”.

Criterion “a” requires that a property have “[s]ignificant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community.” *Id.*

The Applicant does not produce any evidence that the Property meets the standard of criterion “a”. To advocate for the designation, the Application makes two unsubstantiated arguments: an architectural argument and a historical argument. Both arguments are insufficient to meet the Ordinance requirements.

Criterion “a” requires that the Property has a significant value of one of nine enumerated elements. Ordinance, Section XII-5(C)(1); Expert Opinion Report, page 1. As will be explained through the expert testimony of Attorney Gary L. Cole AIA, Esq. and as it is indicated in Mr. Cole’s Expert Legal Opinion Witness Report (“Expert Opinion Report”) (a copy of which is attached hereto and incorporated herein as Exhibit A), the Property fails to meet this standard.

Nowhere in the Ordinance is the term “significant” defined. The Merriam-Webster dictionary defines “significant” as “large enough to be noticed or have an effect; very important; having a special or hidden meaning.” Merriam-Webster, Available at <http://www.merriam-webster.com/dictionary/significant>. Thus, the fact that a property may have *some* significance is

not sufficient to make it “significant” as required by criterion “a.” Ordinance, Section XII-5(C)(1)(a). To be considered “significant” and therefore eligible for landmark designation, the Property must present a large enough value to the heritage of the community to justify such an intrusion on the property owner’s constitutional right. The Property is not significant under a plain-meaning definition.

The Application focused primarily on the Property’s physical architectural attributes, and not its “artistic, civic, cultural, economic, educational, ethnic, political or social heritage” *See id.* However, as established in the Expert Opinion Report (*see* Exhibit A, pages 2-3), the Property is not significant for its architectural features and contributes nothing to the local, state, or national architectural heritage. As it will be further demonstrated in Section C below, the Property is merely an old building, modified over the years to accommodate a multi-family rental residence. The Property lacks most of the significant distinguishing architectural features of the Dutch Colonial Revival style, and those features that the Property does possess are common to other contemporaneous buildings, making it in no way “unique” to the Dutch Colonial Revival style as claimed in the Application. Application, page 6.

In addition, the Property has lapsed into a state of disrepair over the years. The demolition of the dilapidated Property and construction of a new useable living structure will increase the value of the Property to the community, instead of taking any existing value away. Thus, the Property in its current condition does not add significant value to the community under any of the nine elements enumerated in criterion “a.” Ordinance, Section XII-5(C)(1)(a). *See also* Exhibit A, pages 2-3 and the letter dated January 5, 2016 from local attorney and member of the Central Illinois Rental Property Professionals, Mr. Joseph R. Wetzel, and addressed to the Commission, attached hereto as Exhibit B.

Applicant's historical argument also fails. As established by the Memorandum submitted by the City Planning Division and issued by Mr. Kevin Garcia on December 31, 2015 (the "Memorandum"), the Application "does not . . . indicate how 611 W. Elm Street contributed to the early development of West Urbana or West Elm Street" and " the historical summary presented in the Application only covers the years from 1830s up through 1880s, when the house was built in 1902." Memorandum, page 4 (a copy of the Memorandum is attached hereto as Exhibit C). As recognized in the Memorandum, it is unclear how the Property could have had a significant value during the historically significant period described by Applicant since it was not built until after this period. *Id.*

The Applicant, thus, failed to demonstrate that the Property meets the standard for criterion "a". Ordinance, Section XII-5(C)(1)(a). Furthermore, as explained in the Expert Opinion Report attached hereto as Exhibit A, the Property simply does not meet the requirements under criterion "a." *See* Exhibit A, pages 2-3.

B. The Property does not meet the standard for criterion "b".

Criterion "b" requires that a property be "[a]ssociated with an important person or event in national, state or local history." Ordinance, Section XII-5(C)(1)(b).

It is telling that the Applicant did not select this as a criterion for designation. Though the Applicant tries to bolster this nomination with discussions of possible architects and former owners, the fact is that there is no evidence establishing any significant person being associated with the Property.

The Application states that Stephen S. Henson was the original owner of the Property. It describes Mr. Henson as a "prominent citizen," but gives no evidence to support this description. Application, page 5. The only evidence of Mr. Henson's prominence is a characterization in his

obituary from July 1904. *Funeral of S. S. Henson*, The Urbana Daily Courier, July 21, 1904, at 1. But obituaries are conceived to praise the deceased, and Henson's obituary offers no real evidence of his achievements.

Even if the obituary is considered as proof of Mr. Henson's status as a citizen, his prominence, however attained, was associated with his time in Douglas County. It was only during the last year of his life that Mr. Henson moved to Urbana. Application, page 5. As mentioned in the Planning Division's Memorandum, "most information provided about Mr. Henson details his life prior to moving to Urbana, and it does not follow that he contributed 'significant value' to Urbana's history given his brief time in the City." Memorandum, page 4. Thus, Mr. Henson's "prominence" is both unproven and unrelated to his associations with the Property and the Urbana community.

Finally, the Application mentions W.E. Burge as a subsequent owner of the Property. Application, page 5-6. The only evidence provided that Burge was significant is that he was a "highly productive" physiologist who taught at the University of Illinois during the early part of the 20th century. Application, page 5-6. If simply having a productive professor as a recorded owner on a property renders it significant in any way, then most of the homes in Urbana (or in any college town) would meet the criterion – which is simply not the case.

The Applications' characterization of the Property's previous owners as a "prominent citizen" and/or a "highly productive physiologist," does not amount to evidence that the original owner, or any subsequent owner, was "an important person . . . in national, state or local history." Ordinance, Section XII-5(C)(1)(b). Because of this, the Property fails to satisfy the standard of criterion "b". *Id.* See also Exhibit A, page 3.

C. The Property does not meet the standard for criterion “c”.

Criterion “c” requires that a property be “[r]epresentative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials, while retaining a high degree of integrity.” Ordinance, Section XII-5(C)(1)(c). In order to satisfy this criterion, the property must exhibit two elements: it must first represent the distinguishing characteristics of an architectural type *and* retain a high degree of integrity. *Id. See also* Exhibit C, page 5. As explained in the Expert Opinion Report, a plain meaning interpretation of the Ordinance requires that a property be an “excellent example of a specific building type or style while retaining most of its original features in excellent condition.” Exhibit A, page 3-4.

The Application asserts that the Property satisfies criterion “c” because the Property is a “unique example” of the Dutch Colonial Revival style that retains its original integrity. Application, page 6. It further asserts that the Property is the only Dutch Colonial Revival house on Elm St. *Id.* These assertions are inaccurate.

As explained by Attorney Gary L. Cole AIA, Esq. in his Expert Opinion Report, the Property is an unexceptional example of the Dutch Colonial Revival style. In fact, as described further below, the Property lacks many of the significant distinguishing architectural features typical of the Dutch Colonial Revival style. Exhibit A, pages 3-4.

According to “A Field Guide to American Houses” (the relevant portion of which is attached hereto as Exhibit D), the Dutch Colonial Revival style is characterized by the presence of the following identifying features:

“accentuated front door, normally with decorative crown (pediment) supported by pilasters, or extended forward and supported by slender columns to form entry porch; doors commonly have overall fanlights or sidelights’ façade normally shows symmetrically balanced windows and center doors (less commonly with

door off-center); windows with double-hung sashes, usually with multi-pane glazing in one or both sashes; windows frequently in adjacent pairs.”

McCalester, Virginia Savage, *A Field Guide to American Houses: The Definite Guide to Identifying and Understanding America’s Domestic Architecture* (2014).

Exhibit D shows examples of structures that have the identifying features of a Dutch Colonial Revival style. Figure 1 reproduces such examples from Exhibit D:



Figure 1

Observing the Property’s exterior shows that the Property in question possesses ordinary features that are common to other contemporaneous building styles and that are not unique to the Dutch Colonial Revival style. In fact, the Property’s features are in no way “unique” as claimed in the Application. Exhibit E, attached hereto contains pictures of the Property in question.

Figure 2 reproduces portions of Exhibit E:



Figure 2

Specifically, the Property does not have the following identifying characteristics of the Dutch Colonial Revival style:

- (i) The Property has none of its original windows;
- (ii) The Property's original windows were all replaced with vinyl and do not contain any system of multi-pane glazing in one or both sashes of the window;
- (iii) The Property is missing glass in its half-circle windows;
- (iv) The Property has no grand entry door with side lights or overhang and pilasters or slender columns. Currently, the entry consists of a steel door framed into a blank wall of porch infill;

- (v) The Property has no open front porch, as it was filled in to make room for additional living space;
- (vi) The Property has a mix-matched foundation in the rear where the back porch was enclosed;
- (vii) The front porch foundation does not match the main body of house;
- (viii) The building has no system center of doors and windows;
- (ix) The framing and exterior trim of window openings have rotted away on some openings; and
- (x) Currently, the Property has an exterior fire escape detracting from the building.

Further evidence that the Property lacks such unique identifying features is the fact that the Property has been surveyed in the past by the City of Urbana, and has never previously been identified as a property worthy of individual landmark status. A copy of the most recent Survey is attached as Exhibit F to the Planning Division's Memorandum which is attached hereto as Exhibit C. In fact, there are several other houses in the area which actually are "representative of the distinguishing characteristics" of the Dutch Colonial Revival-style, some of which have already been designated as historic landmarks. Pictures of these properties are attached hereto as Exhibit F and Exhibit D to the Planning Division's Memorandum (attached hereto as Exhibit C). Unlike the Property at issue, these properties have distinguishing architectural features of the Dutch Colonial Revival style such as: symmetrical entry pediment with or without supporting columns porch; well-expressed overhanging and flaring second floor; gable end chimney flanked by quarter-round windows; building length dormers; and original windows and window shutters. *See id.* and Exhibit A, page 4.

The Property's lack of distinguishing architectural characteristics is also supported by the fact that the City of Urbana does not list this Property as one of Urbana's "100 Most Important Buildings" (a copy of which is attached hereto as Exhibit G), which corroborates the fact that the Property has never been thought of as a building representative of "the distinguishing characteristics of an architectural type that is inherently valuable" to the community. *See* Ordinance, Section XII-5(C)(1)(c).

Finally, the Property does not retain a high degree of integrity. Contrary to Applicant's assertion, as Exhibit E and Figure 2 illustrate, the actual physical condition of the Property is significantly degraded; no patterned brick appears to exist anywhere; a later addition exists at the rear; the chimney is significantly deteriorating; and, the enclosed front porch appears to have a relatively recent replacement foundation.

Specifically regarding the front porch alterations, the Planning Division's Memorandum found that "the replacement of the front porch with an addition, including the replacement of the front steps with concrete, detracts from the original character of the house and substantially diminishes its historic integrity." Exhibit C, page 6. In addition, "no evidence exists to suggest that the brick columns and wood lattice present in the original porch remain, and the uniformity of the brickwork indicates that the foundation was completely replaced, rather than being filled in as is often the case when a porch is enclosed. As such, the replacement of the porch at 611 W. Elm Street – which takes up roughly one-third of the house's façade visible from Elm Street – has had a significant impact on the historic character of the house and has substantially diminished its integrity as a historic property." *Id.* at page 6.

Also significantly diminishing the historic integrity of the Property, as detailed in the Memorandum, is the replacement of nearly all of the original windows with vinyl windows.

Id. at page 6.

Simply put, the Property is merely a common, ordinary old building, modified so extensively over the years that it lacks the distinguishing characteristics of an architectural type that is “inherently valuable” for the study of an architectural period AND does not retain a high degree of integrity. *See* Ordinance, Section XII-5(C)(1)(c). For these reasons, the Property does not meet the standard for criterion “c”. *See id.* and Exhibit A, pages 3-4.

D. The Property does not meet the standard for criterion “d”.

Criterion “d” requires that a property be a “[n]otable work of a master builder, designer, architect or artist whose individual genius has influenced an area.” Ordinance, Section XII-5(C)(1)(d).

Again, the Application explicitly acknowledges that the architect is unknown. Application, page 1. Though it raises the possibility that Joseph W. Royer might have been the architect, this is mere speculation supported only by the assertion that Royer designed two other houses in the area. *Id.*. In the absence of any evidence to support this assertion, the Property cannot be deemed to be the work of a notable and genius builder, designer, architect or artist, as corroborated by the Planning Division’s Memorandum. *See* Exhibit C, page 7. *See also* Exhibit A, pages 4-5.

E. The Property does not meet the standard for criterion “e”.

Criterion “e” requires that a property be “[i]dentifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.” Ordinance, Section XII-5(C)(1)(e).

The Property is not an established and familiar visual feature. In fact, its modest appearance and its notable state of disrepair evinces the opposite effect: it is a neglected property, not a

praised one. Most residents are likely not aware of its existence.

In addition, as mentioned in the Memorandum, this criterion refers to properties having a “visually distinctive location such as the termination of a street, located on a public square or park, on a hill, or with a unique and identifiable roofline.” Exhibit C, page 7. The Property does not have any of those features and thus, does not meet the standard for criterion “e”. *See* Ordinance, Section XII-5(C)(1)(e). *See also* Exhibit A, page 5.

F. The Property does not meet the standard for criterion “f”.

Criterion “f” requires that a property exhibit “[c]haracter as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations or other commercial structures with a high level of integrity or architectural significance.” Ordinance, Section XII-5(C)(1)(f).

The Property was built and used as a residence. *See* Exhibit F to Exhibit C. It does not have any features that characterize it as a utilitarian structure and it does not contain any “commercial structures.” As such, the Property cannot be considered for landmark status under criterion “f”. *See id.* *See also* Exhibit A, page 6.

G. The Property does not meet the standard for criterion “g”.

Criterion “g” requires that a property be “[l]ocated in an area that has yielded, or may be likely to yield, information important in history or prehistory.” Ordinance, Section XII-5(C)(1)(g).

There is no evidence that the Property is located in an area that has yielded or is likely to yield important historical information. Although Applicant has alleged that the Property is located in one of the “original streets of Urbana” and is located in an area that once was “one of the two most prestigious streets to live on,” there is no evidence that such area has yielded, or

may be likely to yield, information important in history or prehistory. The Planning Division supports this assertion in its Memorandum: “the area around 611 W. Elm Street site has not yielded, and does not appear likely to yield, any archaeologically-significant information.” Exhibit C, page 7. Therefore, the Property cannot be considered for landmark status under criterion “g”. *See* Ordinance, Section XII-5(C)(1)(g). *See also* Exhibit A, pages 6-7.

In light of the above, the Property does not meet any of the criteria contained in Section XII-5(C)(1) of the Ordinance and as such, cannot be designated as a landmark.

II. The Ordinance is unconstitutionally vague and, therefore, facially invalid.

In order for a law to be valid, constitutional due process requires that it clearly inform the people of their rights upon reading the law. *Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc.*, 118 Ill. 2d 389, 402 (1987). If a law is too vague, then it will fail to inform the people of their rights and the courts will strike it down. *Id.* “A legislative act which is so vague, indefinite and uncertain that the courts are unable, by accepted rules of construction, to determine, with any reasonable degree of certainty, what the legislature intended . . . will be declared to be inoperative and void.” *Id.* Landmark designations restrict a person’s property rights. As such, it is imperative that they provide clear and practicable guidelines for designating properties as historic landmarks. Otherwise, the law will be unfairly and inconsistently applied to particular properties.

As indicated by the Expert Opinion Report, the Urbana Historic Preservation Ordinance is unconstitutionally vague. *See* Exhibit A. The Ordinance relies upon vague terms such as “significant,” “value/valuable,” “important,” “notable,” and “high degree of integrity” in order to designate particular properties as historical landmarks. *See* Ordinance, Section XII-5(C)(1). In no place are these words defined or clarified in order to determine their meaning within the

Ordinance as a whole. Thus, peoples' rights are not clearly announced under the Ordinance. *See Spinelli*, 118 Ill.2d at 402.

Specifically, Section XII-5(C)(1) includes the following vague undefined terms:

- (i) In criterion "a", the terms "significant value" and "heritage" lack any definition. These terms have no real objective meaning by which a reasonable interpretation may be applied. Also, there is no broad objective definition of "significance" in local, state, or national historic preservation vernacular which may be applied to this criterion, which fails to establish a threshold for the significance of a property being considered for landmark designation. In the same manner, it is not clear whether the term "heritage" means "history" or implies certain subjective values;
- (ii) In criterion "b", the terms "associated" and "important" are undefined. There is no objective measurements for determining how "important" a person or event must be in order to elevate a property to landmark status;
- (iii) The criterion "c" is rendered almost meaningless by the undefined phrase ". . . an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials." It is unclear what exactly makes a property "inherently valuable" as opposed to simply "valuable"; to whom the term valuable is applied to; and what the term "study" means, and by whom such study must be conducted;
- (iv) Most of the terms in criterion "d" lack any objective definitions. It is unclear in what manner a work can be "notable" and to whom the work must be "notable" in order to satisfy the criterion. The ordinance does not establish what determines whether a designer is a "master" or merely highly accomplished. The same is

applicable to the term “genius.” Even more unclear is the expression “influenced an area,” as Urbana’ citizens are left with no guidance to determine how the area must be influenced, or even if “area” means a local geographic region or a field of professional activity;

- (v) Similarly, criterion “e” has left undefined the terms “identifiable,” “established,” “familiar visual feature,” “unique location,” and “physical characteristics”;
- (vi) In criterion “f”, the terms “particularly fine,” “unique,” “high level,” “integrity” and “architectural significance” are overbroad and vague.

See Exhibit A, pages 2-7.

In addition, and as explained in the Expert Opinion Report, the City of Urbana, as a Certified Local Government (“CLG”), is regulated by the Illinois State Historic Preservation Office and by the National Park Service. Exhibit A, page 1. As such, the City of Urbana and this Commission looks to State and Federal law in order to obtain guidance in the drafting and interpretation of historic preservation ordinances. This is shown in the Memorandum from the Planning Division relating to this Property in which the Division cites to a bulletin and Preservation Brief from the National Park Service as guidance in making its recommendation. *See* pages 5-6 and Exhibit E of Exhibit C. The National Park Service must comply with the Plain Writing Act of 2010 (5 USC § 301), which requires that agencies use “clear Government communication that the public can understand and use.” 5 USC § 301(2). As the City of Urbana is a CLG overseen ultimately by the National Park Service, it arguably should comply with the Plain Writing Act in enacting and applying an ordinance that restricts its citizens’ property rights. *See id.* Nonetheless, as further discussed above, the Ordinance at issue fails to clearly communicate the meaning of terms that are essential to the designation of a property as a historic

landmark.

In light of the above, the Ordinance is facially unconstitutional and, thus, invalid.

III. The Ordinance is unconstitutional as applied to the Property.

The Ordinance is also unconstitutional as applied to the Property. Zoning ordinances may be invalid as applied to specific properties if “the balance of hardships—the gain to the public in general against the detriment to the individual owner—overwhelmingly burdens the individual owner.” *Napleton v. Vill. of Hinsdale*, 229 Ill. 2d 296, 318 (2008). Because historic preservation ordinances are auxiliary to a municipality’s zoning power, this balancing analysis applies to the current case. *See, e.g. Rebman v. City of Springfield*, 111 Ill.App.2d 430, 440-41 (4th Dist. 1969).

The Supreme Court of Illinois has outlined eight factors to weigh in analyzing this hardship burden. *See Wakeland v. City of Urbana*, 333 Ill. App. 3d 1131, 1139 (4th Dist. 2002) citing *La Salle Nat. Bank of Chicago v. Cook County*, 12 Ill.2d 40, 46-47 (1957) and *Sinclair Pipe Line Co. v. Village of Richton Park*, 19 Ill.2d 370, 378 (1960). These factors are (1) the uses and zoning of nearby property, (2) the extent to which the zoning restrictions diminish property values, (3) the extent to which the diminishment of the owner’s property values promotes the public good, (4) the gain to the public compared with the hardship to the property owner, (5) the suitability of the property to the zoned purposes, (6) the length of time the property has been vacant as zoned in the context of land development in the area, (7) the community's need for the proposed use, and (8) the care with which the community has planned its land use and development. *Id.*

If the Property is designated a historic landmark, the balance of hardships will overwhelmingly burden HEI. Evidence will demonstrate that the Application was filed with the

main goal of prohibiting development of the Property. Testimony from President of HEI will establish that HEI had made plans to demolish the Property and construct a 5-unit apartment building which conforms with the character of the surrounding area. As discussed further below, allowing the designation of the Property as a landmark will essentially prevent HEI from gaining any economic value from the Property. Thus, the ordinance violates the Constitution as applied to the Property.

A. Uses and zoning of nearby property

The area/neighborhood in which the Property is located cannot be characterized as only a single-family residential area. From the Property, one can travel both east and west on Elm Street and encounter at least six apartment buildings within 2-3 blocks. Most of these apartment buildings are much larger and more imposing than the proposed 5-unit apartment building that HEI plans to build at 611 W. Elm. Simply put, the immediate area around this Property is residential—to include an equal mix of both single-family and multi-family properties. Thus, it would be a futile, prophylactic measure to designate this Property a historic landmark with the hope of retaining some perceived single-family, owner-dwelled character in the area. This fails to recognize that the area is equally dominated and characterized by apartment complexes.

B. The extent to which the zoning restrictions diminish property values

Designating the Property a historic landmark will diminish the value of the Property in two significant ways.

First, as indicated by Commercial Appraiser Stephen Whitsitt of Whitsitt & Associates, Inc. in his Economic Impact Analysis of a Historic Landmark Designation on 611 W. Elm Street (“Whitsitt’s Report”) (a copy of which is attached hereto as Exhibit H), the Property would likely incur a value reduction of approximately 47% if designated as a historic landmark. Exhibit H,

page 25. This value reduction was calculated based on an analysis of comparable land sales and various other local factors and multipliers including rent received for comparable properties. *Id.*

Second, if the Property is designated a historic landmark and cannot be demolished, in order to make the Property leasable, HEI will incur renovation costs that would far exceed any return on its investment. As will be explained through the testimony of Architect, Andrew Fell, the most cost-effective use of the Property, if it is designated, would be to convert it into two apartment units. Because of its size, the Property would only be able to accommodate two units—as opposed to the five units in the proposed building. Further, if designated a historic landmark, HEI will be forced to make extensive repairs in order to simply meet Building Code requirements and Historic Landmark Ordinance standards.

Upon inspection, it is not economically feasible for HEI to make all of the needed renovations. The Building Code and remodel renovations alone are estimated to cost upwards of \$302,000, according to a report prepared by the architect Mr. Andrew Fell (a copy of which is attached hereto as Exhibit I).

In order to convert the Property into two units and comply with the Building Code, the entire infrastructure of the Property needs to be reworked or replaced, to include:

- (i) a new electrical system;
- (ii) two new HVAC systems;
- (iii) a completely reworked plumbing system;
- (iv) new walls to accommodate the new layout, which will require new insulation throughout;
- (v) new stairs;
- (vi) new siding on the entire house;

- (vii) new windows;
- (viii) new chimney;
- (ix) new roof;
- (x) new front and rear porches;
- (xi) new parking;
- (xii) foundation repairs

Id. Beyond the renovations needed to meet the Building Code requirements, there would be additional and significant renovation costs required of the Owner in order to meet the Historic Preservation Ordinance requirements—likely totaling an approximately \$50,000. *See id.*

As explained in Whitsitt’s Report, given the cost of the needed renovations if the Property is designated a landmark and cannot be demolished, it would not be economically feasible for HEI to lease the Property at a rent that would allow it to recoup its costs. Exhibit H, page 26. Mr. Whitsitt’s ultimate conclusion is that the highest and best use of the Property is to demolish the current building and re-develop the Property. *Id.* at pages 2-11.

There is no question that a historic landmark designation would greatly diminish the value of the Property and also make it unfeasible to repair and utilize it economically. The only feasible remedy is to demolish the Property and move forward with HEI’s development plan.

C. The extent to which the diminishment of the owner's property values promotes the public good

As demonstrated above, this Property does not offer anything unique to the community or public good. It does not have the unique characteristics of the Dutch Colonial Revival style and its integrity is compromised by its current state of disrepair. In fact, designating this Property a historic landmark will likely *harm* the public good. Because repairing the Property would be unfeasible and selling the Property with a landmark designation would end in major losses, the

Property is likely to sit, unused and neglected, and deteriorate even further. It is far more beneficial to the public good and public safety to allow HEI to move forward with its development plan in order to create a usable and productive residence on the Property, especially considering that the plan intends to compliment the character of the neighborhood, as corroborated by the letter prepared by Mr. Joseph R. Wetzel (*see* Exhibit B).

D. The gain to the public compared with the hardship to the property owner

HEI would be overwhelmingly burdened in comparison to any negligible gain to the public. As demonstrated above, if the Property is designated a historic landmark, HEI will suffer from an almost 50% loss in property value, a loss of lease revenue, and will incur more than \$350,000 in costs to meet building code and preservation requirements under the Urbana Code. On the other hand, the public gain is hard to envision, considering that the Property is of common architecture, with few unique characteristics of the Dutch Colonial Revival style, and is likely to remain in a state of great disrepair if designated a historic landmark.

In addition, the Owner incurred substantial reliance costs in creating a plan for the new proposed development that was consistent with the Urbana zoning ordinance. In order to develop this project, HEI hired an engineer to perform a topographical survey (\$2,500) (*see* Exhibit J, consisting of an invoice paid by HEI to Bryan K. Bradshaw), an architect to create the development plans (\$4,494.07) (*see* Exhibit K, consisting of an invoice paid by HEI to Mr. Andrew Fell), paid the application fee to have its plan reviewed by the Design Review Board (\$150), paid the fee for a demolition application (\$150), and expended more than 40 hours of labor by HEI staff (\$3,000). In total, a conservative estimate shows that HEI has spent \$10,294.07 to date to develop the proposed project.

All of these costs were incurred as a result of a good faith belief that the proposed apartment building development complies with the MOR Zoning District requirements in which

the Property is located, and as such, HEI would be allowed to move forward with the project.

Proof of such good faith belief is the fact that HEI's development plan itself was approved by the Design Review Board, as the Meeting Minutes for the Urbana MOR Development Review Board attached hereto as Exhibit L demonstrate. The Application was filed within five days of the issuance of the demolition permit, demonstrating that Applicant is merely attempting to stop the development already approved by the competent authority in the City of Urbana.

If the Property is designated a landmark, the City of Urbana will have substantially changed its position regarding the Owner's development plan, blind-siding HEI, who in good faith acted in reliance upon the probability of moving forward with the development. Had HEI known this Property was to be designated a historic landmark, it would not have incurred the above costs.

Courts give special weight to this type of reliance in determining the hardship of the owner:

Generally, there is no vested right in the continuation of a zoning classification. [*County of Kendall v. Aurora National Bank Trust No. 1107*, 219 Ill.App.3d 841, 848 (2d. Dist. 1991).] The supreme court has held, however: "[W]here there has been a substantial change of position, expenditures[,] or incurrence of obligations made in good faith by an innocent party under a building permit or in reliance upon the probability of its issuance, such party has a vested property right[,] and he may complete the construction and use the premises for the purposes originally authorized, irrespective of subsequent zoning or a change in zoning classifications." [*Pioneer Trust & Sav. Bank v. County of Cook*, 71 Ill. 2d 510, 522-23 (1978), quoting *People ex rel. Skokie Town House Builders, Inc. v. Morton Grove*, 16 Ill. 2d 183, 191 (1959). See also *Industrial Nat'l Mortg. Co. v. Chicago*, 95 Ill. App. 3d 666, 670-71 (1st Dist. 1991)].

Wakeland, 333 Ill. App. 3d at 1142-43.

Thus, an analysis of the gain to the public compared with the hardship to the Owner shows that the Owner's hardship substantially outweighs any gain to the public. Because of this, designating the Property as a historic landmark would violate the Constitution.

E. The suitability of the property to the zoned purposes

As established in Section I above, the Property does not meet the landmark criteria under the Ordinance and thus, is not suitable to be designated as such.

F. The length of time the property has been vacant as zoned in the context of land development in the area

This factor does not apply to the present case.

G. The community's need for the proposed use

There is no need for the community to have the Property designated as a historic landmark. However, the area has an increased demand for residential rental units. According to the U.S. census, the population of Urbana was expected to grow 1.4% between the years 2010 and 2014. United States Census Bureau. *State & County QuickFacts*. Available at <http://quickfacts.census.gov/qfd/states/17/1777005.html>. Additionally, the University of Illinois continues to grow enrollment, creating increasing demand for housing to accommodate students. University of Illinois. *UIUC On-Campus Student Enrollment by Curriculum and Student Level*. Available at <http://www.dmi.illinois.edu/stuenr/class/enrfa15.htm>. From Fall 2010 to Fall 2015, enrollment grew approximately 5%, creating an influx of more than 2,000 new students in need of housing. *Id.* There is no denying the importance of the University and its students to the health of the Urbana community. Creating new properties to accommodate these needs—as HEI proposes—is vital to fostering this relationship.

H. The care with which the community has planned its land use and development

The purpose behind the Ordinance is certainly understandable in that properties which are truly historic should be preserved. That being said, as addressed in Section II above, the vagueness of the Ordinance does not allow for consistency or clarity with respect to the designation process. Further, the application of the Ordinance to the Property at issue is not

appropriate as the Application is designed to prohibit development, not preserve a historic building. Thus, designating the Property at issue as a landmark would be unreasonable and arbitrary and have no relation to the public health, safety, morals, or welfare. *See Wakeland*, 333 Ill.App.3d at 1138-39.

For these reasons, the Historic Preservation Ordinance is invalid as applied to the Property, since “the balance of hardships—the gain to the public in general against the detriment to the individual owner—overwhelmingly burdens the individual owner.” *Napleton*, 229 Ill. 2d at 318.

CONCLUSION

WHEREFORE, Hunsinger Enterprises, Inc., as owner of the Property at issue, respectfully requests that (1) the Historic Preservation Commission find that the landmark nomination for 611 W. Elm Street does not conform to the landmark criteria contained in Section XII-5(C)(1) of the Ordinance and, therefore, recommend the denial of the Application and (2) the City Council deny the Application.

Alternatively, the Owner requests that:

- A. The Historic Preservation Commission find the Ordinance is unconstitutionally vague and therefore, facially invalid and, for this reason, recommend the denial of the Application, and the City Council deny the Application; or
- B. The Historic Preservation Commission find the Ordinance is unconstitutional as applied to the Property and, for this reason, recommend the denial of the Application, and the City Council deny the Application.

Respectfully submitted,

HUNSINGER ENTERPRISES, INC.
Owner

BY: WEBBER & THIES, P.C.

BY: 
David C. Thies

Prepared by:

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List of Exhibits:

- Exhibit A:** Expert Opinion Report from Attorney Garry L. Cole AIA, Esq.
- Exhibit B:** Letter dated January 5, 2016 from local attorney and member of the Central Illinois Rental Property Professionals, Mr. Joseph R. Wetzell.
- Exhibit C:** Memorandum submitted by the City Planning Division and issued by Mr. Kevin Garcia on December 31, 2015.
- Exhibit D:** Copy of excerpts from McCalester, Virginia Savage, A Field Guide to American Houses: The Definite Guide to Identifying and Understanding America's Domestic Architecture (2014).
- Exhibit E:** Pictures of the Property located at 611 W. Elm Street, Urbana, IL.
- Exhibit F:** Pictures of actual Dutch Colonial Revival-style houses in the area where the Property is located.
- Exhibit G:** City of Urbana's "100 Most Important Buildings" list.
- Exhibit H:** Report from Commercial Appraiser Stephen Whitsitt of Whitsitt & Associates, Inc. entitled "Economic Impact Analysis of a Historic Landmark Designation on 611 W. Elm Street."
- Exhibit I:** Report prepared by Architect Andrew Fell.
- Exhibit J:** Invoice paid by HEI to Bryan K. Bradshaw.
- Exhibit K:** Invoice paid by HEI to Mr. Andrew Fell.
- Exhibit L:** Meeting Minutes for the Urbana MOR Development Review Board approving the Owner's development plan.

OWNER'S EXHIBIT A

EXPERT LEGAL OPINION WITNESS REPORT

TO: Kara Wade, Esq.

FROM: Gary L. Cole AIA, Esq. / Attorney

DATE: January 6, 2016

RE: 611 West Elm Street, Urbana, Illinois, Application for Landmark Status / Urbana Landmark Ordinance / Historic Preservation Attorney Curriculum Vitae

EXPERT LEGAL OPINION WITNESS REPORT SUMMARY

This Expert Legal Opinion Witness Report (this "Report"), provides an expert legal opinion of the "Urbana Zoning Ordinance, Article XII. Historic Preservation," (Republished October 2015), specifically Section XII-5(C), "Criteria for Designation of a Landmark" (the "Ordinance"), as it relates to the City of Urbana's "Application for Historic Landmark Status," filed October 16, 2015 (the "Application"), for 611 West Elm Street, Urbana, Illinois (the "Property").

This Report addresses only the legal issues of: (a) whether the Property legally meets the Ordinance's stated "Criteria for Designation of a Landmark" (individually or collectively, the "Criteria"), by either its express language or a "Plain Language" or "Plain Meaning" interpretation; and, (b) whether the Ordinance's Criteria are overly broad and vague aside from their specific application to the Property.

The Ordinance consists of seven (7) Criteria, one or more of which applicants must claim a property meets for it to be considered for landmark status. Under the Ordinance, the burden of proof is on an applicant to show that a property meets the designated Criteria: *It is the responsibility of the nominator(s) to provide evidence of suitability for historic landmark status as well as documentation of such evidence.*" (Ordinance Section XII-5(D)(1).)

The Application for the Property claims that the Property meets two (2) of the seven Criteria. As discussed in this Report, the Property meets none of the seven Criteria necessary to be declared a "Landmark" under the Ordinance.

This Report provides only expert legal opinion regarding matters of law and no other matters, provided by Gary L. Cole AIA, Esq. in his sole capacity as a licensed attorney, and expressly not in any other professional capacity whatsoever. Please refer to his attached Curriculum Vitae regarding his educational and professional credentials in historic preservation law and as an Historic Preservation Attorney.

PLAIN LANGUAGE, PLAIN MEANING AND THE ORDINANCE

As we have discussed, under the "Plain Writing Act of 2010," federal agencies, such as the U.S. Department of the Interior and the National Park Service, are required to communicate clearly with the public to better provide their services. And, as President Obama's Executive Order 13563, "Improving Regulation and Regulatory Review," dated January 18, 2011, states:

"Our regulatory system must . . . promote predictability and reduce uncertainty . . . It must ensure that regulations are accessible, consistent, written in plain language, and easy to understand."

The City of Urbana is a "Certified Local Government" ("CLG"). The CLG program was created by the National Historic Preservation Act of 1966, as amended in 1980 (the "NHPA"), and is jointly administered by the National Park Service ("NPS") and state historic preservation offices ("SHPO") working with local governments to, among other things, establish local historic preservation commissions and ordinances.

The "Plain Writing Act of 2010" is federal legislation affecting federal agencies, and does not directly apply its legal mandates upon local governments. However, its requirement that federal agencies, including the National Park Service, communicate with the public in plain and understandable language clearly sets forth a policy of clear governmental communication to better serve the public. This should include programs and services relating to historic preservation.

Since it can be presumed that the City of Urbana’s historic preservation ordinance was created, in part, because of its participation in the federal CLG program, it is reasonable to assert that the federal policy of clearly communicating with the public imposes a similar policy obligation upon the City of Urbana to enact an historic preservation ordinance that clearly communicates its language and intent to the public. As seen in this Report, that is not always the case.

Like much historic preservation federal, state and local law, the Ordinance is riddled with broadness, vagueness and undefined key terms that render any objective understanding or application of the express intent difficult, and in some cases, impossible. The Ordinance is not a model of plain writing, plain meaning or an example of clear communication with the public.

This Report attempts to translate the seven Criteria into simpler, plainer language and applies their requirements to the Property and the Application to show that the Property meets none of the Ordinance’s stated criteria to be declared a Landmark by the City of Urbana.

1. CRITERIA (a). [Property WAS nominated under this Criteria.]

Criteria (a): “a) Significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community.”

A. Conclusion: The Property does not meet Criteria (a).

1. **Summary:** The Property has no “Significant value as part of the *architectural heritage* of the nation, state or community.”

2. **Plain Meaning Interpretation of Criteria:** Criteria (a) requires that the Property has “Significant value” of one or more of the nine (9) enumerated elements’ heritage of the “. . . nation, state or community.”

Since the Application focused primarily on the Property’s physical architectural attributes, and not any “. . . artistic, civic, cultural, economic, educational, ethnic, political or social heritage . . .”, those terms are subtracted from Criteria (a) to yield a simpler, rewritten Criteria (a) as applied to the Property:

“a) Significant value as part of the architectural heritage of the nation, state or community.”

3. **Application to the Property:** The Property is in no way significant for its architectural features and therefore contributes nothing to the local, state or national architectural heritage. Specifically:

- the Property is merely an old building that lacks most significant distinguishing architectural features of the Dutch Colonial Revival style;

- those Dutch Colonial Revival style features it does possess are common, ordinary examples – in no way “unique” as claimed in the Application;

- the classical features such as dentils found on the Property are common to other contemporaneous building styles and not unique the Dutch Colonial Revival style;

- the actual physical condition of the Property is significantly degraded and at odds with the condition claimed in the Application;

- the original front entrance steps have been replaced with blocky concrete steps inconsistent with the Dutch Colonial Revival style;

- the original double-hung wood windows have been replaced with new vinyl windows;

- a large, contemporary outside stair has been added to the east elevation;

- better examples of Dutch Colonial Revival style houses exist in the area that are not landmarked; and

- the Property has been surveyed in the past by University of Illinois architecture students (including possibly those of the Chair of the Urbana Historic Preservation Commission), and has never previously been identified as a property worthy of individual landmark status.

B. This Criteria is overly broad and vague.

Key terms of this Criteria (a) are undefined in the Ordinance, such as: “Significant value” and “heritage,” and therefore, lacking any definition, have no real objective meaning by which a reasonable interpretation may be applied. Also, there is no broad objective definition of “significance” in local, state or national historic preservation vernacular which may be applied to this Criteria. The Criteria also fails to establish a threshold for the significance of a property under consideration for landmarking, below which a property lacks “significant value” to be named a “landmark,” and above which a property may become a landmark. “Heritage” is also undefined in the Ordinance. Is this synonymous with “history” or does “heritage” imply certain subjective values?

2. CRITERIA (b). [Property WAS NOT nominated under this Criteria.]

Criteria (b): *“b) Associated with an important person or event in national, state or local history.”*

A. Conclusion: The Property does not meet Criteria (b).

1. **Summary:** Not applicable since this Criteria was not included in the basis for the Property’s consideration of Landmark status; and, in any case, the Application presented no actual evidence that the Property is associated with important persons or events.
2. **Plain Meaning Interpretation of Criteria:** The vague and undefined terms of “Associated” and “important” cannot be subtracted from the Criteria without rendering the Criteria completely unintelligible. These terms should be defined in the Ordinance or replaced with more precise terms in the Criteria.
3. **Application to the Property:** Allowing the Criteria to stand without revision and as applied to the Property, the Application included vague speculations about the original owner of the Property, but even if accepted at face value, it is clear that the neither the original owner nor any subsequent parties were “. . . an important person or event in national, state or local history.”

B. This Criteria is overly broad and vague.

Key terms such as “Associated” and “important” are undefined and lack objective measurements for determining how “important” a person or event must be to elevate a property to landmark status.

3. CRITERIA (c). [Property WAS nominated under this Criteria.]

Criteria (c): *“c) Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials, while retaining a high degree of integrity.”*

A. Conclusion: The Property does not meet Criteria (c).

1. **Summary:** This is similar Criteria (a) except that Criteria (c) leaves out the any reference to “heritage” and is more a criteria for properties that are high examples of particular styles. However, the Property is merely a common example of the Dutch Colonial Revival style and lacks many of the distinguishing characteristics of that style.
2. **Plain Meaning Interpretation of Criteria:** Criteria (c) requires that a property be an excellent example of a specific building type or style while retaining most of its original features in excellent condition. The language

“... of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials” has no real meaning since it in no way addresses what “inherently valuable” means or how this is measured and by who.

As applied to the Property, deleting extraneous and undefined language in this Criteria can yield the following:

“c) Possesses the distinguishing architectural characteristics of a specific building type or style and retains the majority of its original architectural features in excellent condition.”

3. Application to the Property: As discussed in Criteria (a), above, the Property is an unexceptional example of the Dutch Colonial Revival style. The Property is simply an old building that lacks many of the distinguishing architectural features of the Dutch Colonial Revival style and as are found in some of the nearby houses that are not landmarked such as:

- symmetrical entry pediment with or without supporting columns porch;
- well-expressed overhanging and flaring second floor;
- gable end chimney flanked by quarter-round windows;
- building length dormers; and
- original windows and window shutters.

B. This Criteria is overly broad and vague. This Criteria is rendered almost meaningless by the undefined phrase “. . . an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials.”

Regarding the phrase: “. . . inherently valuable for the study.” How is a property “inherently valuable” as opposed to simply “valuable”? Valuable to who? What does “study” mean in this context and studied by who?

4. CRITERIA (d). [Property WAS NOT nominated under this Criteria.]

Criteria (d): “*d) Notable work of a master builder, designer, architect or artist whose individual genius has influenced an area, or notable work of a firm or group whose collective genius has influenced an area.*” [NOTE: The Application appears to contain an outdated version of this specific Criteria.]

A. Conclusion: The Property does not meet Criteria (d).

1. Summary: Not applicable since Criteria (d) was not included in the basis for the Property’s consideration of landmark status; and, in any case, the Application presented no actual evidence regarding the involvement of any individual(s) meeting this Criteria’s requirements involved in the Property’s design or construction.

2. Plain Meaning Interpretation of Criteria: This Criteria is multi-pronged: a property must be both a “notable work” and the work of individual or groups of “genius” builders and designers who have influenced an area (an “area” of what is unspecified.) Deleting extraneous and undefined language in this Criteria can yield the following as applied to the Property:

“d) Exceptional example of design or construction by a builder or designer, or groups or builders or designers whose work has influenced their professional fields of activity.”

3. Application to the Property: Notwithstanding the Application’s speculation about the Property’s architect, the Property’s original designer or builder is unknown and therefore this Criteria is inapplicable to the Property.

B. This Criteria is overly broad and vague. This Criteria is almost completely lacking in any objective definitions of its key terms as follows:

“Notable.” In what way and notable to who?

“master.” What determines whether a designer is a “master” or merely highly accomplished?

“genius.” “Genius” in what way and by what objective measurement?

“influenced an area.” Influenced how? What does “area” mean – local geographic area or field of professional activity?

5. CRITERIA (e). [Property WAS NOT nominated under this Criteria.]

Criteria (e): “*e) Identifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.*” [NOTE: The Application appears to contain an outdated version of this specific Criteria.]

A. Conclusion: The Property does not meet Criteria (e).

1. Summary: Not applicable since this Criteria was not included in the basis for the Property’s consideration of landmark status; and, no evidence was presented in the Application that the Property is in any way well known in the local community for either its unique location or physical characteristics.

2. Plain Meaning Interpretation of Criteria: This Criteria appears to address properties that are well-known in the local community as a result of their unique location or physical appearance. Deleting extraneous and undefined language in this Criteria can yield the following as applied to the Property:

“e) Is well known in the local community because of its unique location or physical characteristics.”

3. Application to the Property: The Property is a residential property, set along a residential street amidst many other residential properties of varying age and styles and is in no way “. . . *well known in the local community because of its location or physical characteristics.*” The Application does not claim that the Property is “well known” because of its unique location or physical characteristics.

B. This Criteria is overly broad and vague. This Criteria is almost completely lacking in any objective definitions of its key terms as follows:

“Identifiable.” By who and how?

“established.” How and for long?

“familiar visual feature.” Familiar to who and how familiar? Everything that exists is a visual feature in some way – how and to what extent must something be a “visual feature” to justify landmark status?

“unique location.” In what way must a property’s physical location be “unique” enough to justify landmark status?

“physical characteristics.” Everything that exists has “physical characteristics” of some kind – how and what physical features must something have to justify landmark status? Does this portion of this Criteria not just repeat portions of the other Criteria as relates to a property’s physical characteristics?

6. **CRITERIA (f).** [Property WAS NOT nominated under this Criteria.]

Criteria (f): *“(f) Character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations or other commercial structures with a high level of integrity or architectural significance.”*

A. Conclusion: The Property does not meet Criteria (f).

1. Summary: Not applicable since this Criteria was not included in the basis for the Property’s consideration of landmark status; and, no evidence was presented in the Application the Property is a utilitarian structure.

2. Plain Meaning Interpretation of Criteria: The intent of this Criteria appears to provide consideration for what it considers, but does not adequately define, as “utilitarian structures.” “Utilitarian structure” is not only poorly defined but improperly defined, i.e., a “farmhouse” is a residential property like any other residential property – it is a home for humans. A farmhouse by itself is not a “utilitarian” structure – though it may be located near utilitarian structures like the examples provided in the Criteria. A barn adjacent to a farmhouse, which houses equipment or animals is not a home for humans, and is more properly considered a “utilitarian structure.”

As such and as applied to the Property, this Criteria can be rewritten as:

“(f) A unique example of a non-residential utilitarian structure that retains the majority of its original architectural features in excellent condition, including, but not limited to: warehouses, factories, gas stations, silos, train depots and similar commercial structures.”

3. Application to the Property: The Property is a residential property and not “utilitarian” by any definition and therefore cannot be considered for landmark status under this Criteria.

B. This Criteria is overly broad and vague. This Criteria is almost completely lacking in any objective definitions of its key terms as follows:

“particularly fine.” Does this mean “exceptional”? In what way and compared to what?

“unique.” In what way and compared to what?

“utilitarian structure.” Requires distinguishing “utilitarian” from “non-utilitarian.”

“farmhouses.” Farmhouses are not “utilitarian structures”; they are homes for humans generally located on farmsteads that may possess utilitarian structures separate from the farmhouse.

“high level.” “High” compared to what? How is the spectrum from “high” to “low” defined?

“integrity.” Does this mean that it retains its original constituent architectural parts?

“architectural significance.” Significant compared to what?

7. **CRITERIA (g).** [Property WAS NOT nominated under this Criteria.]

Criteria (g): *“(g) Located in an area that has yielded, or may be likely to yield, information important in history or prehistory.”* [NOTE: The Application appears to contain an outdated version of this specific Criteria.]

A. Conclusion: The Property does not meet Criteria (g).

1. Summary: Not applicable since this Criteria was not included in the basis for the Property’s consideration of landmark status; and, no evidence was presented in the Application the Property is either important to history or prehistory.

2. Plain Meaning Interpretation of Criteria: This Criteria is confusing. Is its intent to convey landmark status to a property simply because that property is “located” in “. . . *an area that has yielded, or may be likely to yield, information important in history or prehistory*”? Landmark status is not generally conveyed to a property because of its physical proximity to historically significant geography absent that property’s compliance with specific landmarking requirements and criteria.

Applying the express language of Criteria (g), the absurd result of a new gas station built atop an ancient burial mound could be considered for landmark status simply as a result of its proximity to ancient skeletons and pottery shards.

As applied to the Property, this Criteria could be revised as follows:

“g) *Contains important historic or prehistoric information.*”

3. Application to the Property: The Property is a residential property in a residential neighborhood that is important to neither history nor prehistory and therefore cannot be considered for landmark status under this Criteria.

B. This Criteria is overly broad and vague. This Criteria is not simply overly broad and vague, it is incoherent regarding its intent, as discussed above.

END OF REPORT

[SEE GARY L. COLE AIA, ESQ’S HISTORIC PRESERVATION ATTORNEY CURRICULUM VITAE ON FOLLOWING PAGES]

GARY L. COLE AIA, ESQ.

HISTORIC PRESERVATION ATTORNEY CURRICULUM VITAE

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PROFESSIONAL LICENSURE

Attorney: Illinois (1998); Florida (2001)
Architect: Illinois (1993)

SUMMARY

Gary L. Cole AIA, Esq. is a Chicago-based Illinois and Florida-licensed attorney and an Illinois-licensed architect – one of the few individuals in the country possessing licenses in both law and architecture. Mr. Cole is also an Historic Preservation Attorney and Historic Preservation Architect and is the co-author of a legal treatise on historic preservation law published by the *Illinois Institute of Continuing Legal Education*. He is currently a member of the *American Institute of Architects' Historic Resources Committee*, and has spoken at many local, state, national and international preservation conferences on a variety of historic preservation law-related matters.

He blends his legal, architectural, construction and historic preservation experience and expertise to provide uniquely insightful and effective Attorney Expert Legal Opinion Witness, Co-Counsel and related legal services for civil disputes, transactional and regulatory compliance-related matters.

ATTORNEY EXPERT LEGAL OPINION WITNESS & CO-COUNSEL SERVICES

Mr. Cole provides testifying and non-testifying Attorney Expert Legal Opinion Witness and Co-Counsel services related to local, state and federal historic preservation-related administrative and civil disputes, and historic preservation building rehabilitation, tax-benefit, regulatory, landmarking and related matters.

RELEVANT HISTORIC PRESERVATION EXPERIENCE

Prior to becoming an attorney he was an Historic Preservation Architect with Illinois' *State Historic Preservation Office* (SHPO) – the *Illinois Historic Preservation Agency* (IHPA) – where he developed an insider's understanding of the laws and workings of local, state and federal historic preservation regulatory entities. At the IHPA, he performed historic property site inspections and reviews of residential and commercial *Historic Rehabilitation Tax Credit* and *Historic Property Tax Freeze* projects for compliance with *The Secretary of the Interior's Standards for Rehabilitation*; public projects for state and federal regulatory compliance under *Section 106* of the *National Historic Preservation Act*; and, he worked closely with the *National Register of Historic Places'* landmarking efforts. He was also a member of the *1993 National Trust for Historic Preservation for Mississippi River Flood Relief Program* working in concert with FEMA.

As an Historic Preservation Attorney, he has assisted clients in both obtaining and objecting to *National Register* and local landmark status; *Historic Rehabilitation Tax Credit* and *Historic Property Tax Freeze* benefits - including appealing the denial of federal *Historic Rehabilitation Tax Credits* before the *National Park Service* in Washington, D.C.; regulatory compliance with *Section 106* of the *National Historic Preservation Act of 1966*; and, federal litigation involving the overlap of local historic preservation law and the *Americans With Disabilities Act* (ADA). He has been involved with historic commercial and residential projects from Chicago to Miami Beach and Palm Beach, and Washington, D.C.

EDUCATIONAL AND PROFESSIONAL BACKGROUND

Mr. Cole holds a *Bachelor of Architecture* degree from the University of Illinois, and a *Master of Architecture* degree – *Historic Preservation Option* - from the University of Illinois Graduate School Architecture. He is a former Visiting Assistant Professor of Architecture at the University of Illinois at Urbana-Champaign, Graduate School of Architecture; an Instructor with the *School of the Art Institute's Graduate Historic Preservation* program; and was a Founding Board member and General Counsel for *The Chicago-Midwest Chapter of the Institute of Classical Architecture & Classical America*.

EDUCATION

Loyola University Chicago School of Law (Juris Doctor 1998)
University of Illinois (Master of Architecture 1992)
University of Illinois (Bachelor of Architecture 1988)

RELEVANT PROFESSIONAL HISTORY

Owner - *Gary L. Cole AIA, Esq.* (Construction, Real Estate, Historic Preservation, Accessibility, Arbitration & Mediation)
Attorney - *Bryant Miller Olive, P.A.* (Construction, Real Estate, Accessibility)
In-House Counsel - *The Sembler Company* (Corporate, Finance, Real Estate, Development)
Attorney - *Seyfarth Shaw LLP* (Construction, Real Estate, Accessibility, Historic Preservation)
Attorney - *Gunster, Yoakley & Stewart, P.A.* (Construction, Real Estate, Historic Preservation)
Attorney - *Winston & Strawn, LLP* (Construction, Real Estate, Historic Preservation)
Attorney - *D'Ancona & Pflaum LLC* (Construction Litigation, Real Estate, Historic Preservation)
Visiting Assistant Professor of Architecture - *University of Illinois at Urbana-Champaign*
Architect - *Illinois Historic Preservation Agency*
Architect - *Gary L. Cole AIA, Architect*
Sergeant – *United States Air Force*

PUBLIC SPEAKING

NCSBN Keynote Speaker, Chicago 2011. “Case Construction: Parallels Between Law and Architecture”
Traditional Building Conference, Chicago 2010 – “Beyond Tax Credits for Historic Rehabilitation”
Traditional Building Conference, Chicago 2010 – “Avoiding Legal Liability When Preservation Goes Green”
American Institute of Architects – Chicago Chapter Historic Resources Committee, 2010, “Expanding Your Services: Become an Historic Rehabilitation Economic Incentives Consultant”
American Institute of Architects – “Renew Tampa” Conference 2008, “The Rise of the Green Building Ordinance”
American Institute of Architects – Chicago Chapter Historic Resources Committee, 2003, “Legal Skills for Architects”
Miami Design and Preservation League, Art Deco Weekend, 2003, Rehabilitation Economic Incentives”
Restoration '97 National Preservation Conference, 1997, “Legal Issues of Architectural Salvage”
VI Foro International Patrimonio Arquitectonico, Cartagena, Colombia, 1996, “Chicago Historic Preservation”
Restoration '96 National Preservation Conference, 1996, “Careers in Preservation-The Architect’s View”
Illinois Statewide Preservation Conference, 1995, “Historic Building Assessment Fundamentals”
Restore – National Masonry Conference, 1994, “Structural Assessment of Flood Damaged Historic Buildings”
Illinois Statewide Preservation Conference, 1994, “Assessing Flood Damaged Historic Structures”

PUBLICATIONS

ONLINE PRINT: WWW.GARYLCOLELAW.COM

Traditional Building Magazine, “Replacing the Secretary’s Standards With a Model Historic Building Code,” (April 2013)
Licensed Architect, “Mediation and Arbitration 101 for Architects” (2011)
Licensed Architect, “Professional Services for Architects: Finding Ways to Pay for Historic Rehabilitation” (2010)
Retail Law Strategist, “Proposed Revisions to the ADA” (2004)
Illinois Institute for Continuing Legal Education, “Land Use – Historic Preservation Law” (2006)
Heartland Real Estate Business, “Minimizing the Risk of ADA Lawsuits” (2004)
Heartland Real Estate Business, “A Lesson in Historic Properties” (2003)
Florida Journal of Real Estate, “Financial Incentives for Historic Properties” (2002)
Midwest Real Estate Journal, “Financial Incentives Help Preserve Historic Properties” (2002)
Journal of the National Assoc. of Administrative Law Judges, “State Court Invalidation of a Federal Regulation (1997)
Urban Lawyer, “Recent Developments in Historic Preservation and Architectural Control Law,” Co-authored (1996)

MEMBERSHIPS & AWARDS

PROFESSIONAL MEMBERSHIPS

Member of the *American Institute of Architects*

Member of the *National Trust for Historic Preservation*

Member of the *American Arbitration Association's* Roster of Neutrals, Construction and Commercial Divisions

ACADEMIC AWARDS

LAW SCHOOL: *Loyola University Chicago School of Law*

- Journal of the National Association of Administrative Law Judges
- American Jurisprudence Award for Highest Grade - Comparative International Law
- Dean's List
- Loyola Rome Center for International Studies

GRADUATE ARCHITECTURE SCHOOL: *University of Illinois at Urbana-Champaign*

- First Place Charles E. Peterson Prize
- First Place Edward C. Earl Prize
- Dean's List
- Graduate Teaching Assistant

UNDERGRADUATE ARCHITECTURE SCHOOL: *University of Illinois at Chicago*

- Graduated with "Distinction in Design"
- Talent Tuition Scholarship
- Pillsbury Traveling Scholarship
- Golden Key National Honor Society
- Phi Eta Sigma Honor Society
- L'Ecole D'Architecture Et D'Urbanisme De Versailles, France

OWNER'S EXHIBIT B

LivingstonBarger

Livingston, Barger, Brandt & Schroeder, LLP

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Christopher L. Nyweide
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Peter W. Brandt
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Kirk A. Holman
Michael A. Wozniak
Thomas A. Jennings
Elizabeth B. Megli
Jonathan J. Bobell
Ryne J. Takacs
Joseph R. Wetzel
Rachel J. Brandt
Zane J. Breithaupt
William R. Brandt (Retired)
Herbert M. Livingston (1898 – 1987)
Ralph E. Schroeder (1927 – 1991)
Thomas M. Barger, Jr. (1912 – 1992)
James T. Foley (1931 – 2010)
Susan H. Brandt (1950 – 2010)

Reply to Champaign Office

January 5, 2016

SENT VIA E-MAIL AS INDICATED BELOW

Alice Novak – Chair
Historic Preservation Commission
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Kim Smith
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Re: Case No. HP-2015-L-01
Request to Designate the “Stephen S. Henson House” at 611 West Elm Street in
Urbana as a Local Historic Landmark

Dear Commission Members:

I am a local attorney and also a member of the Central Illinois Rental Property Professionals (“CIRPP”). CIRPP is a not-for-profit organization which encourages and promotes interests of owners and managers of residential real estate. I write this letter on behalf of the CIRPP to express CIRPP’s position relative to the Application to designate the “Stephen S. Henson House” at 611 West Elm Street in Urbana as a Local Historic Landmark.

It is my understanding that before the Commission, there is an application by a third-party to designate the subject property as a Local Historic Landmark. While we understand the stated rationale behind the application, we respectfully disagree.

At present, there is a single-family rental house on the subject property. It is my understanding that the owner, Hunsinger Enterprises, Inc., intends to demolish the existing structure and replace

January 5, 2016

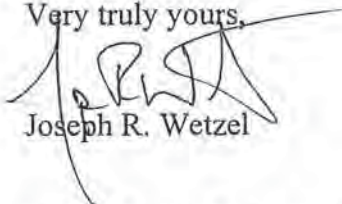
Page 2

it with new construction which will be a five-unit apartment building. It is our organization's understanding that the proposed design of the new apartment building was intended to compliment the neighborhood. In fact, the new apartment building brings life to otherwise often featureless buildings which may be seen elsewhere. In this case, granting the application to designate 611 West Elm as a historic property would effectively halt any demolition, and practically stall any re-use for the property. Additionally, granting the application sets precedent and means the Commission would need to explain to other neighborhoods why it was willing to effectively prohibit an apartment building in one neighborhood and allow an apartment building in another neighborhood.

Moreover, in reviewing Section XII-5.C of the Urbana Zoning Ordinance, the structure at 611 West Elm Street does not seem to have the same qualifications as other structures which more readily meet the criteria to be designated as a Historic Landmark. Here, a denial of the application provides an example of the Commission's willingness to grant a Historic Landmark designation to those properties that truly deserve it, rather than weaken the designation of what it means to be a Historic Landmark in Urbana. On behalf of our members, we encourage development of property and business in Champaign-Urbana and believe that Mr. Hunsinger's proposal would be positive for the City, Neighborhood, and Community.

In this case, the owner of the real estate is attempting to develop the real estate while being compatible with the character and resources of the community. Additionally, the owner has complied with requirements of the Mixed-Office Residential Zoning District. Our organization respectfully recommends that the Historic Preservation Commission deny the application to designate the property as a local historic landmark.

Very truly yours,



Joseph R. Wetzel

cc: Lorrie Pearson - llpearson@urbanaininois.us
Elizabeth Tyler - ehtyler@urbanaininois.us

OWNER'S EXHIBIT C



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Historic Preservation Commission

FROM: Kevin Garcia, AICP, Planner II

DATE: December 31, 2015

SUBJECT: 611 W. Elm Street (Stephen S. Henson House): Historic Landmark Application, Case No. HP 2015-L-01

Introduction

Historic Preservation Case No. HP 2015-L-01 is an application submitted on October 16, 2015 by Brian Adams to designate the house at 611 W. Elm Street (referred to as the Stephen S. Henson House) as a local historic landmark. Hunsinger Enterprises, Inc. is the property owner.

The Historic Preservation Ordinance requires that the Historic Preservation Commission (HPC) hold a public hearing on the application within 60 days of receiving a complete application. The application was reviewed by staff and deemed complete on October 26, 2015, following the submission of additional information requested of the applicant. The public hearing was opened at the December 2, 2015 meeting and continued to the January 6, 2016, meeting at the written request of the property owner. At the public hearing, the HPC should take comments from the nominator, the owner, and any other parties who wish to be heard on the application. In addition, the HPC should consider all written comments received prior to or during the hearing. It is the responsibility of the nominator to provide evidence of the suitability for historic landmark status as well as documentation of such evidence.

Following the public hearing, the HPC should review all information presented to it that is pertinent to the nomination. In this case, the property owner has not consented in writing to the nomination of the property as a historic landmark. Lacking such written consent, the HPC shall recommend either approval or denial of the application to the Urbana City Council. The City Council will then determine either to designate the property by enacting an ordinance or not designate the property. If the property owner files a valid protest against the landmark designation, per the requirements of Section XII-5.1 of the Zoning Ordinance, the application would require a minimum two-thirds vote of the Council to be approved. If no such protest is filed, a simple majority vote in favor of the application would designate the property as a historic landmark.

Should the application be approved, the owner would be required to obtain a Certificate of Appropriateness from the Historic Preservation Commission for future exterior changes to the property, including any proposed demolition, as per the requirements of Section XII-6 of the Zoning Ordinance.

Background

Related Cases

DRB 2015-01: 611 W. Elm Street is located in the Mixed-Office Residential (MOR) Zoning District, which has a Development Review Board that oversees site plan review. On August 17, 2015, an application for site plan approval was submitted for 611 W. Elm Street. The site plan proposed the demolition of the house at 611 W. Elm Street and the creation of a three-story, five-unit apartment building on the site. Because the property is adjacent to an Urbana landmark (the Ricker House), as per Section XII-3.F.10 of the Zoning Ordinance, the Historic Preservation Commission was asked to review and provide comment on the proposed development. On September 30, 2015, the MOR Development Review Board approved the proposed development subject to conditions designed to mitigate negative impacts on the Ricker House property.

Demolition Delay List: 611 W. Elm Street is on the City of Urbana's Demolition Delay list (Ord. 2007-10-118), which was established in 2007 to "encourage the identification and designation of additional historic landmarks within the City of Urbana." For properties on the demolition delay list, the ordinance prohibits demolition permits from being issued for a period of 45 days after a demolition permit is applied for. During the 45-day delay period, properties can be nominated for landmark designation. A demolition permit was applied for on September 8, 2015 for 611 W. Elm Street. The application to nominate 611 W. Elm Street was received on October 16, 2015, within the 45-day demolition delay period. A demolition permit cannot be issued until the current case is resolved.

Nearby Landmarks

There are several local landmarks located near 611 W. Elm Street:

The *Ricker House* (612 W. Green Street) is located on the property adjacent to 611 W. Elm Street to the south. The Ricker House is a local Urbana landmark and is on the National Register of Historic Places.

Buena Vista Court is located at the opposite (east) end of the block from 611 W. Elm Street. It is an Urbana historic district and is on the National Register of Historic Places.

The *Bills House* (508 W. Elm Street), the *Freeman House* (504 W. Elm Street), and the *Sutton House* (502 W. Elm Street) are located one block east of 611 W. Elm Street. All are local Urbana landmarks.

Elm Street Historic District Proposal

In 2010, an Urbana City Council Goal was established to "*Encourage creation of a historic district on Elm Street between Buena Vista and Cedar Street.*" The proposed district's boundaries did not include 611 W. Elm Street. City staff conducted an informational meeting with property owners in early 2013 as an initial step toward this goal, and later that year sought additional input and support from property owners. While there was not sufficient support to initiate a case to establish a district in this portion of Elm Street, City staff will continue to make efforts to complete the Council goal.

Property History

The house at 611 W. Elm Street was built around 1902 for Stephen S. Henson.¹ According to the application, Mr. Henson moved to Urbana from Douglas County in 1903 after retiring from farming. Mr. Henson died the following year. The house remained in the family until sometime between 1910 and 1920. Since 1970 the house has been used as a rental property.²

The Henson House exhibits many intact characteristics of the Dutch Colonial Revival architectural style, which is a subtype of the Colonial Revival style, defined by the presence of a gambrel roof. Dutch Colonial Revival houses built between 1895 and 1915 typically have a front-facing gambrel, and occasionally have cross-gambrels to the rear.³ 611 W. Elm Street is one such cross-gambrel variant, with the main gambrel facing north toward Elm Street and an east-west cross-gambrel to the rear. Also facing Elm Street is a second-story “shed”-style dormer, which is common in Dutch Colonial Revival homes. The first story of the house is clad in clapboard, with the second story gambrels and dormer clad in wooden shingles.

As with many older buildings, 611 W. Elm Street has undergone alterations over time. The most immediately apparent changes made to the original exterior features include the replacement of the original porch with a building addition,⁴ the replacement of the wooden front steps with concrete steps, and the installation of an exterior staircase on the east side of the house to allow access and egress to the upstairs. As noted in the application, a small entry section at the rear of the house appears to have been a later addition as well. The remaining sections of the home appear to be intact.

Discussion

Under Section XII-5.C of the Urbana Zoning Ordinance, the proposed landmark must meet one or more of seven possible criteria in order to qualify for landmark designation. The application states that 611 W. Elm Street meets two of the seven criteria:

- a) *Significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community;*
- c) *Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials, while retaining a high degree of integrity;*

Each of the seven designation criteria is explained in the next section, followed by an analysis on whether 611 W. Elm Street meets each of the criteria.

In evaluating individual landmark nominations, the landmark criteria should only be applied to the property in question, in this case 611 W. Elm Street. The historic significance of surrounding properties

¹ *City of Urbana, Historic Resources Survey Form for 611 West Elm Street (see Exhibit D)*

² *(Ibid)*

³ McAlester, V. & L. (2005). *A Field Guide to American Houses* (p. 322). New York, NY: Alfred A. Knopf.

⁴ *In place of the original porch there is now an entry vestibule and a small bedroom.*

or of the neighborhood as a whole is only relevant insofar as the nominated property contributes to its surroundings by meeting the evaluation criteria for an individual landmark.

Designation Criteria

- a) *Significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community.*

The application provides a thorough summary of the early social and economic development of the West Urbana Neighborhood and the important role that West Elm Street played in the early history of the City (see “*Historical Significance*” in Exhibit B). The application does not, however, indicate how 611 W. Elm Street contributed to the early development of West Urbana or West Elm Street. In addition, with the exception of a statement that the 600 block of W. Elm Street was part of the “N.C. Ricker Sub-Lot 1” by the early 20th Century, the historical summary presented in the application only covers the years from the 1830s up through the 1880s, when the house was built in 1902. It is therefore unclear how 611 W. Elm Street could have had “significant value” during the historically-significant period described in the application. There is also no evidence presented to indicate that Stephen S. Henson, the original owner of the home (who died less than two years after moving to Urbana) or his family played a prominent role in the history of the nation, state, or Urbana. Most of the information provided about Mr. Henson details his life prior to moving to Urbana, and it does not follow that he contributed “significant value” to Urbana’s history given his brief time in the city.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion a) as it does not have significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community.

- b) *Associated with an important person or event in national, state or local history.*

No evidence has been presented nor has any been found to indicate that this property is associated with an important person or event.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion b) as there is no indication that this property is associated with an important person or event.

- c) *Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials, while retaining a high degree of integrity.*

For the purpose of evaluating criterion c), staff referenced the definition of “integrity” found in the City of Urbana’s *Historic Preservation Plan*:

“Historic integrity is the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s prehistoric or historic period. Integrity enables a property to illustrate significant aspects of its past. Qualities of historic

integrity may include location, design, setting, materials, workmanship, feeling, and association. All seven qualities do not need to be present for eligibility...as long as the overall sense of past time and place is evident.”

In addition, staff referenced *Section VIII: How to Evaluate Historic Integrity of a Property in the National Register Bulletin: How to Apply the National Register Criteria for Evaluation* (see Exhibit E). While Urbana’s criteria for evaluating historic properties differ from those of the National Register, this document provides guidance on the seven “qualities of historic integrity” referred to in Urbana’s definition of “integrity”, and provides a framework for assessing the integrity of properties.

Criterion c) is a two-part test. For a property to qualify under this criterion, it must represent the distinguishing characteristics of an architectural type and retain a high degree of integrity. The application states that 611 W. Elm Street meets this criterion and is a “unique local example of the Dutch Colonial Revival style that retains a high degree of integrity.”

The house at 611 W. Elm Street exhibits and retains many characteristics of the Dutch Colonial Revival style, including a cross-gambrel roof, second-story shed dormer, double-hung windows, and clapboard and shingle cladding that is commonly found on many types of Colonial Revival houses, including Dutch Colonial Revival houses.⁵ The house retains other original architectural details that, while not exclusive to the Dutch Colonial Revival style, contribute to its character. These include dentil moulding above the porch, dormer, and bay window; a front bay window; and decorated gable ends with fan-shaped attic windows on the east and west ends of the house.

According to the City’s historic property surveys, there are 50 other Dutch Colonial Revival style houses in the West Urbana Neighborhood. This includes two houses that are on Urbana’s 100 Most Important Buildings list and includes the house at 608 W. Elm Street, which is across the street from 611 W. Elm Street. Out of these 50 houses, 19 houses were selected⁶ for comparison to 611 W. Elm Street (see Exhibit C). Each of these houses exhibits variations on the Dutch Colonial Revival style, and many share characteristics with 611 W. Elm Street. For example, at least two of the houses have the same pattern of cladding as 611 W. Elm Street, with clapboard on the first story and shingles on the second story. Other features of 611 W. Elm Street that appear on other houses in this group include a cross-gambrel roof, fan-shaped attic windows, bay windows, and pairs of double-hung windows. Some particularly good examples of the style are the houses at 205 W. Illinois Street, 506 W. Indiana Street, and 605 W. Oregon Street. Each of the 19 selected houses has a front porch. Several of these porches have been enclosed – as is the case at 611 W. Elm Street –but most have remained open. Overall, 611 W. Elm Street represents the distinguishing characteristics of the Dutch Colonial Revival style, which is clearly a style of value in the West Urbana neighborhood. It is therefore the conclusion of staff that 611 W. Elm Street meets the first part of the two-part test for criterion c).

Most of the features that are characteristic of the Dutch Colonial Revival style that are present at 611 W. Elm Street appear to be original or have been replaced with complementary or in kind materials, leaving many portions of the original house and its characteristics intact. The building form, distinctive gambrel

⁵ *The Dutch Colonial Revival style is a subset of the broader Colonial Revival style. The Dutch variant is characterized most prominently by the use of the gambrel roof.*

⁶ *The 19 selected houses all have front-facing gambrel roofs, making them similar to 611 W. Elm Street. The remaining 31 houses have side-facing gambrel roofs, making them less appropriate for comparison.*

roofline, clapboard and shingle siding, front bay window, dormer, dentil moulding, and gable ends with fan-shaped windows are all intact.

However, a major element that makes up the historic character of a house, including many of the Dutch Colonial Revival houses in Urbana, is the front porch (see Exhibit D). *Preservation Brief #45* from the National Park Service⁷ begins by stating that:

“Few architectural features evoke more romantic notions or do more to define a building’s historic character than the American porch. The size, style, detailing, and location of a porch can tell volumes about the age and use of a building. Each component, from handrail or baluster to column or post, enhances the architectural character of the porch. Alter or remove the porch and a historic building or streetscape can lose its visual integrity and historic authenticity.”

To determine whether 611 W. Elm Street retains a “high degree of integrity”, the second part of the two-part test for criterion c), an important question to consider is how well the house communicates its historic design integrity now that the original porch is missing and has been replaced with what is essentially an addition on the front façade of the house.

In the case of 611 W. Elm Street, the replacement of the front porch with an addition, including the replacement of the front steps with concrete, detracts from the original character of the house and significantly diminishes its historic integrity. The addition mimics the original house by using white clapboard cladding and a brick foundation, but it also includes massive concrete steps and vinyl windows. While the original entablature and roof of the porch appear to have been retained, all of the architectural and structural elements below the entablature, including the piers, columns and balustrade, have been removed and replaced with a brick foundation and walls (*see, for example, Exhibit B, p.16 and Exhibit C, p.1 & 2*). No evidence exists to suggest that the brick columns and wood lattice present in the original porch remain, and the uniformity of the brickwork indicates that the foundation was completely replaced, rather than being filled in as is often the case when a porch is enclosed. As such, the replacement of the porch at 611 W. Elm Street – which takes up roughly one-third of the house’s façade visible from Elm Street – has had a significant impact on the historic character of the house and has substantially diminished its integrity as a historic property.

In addition to the alterations made to the original front porch, nearly all of the original windows have been replaced with vinyl windows. The only windows that are original appear to be one of the decorative fan-shaped attic windows (the other is boarded up) and two irregularly-sized horizontal windows, one on the west and one on the east façades of the house. The replacement of nearly all of the windows with vinyl windows further diminishes the historic integrity of 611 W. Elm Street.

For the reasons stated above, staff concludes that the house *does not retain a high degree of integrity* as required by criterion c).

City staff recommends a finding that the Stephen S. Henson House does not qualify under criterion c) as it is representative of the distinguishing characteristics of the Dutch Colonial Revival architectural style

⁷ *The National Park Service administers the National Register of Historic Places. NPS’s “Preservation Briefs” provide guidance on preserving, rehabilitating, and restoring historic buildings.*

but does not retain a high degree of integrity due to the replacement of the front porch and the replacement of most of the original windows with vinyl windows, both of which significantly impact the integrity of the building.

d) Notable work of a master builder, designer, architect or artist whose individual genius has influenced an area.

The designers and builders of 611 W. Elm Street are unknown. While the application states that it is possible that the house was designed by Joseph Royer, no evidence is presented to indicate that Royer designed the house.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion d) as the designers and builders are unknown.

e) Identifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.

This criterion refers to a property having a visually distinctive location such as at the terminus of a street, located on a public square or in a park, on a hill, or with a unique and identifiable roofline.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion e) as it is not identifiable as an established and familiar visual feature in the community.

f) Character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations or other commercial structures with a high level or integrity or architectural significance.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion f) as it is not a utilitarian structure as described by the criterion.

g) Located in an area that has yielded, or may be likely to yield, information important in history or prehistory.

City staff recommends a finding that 611 W. Elm Street does not qualify under criterion g) as the area around 611 W. Elm Street site has not yielded, and does not appear likely to yield, any archaeologically-significant information.

Summary of Findings

Recommended statements of findings based on the application and the completed analysis are below. The Historic Preservation Commission may revise these findings based on their review and consideration of the case, including any evidence that may be submitted at the public hearing.

1. Article XII of the *Urbana Zoning Ordinance* provides the City of Urbana the authority to designate local landmarks and historic districts with the stated purpose of promoting the educational, cultural, economic and general welfare of the community.
2. The City of Urbana on October 16, 2015 received a landmark application to designate the property located at 611 W. Elm Street as a local landmark. The application was deemed complete by staff on October 26, 2015.
3. The Urbana Historic Preservation Commission opened a public hearing on December 2nd, 2015, which, pursuant to a written request from the property owner, was continued and held on January 6th, 2016 to consider the landmark designation of the subject property.
4. The house located at 611 W. Elm Street was constructed circa 1902 in the Dutch Colonial Revival architectural style.
5. The house located at 611 W. Elm Street does not qualify under criterion a) as it does not appear to have significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community.
6. The house located at 611 W. Elm Street does not qualify under criterion b) as there is no indication that this property is associated with an important person or event.
7. The house located at 611 W. Elm Street does not qualify under criterion c) as it is representative of the distinguishing characteristics of the Dutch Colonial Revival architectural style but does not retain a high degree of integrity due to the replacement of the front porch and the replacement of most of the original windows with vinyl windows, both of which significantly impact the integrity of the building.
8. The house located at 611 W. Elm Street does not qualify under criterion d) as the designers and builders are unknown.
9. The house located at 611 W. Elm Street does not qualify under criterion e) as it is not identifiable as an established and familiar visual feature in the community.
10. The house located at 611 W. Elm Street does not qualify under criterion f) as it is not a utilitarian structure as described by the criterion.
11. The house located at 611 W. Elm Street does not qualify under criterion g) as the area around 611 W. Elm Street site has not yielded, and does not appear likely to yield, any archaeologically-significant information.

Options

In Case No. HP 2015-L-01, the Historic Preservation Commission shall find whether or not the nomination meets one or more of the criteria for designation as a local landmark and:

- 1) Recommend that the Urbana City Council approve said application to designate the property as a local landmark; or
- 2) Recommend that the Urbana City Council deny said application to designate the property as a local landmark.

In either case, the Historic Preservation Commission should include Findings of Fact in their motion. The Findings of Fact should summarize the Commission's justification for finding that the nomination either does or does not meet the relevant criteria. The vote required is a majority vote of those members present and voting but with not less than three affirmative votes.

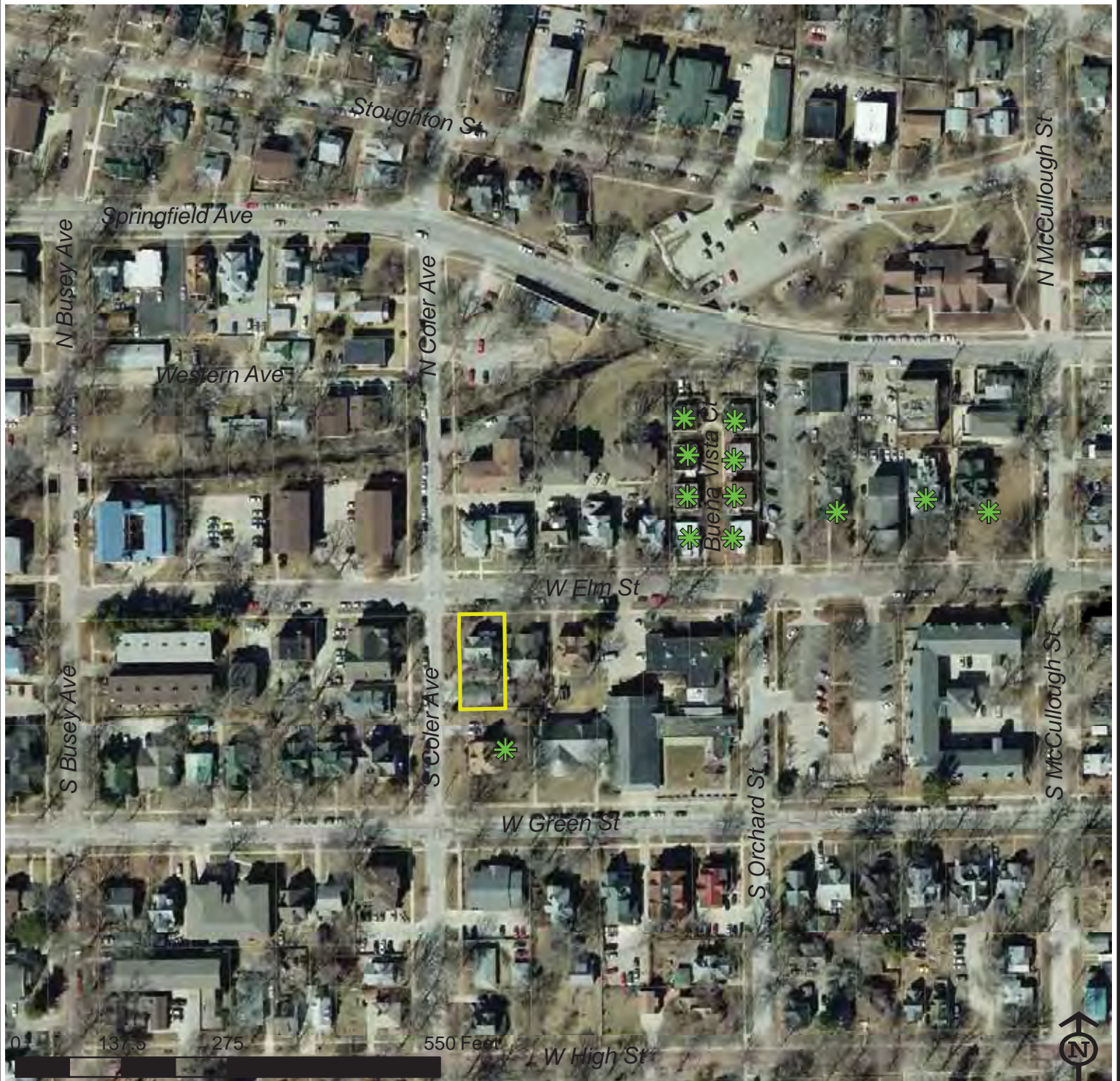
Staff Recommendation

Based on the application and analysis contained in this memorandum, staff recommends the Historic Preservation Commission find that the landmark nomination for 611 W. Elm Street does not conform to the landmark criteria contained in Section XII-5.C of the Urbana Zoning Ordinance, and therefore recommends **DENIAL** of the application.



cc: Kevin Hunsinger, Owner
Brian Adams, Applicant
David Thies, Legal Counsel of Owner
Elizabeth Tyler, FAICP, Community Development Director
Lorrie Pearson, AICP, Planning Manager
Mayor and City Council

Attachments: Exhibit A: Location Map
Exhibit B: Application & Photos
Exhibit C: Additional Photos
Exhibit D: Map and Photos of Dutch Colonial Houses in West Urbana
Exhibit E: *How to Evaluate the Integrity of a Property*
Exhibit F: Historic Resources Survey Form
Exhibit G: Communications

Exhibit A: Location Map



Case: HP-2015-L-01
Subject: Landmark Nomination
Location: 611 W Elm St
Petitioner: Brian Adams

 611 W Elm Street
 Urbana Landmarks



Application for Historic Landmark Designation

Historic
Preservation
Commission

APPLICATION AND REVIEW FEE – NO CHARGE

Although there is no fee to file an application for Historic Landmark Designation, the Applicants are responsible for paying the cost of legal publication fees. The fees usually run from \$75.00 to \$125.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Application Filed 10-16-2015 Case No. HP-2015-L-01

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Brian Adams Phone: 217-552-2403
Address (street/city/state/zip code): 907 W. Daniel St., Champaign, IL 61820
Email Address: badams4@illinois.edu
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Preservation

2. OWNER INFORMATION

Name of Owner(s): Hunsinger Enterprises Inc. Phone: 217-337-1565
Address (street/city/state/zip code): 2004 N. Linview Ave, Urbana, IL 61801
Email Address: hunsingerk@sbcglobal.net

3. PROPERTY INFORMATION

Location of Subject Site: 611 W. Elm St., Urbana
PIN # of Location: 92-21-17-111-001
Lot Size: 59.75 X 121
Current Zoning Designation: MOR
Current Land Use (vacant, residence, grocery, factory, etc.): Apartment building
Present Comprehensive Plan Designation:
Legal Description: Lot 3 Ricker's, N.C. Sub-aka
Sub of Lt 1 Blk 6 of J.W. Sim's Add.

Date of Construction of Structure: 1902/1903

Attach a map showing the boundaries and location of the property proposed for nomination.

Attach photographs showing the important structures or features of the property or structure

Indicate which of the following criteria apply to the property or structure (*check all that apply*). Additionally, attach a statement that describes the proposed landmark and its historic significance; list reasons why it is eligible for nomination; and show how the proposed landmark conforms to the criteria for designation (*see attached Suggested Format*).

- Significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political, or social heritage of the nation, state or community;
- Associated with an important person or event in national state or local history;
- Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials and which retains a high degree of integrity;
- Notable work of a master builder, designers, architect or artist whose individual genius has influenced an area;
- Identifiable as an established and familiar visual location or physical characteristics;
- Character is a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations or other commercial structures with a high level of integrity or architectural significance;
- Yields, or may be likely to yield information important in history or prehistory

NOTE: *If additional space is needed to accurately answer any question, please attach extra pages to the application.*

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief.

Brian Adams

Applicant's Signature

10/15/15

Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

URBANA HISTORIC PRESERVATION COMMISSION
Suggested Format for Content and Organization of “Statements”
For Property Located in a Proposed Historic Landmark

Summary Paragraph

- Criteria which apply to subject property
- Introductory or background statement about significance of subject property
- Statement of integrity

Property Description

- Architectural style
- Date of construction; date of major modifications
- Name of architect and builder, as available
- Construction materials (foundation, walls, roof shape/material)
- Description of building elements: number of stories, window type and shape, porches, entrances, etc.
- Description of unique architectural elements
- Alterations or additions to building
- Missing or removed architectural features
- Outbuildings and important landscape or streetscape features

History

- Brief community background (downtown development, neighborhood development, etc.)
- Discussion of property as it relates to the development of the community
- Important people associated with the property
- Important events associated with the property

For Architectural Significance

- Background of the style and/or architect
- Why/how the building reflects the style and/or architect’s work
- Other works in the community/elsewhere by same architect; discuss briefly

Context

- Placement or location of property within the city/community
- Relationship to other properties of similar architectural style and date/era of construction

Stephen S. Henson House
611 West Elm Street

Stephen S. Henson had this Dutch Colonial Revival style house built around 1902/1903. It is a unique local example of the Dutch Colonial Revival architectural style and the integrity of the house remains.

Architectural Description

This Dutch Colonial Revival residence was built around 1902/1903 for owner Stephen S. Henson. The architect is unknown, but it is possible it is the design of prominent local architect Joseph W. Royer who is known to have designed two nearby houses on West Elm Street around the same time (607 West Elm Street [Louise McWilliams House; 1901]; 504 West Elm Street [Freeman House; 1902]).

The house is set on a lot at the southeast corner of West Elm and Coler Streets. It is a two-story white frame house on a brick foundation, roofed with crossed gambrels. What seems a basically squarish plan from the front is extended at the northeast corner by a one-story porch, formerly open, but now enclosed, that wraps slightly around to the east wall and covers about half of the north wall. Throughout, the first story of this house is consistently clapboarded, while the second-story surfaces of the three gambrels and a front-facing dormer are clad in shingles, which also extend over the edges of the gambrel frames.

Façade (North) Wall (facing W. Elm St.)

The front-facing gambrel is set to the right (west), creating an asymmetrical façade. That asymmetry is countered by the porch to the left (east), which covers roughly half of the front first story and also steps well forward from the main façade. The porch (shown as open on the 1909, 1915, and 1923 Sanborn Fire Insurance maps) is now clapboarded, its front (north) wall entered to the right via a single door with small transom and storm door, reached by a concrete stair of four steps, with a concrete bulkhead at left. To the left of the door is a pair of double-hung rectangular windows. On the east wall of the porch is a smaller double window. The porch's west wall contains a large fixed-pane window close to the house wall. The upper edge of the porch shows a narrow moulding and a broader fascia surmounted by dentils, a pattern that ties the porch to the main body of the house.

Above the one-story porch is visible part of the roof of the east-facing cross-gambrel, where there is a shed-roofed, shingled dormer with a broad double-hung window. The dormer is also crowned with a narrow moulding and broader fascia surmounted by a line of dentils, these features wrapping around the shallow sides of the dormer, and echoing the pattern noted on the porch. Dentils occur only on the main façade and porch, not on side or rear walls. The right (west) half of the main façade wall features a bay window centered below the gambrel. The bay has double-hung rectangular windows flanking a large fixed center pane with leaded transom. Surfaces below the windows are clapboarded, while the entire window composition is framed

with broad boards and capped by a narrow moulding, fascia board and dentils under an overhanging second-story roofline. The bay's roof meets the main wall just below another fascia, which caps the first story wall. The face of the second-story gambrel flares outward slightly in a shallow pent overhang that distinguishes the two stories horizontally. Centered in the gambrel's upper story is a pair of double-hung rectangular windows crowned with a flat board ornament curved inward on the lower edges and framed with shallow ribbon-like strips that swirl down in a slightly Baroque fashion from the sill of a small rectangular window in the attic level above. That window features diamond-shaped leaded panes and a simplified classical surround.

West Wall (facing Coler St.)

This wall (like the east wall discussed below) shows the same clear separation between stories seen on the façade (north) wall, created with a continuing fascia atop the first story, below a shallow overhanging pent rooflet that defines the lower edge of the upper gambrel. There is no corner board between the north and west walls (and none at other corners of the house). On the first story below are two widely spaced double-hung rectangular windows, the left one close to the north corner, the right just shy of the center point below the gambrel. The spacing suggests the presence of a fireplace, no doubt serving what was originally the living room or parlor within, and indeed, an interior chimney emerges from the roof above the space between these windows. A bit to the right of the center of the upper gambrel is a large horizontal fixed-pane window set high against the fascia. Between that and the south corner is a rectangular double-hung window of shorter dimension than the two toward the front of the house.

The asymmetry seen on the first story continues on the second, in that two rectangular double-hung windows occur to the left of center and not aligned with either of the two windows below, while a single similar window is to the right of the gambrel's center, this one aligned with the smaller window below. At the attic level is a semi-circular opening (now covered with plywood), framed in wood in the same shape, and with three rows of shingles arranged to echo the curving shape (rather like soldier brick voussoirs), the arched effect capped with a projecting, tapered wooden "keystone" with a more sharply projecting "capital." Above this, at the gambrel's peak, is a modern rectangular louvered ventilator.

Rear (South) Wall

The rear of the house, likely the location of the original kitchen, is not gambrel-roofed, but gabled, and with a second partially gabled section set within the first, at least on the west side; from the east, the entire rear section of the house shows a continuous gable, although both peaks can be seen from the southeast. Starting below the main gambrel of the west wall, the house steps inward (to the east) perhaps two feet or so, then to the south (with one window), then again eastward (with one window); the partial gable rises above this shallow section. From the previous, the wall again steps southward (with no window), before turning east to create the rear wall of the house, below the second narrower gable. Centered in that gable on the second story is a double window set above a shallow pent slightly overhanging the rear of the house. On the first story a narrow double-hung window takes much of the space at the west corner before a

final one-story projection to the south provides an enclosed rear entry with an unremarkable door and a single double-hung window to its east; its east wall features a single window opening filled with horizontal boards that resemble broad louvers. This entry section features the same fascia and clapboarding seen elsewhere on the house, but it appears to have been a later addition, since it does not appear to be present in the early Sanborn maps.

East Wall

The plane of the east wall is broken slightly into three major segments, but less intensely than seen at the rear of the west wall. The enclosed rear entry is again inset from the east side of the gabled south section of the house, but only by perhaps a foot or so. Next (to the north), is the gambreled portion of the east wall, which steps out even less far, but enough to distinguish it from the gabled section to its rear (south). At the join of that gambrel's break and the gabled roof to its south rises a tallish brick chimney, now in need of repair. The final step-out comes at the point where the front porch meets and covers part of north end of the east wall's first story, then wraps around the front (north) wall.

Openings and other features along the east wall vary in each section. In the gabled section at the rear (south) is a double window, double-hung and shorter than windows toward the front of the house. Running in front of these windows is part of the relatively recent wooden stair leading to an entrance to the second story, clearly to an apartment. The larger gambreled part of the east wall is similar to those on west and north. On its first story is another asymmetrical set of features. There is a single shorter, rectangular, double-hung window toward the south (now below the supports for a small wooden deck serving the upper apartment). The rest of the lower wall features a grouping of two longer, widely spaced, rectangular double-hung windows, set vertically, but with a narrower horizontal, leaded glass fixed-pane window set between the upper parts of the verticals; this arrangement typically indicates an interior built-in buffet for a formal dining room. At the top of the first story is the recurring fascia seen all around the house.

The upper story of the east wall is again distinguished from the lower by a slightly overhanging pent and by its shingled surface. A central double window has had some of its framing elements replaced in unpainted wood, and to its left a door has been cut through the upper wall, providing access to an apartment that is not original. On the attic level in the east is a semi-circular window identical to that on the west wall, but with its delicate fanlight mullions and panes still intact. A modern metal-framed rectangular ventilator appears at the peak of this wall.

Historical Significance

City of Urbana and West Elm Street

The City of Urbana was surveyed and platted in September 1833. It was situated at the south end of Big Grove, near the confluence of the Boneyard and Saline creeks. The original city plan consisted four north-south streets intersected by four east-west streets. Today this area constitutes the city's downtown. Population growth and economic development remained slow during the 1830's and 1840's due to poor transportation systems. Urbanization intensified when

the railroad arrived in the 1850's. The Illinois Central Railroad connected the area with Chicago in 1854, resulting in an economic and population explosion in Champaign County. Between 1850 and 1860, population in the county increased from 2,645 to 14,629. Pioneer farmers were replaced by land speculators, merchants, intellectuals (lawyers, doctors, teachers), tradesmen of all types, and masses of laborers employed by the railroad and the numerous factories that had been established. The early population derived primarily from the south (e.g. Kentucky) was augmented by immigrants from the northeast (New York, Massachusetts, Pennsylvania, Ohio, etc). Foreign-born immigrants, primarily of Irish and German origin, also began to arrive, and with their presence the religious composition of the county changed. The former exclusive dominance of Protestant and Baptist denominations was balanced by the formation of Catholic and Jewish congregations. A variety of factories sprung up overnight, many of them associated with the burgeoning construction industry and agricultural production. These included brick and tile factories, sawmills, a sash and door factory, foundry and machine shop, plow and wagon factory, as well as a woolen factory and flouring mills, among others. Between about 1850-60 the Main Street of the Original Town of Urbana became a hub of activity, lined with a variety of retail stores, saloons, law and real estate offices, banks, and other places of business and recreation. The City of Urbana was incorporated on February 14, 1855, and in 1867 was chosen as the site of for the Illinois Industrial University (University of Illinois) through the efforts of Clark Robinson Griggs. Also in 1867, the first railroad to actually pass through Urbana, the Danville-Urbana-Bloomington-Pekin Railroad (later the I.B. & W), was chartered, again by C.R. Griggs. Economic development slowed in the 1870's. Major developments in the latter half of the 19th century and early 20th century included: the large-scale draining of swampy prairies surrounding the city, resulting in the dominance of grain production at the expense of cattle breeding; the establishment of a gas lighting system; paving of streets; establishment of an electric rail line; construction of hospitals; and the continued expansion of retail businesses.

The subject property is located at 611 West Elm Street, four blocks west of downtown Urbana. Elm Street is one of the oldest streets in Urbana, having been platted in 1833 as one of eight original streets of the city. On the original plat of Urbana, Elm Street formed the southern boundary of the central town square on which the Champaign County Courthouse was built. The area directly west of the Original Town of Urbana (the present downtown area) is the oldest residential area of the city, which was platted in 1851-54 by James T. Roe, son-in-law of early Champaign County pioneer, and founder of Urbana, Isaac Busey. Isaac Busey was the first owner of the 80-acre parcel between Race Street and Lincoln Avenue and Springfield Avenue and Washington Street, on which the historic core of Urbana is located. He purchased this parcel from the United States government in 1831, prior to the establishment of Champaign County and Urbana.

After Isaac Busey's death in 1847, his extensive holdings were subdivided among his children, his daughter Lillis and her husband, James T. Roe, inheriting the land between Race and Orchard streets and Springfield Avenue and Illinois Street. Between 1851-54, Mr. Roe subdivided the area between Race and McCullough streets into city lots. Being directly adjacent to the Original Town of Urbana, this area was quickly built up and occupied by people who were flocking to Urbana and were working in the emerging downtown business district. Elm Street, one of the original streets of Urbana, and a major street leading to downtown, became one of the two most

prestigious streets to live on, the other being Green Street, another one of the original streets of Urbana, and the main artery between Urbana and Champaign. Between 1850 and 1900 Elm Street was home to five Urbana mayors, two Illinois State Senators, Champaign County judges, early Urbana industrialists, merchants, bankers, real estate dealers, journalists, physicians, architects, musicians, and University of Illinois professors. A local newspaper noted in 1879: "Elm Street is getting aristocratic..."(*Champaign County Herald*, July 23, 1879).

The most prestigious part of all, however, was the area west of McCullough Street (formerly called North Street), where the subject property is located. This area underwent a different developmental trajectory from the area east of McCullough Street, in that it was not built up into residential city streets, but preserved a park- or garden-like setting on the west western edge of town, until the late 19th century. After Isaac Busey's death this area came into the possession of two families. The area between McCullough and Orchard streets became the property of Lillis Busey and her husband James T. Roe, who sold the entire area to early Urbana physician Dr. Jacob F. Snyder and his wife Asenath in 1852-53. The area between Orchard Street and Lincoln Avenue went into the possession of Sarah A. Busey (daughter of Simeon Busey, co-founder of Busey Bank) and her husband, Joseph W. Sim, Jr. who was an Urbana mayor and Champaign County judge. Both Dr. Snyder and Mr. Sims resided on their respective properties in 1858. Lots in J.W. Sim Jr.'s and J.F. Snyder's Additions to Urbana, however, were sold not as city lots but as large, half- to two-acre estates between McCullough Street and Lincoln Avenue in the 1800's, and those were occupied by the wealthiest and most outstanding people of the city, who built large and elegant residences on the estates. Among these were Mr. Sim and Dr. Snyder themselves. Mr. Sim's residence was located at what is now 603 West Green Street, while Dr. Snyder built his residence on his two-acre estate located on the northwest corner of Elm and McCullough streets. By the early 20th century, the 600 block of the south side of West Elm Street was part of the "N.C. Ricker Sub-Lot 1". The Henson House is located in Lot 3, N.C. Ricker's Subdivision of Lot 1 in Block 6 of J.W. Sim's Addition.

Stephen S. Henson

Stephen S. Henson was described as a "...prominent citizen..." who resided in Douglas County near Villa Grove before relocating to Urbana. He was born in Harrison County, Kentucky on October 4, 1827. His family first moved to Vermilion County, Illinois, eventually settling near Villa Grove around 1842. In 1853, Henson married Nancy E. Williams of Vermilion County. The couple had 8 children (Frank, Mantie, Flora, Lula, Burt, Ward C., Willie, and Kittie). The Hensons owned 280 acres of farmland in southern Champaign and northern Douglas counties near Villa Grove. In 1876, Henson built a "splendid residence" there costing \$4,000. Stephen Henson retired from farming in March of 1903 and moved to his new Urbana residence at 611 West Elm Street. He died of a stroke on July 18, 1904. Kittie Henson eventually married Samuel W. Love of Urbana, editor of the *Urbana Daily Courier* and former mayor of Urbana.

The house remained an owner-occupied residence until about 1970. Charles Henson, son of Stephen Henson, is recorded as owner around 1910. In 1920, W.E. Burge is listed at this address in the city directory. Burge was a highly productive physiologist from Johns Hopkins

University, who taught at the University of Illinois between ca. 1900 and 1940. Subsequent owners were H.A. Hull (1930), Fred Clausen (1940), and James Wolden (1950-1960).

Architectural Significance

Dutch Colonial Revival is an early 20th century revival style that attempted to re-create an earlier historic style. It is based on earlier Hudson River structures and is characterized by the use of unique gambrel roofs. Typically, the lines of the gambrel roofs are broken by dormer windows designed to improve interior lighting. This style was popular among middle-class urban and suburban families, and reached its peak in the 1920s.

The house at 611 West Elm Street is a unique local example of the Dutch Colonial Revival style that retains a high degree of integrity. Typical features include a right bay front gambrel roof, the chief character defining feature of the style, denticulated cornice molding, narrow clapboard siding, beveled glass windows, and a patterned brick foundation. As discussed above, the only exterior change appears to be a possible enclosure of the left façade porch, though the form is clearly intact.

Context

As indicated above, the area west of McCullough Street, where the subject property is located, was originally a neighborhood of large estates on the western edge of the city. These large estates were gradually subdivided into city lots in the late 19th and early 20th centuries. At this time, a second building boom started on Elm Street and nearby streets, driven by the second and third generations of the Urbana well-born and well-to-do. During this process many of the original, old residences of the area were replaced with more modern houses. The majority of the present building stock in the area is from this period and consists of late Victorian and early post-Victorian structures. Starting around the time of the Second World War, many of the old residences on West Elm Street and surrounding streets were sold out of the original families, to be converted to rental properties, bringing a new class of residents to the area including students and members of the middle-class. From the 1960's to 1970's on many of the beautiful and historically important, old residences on West Elm Street were demolished and replaced by unsightly and poorly constructed apartment buildings which greatly undermine the historic integrity of this once important street and neighborhood. The subject property is one of the very few structures remaining on West Elm Street from the elegant buildings built in the late 19th and early 20th centuries, and is the only example of the Dutch Colonial Revival style on the street.

The dominant gambrel roofing is typical of turn-of-the-20th-century Dutch Colonial style. Further, the gambrel form is also identifiable with English usage, and the presence of Neoclassical details (fascia and dentils), plus the slightly Baroque treatment above the façade gambrel's second-story windows also indicate the influence of the Neoclassical Revival of the same period. These features identify this house as a unique local variation of the Dutch Colonial Revival style. This is a substantial house, and it must have been a very comfortable one in its earlier days. While it has been neglected, as it has also been altered to allow the upper story to serve as at least one apartment, it appears to be in reasonably good condition from the exterior

and hardly deserving of demolition. The physical context of 611 West Elm Street is also of interest, since this house forms the corner anchor for a good half-block of vintage houses of similar scale, age, and setback on the south side of the street, these features echoed in houses on the north side. Three nearby houses on the street have already been designated Urbana Local Landmarks, a testament to the recognized historic and architectural value of this neighborhood to the City of Urbana (502 West Elm Street: Sutton House; 504 West Elm Street: Freeman House; 508 West Elm Street: Bills House). Demolition of this house would be a major blow to the architectural integrity of this segment of West Elm Street, which has already lost a lot of its historic integrity. Larger apartment structures already occupy the northwest and southwest corners of West Elm and Coler Streets. Losing 611 West Elm Street could easily lead to the loss of more of the vintage houses in the area, thus obliterating one more section of Urbana's architectural heritage. Further, the house is located in the Mixed Office and Residential (MOR) district, an area created to encourage the adaptive reuse of historic structures to maintain the historic appearance and feel of the area. Noteworthy, too, and potentially ironic, is the lamppost at the corner in front of the house, which touts the area as "Historic Urbana."

Selected Sources

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How to Complete the Ohio Historic Inventory. Stephen C. Gordon. 1992. Ohio Historic Preservation Office, Columbus, Ohio.

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Urbana Daily Courier 10 July 1907

Villa Grove, Illinois and Surrounding Areas: A Pictorial History.



Location of 611 West Elm Street, Urbana, Illinois



611 West Elm Street: North facade



611 West Elm Street: West wall



611 West Elm Street: South walls, view from southwest



611 West Elm Street: East wall, view from southeast



611 West Elm Street: East and north walls, view from northeast



611 West Elm Street: Detail, upper window ornament, north wall



611 West Elm Street: Detail, attic window, east gambrel











Exhibit D - Dutch Colonial Revival Houses in West Urbana



Case: HP-2015-L-01
 Subject: Landmark Nomination
 Location: 611 W Elm St
 Petitioner: Brian Adams

- 611 W Elm Street
- Dutch Colonial Revival Houses

Letters on map correspond to image labels in the attached pages.

Owner's Exhibit C



Exhibit D: Images of Dutch Colonial Houses in West Urbana



Exhibit D: Images of Dutch Colonial Houses in West Urbana





Exhibit D: Images of Dutch Colonial Houses in West Urbana



Exhibit D: Images of Dutch Colonial Houses in West Urbana



VIII. HOW TO EVALUATE THE INTEGRITY OF A PROPERTY

NOTE: Relevant text pertaining to ZBA-2015-L-01 has been highlighted.

INTRODUCTION

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance.

Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity.

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

SEVEN ASPECTS OF INTEGRITY

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

UNDERSTANDING THE ASPECTS OF INTEGRITY

LOCATION

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved. (See Criteria Consideration B in Part VII: *How to Apply the Criteria Considerations*, for the conditions under which a moved property can be eligible.)

DESIGN

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.

A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

SETTING

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the *character* of the place in which the property played its historical role. It involves *how*, not just *where*, the property is situated and its relationship to surrounding features and open space.

Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences.

The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings*. This is particularly important for districts.

MATERIALS

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place.

A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a

recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible. (See Criteria Consideration E in *Part VII: How to Apply the Criteria Considerations* for the conditions under which a reconstructed property can be eligible.)

WORKMANSHIP

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques.

Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in prehistoric contexts include Paleo-Indian clovis projectile points; Archaic period beveled adzes; Hopewellian birdstone pipes; copper earspools and worked bone pendants; and Iroquoian effigy pipes.

FEELING

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life

ASSOCIATION

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle.

Because feeling and association depend on individual perceptions, their retention *alone* is never sufficient to support eligibility of a property for the National Register.

ASSESSING INTEGRITY IN PROPERTIES

Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established can you proceed to the issue of integrity.

The steps in assessing integrity are:

- Define the **essential physical features** that must be present for a property to represent its significance.
- Determine whether the **essential physical features are visible** enough to convey their significance.
- Determine whether the property needs to be **compared with similar properties**. And,
- Determine, based on the significance and essential physical features, **which aspects of integrity** are particularly vital to the property being nominated and if they are present.

Ultimately, the question of integrity is answered by whether or not the property retains the **identity** for which it is significant.

DEFINING THE ESSENTIAL PHYSICAL FEATURES

All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both *why* a property is significant (Applicable Criteria and Areas of Significance) and *when* it was significant (Periods of Significance). They are the features without which a property can no longer be identified as, for instance, a late 19th century dairy barn or an early 20th century commercial district.

CRITERIA A AND B

A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s). If the property is a site (such as a treaty site) where there are no material cultural remains, the setting must be intact.

Archeological sites eligible under Criteria A and B must be in overall good condition with excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to convey important associations with events or persons.

CRITERION C

A property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique. A property that has lost some historic materials or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.

Archeological sites eligible under Criterion C must be in overall good condition with excellent preservation

of features, artifacts, and spatial relationships to the extent that these remains are able to illustrate a site type, time period, method of construction, or work of a master.

CRITERION D

For properties eligible under Criterion D, including archeological sites and standing structures studied for their information potential, less attention is given to their overall condition, than it they were being considered under Criteria A, B, or C. Archeological sites, in particular, do not exist today exactly as they were formed. There are always cultural and natural processes that alter the deposited materials and their spatial relationships.

For properties eligible under Criterion D, integrity is based upon the property's potential to yield specific data that addresses important research questions, such as those identified in the historic context documentation in the Statewide Comprehensive Preservation Plan or in the research design for projects meeting the *Secretary of the Interior's Standards for Archeological Documentation*.

INTERIORS

Some historic buildings are virtually defined by their exteriors, and their contribution to the built environment can be appreciated even if their interiors are not accessible. Examples of this would include early examples of steel-framed skyscraper construction. The great advance in American technology and engineering made by these buildings can be read from the outside. The change in American popular taste during the 19th century, from the symmetry and simplicity of architectural styles based on classical precedents, to the expressions of High Victorian styles, with their combination of textures, colors, and asymmetrical forms, is readily apparent from the exteriors of these buildings.

Other buildings "are" interiors. The Cleveland Arcade, that soaring 19th century glass-covered shopping area, can only be appreciated from the inside. Other buildings in this category would be the great covered train sheds of the 19th century.

In some cases the loss of an interior will disqualify properties from listing

in the National Register—a historic concert hall noted for the beauty of its auditorium and its fine acoustic qualities would be the type of property that if it were to lose its interior, it would lose its value as a historic resource. In other cases, the overarching significance of a property's exterior can overcome the adverse effect of the loss of an interior.

In borderline cases particular attention is paid to the significance of the property and the remaining historic features.

HISTORIC DISTRICTS

For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into consideration the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- it has been substantially altered since the period of the district's significance *or*
- it does not share the historic associations of the district.

VISIBILITY OF PHYSICAL FEATURES

Properties eligible under Criteria A, B, and C must not only retain their essential physical features, but the features must be visible enough to convey their significance. This means that even if a property is physically intact, its integrity is questionable if its significant features are concealed under modern construction. Archeological properties are often the exception to this; by nature they usually do not require visible features to convey their significance.

NON-HISTORIC EXTERIORS

If the historic *exterior* building material is covered by non-historic material (such as modern siding), the property can still be eligible if the significant form, features, and detailing are not obscured. If a property's exterior is covered by a non-historic false-front or curtain wall, the property will not qualify under Criteria A, B, or C, because it does not retain the visual quality necessary to convey historic or architectural significance. Such a property also cannot be considered a contributing element in a historic district, because it does not add to the district's sense of time and place. If the false front, curtain wall, or non-historic siding is removed and the original building materials are intact, then the property's integrity can be re-evaluated.

PROPERTY CONTAINED WITHIN ANOTHER PROPERTY

Some properties contain an earlier structure that formed the nucleus for later construction. The exterior property, if not eligible in its own right, can qualify on the basis of the interior property *only if* the interior property can yield significant information about a specific construction technique or material, such as rammed earth or tabby. The interior property *cannot* be used as the basis for eligibility if it has been so altered that it no longer contains the features that could provide important information, or if the presence of important information cannot be demonstrated.

SUNKEN VESSELS

A sunken vessel can be eligible under Criterion C as embodying the distinctive characteristics of a method of construction if it is structurally intact. A *deteriorated* sunken vessel, no longer structurally intact, can be eligible under Criterion D if the remains of either the vessel or its contents is capable of yielding significant information. For further information, refer to *National Register Bulletin: Nominating Historic Vessels and Shipwrecks to the National Register of Historic Places*.

Natural Features

A natural feature that is associated with a historic event or trend, such as a rock formation that served as a trail marker during westward expansion, must retain its historic appearance, unobscured by modern construction or landfill. Otherwise it is not eligible, even though it remains intact.

COMPARING SIMILAR PROPERTIES

For some properties, comparison with similar properties should be considered during the evaluation of integrity. Such comparison may be important in deciding what physical features are essential to properties of that type. In instances where it has not been determined what physical features a property must possess in order for it to reflect the significance of a historic context, comparison with similar properties should be undertaken during the evaluation of integrity. This situation arises when scholarly work has not been done on a particular property type or when surviving examples of a property type are extremely rare. (See **Comparing Related Properties** in *Part V: How to Evaluate a Property within its Historic Context*.)

RARE EXAMPLES OF A PROPERTY TYPE

Comparative information is particularly important to consider when evaluating the integrity of a property that is a rare surviving example of its type. The property must have the essential physical features that enable it to convey its historic character or information. The rarity and poor condition, however, of other extant examples of the type may justify accepting a greater degree of alteration or fewer features, provided that enough of the property survives for it to be a significant resource.

Eligible

- A one-room schoolhouse that has had all original exterior siding replaced and a replacement roof that does not exactly replicate the original roof profile can be eligible if the other extant rare examples have received an even greater degree of alteration, such as the subdivision of the original one-room plan.

Not Eligible

- A mill site contains information on how site patterning reflects historic functional requirements, but parts of the site have been destroyed. The site is not eligible for its information potential if a comparison of other mill sites reveals more intact properties with complete information.

DETERMINING THE RELEVANT ASPECTS OF INTEGRITY

Each type of property depends on certain aspects of integrity, more than others, to express its historic significance. Determining which of the aspects is most important to a particular property requires an understanding of the property's significance and its essential physical features.

CRITERIA A AND B

A property important for association with an event, historical pattern, or person(s) ideally might retain *some* features of all seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. Integrity of design and workmanship, however, might not be as important to the significance, and would not be relevant if the property were a site. A basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today.

For archeological sites that are eligible under Criteria A and B, the seven aspects of integrity can be applied in much the same way as they are to buildings, structures, or objects. It is important to note, however, that the site must have *demonstrated* its ability to convey its significance, as opposed to sites eligible under Criterion D where only the potential to yield information is required.

Eligible

A mid-19th century waterpowered mill important for its association with an area's industrial development is eligible if:

- it is still on its original site (**Location**), and
- the important features of its setting are intact (**Setting**), and
- it retains most of its historic materials (**Materials**), and
- it has the basic features expressive of its design and function, such as configuration, proportions, and window pattern (**Design**).

Not Eligible

A mid-19th century water-powered mill important for its association with an area's industrial development is not eligible if:

- it has been moved (**Location, Setting, Feeling, and Association**), or
- substantial amounts of new materials have been incorporated (**Materials, Workmanship, and Feeling**), or
- it no longer retains basic design features that convey its historic appearance or function (**Design, Workmanship, and Feeling**).

CRITERION C

A property significant under Criterion C must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will usually be more important than location, setting, feeling, and association. Location and setting will be important, however, for those properties whose design is a reflection of their immediate environment (such as designed landscapes and bridges).

For archeological sites that are eligible under Criterion C, the seven aspects of integrity can be applied in much the same way as they are to buildings, structures, or objects. It is important to note, however, that the site must have *demonstrated* its ability to convey its significance, as opposed to sites eligible under Criterion D where only the *potential* to yield information is required.

Eligible

A 19th century wooden covered bridge, important for illustrating a construction type, is eligible if:

- the essential features of its design are intact, such as abutments, piers, roof configuration, and trusses (**Design, Workmanship, and Feeling**), and
- most of the historic materials are present (**Materials, Workmanship, and Feeling**), and
- evidence of the craft of wooden bridge technology remains, such as the form and assembly technique of the trusses (**Workmanship**).
- Since the design of a bridge relates directly to its function as a transportation crossing, it is also important that the bridge still be situated over a waterway (**Setting, Location, Feeling, and Association**).

Not Eligible

For a 19th century wooden covered bridge, important for its construction type, replacement of some materials of the flooring, siding, and roofing would not necessarily damage its integrity. Integrity would be lost, however, if:

- the abutments, piers, or trusses were substantially altered (**Design, Workmanship, and Feeling**) or
- considerable amounts of new materials were incorporated (**Materials, Workmanship, and Feeling**).
- Because environment is a strong factor in the design of this property type, the bridge would also be ineligible if it no longer stood in a place that conveyed its function as a crossing (**Setting, Location, Feeling, and Association**).



HISTORIC RESOURCES SURVEY FORM

HISTORIC PROPERTY NAME		3" X 5" PHOTOGRAPH
N/A		
COMMON/CURRENT PROPERTY NAME		
N/A		
PROPERTY ADDRESS		
611 W. Elm Street, Urbana		
ASSESSOR'S PARCEL NUMBER		
Lot 3 of N. C. Ricker's Subdivision		
OWNER/OCCUPANT		
Emily Crawford		
OWNER'S ADDRESS		
N/A		
PROPERTY'S HISTORIC USE		
Single-family Residential		
PROPERTY'S CURRENT USE		
Multi-family Residential		
ARCHITECT'S NAME		
N/A		
BUILDER/CONTRACTOR		
N/A		
DATE OF CONSTRUCTION		
c. 1902		
ARCHITECTURAL STYLE OR VERNACULAR BLDG TYPE	PHOTO BY	DATE
Classifying Dytch Colonial Revival		
FORM PREPARED BY	DATE	VIEW OF PHOTO
Anthony Wrigley	03/25/00	
PROPERTY DESCRIPTION (GEOGRAPHICAL DATA: LOT SHAPE, LOT DIMENSIONS)		
Lot 3, N.C. Ricker's subdivision of Lot 1, Block 6, of J. W. Sim's addition to the city of Urbana		
Corner lot on W. Elm and Coler St.		
Sidewalk on Elm but not Coler St.		

History of Structure

CHAIN OF OWNERSHIP OR OCCUPATION			
<i>PREVIOUS OWNERS</i>	<i>DATE(S) OF OWNERSHIP</i>		<i>USE</i>
Stephen Henson	1904		Single Family
Charles Henson	1910		Single Family
W. E. Burge	1920		Single Family
H.A. Hull	1930		Single Family
Fred Clausen	1940		Single Family
John Wolden	1950		Single Family
John Wolden	1960		Single Family
James Shelton	1970		Multi Family
James Shelton	1980		Multi Family
James Shelton	1990		Multi Family
Emily Crawford	1999		Multi Family

CURRENT DESIGNATIONS		
Is property National Register listed?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
If yes, is it a...	Individual property <input type="checkbox"/>	District <input type="checkbox"/>
If no, it is...	Not Eligible <input type="checkbox"/>	Eligible <input type="checkbox"/>
Is property an Urbana local landmark?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
STATEMENT OF HISTORIC SIGNIFICANCE		
<p>Two story white frame house with a cross-gambrelled roof. An addition was added to the back for perhaps more room or a kitchen. It has a large bay window to the left of the enclosed porch. The gable ends are shingled above the clapboard walls. Classic details include dentiled cornices below in the frieze along the enclosed porch. It is in great condition with the historic features still in tact. The brick frame below the clapboard is still in great condition despite the old age. Just behind the house is a detached garage that faces Coler Street.</p>		
INFORMATION SOURCES		
<p>Champaign/Urbana City Directories 1904-1999</p> <p>Elm Street Abstracts</p> <p>Cunningham Township Office</p>		

Structure Survey

<p>INTEGRITY</p> <p><input checked="" type="checkbox"/> Unaltered (All or most architectural details present)</p> <p><input type="checkbox"/> Slight modifications (Largely intact, but lacking some details)</p> <p><input type="checkbox"/> Major alterations (All or most architectural details missing)</p>	<p>CONDITION</p> <p><input checked="" type="checkbox"/> Excellent (Roof, walls and foundation in good repair)</p> <p><input type="checkbox"/> Good (Same as "Excellent," but in need of some maintenance work)</p> <p><input type="checkbox"/> POOR (Major overhaul work required)</p>
<p>ADDITIONS/ALTERATIONS (Include dates and architects/contractors, if known)</p> <p>Addition on back for more room.</p>	

<p>CURRENT AND HISTORIC USES</p> <table style="width:100%; border: none;"> <tr> <td style="width:15%; border: none;"><u>Current</u></td> <td style="width:15%; border: none;"><u>Historic</u></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Single-Family Residence</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Multi-Family Residence</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Apartment Building</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Commercial</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Industrial</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Public Building</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Educational Building</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Religious Building</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Vacant</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Other _____</td> </tr> </table>	<u>Current</u>	<u>Historic</u>		<input type="checkbox"/>	<input type="checkbox"/>	Single-Family Residence	<input type="checkbox"/>	<input type="checkbox"/>	Multi-Family Residence	<input type="checkbox"/>	<input type="checkbox"/>	Apartment Building	<input type="checkbox"/>	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	<input type="checkbox"/>	Public Building	<input type="checkbox"/>	<input type="checkbox"/>	Educational Building	<input type="checkbox"/>	<input type="checkbox"/>	Religious Building	<input type="checkbox"/>	<input type="checkbox"/>	Vacant	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<p>EXTERIOR WALL MATERIAL</p> <ul style="list-style-type: none"> <input type="checkbox"/> Brick <input type="checkbox"/> Stone <input type="checkbox"/> Wood siding <input type="checkbox"/> Wood shingles <input type="checkbox"/> Stucco (historic or modern) <input type="checkbox"/> Asphalt siding <input type="checkbox"/> Asbestos siding <input type="checkbox"/> Concrete block <input type="checkbox"/> Artificial siding <input checked="" type="checkbox"/> Other Clapboard 	<p>ROOF MATERIAL</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Asphalt shingles <input type="checkbox"/> Wood shingles <input type="checkbox"/> Slate shingles <input type="checkbox"/> Tile shingles <input type="checkbox"/> Metal <input type="checkbox"/> Tar <input type="checkbox"/> Other _____
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<p>ORNAMENTAL/ARCHITECTURAL DETAILS (Check all that apply)</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"><input type="checkbox"/> Arcading</td> <td style="width:50%; border: none;"><input type="checkbox"/> Porte-Cochere</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Pilasters</td> <td style="border: none;"><input type="checkbox"/> Cornice</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Recessed panels</td> <td style="border: none;"><input type="checkbox"/> Cornice returns</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Buttresses</td> <td style="border: none;"><input type="checkbox"/> Porch</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Piers</td> <td style="border: none;"><input type="checkbox"/> Stoop</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Spandrels</td> <td style="border: none;"><input type="checkbox"/> Balcony</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Portico</td> <td style="border: none;"><input type="checkbox"/> Oriel window</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Quoins</td> <td style="border: none;"><input type="checkbox"/> Columns or Posts</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/> Bay windows</td> <td style="border: none;"><input type="checkbox"/> Tower or Turret</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Other _____</td> <td style="border: none;"></td> </tr> </table>	<input type="checkbox"/> Arcading	<input type="checkbox"/> Porte-Cochere	<input type="checkbox"/> Pilasters	<input type="checkbox"/> Cornice	<input type="checkbox"/> Recessed panels	<input type="checkbox"/> Cornice returns	<input type="checkbox"/> Buttresses	<input type="checkbox"/> Porch	<input type="checkbox"/> Piers	<input type="checkbox"/> Stoop	<input type="checkbox"/> Spandrels	<input type="checkbox"/> Balcony	<input type="checkbox"/> Portico	<input type="checkbox"/> Oriel window	<input type="checkbox"/> Quoins	<input type="checkbox"/> Columns or Posts	<input checked="" type="checkbox"/> Bay windows	<input type="checkbox"/> Tower or Turret	<input type="checkbox"/> Other _____		<p>ROOF FEATURES</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Dormer <input type="checkbox"/> Urn/Finial <input type="checkbox"/> Bargeboard <input type="checkbox"/> Belvedere <input type="checkbox"/> Gablet <input type="checkbox"/> Parapet <input type="checkbox"/> Skylight <input type="checkbox"/> Other _____ 	<p>ROOF TYPE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Hip <input type="checkbox"/> Flat <input type="checkbox"/> Mansard <input type="checkbox"/> Gable <input type="checkbox"/> Shed <input type="checkbox"/> Hipped Gable <input type="checkbox"/> Pyramidal <input checked="" type="checkbox"/> Other Gambrel 													
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<input type="checkbox"/> Other _____																																			
<p>DESCRIBE ABOVE ORNAMENTAL DETAILS</p> <p>This house is a two story white frame house three bays wide. It has a center entrance into an enclosed porch with a large bay window to the right. The roof is cross-gambrelled and made of asphalt shingles over the house and porch. There is a shed dormer above the porch. The chimney is located at the right end of the roof.</p>																																			
<p><input checked="" type="checkbox"/> Garage <input type="checkbox"/> Carport <input type="checkbox"/> Coach House <input type="checkbox"/> Pool <input type="checkbox"/> Gazebo <input type="checkbox"/> Greenhouse <input type="checkbox"/> Storage Shed <input type="checkbox"/> Other</p> <p>Describe location, construction, and date of detached structures:</p> <p>Garage facing Coler St.</p>																																			
<p>ADDITIONAL COMMENTS/FEATURES</p> <p>In the 1904 city directory, Stephen Henson is the first owner who passed the house down to Charles Henson. Yet in 1920, the house began to change hands to a number of people associated with the University of Illinois.</p>																																			

From: Adams, Brian [mailto:badams4@illinois.edu]
Sent: Friday, October 23, 2015 9:38 AM
To: Garcia, Kevin
Cc: Adams, Brian
Subject: FW: 3 interior shots of 611 Elm

Kevin,

Would it be possible to add these interior views to the landmark nomination for 611 West Elm St.?

Brian







Submitted by Dan Newman

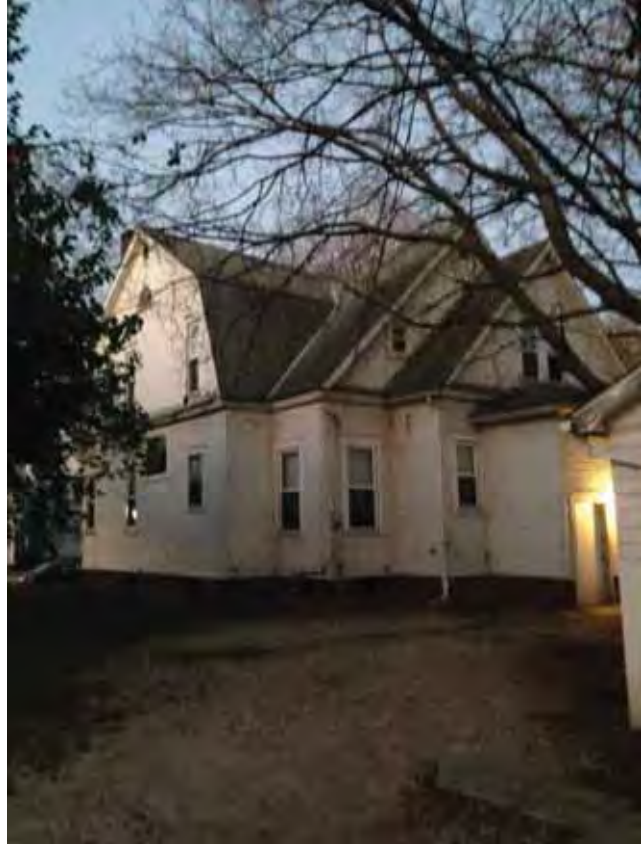
611 W. Elm, downloaded October 2015







Photos taken November 2015





WEBBER & THIES, P.C.**ATTORNEYS AT LAW**

202 LINCOLN SQUARE

P.O. BOX 189

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RICHARD L. THIES
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JOHN E. THIES
PHILLIP VAN NESS
KARA J. WADE
J. AMBER DREW
MIA O. HERNANDEZ

CHARLES M. WEBBER
(1903-1991)
CRAIG R. WEBBER
(1936-1998)

TELEPHONE
(217) 367-1126
TELECOPIER
(217) 367-3752

November 24, 2015

VIA REGULAR MAIL

Alice Novak, Chair
Historic Preservation Commission
400 South Vine Street
Urbana, Illinois 61801

Re: Entry of Appearance and Request for Continuance regarding Public Hearing on Application to Designate the "Stephen S. Henson House" at 611 West Elm Street in Urbana (owned by our client Hunsinger Enterprises, Inc.) as a Local Historic Landmark

Dear Ms. Novak:

Our firm represents Hunsinger Enterprises, Inc. ("HEI"), and we have been asked to assist HEI in responding to an application to designate as a local historic landmark a residential building owned by HEI located at 611 West Elm Street in Urbana. Please consider this as our entry of appearance for this matter.

As you know, the application at issue is currently scheduled for public hearing before the Historic Preservation Commission ("Commission") on December 2, 2015 at 7:00 pm. As allowed by Section XII-5.D.1 of the Urbana Zoning Ordinance, HEI requests a continuance of the scheduled public hearing until the Commission's next regularly scheduled meeting to give us more time to prepare for the hearing. We understand that the next regularly scheduled meeting for the Commission will be January 6, 2016 at 7:00 pm. Please confirm our understanding that the hearing on the application relating to HEI's property will proceed on this date.

Sincerely,

Webber & Thies, P.C.

By: 

David C. Thies

cc: Lorrie Pearson (via email: lpearson@urbanaininois.us)
Kevin Garcia (via email: kjgarcia@urbanaininois.us)

OWNER'S EXHIBIT D

A Field



Guide to

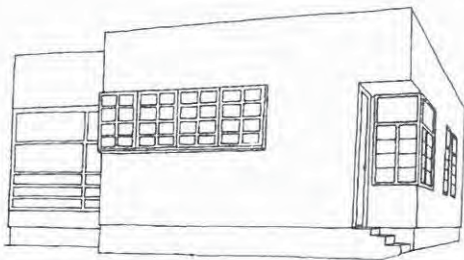
American



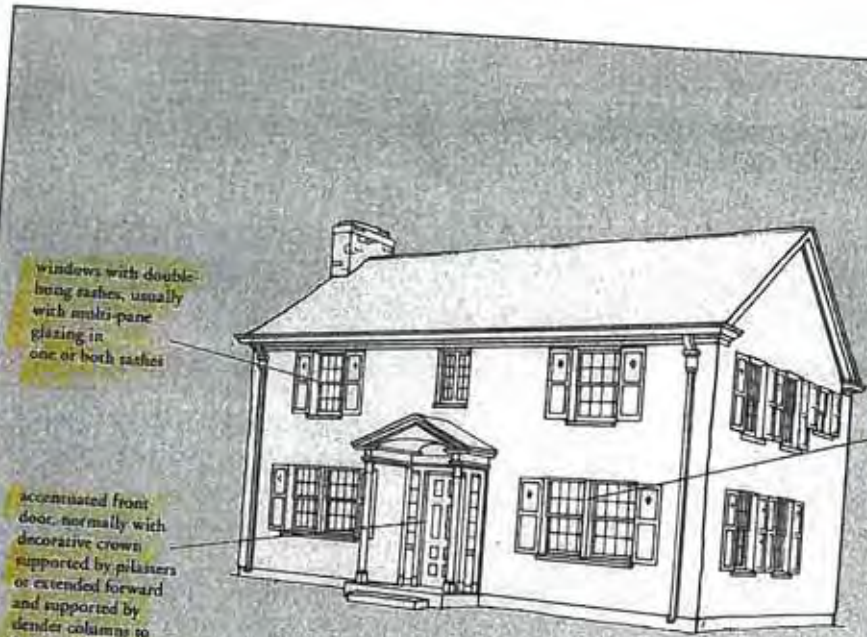
Houses

The best-selling classic by Virginia and Lee McAlester now revised and expanded to include homes built after 1940 and a new section on how to "read" a neighborhood

The Definitive Guide to Identifying and Understanding America's Domestic Architecture



Virginia Savage McAlester



windows with double-hung sashes, usually with multi-pane glazing in one or both sashes

windows frequently in adjacent pairs

accentuated front door, normally with decorative crown supported by pilasters or extended forward and supported by slender columns to form entry porch; fanlights or sidelights may be present

facade normally with symmetrically balanced windows and center door (less commonly with door off-center)

ASYMMETRICAL



pages 414-15

HIPPED ROOF WITH FULL-WIDTH PORCH



pages 416-17

HIPPED ROOF WITHOUT FULL-WIDTH PORCH



pages 418-19

SIDE-GABLED ROOF



pages 420-21

CENTERED GABLE



pages 422-23

GAMBREL ROOF



pages 424-25

SECOND-STORY OVERHANG



page 426

ONE-STORY



page 427

THREE-STORY



pages 428-29

BUILT-IN GARAGE



pages 430-31

PRINCIPAL SUBTYPES

ECLECTIC HOUSE

Colonial Revival

1880–1955

Identifying Features

Accentuated front door, normally with decorative crown (pediment) supported by pilasters, or extended forward and supported by slender columns to form entry porch; doors commonly have overhead fanlights or sidelights; facade normally shows symmetrically balanced windows and center door (less commonly with door off-center); windows with double-hung sashes, usually with multi-pane glazing in one or both sashes; windows frequently in adjacent pairs.

Principal Subtypes

Nine principal subtypes can be distinguished. Some examples may be almost identical to their colonial (particularly Georgian and Federal) prototypes. Clues for distinguishing Revival copies from early originals are given below under Variants and Details.

ASYMMETRICAL—About 10 percent of Colonial Revival houses have asymmetrical facades, a feature rarely-seen on their colonial prototypes. These asymmetrical examples range from rambling, free-form houses resembling the free classic Queen Anne style (see pages 358–63) to simple boxes with asymmetrical window or porch arrangements. Prior to 1900 this subtype accounted for about one-third of all Colonial Revival houses. After 1910 few examples were constructed until the 1930s, when irregular facades reappeared with less elaborate detailing. These were, in part, inspired by the desire for attached garages, which were difficult to incorporate within a balanced facade.

HIPPED ROOF WITH FULL-WIDTH PORCH—About one-third of Colonial Revival houses built before about 1915 are of this subtype, which is sometimes called the Classic Box. These have a one-story, full-width porch with classical columns, which is added to a symmetrical, two-story house of square or rectangular plan. Sometimes these are American Four-Square in form, while others strongly resemble the four-square but have an added central hall. Two-story pilasters are common at the corners; dormers, hipped or gabled, are usually present. Doors may be centered or placed to the side. These houses

have both Neoclassical and Colonial Revival influences, but lack the full-height porches of typical Neoclassical houses.

HIPPED ROOF WITHOUT FULL-WIDTH PORCH—About 20 percent of Colonial Revival houses are simple two-story rectangular blocks with hipped roofs; porches are usually absent or, if present, are merely small entry porches covering less than the full facade width. This subtype, built throughout the Colonial Revival era, predominates before about 1915. On early examples, the colonial detailing tended to be highly exaggerated and of awkward proportions; fanciful, pedimented dormers were particularly favored. Eaves often have a broad overhang, and front-facade windows were grouped together. After about 1920 detailing became more “correct” by closely following Georgian or Federal precedents.

SIDE-GABLED ROOF—About 30 percent of Colonial Revival houses are simple, two-story rectangular blocks with side-gabled roofs. As in the type just described, the details tend to be exaggerated prior to 1910 and more “correct” afterward. This subtype was built throughout the Colonial Revival era but predominates after about 1915 and was widely built after 1930.

CENTERED GABLE—Less than 5 percent of Colonial Revival houses have a centered front gable added to either a hipped or side-gabled roof. These uncommon Revival houses mimic high-style Georgian or Federal prototypes. Scattered examples were built throughout the Colonial Revival era.

GAMBREL ROOF—About 10 percent of Colonial Revival houses have gambrel roofs. Most are one story with steeply pitched gambrels containing almost a full second story of floor space; these have either separate dormer windows or a continuous shed dormer with several windows. A full-width porch may be included under the main roof line or added with a separate roof. This subtype is known as Dutch Colonial, but very few examples closely follow early Dutch precedent. From about 1895 to 1915 the most common form has a front-facing gambrel roof, occasionally with a cross gambrel at the rear. These are influenced by the typical gambrels of the earlier Shingle style (see pages 382–83), but their narrower, front gambrel form fit onto narrow streetcar suburb lots. Side gambrels, usually with long shed dormers, became the predominant form in the 1920s and 1930s.

SECOND-STORY OVERHANG—This subtype is loosely based on Postmedieval English prototypes (see page 161), commonly built with the second story extended slightly outward to overhang the wall below. The subtype was relatively rare until the 1930s, when stylized, side-gabled examples (called Garrison Colonial houses) became very popular. These persisted into the 1950s. Unlike their early prototypes, these typically have masonry-veneered first stories with wooden wall claddings above. Georgian- or Federal-inspired doorways are commonly mixed with decorative pendants or other Postmedieval details.

ONE-STORY—The preceding subtypes are all based on familiar two-story prototypes, but one-story Colonial Revival houses are also common. These are generally Cape Cod

ORIGINAL EXAMPLES



Georgian



Federal



Dutch

REVIVAL EXAMPLES

paired, triple, or bay windows

never found in originals



prominent entry porch on original Georgian house is probably an addition



front-facing gambrel roof with cross gambrel

never found in originals



one-story side wings, either open or enclosed, usually with flat roof

if found on original probably an addition



steeply pitched gambrel containing a nearly full second story

originals with moderate- to low-pitched roofs



broken pediments

segmental, triangular, or ogee

only ogees found on originals and even these not common



continuous dormer across front and/or Federal or Georgian entry detail

dormer never in originals



brick houses with Georgian doorways

originals primarily in Virginia, Maryland, or landmark examples



Be certain to check range map, page 17, for Dutch Colonial houses. Originals occur *only* within the range shown on this map

DISTINGUISHING THE COLONIAL REVIVAL HOUSE FROM GEORGIAN, FEDERAL, & DUTCH ORIGINALS

cottages, loosely patterned after early wooden folk houses of eastern Massachusetts, usually with the addition of Georgian- or Federal-inspired doorways. These were built throughout the Colonial Revival era but were particularly common in the 1940s. Cape Cod-shaped houses with little added architectural detail (popular during the 1940s) are treated as side-gabled Minimal Traditionals (see pages 592–93).

THREE-STORY—A small percentage of Colonial Revival houses are three stories high. These include both narrow urban houses and more typical forms modeled after three-story Federal prototypes, common in parts of New England (see page 228). These typically have low-pitched, hipped roofs which appear almost flat; Federal fanlights are usual over entrances. In the early decades of this century, narrow urban houses were becoming less common in all but the largest cities. In those populous cities where urban houses persisted, Colonial Revival detailing remained popular through the 1920s.

BUILT-IN GARAGE—In 1940, an FHA bulletin illustrated two ways to integrate a garage into the main block of a side-gabled Colonial Revival house. Variations of this appeared in house pattern books until ca. 1980, with the house size growing over the decades.¹











Variants and Details

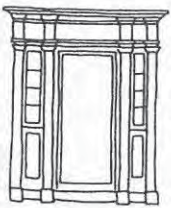
As in their Georgian and Federal prototypes, the principal areas of elaboration in Colonial Revival houses are entrances, cornices, and windows.

ENTRANCES—The illustrations of Georgian and Federal entrances on pages 203 and 219 include most variants found on colonial prototypes; some common additional variations favored on Colonial Revival houses are illustrated here. Broken pediments, rare on colonial originals, were particularly favored by the Revivalists. Entrance details on careful Colonial Revival copies can be distinguished from originals only by their regular, machine-made finish, which contrasts with the slightly irregular hand finishes of early examples. On less precise Colonial Revival copies, door surrounds are typically flatter than the originals; that is, less wood and fewer and shallower moldings are used to gain a similar frontal effect but less depth and relief are apparent when viewed from the side.

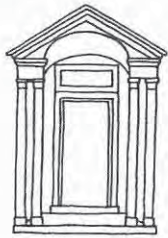
CORNICES—In original Georgian and Federal houses the cornice is an important identifying feature. It is almost always part of a boxed roof-wall junction with little overhang, and is frequently decorated with dentils or modillions (see pages 219 and 222–23). These are also typical of many Colonial Revival examples. Some, however, have open eaves and rake, or even exposed rafters, features never found on original colonial houses.

WINDOWS—As in the originals, most Colonial Revival windows are rectangular in shape with double-hung sashes. In the more accurate copies, windows stand alone as single units (i.e., they are not paired or grouped) and each sash has six, eight, nine, or twelve panes. Equally common are multi-pane upper sashes hung above lower sashes

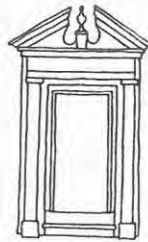
COLONIAL REVIVAL SUBTYPES	YEARS WHEN MOST FREQUENTLY BUILT								
	1880	1890	1900	1910	1920	1930	1940	1950	1960
ASYMMETRICAL			→						
HIPPED ROOF WITH FULL-WIDTH PORCH			→						
SIDE-GABLED & HIPPED WITHOUT FULL-WIDTH PORCH			→						
with exaggerated details									
with more accurate and/or simpler details									
vernacular brick examples									
Hipped predominate pre-1910, gabled predominate post-1910					ca. 1915— introduction of brick veneer		→	→	
ONE-STORY					→				
GAMBREL OR DUTCH COLONIAL			→						
front or cross gambrel					→				
side gambrel									
SECOND-STORY OVERHANG						→			
BUILT-IN GARAGE							→		



sidelights without fanlight above, uncommon on originals



portico with curved underside (roof may be gable or curved), on few originals



broken triangular and segmental pediments: rare on originals; broken ogee pediments occasionally on originals



broken pediments, not usually over fanlights on originals



heavily elaborated entrances, not common on American originals (copied from English Georgian)



pediments without supporting pilasters, not on originals

REVIVAL ENTRANCES: SOME COMMON WAYS THEY VARY FROM ORIGINALS

that have only a single large pane, a pattern never seen on colonial originals. Where bay, paired, grouped, or triple windows (except the Federal Palladian type) are present, they clearly signify a Colonial Revival house rather than an original.

OTHER DETAILS—All common wall materials were used, but masonry predominates in high-style examples. Brick is typically red—the color most commonly used for Georgian and Federal originals. Vernacular examples were generally of wood before about 1920, with masonry progressively more common as veneering techniques became widespread in the 1920s. High-style elaborations of Georgian and Federal originals may also occur on landmark Colonial Revival copies.

Occurrence

This was *the* dominant style for domestic building throughout the country during the first half of the twentieth century. It was built in relatively small numbers from 1880 until about 1910, years when the Queen Anne was more dominant. During the next two decades (1910–1930) about 40 percent of the houses built were in the Colonial Revival style.² Unlike most other Eclectic styles, the Colonial Revival was not completely eclipsed by World War II, but continued to be built, albeit in far less elaborate forms, into the 1950s and early 1960s. The different subtypes were not, however, equally common throughout this long period, but shifted with changing fashion (see each subtype above and chart on page 413). Today the Colonial Revival style is used for many New Traditional houses.

Comments

The term “Colonial Revival,” as used here, refers to the entire rebirth of interest in the early English and Dutch houses of the Atlantic seaboard. The Georgian and Federal styles form the backbone of the Revival, with secondary influences from Postmedieval English and Dutch Colonial prototypes. Details from two or more of these precedents are freely combined in many examples so that pure copies of colonial houses are far less common than are eclectic mixtures.



4



GAMBREL ROOF

1. Louisville, Kentucky; ca. 1920s. Figures 1, 4, and 7 are typical examples of the popular Dutch Colonial house of the 1920s and 1930s. The side-gambrel shape, most often with a full-width shed dormer (see also Figures 7 and 10), is the most common form.
2. Lexington, Kentucky; ca. 1910. This cross-gambrel form, with wood cladding, was a popular pattern-book design during the period from about 1905 to 1915.
3. Kittery, Maine, ca. 1910s. Note the grouped windows in the upper half-story with decorative diamond-pattern muntins in the upper sashes.
4. Cincinnati, Ohio; ca. 1920s.
5. Union, South Carolina; ca. 1910. Figures 5, 8, and 9 are all early gambrel-roof designs showing varying degrees of adventuresomeness. They are clearly descendants of the free-form gambrel designs of the preceding Shingle style.
6. Washington, D.C.; ca. 1900. An early example with a full-front gambrel. Note the swags, often found on Federal houses, on the porch frieze.
7. St. Louis, Missouri; ca. 1920s.
8. Cleveland, Ohio; ca. 1910.
9. New Haven, Connecticut; 1910. Brown and Von Beren, architects.
10. Durham, North Carolina; ca. 1920s. This is a less common cross-gambrel form of the Dutch Colonial. Note the flared eaves, here and in Figures 1, 4, 7, and 8. These mimic the Flemish eaves of many Dutch Colonial originals.



Colonial Revival | 425

2



3



5



6



9



10

OWNER'S EXHIBIT E









REPLACEMENT WINDOWS & WINDOW TRIM MISSING.



FIRE ESCAPE



REAR PORCH MADE INTO ADDITION.



EXTERIOR DETRIATION

OWNER'S EXHIBIT F



602 HIGH



602 HIGH



205 ILLINOIS



362 HIGH.

205 ILLINOIS



605 OREGON



605 OREGON



806 OREGON





805 Michigan



803 Michigan



711 Indiana



804 Indiana.



805 McHIGAN



709 INDIANA.

OWNER'S EXHIBIT G



100

Urbana's

Most Important Buildings

Urbana's 100 Most Significant Buildings List Finalized

The results are in. Using your nominations, the Urbana Historic Preservation Commission has finalized a list of the 100 Most Significant Buildings in Urbana. The buildings range from a modest cottage built around 1850 to a house with an uncanny likeness to a UFO built in 1954 for a jazz musician; from a bungalow that was ordered out of a Sears catalogue circa 1920 to the mansions of some of Urbana's founding fathers. The list includes many of the historic buildings in our downtown—the library, the county courthouse, and many of the buildings on the 100-block of West Main Street—as well as many of the impressive fraternities and sororities that were typically built prior to World War II in eclectic styles and designed by well-known architects.



c. 1850
Gothic Revival Cottage



1954
John Garvey Residence



c. 1920
Sears House, "The Osborne"



c. 1878 built for Urbana
founding father Matt Busey



1918
Urbana Free Library



1898 Champaign
County Courthouse



1927
Knowlton-Bennett Drugstore



1925
Sigma Nu Fraternity

The next step for this project is to write a narrative for each property on the list. The narratives will be different for each building, but will include historical information as well as an architectural description. City planning staff will be sending letters to the owners of the 100 buildings asking if they have any information that might help the City with this research, such as historic photos, original blueprints, or information about prior owners. This information will then be available to the public on the City of Urbana's website and in a printed brochure. This project was made possible by a grant from the Illinois Historic Preservation Agency.

For more information on Urbana's 100 Most Significant Buildings and to see the full list, visit www.urbanaininois.us/100Most or contact Rebecca Bird at (217) 384-2440 or rbird@urbanaininois.us.

Address

910 N Broadway Ave
202 S Broadway Ave
223 N Broadway Ave
1-8 Buena Vista Court
2016 Burlison Drive
701 S Busey Ave
708 S Busey Ave
1306 Carle Ave
206 Cedar St
104 N Central Ave
701 N Coler Ave
402 S Coler Ave
706 S Coler Ave
209 W Delaware Ave
601 W Delaware Ave
702 W Delaware Ave
715 W Delaware Ave
801 W Delaware Ave
510 Delmont Ct
1105 S Douglas Ave
307 W Elm St
311 W Elm St
502 W Elm St
504 W Elm St
210 W Florida Ave
711 W Florida Ave
110 Glover Ave
209 W Green St
210 W Green St
309 W Green St
312 W Green St
501 W Green St
612 W Green St
1203 W Green St
212 W High St
401 W High St
510 W High St
601 W High St
404 W Illinois St
406 W Illinois St
805 W Illinois St
301 W Indiana Ave
303 W Indiana Ave
411 W Indiana Ave
204 W Iowa St
807 S Lincoln Ave

1403 W Lorado Taft Dr
101 E Main St
607 E Main St
102-106 W Main St
115 W Main St
120-124 W Main St
135 W Main St
136 W Main St
303 W Main St
402 W Main St
505 W Main St
506 W Main St
507 W Main St
510 W Main St
605 W Main St
710 W Main St
803 W Main St
804 W Main St
309 W Michigan Ave
805 W Michigan Ave
1 Montclair Rd
512 W Nevada St
805 W Nevada St
301 W Oregon St
305 W Oregon St
307 W Oregon St
312 W Oregon St
605 W Oregon St
801 W Oregon St
1117 W Oregon St
1209 W Oregon St
Carle Park Pavillion
607 W Pennsylvania Ave
702 W Pennsylvania Ave
804 W Pennsylvania Ave
806 W Pennsylvania Ave
1009 W Pennsylvania Ave
1802 Pleasant Circle
1806 Pleasant Circle
111 N Race St
304 S Race St
401 S Race St
402 S Race St
900 S Race St
1002 S Race St
1212 W Springfield Ave
600 E University Ave

403 W University Ave
601 S Urbana Ave
613 W Vermont Ave
404 E Washington St
310 W Washington St
711 W Washington St
108 N Webber St
Greek Houses
1002 S Lincoln Ave
1004 S Lincoln Ave
1101 W Pennsylvania Ave
1102 S Lincoln Ave
1104 W Nevada St
1106 S Lincoln Ave
1110 W Nevada St
1202 W Nevada St
1204 S Lincoln Ave
1207 W Nevada St
1301 S Busey Ave
1404 S Lincoln Ave
606 W Ohio St
706 S Mathews Ave
706 W Ohio St
710 W Ohio St
713 W Ohio St
715 W Michigan Ave
803 W Oregon St
805 W Pennsylvania Ave
805 W Ohio St
809 W Pennsylvania Ave
904 S Lincoln Ave



100

Urbana's

Most Important Buildings



▲ Urbana Senior High School, 1002 S. Race Street

Designed by Joseph Royer in the Jacobean architectural style



▲ Hindsley House, 1 Montclair Street

Designed for Dr. Mark Hindsley, Director of Bands at UI from 1948-1970

◀ 605 S. Main Street

circa 1890

Queen Anne architectural style with Stick influences



◀ Buena Vista Court
1 through 8



▲ 607 W. Pennsylvania Avenue
◀ 510 W. High Street
Built in 1910 in the Arts & Crafts style

▶ 1117 W. Oregon St.
Built in 1920 in the Mission architectural style.



▲ 309 W. Michigan Avenue
Built in 1925 in the Mediterranean architectural style



▲ 512 W. Nevada Street
Built in 1925 in the Georgian Revival architectural style. The garage of this house has the original garage doors.



◀ 803 W. Main Street
Built in 1904 for a State Senator

▼ Tiernan's Hall,
115 W. Main Street
Built in 1871 with façade designed
by Joseph Royer in 1913



▲ 307 W. Oregon Street

▶ 801 W. Oregon Street



◀ Leal School,
312 W. Oregon St.

Designed by Jo-
seph Royer in 1936
in the Art Deco
style



▲ Alfred W. Allen Residence, 1802 Pleasant Circle
Designed in 1957 by architect Jack Baker in the contemporary style



▲ 605 W. Oregon Street

▼ 512 W. Nevada Street



▲ 301 W. Oregon Street

▼ 910 N. Broadway Avenue





▲ 305 W. Oregon Street

◀ 710 W. Pennsylvania Avenue



▲ President's House, Florida Avenue



▲ 1806 Pleasant Circle

▶ Urbana Post Office, 202 S. Broadway Avenue





▲ Texaco Service Station, 900 S. Race Street



▲ Yohlon Salome Lindley Residence, 401 S. Race Street



▲ 402 S. Race Street



◀ The Station Theater, 223 N. Broadway Avenue



▲ 504 W. Elm Street

▶ First United Methodist Church, 304 S. Race Street

▼ St. Patrick's Roman Catholic Church, 710 W. Main Street



▲ 804 W. Main Street



▲ 805 W. Michigan Avenue



▲ Courier Cafe, 111 N. Race Street



▲ Kirby's Firestone Dealer,
303 W. Main Street

▶ Cannan Baptist Church,
402 W. Main Street

▼ Lindley House,
312 W. Green Street



▲ Cinema Gallery, 120-124 W. Main Street

▶ Griggs House, 505 W. Main Street





▲ Sutton House,
502 W. Elm Street
Local landmark

◀ Hieronymus House,
702 W. Pennsylvania Ave
A Joseph Royer house



▲ Wahl Residence,
510 W. Main Street



▲ Marriot Residence,
506 W. Main Street

◀ 102—106 W. Main St.
Built circa 1880 in the
Italianate style.





▲ 807 S Lincoln Avenue
circa 1927

▶ 102 W Iowa Street,
Built in 1937 in the Art Moderne architectural style



▲ Mumford House,
1403 W Loredo Taft Drive
Constructed in 1870 as a model farmhouse for the University's experimental farm, Mumford House is the oldest building on campus.



◀ Champaign County Courthouse ,
101 E Main St.
Built in 1898 in the Romandwque Revival style,
designed by Joseph Royer.



▼ 601 West High Street
circa 1875



▲ 401 West High Street
circa 1880



◀ 406 West Illinois Street
circa 1925

▼ Luther Residence,
507 West Main Street
Built in 1880 in the Gothic Revival architectural style



▲ 501 West Green Street
1894 Queen Anne and Stick styles





▲ Wesley Foundation,
1203 West Green Street
Dedicated in 1921 and modeled closely on
Christ Church College at Oxford Univer-
sity in England where founder John
Wesley received his education.

► Ricker House,
612 West Green Street

▼ Boyden House,
404 West Illinois Street
Home of Urbana Mayor Ezekiel Boyden
and the only documented building in Ur-
bana that Abraham Lincoln visited. It was
designated a local landmark in 2011.



▲ Carlson Residence,
201 West High Street
1850



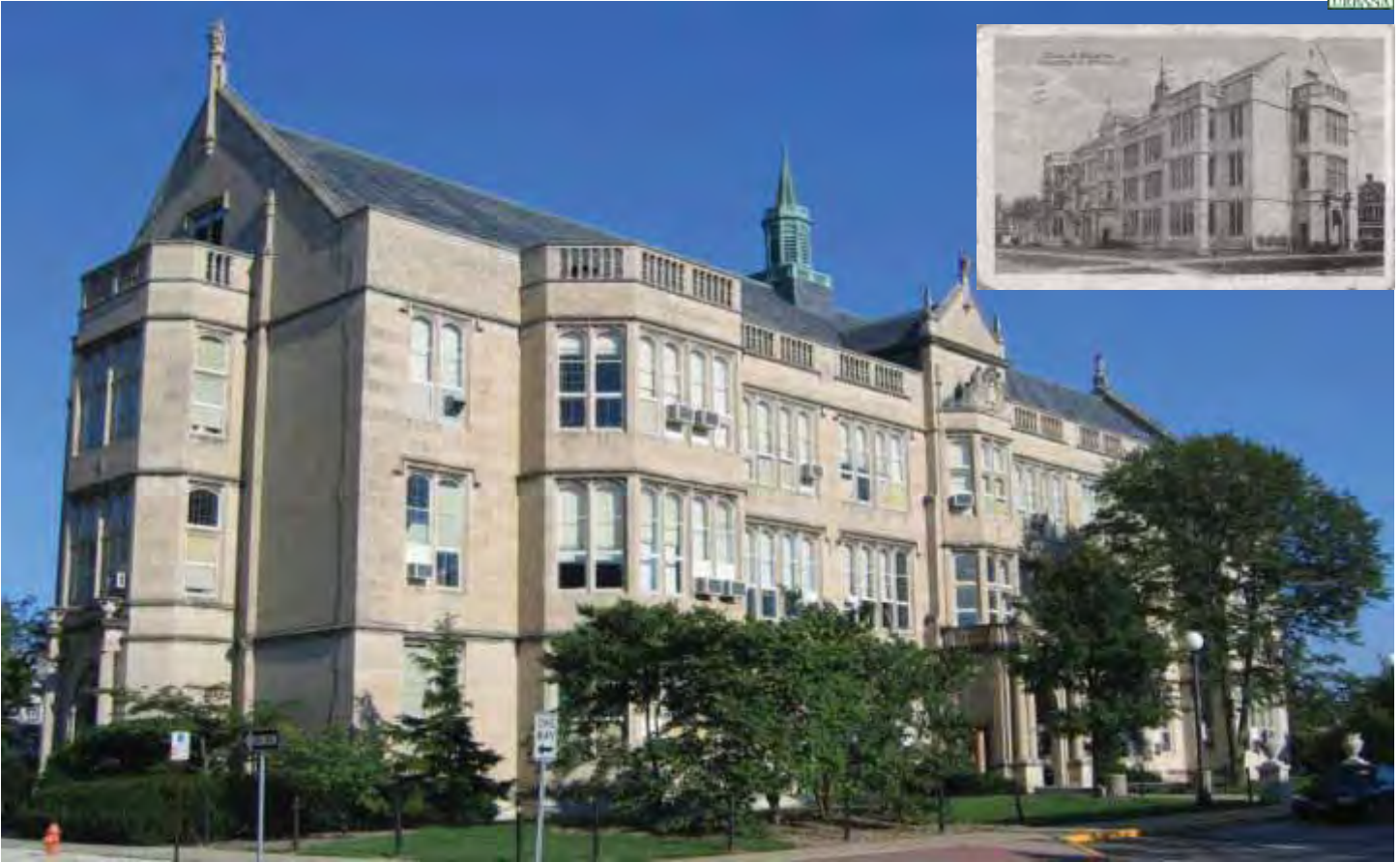
▲ 110 South Grover Street
This is a Lustron House. The Lustron House was an innovative solution to the post-WWII housing crisis. Many thought the porcelain enamel clad wonder would be the General Motors of the housing industry, but only 2,680 were built.

◀ The Urbana Free Library, 210 W Green Street
1905 designed by Royer

▼ 209 W. Green Street
1899 Queen Anne and Classical Revival styles

▼ Urbana Unitarian Universalist Church, 309 W. Green Street





▲ University Laboratory High School
1212 West Springfield Avenue

► Weber House,
607 East Main Street
circa 1875



▼ William Park Residence,
311 West Elm Street
1856 Colonial Revival

▼ 210 West Florida Avenue
circa 1935 Cape Cod





▲ Delmont Court Apartments,
Located between Broadway Avenue & Race Street
and Vermont & Delaware Avenues.

▶ 307 West Elm Street

▼ 801 West Delaware Avenue
circa 1928 Tudor Revival architectural style



▼ 1105 South Douglas Avenue
circa 1931 Tudor Revival architectural style



▲ 601 West Delaware Avenue
circa 1933 French Revival

▶ 702 West Delaware Avenue
1932 Tudor Revival

▼ 209 West Delaware Avenue
1931 Designed by R. Howard Zook



▼ 715 West Delaware Avenue

▼ 706 South Coler Avenue





▲ 701 North Coler Avenue
circa 1920 Sears House, "The Osborne"



◀ 206 Cedar Street
1872



▲ 1306 South Carle Avenue
circa 1927



◀ 402 South Coler Avenue
1940 Cape Cod



▲ John Garvey Residence,
2016 Burlison Drive
Built in 1954 by noted architect Bruce Goff in the Contemporary style.



▼ Ella Danelly Cottage,
701 South Busey Avenue
Built in 1921 by Joseph Royer for his mother-in-law.



▲ 708 South Busey Avenue
circa 1920 Prairie style

◀ Carle Park
Established in 1909

▼ Halberstadt House,
104 North Central Avenue





▲ Stevens House,
301 West Indiana Avenue
Published in "Authentic Small Homes from the Twenties", the 1925 Stevens House was "designed for stucco and half timber, and recalls both the informality of an English cottage and the dignity of a manor house."

◀ 411 West Indiana Avenue
Built circa 1917 Prairie style

▼ 805 West Illinois Street
circa 1880 Queen Anne



▼ Erlanger Residence,
303 West Indiana Avenue
Designed in 1964 by noted architect Jack Baker





▲ 806 West Pennsylvania Avenue
1925 Tudor Revival



◀ Channing Murray Foundation,
1209 West Oregon Street
1920

▼ Knowlton-Bennett Drugstore,
135 West Main Street

▼ 136 West Main Street



OWNER'S EXHIBIT H

CONSULTATION ASSIGNMENT
ECONOMIC IMPACT ANALYSIS
OF AN HISTORIC LANDMARK DESIGNATION
ON
611 W. Elm Street
Urbana, Illinois

As of
December 17, 2015

Prepared for:
Mr. David Thies
Webber & Thies, A.C.
Attorneys at Law
202 Lincoln Square
P.O. Box 189
Urbana, IL 61803-0189

WHITSITT & ASSOCIATES, INC.*Appraisers – Consultants*211 W. SPRINGFIELD AVE., SUITE 204
CHAMPAIGN, ILLINOIS 61820STEPHEN D. WHITSITT, MAI, SRA
PRESIDENTPHONE 217-356-7605
FAX 217-356-8145
WWW.WHITSITT.COM

January 6, 2016

Mr. David Thies
Webber & Thies, A.C.
Attorneys at Law
202 Lincoln Square
P.O. Box 189
Urbana, IL 61803-0189

Dear Mr. Thies,

As per your request, I have undertaken a consulting assignment to assist the client in the economic impact created by application of an historic landmark designation on the property located at 611 W. Elm Street, Urbana, Illinois. A summary of my findings are identified within the following consultation report and are based on a careful analysis of the various factors that tend to influence values in the marketplace. The analysis and result of my investigation are submitted in the accompanying report, which has been made in conformity with and are subject to the requirements of the Code of Ethics and Professional Standards of the Appraisal Institute and in conformity with the Uniform Standards of Professional Appraisal Practice.

Purpose – The purpose of this consultation assignment is to measure the economic impact an historic landmark designation would have on the subject property.

Identification of the Real Estate – The subject of this assignment is a two story dwelling located at 611 W. Elm Street, Urbana, Illinois, showing a tax parcel identification number of 92-21-17-111-001. This is a 7,230 square foot site improved with a two story 2,793 square foot dwelling constructed in approximately 1902. It has most recently been used as a rental house, with the floor plan showing a kitchen, living room, dining room, two bedrooms, and two bathrooms on the first floor; and four bedrooms and one bath on the second floor. An unfinished basement offers mechanical area and laundry. The MOR classification, however, limits the use of the subject to a four bedroom dwelling. A two car garage and shop are detached south of the dwelling. HVAC consists of steam heat and supplemental wall electric heat, with the electrical amperage estimated at 100 amp. The subject exhibits significant deferred maintenance, including ceiling damage, some flooring damage, peeling exterior paint, damaged window sills and trim, and soffit damage, with the roof further in questionable condition. Kitchen cabinetry

has been removed in anticipation of razing the structure, with minimal cost estimates to create habitable space suggested at \$15,000, and existing remodeling costs required to complete two code-compliant apartments on the first and second floor indicated by the project architect at \$302,000.

Effective Date of Valuation – The effective date of valuation of this consultation assignment is considered to be December 17, 2015, representing the date the property was inspected.

Scope – The scope of work involved in providing this economic impact includes an analysis of the subject under its highest and best use with no historic landmark designation versus appraising the property if designated as an historic landmark. Secondly, a review of empirical evidence, recognizing an historic landmark transaction has occurred. Finally, an analysis of the subject under a remodeling scenario with the historic landmark designation has occurred.

Site Valuation – Highest and best use studies recognize the physically possible, legally permissible, financial feasible, and maximally productive uses of a property both as a vacant site and as presently improved. This begins with an analysis of the underlying zoning classification which, in the case of the subject, is MOR Mixed Office Residential district. This classification is oriented to a mix of residential, office, and small scale business uses, limited in scale and intensity. This classification requires a minimum lot size of 6,000 square feet, a maximum floor area ratio of .70, and a minimum open space ratio of .30. Specific allowable uses include public/quasi-public uses, a variety of commercial uses, as well as a variety of residential uses ranging from single to multiple family. Recognizing the allowable uses, the following transactions have been analyzed, recognizing their overlapping highest and best use criteria.

Comparable Land Sale #1

Address: 101, 103, 105 S. Lincoln Avenue &
 903 W. Western, Urbana, IL
 Urbana, IL

Parcel ID #: 93-21-18-228-010, -011, -012, -013
 Recording Information: Document #2014R09877, 2014R18767

Description of Property

Land Area: 25,754 SF
 Zoning: B3U, General Business University
 Utilities: Public
 Topography: Level
 Proposed Use: Multi-Family

Facts of Sale

Grantor: Dermal Properties, LLC
 Grantee: Next 2 Campus, LLC
 Date of Sale: October 2014
 Consideration: \$2,585,000
 Terms of Sale: Cash
 Price Per SF: \$100.37

Comments: This is the sale of an assemblage of four sites located on the southwest corner of Western and Lincoln. It involved (2) 1031 exchanges and assignment of contracts. While individual prices of \$455,000, \$810,000, and \$1,320,000 were noted, the assemblage was transferred at a cumulative price of \$2,585,000. Older dwellings were noted on the sites, however are to be razed for future apartment construction.



Comparable Land Sale #2

Address: 103, 103 1/2 & 105 E. Healey Street
Champaign, IL

Parcel ID# 46-21-18-104-003, 004, 005
Recording Information: Document #2015R06646

Description of Property

Land Area: 19,140 SF
Zoning: MF3, High Density Multi-Family/
Limited Business
Utilities: Public
Topography: Level
Proposed Use: Multi-Family

Facts of Sale

Grantor: Campus Investments, LLC
Grantee: Rockets Venture SPE, LLC
Date of Sale: April 2015
Consideration: \$950,000
Terms of Sale: Cash
Price Per SF: \$49.63

Comments: This is the sale of land located near the University of Illinois campus. It sold as part of a larger package of properties, with this sale based on direct contact between buyer and seller. While 103 E. Healey was improved with an older dwelling at the time of sale, the remaining sites are vacant and used for parking. All of these parcels sold ostensibly for land value. A breakdown by parcel is shown below:

Property & PIN	Size	Zoning	Flood Zone	Improvements
103 E. Healey, C. 46-21-18-104-003	44' x 145' x = 6,380 SF	MF3 High Density Multi-Family/Limited Business	Yes	Dwelling
103 1/2 E. Healey, C. 46-21-18-104-004	44' x 145' = 6,380 SF	MF3 High Density Multi-Family/Limited Business	Yes	Parking
105 E. Healey, C. 46-21-18-104-005	44' x 145' = 6,380 SF	MF3 High Density Multi-Family/Limited Business	Yes	Parking
TOTAL	19,140 SF			

This property was sold November 2012 as part of a larger package.

Plat of 103,103 1/2 & 105 E. Healey Street, Champaign



Comparable Land Sale #3

Address: 406 E. White Street
 Champaign, IL

Parcel ID #: 46-21-07-377-004
 Recording Information: Document #2015R09123

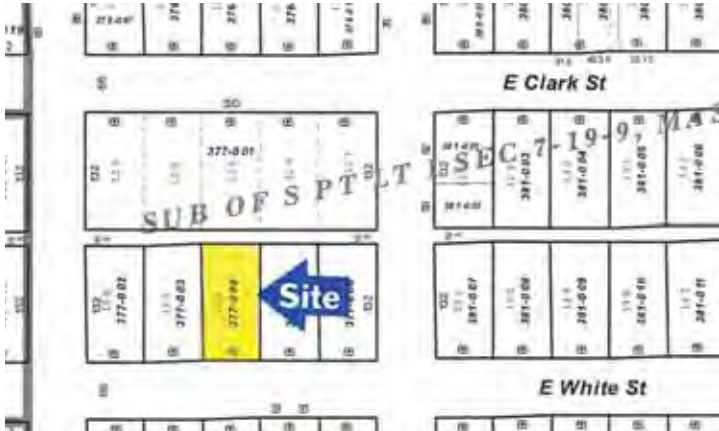
Description of Property

Land Area: 8,712 SF
 Site Measurements: 66 x 132'
 Zoning: MF2, Medium Density Multi-Family
 Utilities: Public
 Topography: Level
 Proposed Use: Multi-Family

Facts of Sale

Grantor: Suggs Trust
 Grantee: CSSC Development, LLC
 Date of Sale: May 2015
 Consideration: \$387,500
 Terms of Sale: Cash
 Price Per SF: \$44.48

Comments: This is the sale of a standard size interior lot. While improved with a dwelling at the time of sale, it sold ostensibly for land value.



Comparable Land Sale #4

Address: 402 E. White Street
Champaign, IL

Parcel ID #: 46-21-07-377-002

Recording Information: Document #2015R05403

Description of Property

Land Area: 8,712 SF

Zoning: MF2, Medium Density Multi-Family

Utilities: Public

Topography: Level

Proposed Use: Multi-Family

Facts of Sale

Grantor: Charles Kozoll Trustee

Grantee: UI Elite Holdings, LLC

Date of Sale: March 2015

Consideration: \$450,000

Terms of Sale: Cash

Price Per Acre: \$51.65

Comments: This is the sale of a standard size 66' x 132' corner lot. It was improved with two older dwellings at the time of sale, but sold ostensibly for land value.



Comparable Land Sale #5

Address: 306 N. Lincoln Avenue
Urbana, IL

Parcel ID #: 91-21-08-353-002
Recording Information: Document #2012R06573

Description of Property

Land Area: 5,508 SF
Zoning: R4, Medium Density Multi-Family
Utilities: Public
Topography: Level
Proposed Use: Multi-Family

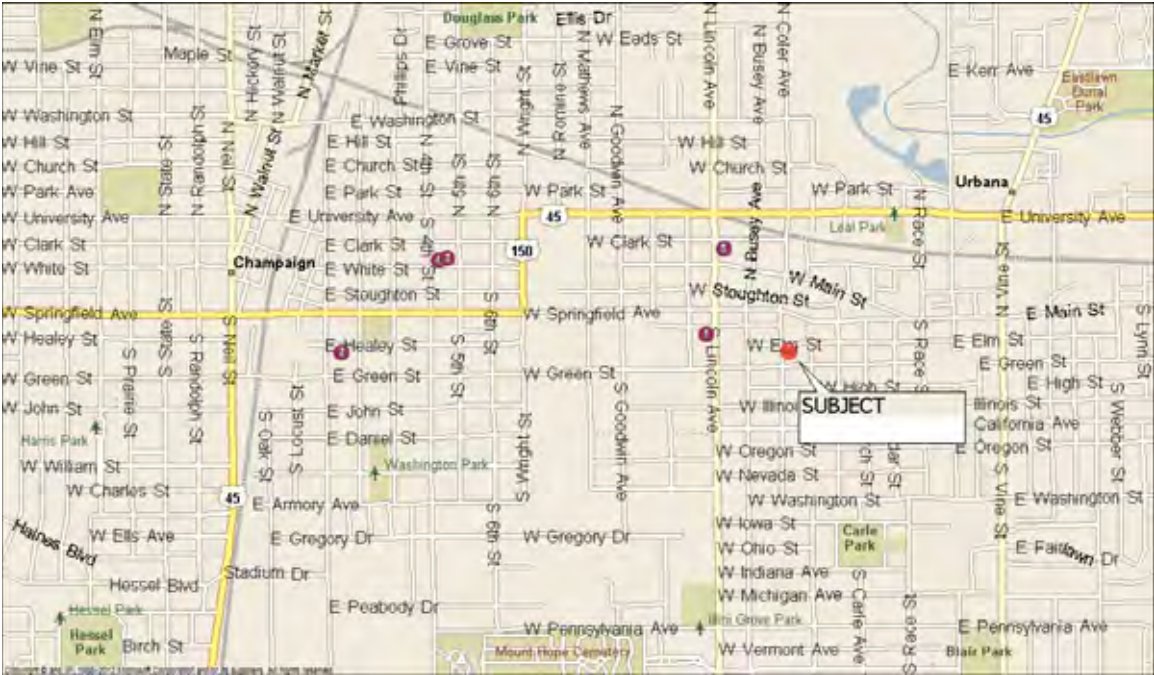
Facts of Sale

Grantor: Viwathna & Pune Bhuthimethee
Grantee: Tekton Group, LLC
Date of Sale: March 2012
Consideration: \$141,500
Terms of Sale: Cash
Price Per SF: \$25.69

Comments: This parcel shows 72' of frontage along Lincoln Avenue and a depth of 76.5'.



Comparable Land Sale Map



Land Sale Comments

	Subject	Sale #1	Sale #2	Sale #3	Sale #4	Sale #5
Price/SF	N/A	\$100.37	\$49.63	\$44.48	\$51.65	\$25.69
Property Rights Appraised	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Conditions of Sale	Cash	Cash	Cash	Cash	Cash	Cash
Date	12/15	10/14	04/15	05/15	03/15	03/12 +10%
Total	N/A	\$100.37	\$49.63	\$44.48	\$51.65	\$25.69
Size	7,230 SF	25,754 SF	19,140 SF	8,712 SF	8,712 SF	5,508 SF +10%
Location	Average	Superior -10%	Average	Average	Average	Superior -5%
Utilities	Public	Public	Public	Public	Public	Public
Zoning	MOR	B3U -25%	MF3 -15%	MF2 -10%	MF2 -10%	R4
Net Adjustments	N/A	-35%	-15%	-10%	-10%	+5%
Adj. Price/SF	N/A	\$65.24	\$42.19	\$40.03	\$46.49	\$26.97

In each instance, the property rights appraised are those of the fee simple estate, with no leasehold value identified. Conditions of sale are shown as arm's length and essentially cash to the seller. These sales transpired over the last few years, with improving market demand requiring a market condition adjustment in one instance. Adjustments have also been made for significant variances. Two economic theories have been reviewed when recognizing size considerations. Often, smaller parcels command a higher unit price due to feasibility factors. Conversely, size limitations specifically in relationship to standard requirements, restrict development, such that full size parcels which are zoning compliant are viewed as more valuable. An adjustment was necessary in one instance for this factor. Location adjustments are shown in two instances to recognize properties showing stronger campus demand. All of the parcels are served by public utilities, with the zoning classifications reviewed from an FAR and open space ratio perspective. The B3U classification is the most liberal of the classifications analyzed, followed by MF3 and MF2. The R4 classification tends to overlap that noted at the subject.

Zoning Classification	FAR	OSR
B3U	4.00	.10
MF3	1.90	.25
MF2	1.40	.30
MOR	.70	.30
R4	.50	.35

These properties indicate adjusted prices on a per square foot basis, summarized as follows:

Adjusted Price/Square Foot

\$65.24
46.49
42.19
40.03
26.97

The highest price per square foot lies on Lincoln Avenue, showing significant adjustments both for location and zoning. The lowest price per square foot reflects the oldest parcel analyzed. From the range indicated, a conclusion of \$40.00 per square foot seems reasonable. At \$40.00 per square foot, a value of \$290,000 is shown as the value of the subject site.

7,230 SF @ \$40.00 = \$289,200
Say \$290,000

This reflects a site available for development. To allow development, razing of the existing improvements is necessary. After deducting razing expenses, an adjusted value of \$275,000 is indicated for the subject site.

Indicated value \$290,000
Less razing costs - 15,000
Adjusted value \$275,000

As Improved Valuation

The aforementioned land valuation can be compared to the subject as it is currently developed, and would be restricted by the historic landmark designation. To perform this analysis, sales of other campus rental houses have been analyzed, shown as follows:

Comparable Sale #1

Address: 809 W. Nevada Street
Urbana, IL

Parcel ID#: 42-21-17-154-002
Recorded As: Document #2014R08888

Description of Property

Building Classification: Conversion
Zoning: R4, Medium Density Multi-Family
Land Area: 5,490 SF
Gross Building Area: 2,926 SF
Site Coverage Ratio: 21%
Number of Stories: 2½
Year Built: 1903
Number of Units: 6
Exterior Construction: Wood
Construction Quality: Average
Condition of Improvements: Average

Facts of Sale

Grantor: Delong
Grantee: Klatt
Date of Sale: May 2014
Consideration: \$140,000
Terms of Sale: Cash
Occupancy: Unknown
Price/Unit: \$23,333
Price/SF: \$47.85

Comments: This is the sale of an older dwelling converted into six apartments. This property is located on the east periphery of the University of Illinois campus. There are (3) efficiency units, (2) one bedroom units, and (1) two bedroom unit. These units are not furnished. They offer one bathroom per unit, with vinyl and hardwood floors, and forced warm air natural gas heat. Open parking for 4 vehicles was noted on the site. A central laundry area was also noted. This property sold at full asking price, with only 1 day on the market. It was only partially leased at the time of sale.

Photo of
809 W. Nevada Street, Urbana



Comparable Sale #2

Address: 509 W. Nevada
Urbana, IL

Parcel ID#: 92-21-17-162-009
Recorded As: 2014R18742

Description of Property

Building Classification: Conversion
Zoning: R-2 Single Family
Land Area: 8,232 SF
Gross Building Area: 1,894 SF
Site Coverage Ratio: 21%
Number of Stories: 1.5 Story
Year Built: 1893
Number of Units: 6 Units
Exterior Construction: Frame
Construction Quality: Average
Condition of Improvements: Average

Facts of Sale

Grantor: Cline
Grantee: Footprint Leasing, LLC
Date of Sale: October 2014
Consideration: \$220,000
Terms of Sale: Cash
Price/Unit: \$36,667
Price/SF: \$116.16

Comments: This sale is used as 6 units and includes 2 basement efficiencies. The second floor efficiency bathroom is in the hallway, not within the unit. A small porch lies within the first floor unit. A detached garage lies at the rear of the site.

**Photo of
509 W. Nevada, Urbana**



Comparable Sale #3

Address: 709 W. Nevada
Urbana, IL

Parcel ID#: 92-21-17-158-002
Recorded As: Document # 2015R06252

Description of Property

Building Classification: Apartment
Zoning: R2 Single Family
Land Area: 8,120 SF
Gross Building Area: 4,622
Site Coverage Ratio: 20%
Number of Stories: Three
Year Built: ±1910
Number of Units: 5
Exterior Construction: Stucco/Aluminum
Construction Quality: Good
Condition of Improvements: Good

Facts of Sale

Grantor: Fast Track Realty LLC
Grantee: W A Holdings, LLC
Date of Sale: April 2015
Consideration: \$400,000
Terms of Sale: Cash
Occupancy: 100%
Potential Gross Income: \$55,860
Income Multiplier: 7.16
Price/Unit: \$80,000
Price/SF: \$86.54

Comments: This is a 5 unit building which is a legal non-conforming use of the R2 zoning classification. It is designed as one studio and (5) two bedroom apartments. The basement is unfinished and bedrooms lie at the rear of the third floor unit. Finishes are typical for converted old houses and include plaster walls and ceilings and hardwood and vinyl floor coverings. The condition is average with recent improvements including new windows, boiler, electrical upgrades, and conversion of a two bedroom unit and efficiency unit into a combined three bedroom unit. HVAC consists of hot water heat. This property previously sold in June 2014 for \$360,000 (document #2014R10315).

Photo of
709 W. Nevada, Urbana



Comparable Sale #4

Address: 805 W. Oregon Street
Urbana, IL

Parcel ID#: 92-21-17-153-003
Recorded As: Document #2013R28609

Description of Property

Building Classification: Group House
Zoning: R7, University Residential
Land Area: 9,006 SF
Gross Building Area: 3,300 SF
Site Coverage Ratio: 16%
Number of Stories: 2½
Year Built: 1910
Number of Bedrooms: 10
Exterior Construction: Wood
Construction Quality: Average
Condition of Improvements: Average

Facts of Sale

Grantor: Footprint Leasing, LLC
Grantee: UI Elite Holdings
Date of Sale: December 2013
Consideration: \$340,000
Terms of Sale: Cash
Occupancy: Unknown
Price/Bedroom: \$34,000
Price/SF: \$103.03
GRM: 7.08

Comments: This is the sale of a large older dwelling leased by the bedroom. There are 3 kitchens, 5 bathrooms, and a common area, with a total of 10 bedrooms noted. Each bedroom includes a bed, desk, and dresser. This property has forced warm air heat and window air conditioning. Floors are hardwood, carpet, and linoleum, with appliances including stove/oven, dishwasher, microwave, and refrigerators. A laundry area lies in the basement. Parking is open to accommodate 11 vehicles. This property previously sold in August 2012 for \$295,000 (document #2012R21862).

**Photo of
805 W. Oregon Street, Urbana**



Comparable Sale #5

Address: 801 W. Oregon Street
Urbana, IL

Parcel ID#: 92-21-17-153-005
Recorded As: Document #2014R10315

Description of Property

Building Classification: Group House
Zoning: R7, University Residential
Land Area: 10,664 SF
Gross Building Area: 3,965 SF
Site Coverage Ratio: 19%
Number of Stories: 2½
Year Built: 1903
Number of Bedrooms: 9
Exterior Construction: Stucco
Construction Quality: Average
Condition of Improvements: Average

Facts of Sale

Grantor: Kang
Grantee: Saunders
Date of Sale: June 2014
Consideration: \$360,000
Terms of Sale: Cash
Occupancy: Vacant
Price/Bedroom: \$40,000
Price/SF: \$90.79

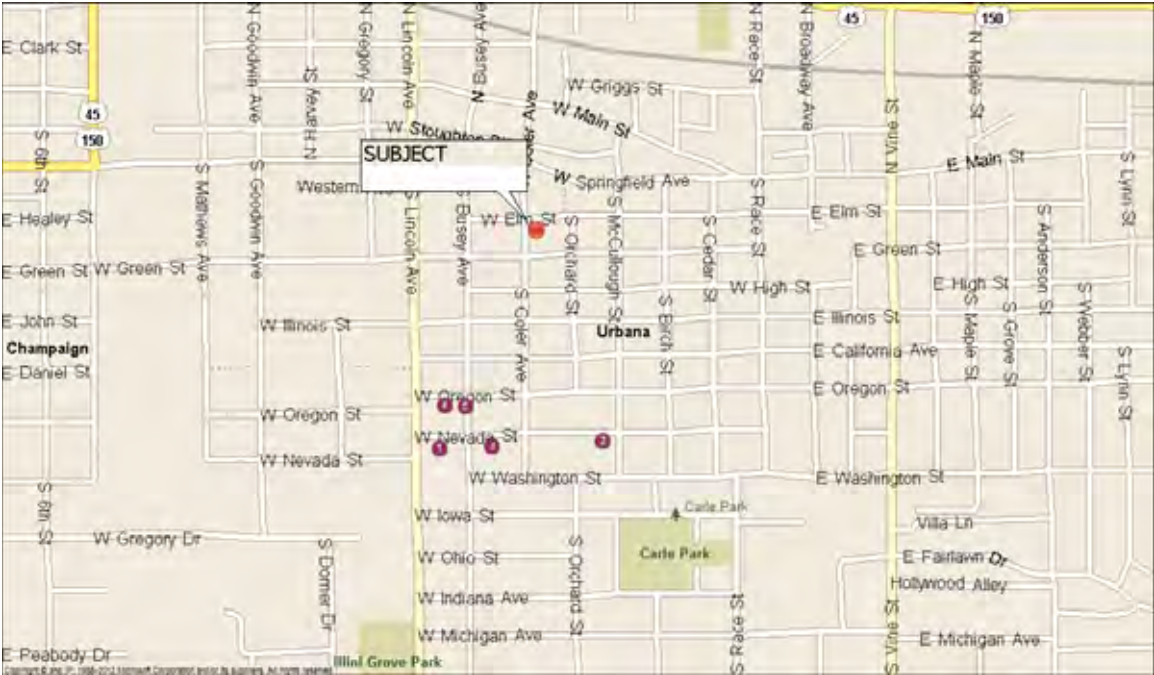
Comments: This is the sale of a group house located on the east side of the University of Illinois campus. *It was the original home of a noted architect and has been placed on the historic registry, limiting structural changes in the property.* The exterior walls of the structure are stucco, with brick foundation and tile roof. It is heated by a forced warm air furnace, with the walls paneling and plaster, and the ceilings plaster. Flooring is hardwood, parquet, and ceramic tile, with a pull fire alarm noted. This is a two story dwelling, with one room finished in the attic. A small sunken area lies in the living room offering a fireplace, although it is not known if it functions. The basement space is partially finished, offering 2 bedrooms and 1½ bathrooms, as well as furnace area and storage. The first floor shows a living room, dining room, kitchen, pantry, and a bedroom off the kitchen. The half bathroom lies off the living room, and there are two sets of stairways offering ingress and egress to the upper and lower floors. The second floor offers 5 bedrooms and 2½ bathrooms, with a third floor bedroom created in the attic. The

total room count is indicated as 11-9-4½. A curb cut on Busey Avenue allows access to an open parking lot. This driveway is shared with the parcel to the south. A shared driveway agreement is assumed. Roughly 6 parking spaces lie on the concrete parking lot. This property was vacant and not leased at the time of sale.

**Photo of
801 W. Oregon Street, Urbana**



Comparable Sale Map



Sales Comparison Approach Comments

	Subject	Sale #1	Sale #2	Sale #3	Sale #4	Sale #5
Price/SF	N/A	\$47.85	\$116.16	\$86.54	\$103.03	\$90.79
Property Rights Appraised	Fee Simple	Leased Fee	Leased Fee	Leased Fee	Leased Fee	Fee Simple
Conditions of Sale	Cash	Cash	Cash	Cash	Cash	Cash
Date	12/15	05/14	10/14	04/15	12/13	06/14
Adjusted Price/SF	N/A	\$47.85	\$116.16	\$86.54	\$103.03	\$90.79
Location	Average	Superior -5%	Superior -5%	Superior -5%	Superior -5%	Superior -5%
Site	7,230 SF	5,490 SF +5%	8,232 SF	8,120 SF	9,006 SF	10,664 SF
Building Area	2,793 SF	2,926 SF	1,894 SF	4,622 SF	3,300 SF	3,965 SF
Parking	Garage	Open +3%	Garage	Open +3%	Open +3%	Open +3%
Age/Condition	>60/Fair	>60/Superior -5%	>60/Superior -15%	>60/Superior -15%	>60/Superior -15%	>60/Superior -15%
Quality	Average	Average	Average	Average	Average	Superior -5%
C/A	No	No	No	No	No	No
Amenities	Basement	Inferior +5%	Finished Basement -5%	Basement	Basement	Finished Basement -5%
Net Adjustments	N/A	+3%	-25%	-17%	-17%	-27%
Adjusted Price/SF	N/A	\$49.29	\$87.12	\$71.83	\$85.51	\$66.28
GIM	N/A	N/A	N/A	7.16	7.08	N/A

In each instance, the property rights appraised are those of the leased fee estate, with no leasehold value identified. Conditions of sale are shown as arm's length and essentially cash to the seller. These sales transpired over the last few years, and no market condition adjustments appear necessary. Adjustments, however, have been made for significant variances. All of the properties analyzed lie south of the subject, in what is viewed as a nominally stronger section of campus. Sale #1 is non-conforming as to site size, with the adjustment recognizing redevelopment restrictions imposed upon rebuilding, should fire damage occur. Building areas are provided for illustrative purposes, with adjustments for the garage structure at the subject required in most instances. Within the age/condition category, recognition is given to the significant deferred maintenance at the subject. Sale #1 exhibited deferred maintenance, however to a lesser extent than what was noted at the subject property. The remaining comparables are significantly superior from a condition perspective. Quality considerations recognize stronger finishes at sale #5. Within the general amenities category, recognition is given to basement amenities which varied from no basement to finished basement. These properties indicate adjusted prices on a per square foot basis, summarized as follows.

Adjusted Price/Square Foot

- \$87.12
- 85.51
- 71.83
- 66.28
- 49.29

Given the significant deferred maintenance at the subject, a conclusion of \$55.00 per square foot, lying within the range bracketed by the comparables, is suggested. At \$55.00 per square foot, a value of \$155,000 is indicated.

$$2,793 \text{ SF @ } \$55.00 = \$153,615$$

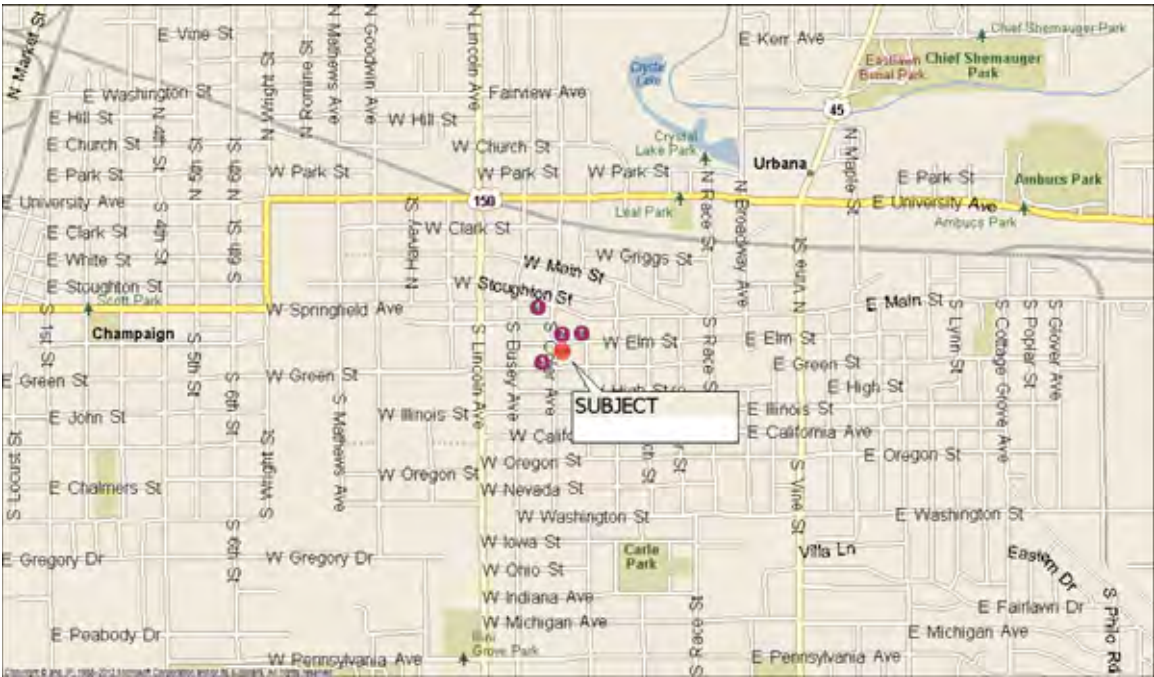
Say \$155,000

Income Approach Valuation

Small multi-family properties also sell based on the relationship to the gross income. Rent comparables are briefly summarized as follows:

Location	# of Bedrooms	Monthly Rent	Rent/Bedroom
612 W. Elm, U.	4	\$1,895	\$474
604 W. Elm, U.	4	\$1,930	\$483
704 W. Green, U.	4	\$1,755	\$439
705 W. Springfield, U.	7	\$2,965	\$424

Comparable Rentals Map



The aforementioned rentals reflect properties which are considered in better condition than the subject, further in some instances showing significantly lower actual and effective ages. Assuming minimal remodeling to the subject to create a leasable product, it is anticipated that the subject would command up to \$425 per bedroom, or \$20,400 annually. The gross income multipliers noted at two of the comparable sales are indicated at 7.08 and 7.16. From this range, a conclusion of 7.1 seems reasonable. At a multiplier of 7.1, a value of \$145,000 is indicated.

Subject: 4 Bedrooms @ \$425 =	\$1,700
	<u> x 12</u>
Annual Income	\$20,400
Gross Income Multiplier	<u> x 7.10</u>
Indicated Value	\$144,840
	Say \$145,000

After deducting deferred maintenance, an adjusted value of \$130,000 is indicated.

Indicated Value	\$145,000
Less Deferred Maintenance	<u> - 15,000</u>
Adjusted Value	\$130,000

These two methods of analysis bracket the value between \$130,000 – 155,000. From this range, an “as is” value, recognizing restrictions imposed by the historic landmark designation, is indicated at \$145,000.

The loss in value, therefore, imposed by historic landmark designation is shown at \$130,000.

Land value	\$275,000
Less value as improved	<u> - 145,000</u>
Economic loss	\$130,000

The second measure of economic impact is to recognize the historic transactions which were encumbered with an historic landmark designation at the time of sale. One such sale occurred, identified as 801 W. Oregon Street, Urbana, Illinois. This property, which is more completely described as sale #5 in the improved sales analysis, transpired in June 2014 at a price of \$360,000. This property was subsequently appraised by your appraiser at a value 32% higher than when it was acquired for. A discussion with the buyer indicated that his interest in acquiring the property was driven by the significant price discount.

The aforementioned example, which reflects roughly a 32% value reduction for a property with an historic landmark designation, as well as the highest and best use analysis which suggests a loss as much as 47%, illustrate economic damages imposed by the historic landmark designation.

The owner's architect has analyzed the subject to identify the cost and specifications necessary to create a duplex within the guidelines of the historic landmark designation requirements. The cost to create this duplex was indicated at \$302,000 or \$352,000 when remodeled using historically designated materials. The income generated is estimated at \$475 per bedroom or \$22,800 per year. The gross income multiplier required to support a \$302,000 investment is 13.25 ($\$302,000 / \$22,800 = 13.2456$ Say 13.25), while the multiplier necessary when using historically designated materials is 15.44 ($\$352,000 / \$22,800 = 15.44$). This is not feasible, with gross income multipliers in the marketplace starting in the 7.00 range and topping out in the 9.00-10.00 range for new well located properties. This reflects the required return based solely on the remodeling cost. When the site value is included, the required gross income multiplier is 25.31 ($\$577,000 / \$22,800 = 25.31$), increasing to 27.50 when reflecting historically required materials ($\$627,000 / \$22,800 = 27.50$). This illustrates that the subject is not economically feasible under the imposition of the historic landmark designation.

Therefore, it is my opinion that the potential economic impact on the subject property by virtue of applying an historic landmark designation would damage the value of the property from an economic perspective.

Reference is made to the addendum of this report which contains floor plans and photographs of the subject property, redevelopment specifications and costs, as well as plat and flood plain information.

Sincerely,



Stephen D. Whitsitt, MAI, SRA
Illinois License #553.000207
Expires 09/30/17

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- my compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have not made personal inspections of the properties that are the subject of this report. No one provided significant professional assistance in the preparation of this report.

RESTRICTIONS UPON DISCLOSURE AND USE

Disclosure of the contents of this appraisal report is governed by the By law regulations of the Appraisal Institute.

Neither all nor part of the contents of this report (especially any conclusions as to value, the identity of the appraiser of the firm with which he is connected, or any reference to the Appraisal Institute or the MAI SRA designation) shall be disseminated to the public through advertising media, public relations media, to the public through means of communication without prior written consent and approval of the undersigned.



Stephen D. Whitsitt, MAI, SRA
Illinois License #553.000207
Expires 09/30/17

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal and appraisal report are subject to the following limiting conditions:

The legal description furnished us is assumed to be correct.

We assume no responsibility for matters legal in character, nor do we render any opinion as to title, which is assumed to be marketable. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear under responsible ownership and competent management.

We have made no survey of the property and assume no responsibility in connection with such matters.

Unless otherwise noted herein, it is assumed that there are no encroachments, zoning violations or restrictions existing in the subject property.

Information, estimates and opinions contained in this report are obtained from sources considered reliable, however no liability for them can be assumed by the appraiser.

Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by anyone but the applicant without the previous written consent of the appraiser or the applicant, and in any event only with the proper qualifications.

We are not required to give testimony or attendance in court by reason of this appraisal, with reference to the property in question, unless arrangements have been made previously therefore.

The division of the land and improvement values estimated herein is applicable only under the program of utilization shown. These separate valuations are invalidated by any other application.

Environmental Disclaimer: The value estimated in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value.

Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature would restrict access by disabled individuals may adversely affect the property's value, marketability or utility. Since the appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of ADA was not considered in estimating the value of the property.

QUALIFICATION OF THE APPRAISER

**Stephen D. Whitsitt
MAI, SRA**

Stephen D. Whitsitt, MAI, SRA is President of Whitsitt & Associates, Inc. He has been engaged in the appraisal of real estate since 1976.

As of the date of this report, Stephen D. Whitsitt has completed the requirements under the continuing education program of the Appraisal Institute.

Educational background:

Bachelor of Arts Degree - Hanover College - 1976

Appraisal courses attended and completed and examinations challenged and passed:

SREA Course 101 - Principals and Techniques - 1976
SREA Course 201 - Income Property Valuation - 1977
SREA Course 202 - Applied Income Property Valuation - 1986
Ted Whitmer/Appraisal Institute - Comprehensive Review Workshop - 1992
Appraisal Institute - II510 Advanced Income Capitalization - 1994
Appraisal Institute - II520 Highest & Best Use & Market Analysis - 2000
Appraisal Institute - Appraisers & Fair Lending - 2001
Federal Highway Admin. & Illinois Dept. of Transportation - Eminent Domain For Attorneys & Appraisers - 2002
Appraisal Institute - Course 420 Business Practices & Ethics - 2003
Appraisal Institute - Appraisal Curriculum Overview - General - 2010
Appraisal Institute - Online - Business Practices & Ethics - 2011
Appraisal Institute - Online - An Introduction to Valuing Commercial Green Buildings - 2011
Appraisal Institute - Fundamentals of Separating Real Property, Personal Property, & Intangible Business Assets - 2012
Appraisal Institute - Appraising the Appraisal: Appraisal Review - General - 2013
National USPAP Update - 2014
Appraisal Institute - Supervisor/Trainee Seminar ILST - 2014
Appraisal Institute - Advanced Income Capitalization - 2015

Association Memberships:

Member Appraisal Institute

Senior Residential Appraiser, designation of the Appraisal Institute

Member of Champaign County Board of Realtors

Professional Service:

1989-1990 President of Central Illinois Chapter 160 of SREA

1988-1989 Vice President of Central Illinois Chapter 160 of SREA

1985-1987 Treasurer/Secretary of Central Illinois Chapter 160 of SREA

2008- President of Heart of Illinois Chapter Appraisal Institute

2009 Board Member of ICAP (Illinois Coalition of Appraisers)

Licenses:

State Certified General Real Estate Appraiser - #553.000207 (Illinois)
Real Estate Managing Broker #471.004151, State of Illinois

Court Testimony:

He has appeared as an expert witness in Circuit and Federal Court in Champaign County. He has also appeared as an expert witness in Circuit Court in the counties of Piatt, Macon, and Vermilion.

Review Appraiser:

He has served as a review appraiser for the Federal National Mortgage Association (FNMA), City of Urbana, City of Champaign and Champaign County Board of Review, as well as various lenders.

Professional Instruction:

Your appraiser has taught RSE 728 Residential/Single Family Appraisal, as well as the Uniform Standards of Professional Appraisal Practice, at Parkland College.

Your appraiser authored and instructed "Understanding Capitalization Rates" for the State of Illinois.

Experience:

Your appraiser has experience in a variety of assignments including residential, multi-family, office, retail, industrial, subdivision, and land as well as special use properties such as churches and golf courses. Your appraiser has experience in various types of eminent domain proceedings including fee simple valuation and easement valuation. Your appraiser has additionally performed appraisals for railroad line abandonment and underground easements as well as zoning and use studies.

Experience References:

Lending Institutions: A partial list includes Edgar County Bank & Trust, BankOne, BankChampaign, Busey Bank, Marine Bank, First Mid-Illinois, First National Bank of Monticello, Regions Bank, Rantoul First Federal, Central Illinois Bank, and Midland States Bank.

Relocation Firms: Homeequity Relocation, Prudential Relocation, State Farm Insurance, Relocation Resources, Associates Relocation.

Corporations: Frasca International, Christie Clinic, Covenant Medical Center, Kerr McGee Oil Company, Ryder-PIE International, CSX Transport, Pillsbury, Carle Foundation Hospital, Girl Scouts of America, Boy Scouts of America.

Municipalities/Government Agencies: University of Illinois, City of Champaign, City of Urbana, City of Monticello, Village of Tuscola, Intergovernmental Solid Waste Disposal Association, Champaign County, Vermilion County, State of Illinois

Federal Agencies: FDIC

In addition, various attorneys have been served regarding estate valuation.

Your appraiser has completed training on fair lending / fair housing issues, having completed the Appraisal Institute course "Fair Lending and the Appraiser" in 2001.

ADDENDUM

Client's Engagement

RICHARD L. THIES
CARL M. WEBBER
DAVID C. THIES
HOLTES D. SUMMERS
JOHN E. THIES
PHILLIP VAN NESS
KARA J. WADE
J. AMBER DREW
MIA O. HERNANDEZ

WEBBER & THIES, P.C.
ATTORNEYS AT LAW
202 LINCOLN SQUARE
P.O. BOX 189
URBANA, ILLINOIS 61803-0189

CHARLES M. WEBBER
(1903-1991)
CRAIG R. WEBBER
(1936-1998)

TELEPHONE
(217) 367-1126

TELECOPIER
(217) 367-3752

December 15, 2015

VIA ELECTRONIC MAIL

Stephen D. Whitsitt
Whitsitt & Associates, Inc.
2916 Crossing Court, Suite A
Champaign, Illinois 61822
E-mail: whitsitt@whitsitt.com

RE: Appraisal/Economic Impact Analysis Regarding 611 West Elm Street
in Urbana, Illinois

Dear Mr. Whitsitt:

Our firm represents Hunsinger Enterprises, Inc. ("HEI") which owns property located at 611 West Elm Street in Urbana, Illinois (the "Property"). HEI has asked us to assist it in challenging an Application for Historic Landmark Designation ("Application") that was filed with the Urbana Historic Preservation Commission ("Commission") requesting that the Property be designated as a historic landmark under the Historic Preservation section of the Urbana Zoning Ordinance. A copy of the Application is enclosed for your records.

As part of its challenge to the Application, HEI has authorized us to retain you to obtain your expert opinion relating to the valuation of the Property and the potential economic impact that would result should the Property be designated as a landmark. Specifically, we are requesting your opinion as to the following:

1. An appraisal of the Property based on highest and best use with no historic landmark designation vs. the appraised value of the Property if designated as a historic landmark; and
2. The potential economic impact if the Property is designated as a historic landmark. As you may already know, HEI had been in the process of re-developing the Property when the Application was filed. This re-development anticipated the construction of a 5 unit apartment building, the particulars of which we can provide to you. Obviously, if the Application is granted, HEI will be prohibited from moving forward with the re-development. In light of this, we are also working with Architect Andrew Fell to obtain his opinion regarding the

December 15, 2015

Page 2

condition of the Property and the costs that would be associated with the renovations which would be required (which renovations would have to comply with the Historic Preservation section of the Urbana Zoning Ordinance) to make the Property inhabitable. Once we receive Mr. Fell's opinion, we will provide it to you. With this information in mind, we want your opinion as to whether it would be feasible for HEI to lease the Property if it is declared a landmark (taking into consideration the required costs of renovation) as well as the loss profits HEI would suffer from the Property being designated a landmark (including the missed opportunity based on the proposed re-development).

Please let us know if you have any questions regarding the expert opinion we are requesting from you. If there is any information which we can provide to assist you in formulating your opinion, please do not hesitate to contact us. The hearing before the Commission regarding the Application is scheduled for January 6, 2016 at 7:00 pm. If possible, we would like to present you as an expert witness at the hearing to discuss your opinion. Please let us know if you have a scheduling conflict.

We look forward to working with you concerning the above matter. Given the short timeframe, please call or email us immediately if we can be of any assistance to you.

Sincerely,

WEBBER & THIES, P.C.

By: 

David C. Thies

Enclosure

Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior Views of Subject Illustrating Current Condition & Deferred Maintenance



Exterior View of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



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Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior Views of Subject Illustrating Current Condition & Deferred Maintenance



Interior View of Subject Illustrating Current Condition & Deferred Maintenance



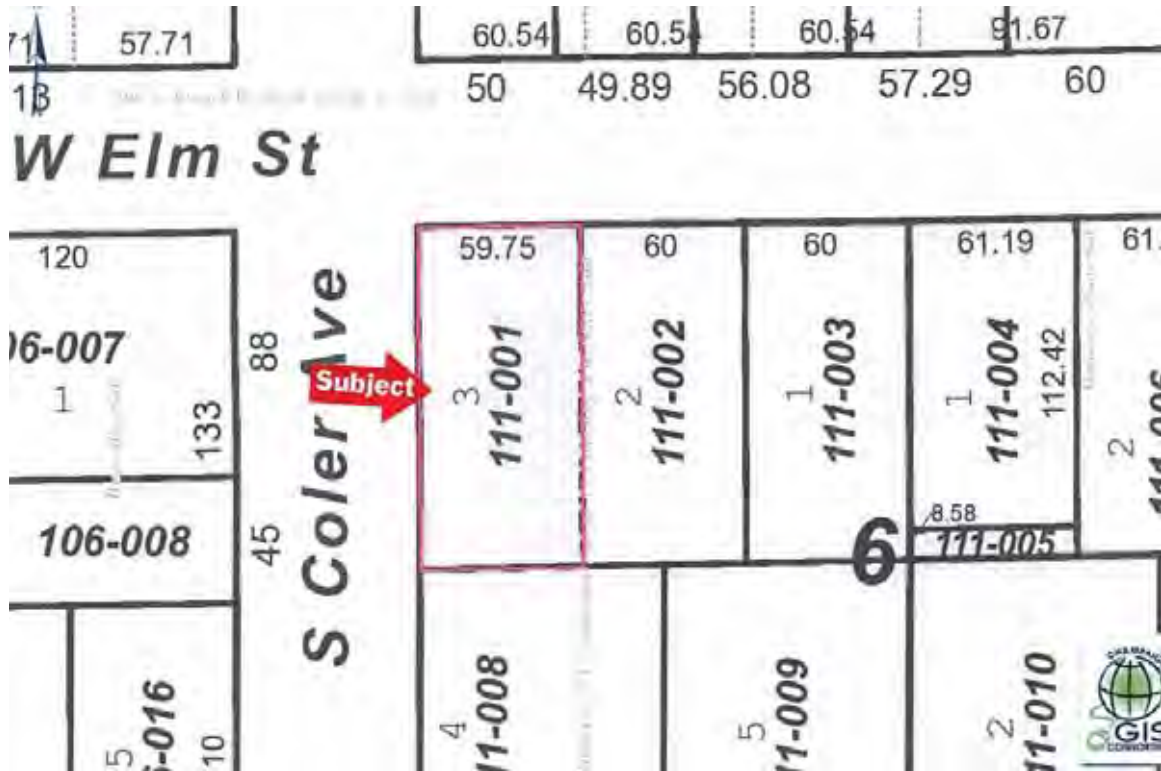
Street Scene Facing East on Elm Street



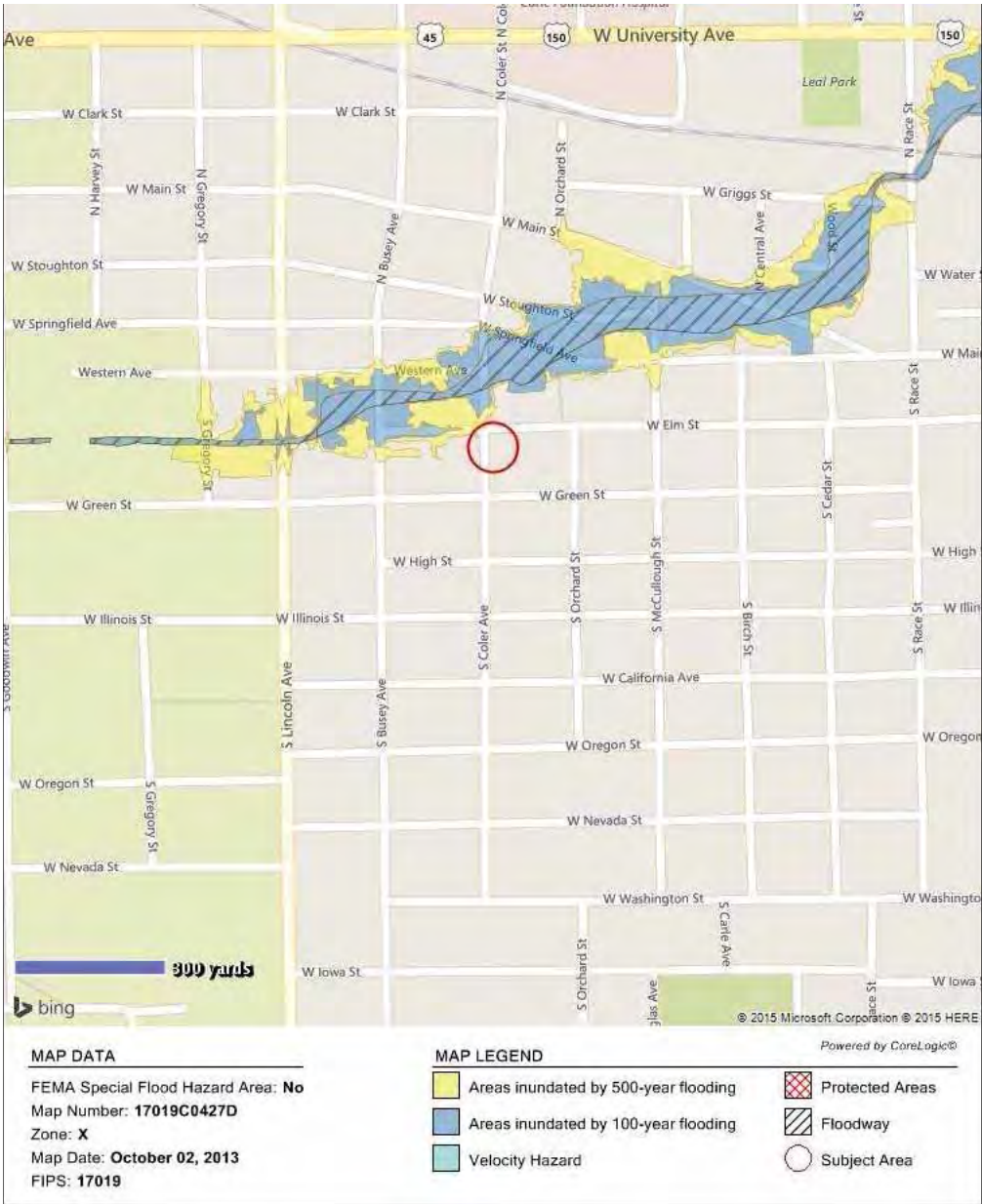
Street Scene Facing West on Elm Street



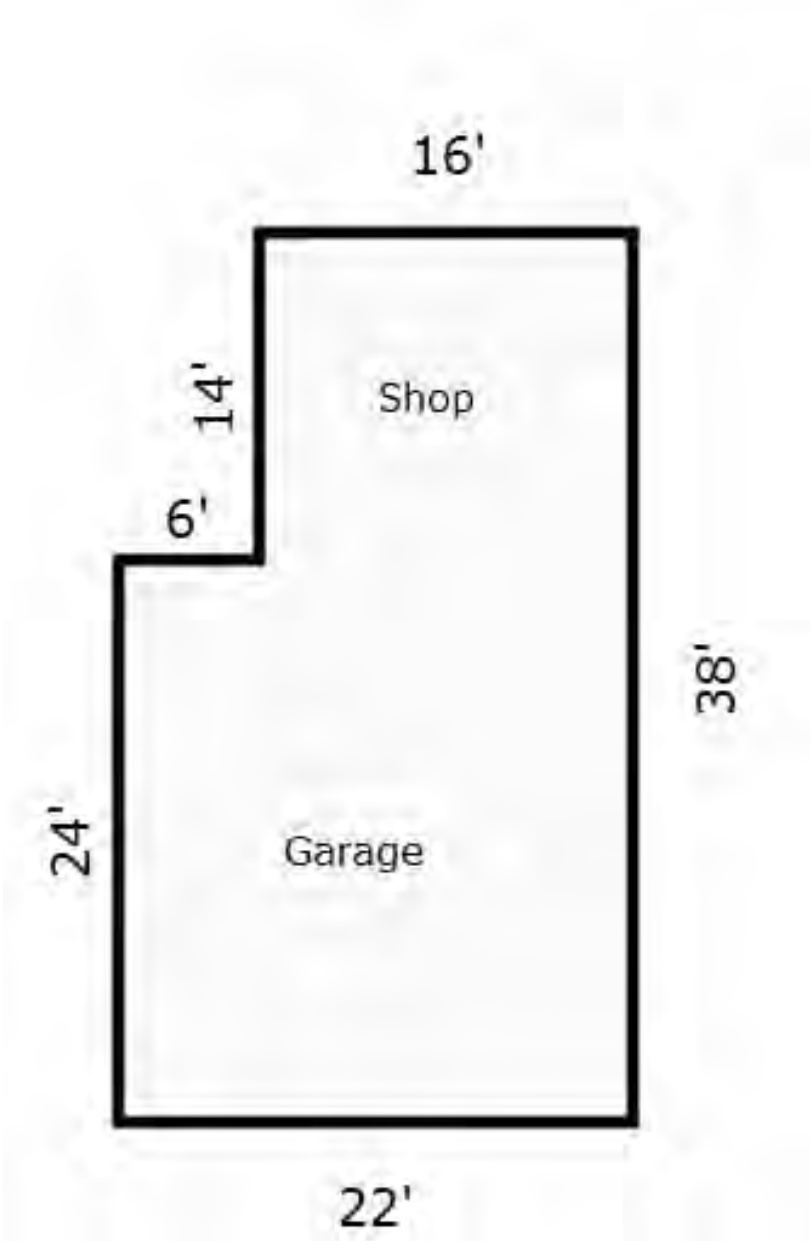
Subject Plat Map



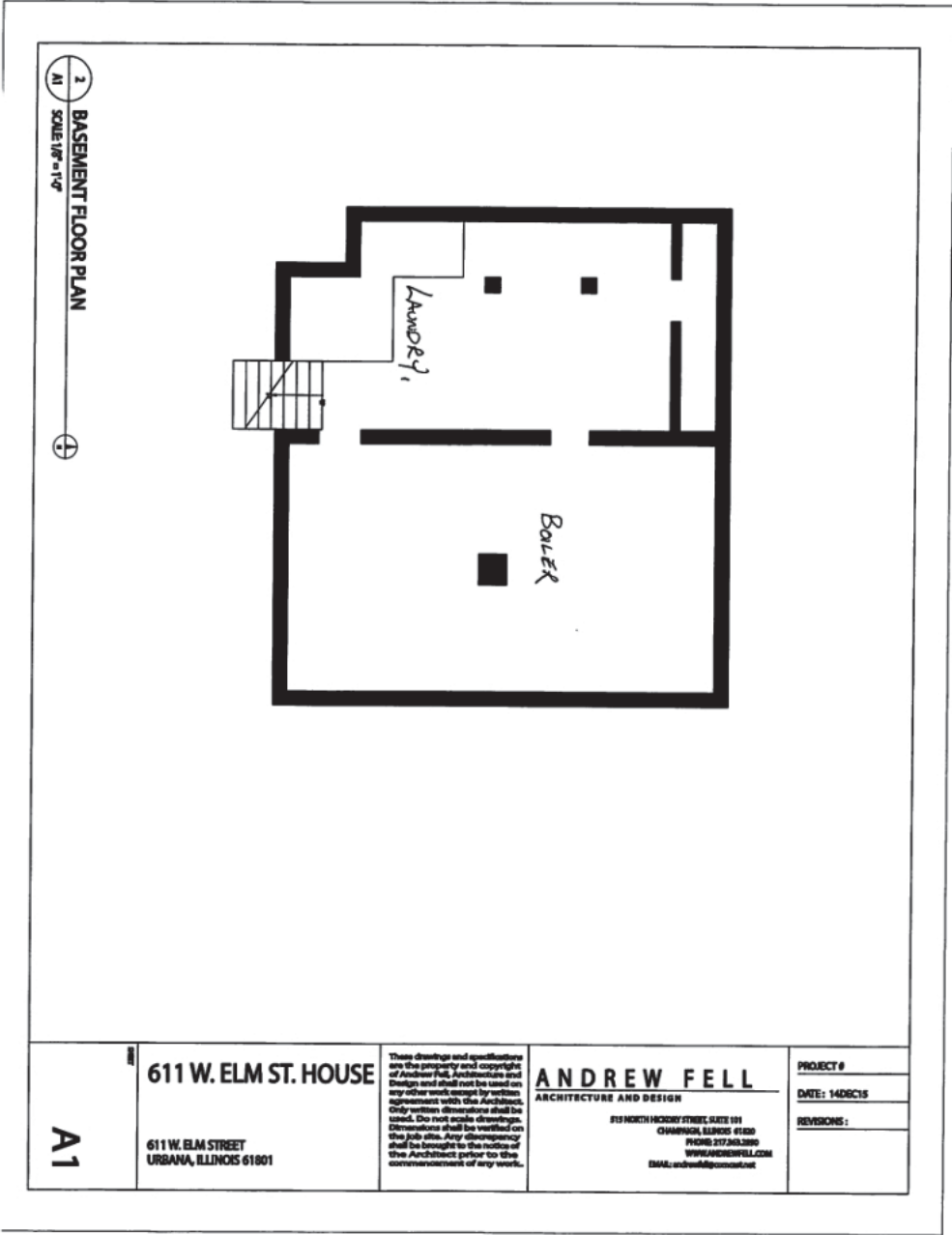
Flood Plain Map



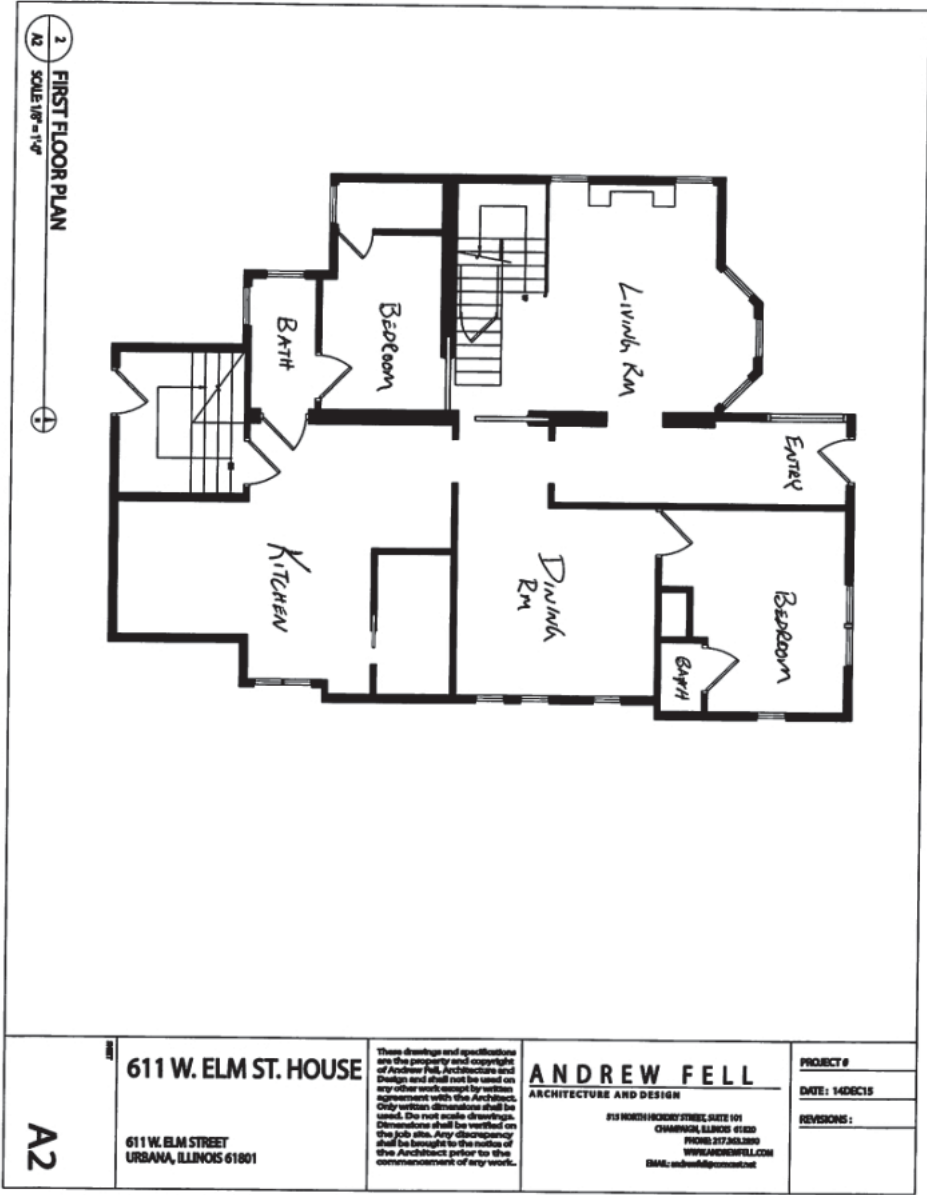
Building Sketch: Garage/Shop



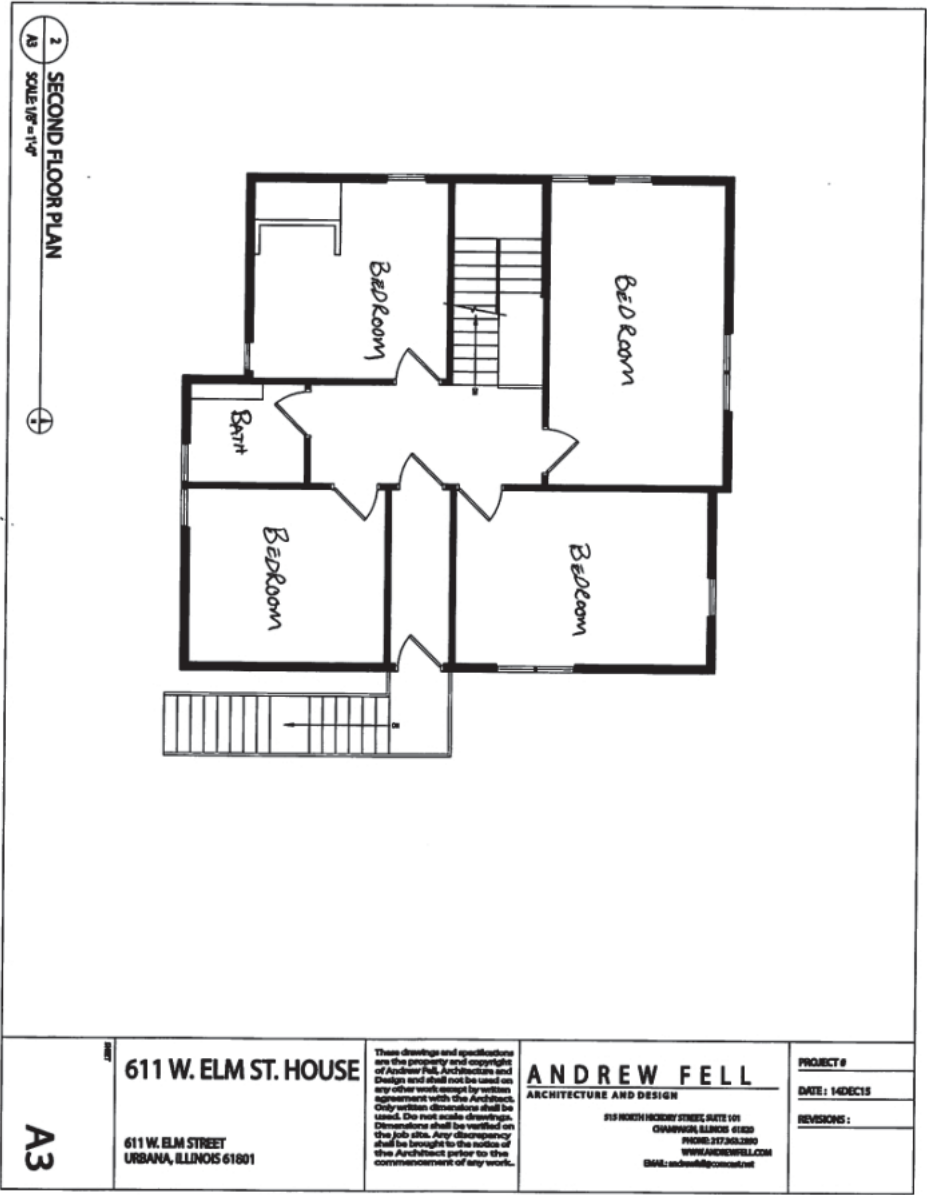
Basement Floor Plan



First Floor Plan



Second Floor Plan



A N D R E W F E L L
A R C H I T E C T U R E A N D D E S I G N515 NORTH HICKORY, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2890
EMAIL: andrewfell@comcast.net611 West Elm Street
Urbana, Illinois

Following is a list of major items to be addressed during a remodeling of the existing residence to conform to current Building Code requirements for conversion to two separate apartment units. This analysis is assuming the building is separated into two units, one on the first floor and one on the second floor. This is not meant to address every aspect of the requirements for this conversion. It is simply to highlight the major issues. Please note that these items are formulated assuming the building is NOT designated as being of Landmark Status.

The overriding factors are that each unit must have completely separated utilities, and all current Building Code, Energy Code, and Life/Safety issues must be met.

Electrical

All wiring, fixtures, etc. to be removed and replaced.
Larger main service to be installed and separated into separately metered services for each unit.
Hardwired and interconnected smoke and carbon monoxide detectors to be installed.

HVAC

All existing HVAC components to be removed.
Separate HVAC units are to be installed for each apartment, including furnaces and condensers.

Plumbing

All plumbing to be reworked to accommodate new layout.
Sanitary lines to be televised to assess condition and possibly replaced to City main in the street.
New larger water service to building

Exterior Walls

Work for the new interior layout and replacement of utilities will require the removal of plaster from exterior walls. As a result, the stud cavities are exposed requiring conformance to the Illinois Energy Code. In order to meet current Code requirements, the exterior walls must be insulated to R-21. This cannot be accomplished with fiberglass batt insulation. The exterior walls will be required to be spray foamed with closed cell foam.
Existing exterior walls are balloon framed. Each stud bay must be fire-blocked at the first floor line, the second floor line and at the attic.

Interior Walls

Work for the new interior layout and replacement of utilities will require the removal some walls entirely and removal of plaster from any walls to remain. As a result, existing trim cannot be reused as the wall thicknesses will not be the same.

Floors

First floor must be insulated (to meet the Energy Code requirements) and drywalled (to meet the fire separation requirements).
Second floor must be insulated (to meet sound transmission requirements) and have furring channels and drywall installed (to meet fire separation requirements).
The attic floor or roof must be insulated to R-49 to meet the

Stairway

The stairway to the upper unit must a fire separation from the first floor unit. This cannot be accomplished with the current interior stair configuration, and the existing exterior stair is non conforming. A new stair must be constructed to meet all fire separation requirements. This will most likely need to be constructed on the exterior of the current building envelope.

Exterior

Existing windows do not meet Energy Code requirements and must be replaced.

Existing siding is in poor condition (average for a 115 year old building). Repair of this siding is not economically viable.

Foundation is brick which shows normal deterioration for it's age. The interior of the basement is to be tuck pointed and the exterior repaired as necessary.

The chimney is falling apart (due to age and the corrosive properties of 115 years of furnace exhaust). It must either be repaired or removed.

The roof must be replaced. It is assumed that the sheathing and all flashings will also need replacement.

Both front and rear entry porches/steps are nonconforming and must be replaced.

Conforming parking must be provided. This is both in layout and parking surface (a gravel surface is not allowed in current construction).

Estimated Cost for Construction: \$502,000

If the building is designated as a Landmark Building the cost for renovating/rehabilitating the exterior will increase exponentially. I would estimate this will add approximately \$50,000 to the renovation costs.

ANDREW FELL
ARCHITECTURE AND DESIGN

OWNER'S EXHIBIT I

611 West Elm Street
Urbana, Illinois

Following is a list of major items to be addressed during a remodeling of the existing residence to conform to current Building Code requirements for conversion to two separate apartment units. This analysis is assuming the building is separated into two units, one on the first floor and one on the second floor. This is not meant to address every aspect of the requirements for this conversion. It is simply to highlight the major issues. Please note that these items are formulated assuming the building is NOT designated as being of Landmark Status.

The overriding factors are that each unit must have completely separated utilities, and all current Building Code, Energy Code, and Life Safety issues must be met.

Electrical

- All wiring, fixtures, etc. to be removed and replaced.
- Larger main service to be installed and separated into separately metered services for each unit.
- Hardwired and interconnected smoke and carbon monoxide detectors to be installed.

HVAC

- All existing HVAC components to be removed.
- Separate HVAC units are to be installed for each apartment, including furnaces and condensers.

Plumbing

- All plumbing to be reworked to accommodate new layout.
- Sanitary lines to be televised to assess condition and possibly replaced to City main in the street.
- New larger water service to building

Exterior Walls

- Work for the new interior layout and replacement of utilities will require the removal of plaster from exterior walls. As a result, the stud cavities are exposed requiring conformance to the Illinois Energy Code. In order to meet current Code requirements, the exterior walls must be insulated to R-21. This cannot be accomplished with fiberglass batt insulation. The exterior walls will be required to be spray foamed with closed cell foam.
- Existing exterior walls are balloon framed. Each stud bay must be fire-blocked at the first floor line, the second floor line and at the attic.

Interior Walls

- Work for the new interior layout and replacement of utilities will require the removal some walls entirely and removal of plaster from any walls to remain. As a result, existing trim cannot be reused as the wall thicknesses will not be the same.

Floors

- First floor must be insulated (to meet the Energy Code requirements) and drywalled (to meet the fire separation requirements).
- Second floor must be insulated (to meet sound transmission requirements) and have furring channels and drywall installed (to meet fire separation requirements).
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Exterior

Existing windows do not meet Energy Code requirements and must be replaced.

Existing siding is in poor condition (average for a 115 year old building). Repair of this siding is not economically viable.

Foundation is brick which shows normal deterioration for its age. The interior of the basement is to be tuck pointed and the exterior repaired as necessary.

The chimney is falling apart (due to age and the corrosive properties of 115 years of furnace exhaust). It must either be repaired or removed.

The roof must be replaced. It is assumed that the sheathing and all flashings will also need replacement. Both front and rear entry porches/steps are nonconforming and must be replaced.

Conforming parking must be provided. This is both in layout and parking surface (a gravel surface is not allowed in current construction).

Estimated Cost for Construction: \$302,000

If the building is designated as a Landmark Building the cost for renovating/rehabilitating the exterior will increase exponentially. I would estimate this will add approximately \$50,000 to the renovation costs.

A N D R E W F E L L
ARCHITECTURE AND DESIGN

OWNER'S EXHIBIT J



ENGINEERING

May 7, 2015

BKB No. 112-1501

Mr. Kevin Hunsinger
Hunsinger Enterprises, Inc.
2004 Linview Ave.
Urbana, IL 61801

RE: Topographic Survey
609 and 611 W. Elm St.
Urbana, Illinois

Dear Kevin:

The following is an itemization of our work through May 7, 2015.

<u>Item Description</u>	<u>Lump Sum</u>	<u>Percent Complete</u>	<u>Cost</u>
Topo Survey	\$ 2,500.00	100%	\$2,500.00
Total Due This Invoice			\$2,500.00

Thank you for the opportunity to provide these services. If there are any questions, do not hesitate to call.

Sincerely,
BKB Engineering, Inc.

Bryan K. Bradshaw, PE, PLS

OK
F.A.
Call ELM
CONST. DESIGN

VALID
5-15-15
CK #112749

OWNER'S EXHIBIT K

ANDREW FELL

ARCHITECTURE AND DESIGN

515 NORTH HICKORY, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2890
FAX: 217.359.8493
EMAIL: andrewfell@comcast.net

12OCT15

Kevin Hunsinger
Hunsinger Enterprises

RE: Redevelopment
611 West Elm
Urbana, Illinois

*New Apt.
KDF*

Following is the invoice to date for the above referenced project thru October 1, 2015.

Conceptual Design:

Architect: 14.50 hrs @ \$105/hr =	\$	1,552.50
CAD Draftsman 1: 12.5 hrs @ \$75/hr =	\$	937.50
CAD Draftsman 2: 28.25 @ \$65/hr =	\$	1,836.25

Reimbursable expenses this period:

Copies: \$ 16.20 x 1.1	\$	17.82
Prints: \$ 0.00 x 1.1	\$	0.00
DRB Review Fee: \$150.00 x 1.0	\$	150.00
Previous reimbursable expenses: \$ 0.00		

Total amount this period:	\$	4,494.07
Amount previously invoiced:	\$	0.00
Total Amount Earned to date:	\$	4,494.07

Payments received: \$ 0.00

Total due this invoice: \$ 4,494.07

Please call if you have any questions or need any other information.

Sincerely,

Andrew T. Fell AIA

ANDREW FELL
ARCHITECTURE AND DESIGN

PAID
10-23-15

CR-11331

OWNER'S EXHIBIT L

MEETING MINUTES

URBANA MOR DEVELOPMENT REVIEW BOARD

DATE: September 30, 2015

APPROVED

TIME: 7:30 p.m.

PLACE: Urbana City Building
City Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Scott Kunkel, Dannie Otto, Jeffery Poss, Kim Smith, Jonah Weisskopf

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services; Jeff Engstrom, Planner II; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Brian Adams, Carolyn Baxley, Beth Darling, Andrew Fell, Michael Fitz, Thomas Garza, Kevin Hunsinger, Dixie Smith Jackson, Eric Jakobsson, Daniel Krehbiel, Ed Maclin, Ben Newman, Crystal Newman, Dan Newman, Sam Newman, Sylvia Sullivan, Sara Wiggins

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

Chair Poss called the meeting to order at 7:33 p.m. Roll call was taken and a quorum was declared with all members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF THE MINTUES

The minutes from the January 15, 2015 meeting were presented for approval. Ms. Smith moved to approve the minutes as presented. Mr. Kunkel seconded the motion. The minutes were then approved by unanimous voice vote.

4. COMMUNICATIONS

Regarding Case No. DRB-2015-01

- Revised Site Plan
- Email from Ryan and Maria Bailey
- Email from Peter and Caroline Coulston

- Email from Kate Hunter
- Email from Louise and T.J. Kuhny
- Email from Linda Lorenz
- Email from Dan Newman
- Email from Alice Novak
- Email from Gina Pagliuso
- Email from Gale Walden
- Email from Eunice Weech

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

Discussion of Amendment to the Official Bylaws

Chair Poss asked for an update on the possibility of combining the Design Review Board and the MOR Development Review Board. Jeff Engstrom, Planner II, explained that City staff was working on the best way to consolidate the boards. They were reviewing the existing Zoning Ordinance and also were considering a new design review district for Downtown Urbana.

7. NEW PUBLIC HEARINGS

Case No. DRB-2015-01 – A request by Kevin Hunsinger for review of a Site Plan and design of a five-unit apartment building at 611 West Elm Street in the MOR, Mixed Office Residential Zoning District.

Chair Poss opened the public hearing for this case. Jeff Engstrom, Planner II, gave the staff report for the proposed Site Plan review and design approval. He began by presenting a brief background on the proposed site. He mentioned the revised Site Plan that was handed out prior to the start of the meeting. He noted the revisions that were made and were now being proposed. He stated the intent of the MOR Zoning District and reviewed the objectives from the Urbana Zoning Ordinance that the MOR Development Review Board has when reviewing the Site Plan proposal.

Using the revised Site Plan as an exhibit, he described the proposed development. He presented a zoning analysis with regards to the development regulations for new development in the MOR Zoning District. He stated the zoning and land uses of the surrounding properties and of the properties in the block. He noted that the revised Site Plan conforms to the development regulations required in the Urbana Zoning Ordinance in terms of height, setbacks, floor area ratio (FAR) and open space ratio (OSR).

Mr. Engstrom reviewed how the proposed development related to the Site Plan Review criteria in Section XI-12.I of the Urbana Zoning Ordinance. These criteria include the following:

1) Compatibility with the Surrounding Neighborhood

Mr. Engstrom reviewed other properties in the surrounding area in detail noting their uses, building location, orientation and scale of each building. Ms. Smith pointed out that 203 South Coler Avenue and 701 West Elm Street were not located within the MOR Zoning District, and she questioned whether they should be included in the zoning analysis of massing and scale, especially since *“New construction shall be designed and constructed in a manner that is consistent with the character of the district.”* Ms. Tyler stated that this criteria also says, *“Proposals shall demonstrate consistency with the intent of the MOR Zoning District. In reviewing proposals the Development Review Board shall consider the effects of the proposed structure and use on adjacent properties and the surrounding neighborhood.”* While the MOR Design Guidelines referred only to the block in the MOR Zoning District, these criteria referred to adjacent properties and the surrounding neighborhood.

2) Parking and Access

Mr. Engstrom talked about the removal of the existing garage and the proposed five-space paved parking area to the south of the house that will be screened by a six foot fence.

Chair Poss inquired about the landscaping used around the proposed fence. Mr. Engstrom referred to the list of landscaping materials that was submitted as part of the revised Site Plan.

3) Screening and Landscaping

Mr. Engstrom talked about the existing trees on the proposed site noting that the two trees in the right-of-way along Coler Avenue have been scheduled to be removed due to the overhead power lines and the health condition of the trees. The tree in the back of the property would be removed to allow room for the parking spaces. The owner of the property planned to plant two new trees on the property.

Ms. Smith inquired about a sidewalk being required south of the proposed driveway that would not connect to another sidewalk. Ms. Tyler stated that requiring sidewalks is the best practice to provide a complete network. There is certainly quite a bit of pedestrian traffic in this area. When new development occurs, the City requires new sidewalks to be constructed where they are lacking. The Board could certainly make a recommendation for a terminus at this location, but the City Engineer and Community Development staff recommends that these networks be expanded when possible.

4) Site Details

Mr. Engstrom discussed where the exterior trash dumpsters would be located and how they would be screened. In terms of lighting and location of mailboxes, the applicant has not yet submitted a design.

5) Design Guidelines

Mr. Engstrom stated that there would be an entrance into the proposed building from each street frontage; however, the entrance off Elm Street would be into a single unit. There would be several windows on the front facades along both Elm Street and Coler Avenue. Parking spaces would be located in the rear of the property on the south side.

Mr. Otto asked how City staff determined where the front of the proposed development would be. Mr. Engstrom explained that City staff looked at the surrounding houses, and noted that most of the corner houses in this area face onto Elm Street. The Zoning Ordinance also determines that on a corner lot the narrower of the two frontages is the primary front yard, which is used to determine the rear yard.

Mr. Engstrom reviewed the MOR Design Guidelines and explained how they relate to the proposed development. They are as follows:

- Façade Zone
- Building Orientation & Patterns
- Massing and Scale
- Openings
- Outdoor Living Space
- Materials
- Parking Areas
- Landscaping
- Commercial Site Design

Mr. Otto asked for clarification regarding setbacks. Do setbacks exclude open porches? Mr. Engstrom replied yes. Open porches may encroach into a required yard, but only up to five feet and no closer than five feet to the property line. Mr. Otto asked if the setback along Elm Street is measured to the first enclosed plane of the building. Mr. Engstrom said that was correct.

Mr. Otto inquired how City staff determined that these were porches and not terraces. Mr. Engstrom explained that terraces are on grade. Porches have hand railings, railings all around and columns. The proposed design exhibits porch-like qualities.

Mr. Otto questioned if there would be an easement on the other property to ensure that a parking space would be available in the future if the two properties should change owners. Mr. Engstrom stated that the MOR Development Review Board could require this as a condition of approval.

Mr. Engstrom stated that the Historic Preservation Commission had an opportunity to review and comment on the proposed development because it is adjacent to the Ricker House, which is a Historic Landmark in the City of Urbana. Many of the members provided comments, which have been provided to the MOR Development Review Board.

Ms. Smith explained that she serves on the Historic Preservation Commission and had submitted comments. The existing garage has very little architectural significance and is in a deteriorating state. The form of the existing house is still intact and there are still a lot of historical architectural details remaining for the Dutch Colonial style. The façade along Elm Street has

been impacted by the addition of the outside wooden stairs to the second floor and also by the enclosure/replacement of the porch.

Ms. Smith stated that her concern was how to encourage owners to reuse the existing buildings on these types of properties.

Mr. Engstrom read the options of the MOR Development Review Board and presented City staff's recommendation for approval with conditions. Chair Poss asked if the Board had any questions for City staff.

Mr. Otto acknowledged the number of communications that were submitted with regards to stopping the demolition of the existing house. He asked what authority the Board had relative to the demolition. Mr. Engstrom stated that the MOR Development Review Board did not have authority regarding the demolition itself. However, there was a Demolition Delay Ordinance in effect for this neighborhood, which requires demolition permits to be delayed for 45 days to allow time to review requests for possible historic value. In this case, the applicant applied for a demolition permit and the time period for the delay ends on October 22, 2015. The purview of the MOR Development Review Board was to review the proposed development plan and determine if it meets the intent of the MOR Zoning District.

Mr. Otto wondered if there were any limitations on the density of an apartment building allowed in the MOR Zoning District. Mr. Engstrom explained that there are a few ways in which density is restricted in the MOR. The main restriction is through the FAR limits and the limit of lot area that applies to FAR. OSR and parking also set limits on density.

With there being no further questions for City staff, Chair Poss opened the hearing up for public input.

Andrew Fell, architect for the proposed development project, addressed some of the issues raised. With regards to the location of mailboxes, there would be a niche located inside the front door of the proposed building where they intend to have the mailboxes; however, the United States Post Office determines whether the mailboxes can be located inside or not. They are waiting to hear back from the Post Office.

Mr. Fell spoke with City staff about the possibility of delaying the installation of a sidewalk along Coler Avenue until there is a continuing sidewalk along the Ricker property. This sidewalk would only be required to be built if the Ricker property would be redeveloped, which will never happen. However, City staff denied his request.

The additional parking space would be located at 708 West Elm Street, which the developer also owns. Chair Poss asked if they would be willing to memorialize the parking space by providing an easement. Mr. Fell did not think it would be a problem and noted that to his knowledge the City of Urbana had never requested that be done before. Libby Tyler, Director of Community Development Services Department, replied that if the owner were seeking parking to meet the requirements off-site owned by another person or business, then the Board might want to pursue an easement condition. However, since the owner owns both properties, a letter agreement would be sufficient. City staff would verify availability of the parking space and document it

accordingly. Placing an easement would take legal and engineering work and would be beyond what was needed in her opinion.

Mr. Fell addressed the porch issue. He stated that architects and developers have the problematic issue of dealing with both what is logical and aesthetic and what the Accessibility Code require them to do. The Accessibility Code required them to have two adaptable units in the proposed building, so the ground two units would need to be adaptable. In order to do this, they have to deal with grades. Their preference would have been to raise the first floor up; however, that would mean they would have to install ramps. The site is constrained enough that they would have to put the ramps on the outside of the building, which would be an aesthetic concern.

Ms. Smith asked Mr. Fell to elaborate on his comment in the application about "*the existing structure not being well suited to renovation for intended purpose.*" Mr. Fell replied that this is more of a matter of the existing use of the structure and the compatibility with the City's building codes. The existing structure is a rental property that is underutilized. To remodel the building into different units to meet building code would be impractical.

Mr. Otto inquired as to whether the row of trees on the south side of the property were located on the proposed property or on the Ricker property. Mr. Fell stated that they would not remove anything on a neighboring property. Mr. Engstrom added that it appeared in the survey that was submitted as part of the application that the row of vegetation in question was located on the subject property.

Chair Poss questioned if there had been any discussion about possibly leading the sidewalk along Coler back to the street. Mr. Fell said no. Ms. Tyler stated that it really was best engineering practice to require sidewalks for new development. In this case it may make sense for the sidewalk to lead a pedestrian back into the street. However, that would require a mid-block crossing, and the engineers would likely not allow it in this location. There may be some flexibility to terminate the sidewalk at the driveway.

Chair Poss stated that in the numerous communications that were received, one major concern was about the impact of the proposed development on the Ricker property. He wondered how the decisions came about for the materials for the fence, the color of the fence, and the choice of the vegetation material. Mr. Fell explained they do not want a fence that is transparent so car lights would not shine onto the Ricker property. Material and landscaping choices were due to economics, durability and maintenance requirements.

Ms. Smith asked if there was anything that could be done to the big expanse of wall that would face the Ricker property to make it less industrial looking. Mr. Fell replied yes,

Mr. Otto stated that vinyl siding is excluded in the MOR Zoning District. Did Mr. Fell and the owner consider using masonry for the fence, which would also be durable long term and aesthetically pleasing. Mr. Fell replied no. The project needed to be economically viable as well as aesthetically pleasing. They could probably construct a wood fence, but then there would be maintenance issues with a wood fence. Chair Poss suggested another alternative would be to go with a better quality material and have a shorter fence.

Brian Adams approached the MOR Development Review Board to speak in opposition to the proposed development. He mentioned that he used to live on West Elm Street and liked the old historic feel and setting of the neighborhood. He talked about the impact that the proposed development would have on the historic integrity and feel of the neighborhood. Elm Street was one of the original corridors in the City of Urbana. This area has already been affected by the removal of some historical buildings. There were many important, historic structures dating from the 1860s through the 1920s still standing on Elm Street, so there was a good cross-section of architectural styles and time periods represented. Replacing the existing house with a modern building would have a negative impact on the historic and architectural fabric of the neighborhood. It would also go against one of the goals of the MOR Zoning District, which was adaptive reuse of existing structures.

Eric Jakobsson approached the MOR Development Review Board to speak in opposition to the proposed development. He talked about the 800 block of West Main Street, which was where he lives. Once the City got involved and decided to preserve this block, home owners began expressing interest in renovating their existing structures to their original historic character. Some of the homes on the block were in far worse condition than the existing house at 611 West Elm Street. While the proposed development would not be ugly, it would alter the character of the neighborhood on that block. He urged the Board to see the photos of the inside of the existing structure that are available on the Hunsinger website.

Ms. Smith asked what they could do as a community to save the historic structures in the City of Urbana. Ms. Tyler responded that there was a long history and a variety of tools. There was an outgrowth of concern regarding out-of-scale apartment rebuilding along Green and Elm Streets. This came at a time when there was a variety of rezonings in the City as a result of the Downtown to Campus Plan in the 1990s. The MOR Zoning District was crafted to promote office reuse of existing structures, to limit new development to the FAR requirements we currently have, and to limit lot consolidation. Now the newer built apartment buildings are smaller, have more architectural detail and look more residential than the older apartment buildings.

Another tool was the City's historic preservation protections. Part of Main Street became a historic district. One benefit of a historic district is that it can contain a property such as the proposed site that may not qualify for a landmark on its own but would be worthy of contributing to a district. The City of Urbana has a Demolition Delay Ordinance that gives people the chance to learn about a proposed demolition, to study the property and maybe even preserve the site. To go beyond this, the City would get into the area of property rights.

City staff continually tries to make improvements to the zoning districts. The MOR Development Review Board was previously a staff review board with some outside expertise. Now, it is a citizen review board with different membership requirements. City staff has added the design guidelines for the MOR. The Board could make improvements to a project based on public input and concerns.

Eric Jakobsson added that it seemed there were different considerations, but the Board was not told how much to weight each one. They were charged with being wise. There was one choice that would be irreversible, and that was whether or not to tear the existing structure down.

Dixie Jackson, one of the volunteer managers of the First Presbyterian Church's Thrift Shop located on Elm Street, approached the Board to speak in opposition. She expressed concern about tenants or guests parking in the church's parking lots.

Carolyn Baxley approached the MOR Development Review Board to speak in opposition. She mentioned that she served on the Plan Commission when the Downtown to Campus Plan was adopted and when the MOR Zoning District was created. The intent of the MOR Zoning District was to maintain the look of Green Street and Elm Street and to prevent encroachment of large apartment buildings in the area. The primary purpose was adaptive reuse of existing historic structures with compatible infill by apartment developers such as the owner of 611 West Green Street, Kevin Hunsinger. She complimented Mr. Hunsinger for being responsible and having an aesthetic sense; however, the proposed development did not conform to the primary intent of the MOR Zoning District. Other people have given testimony to the historic character of the existing house. It is a good house and the exterior is intact except for the enclosure of the front porch, which is easily reversible. It is feasible to renovate these historic houses as they exist.

She also expressed concern on the impact the proposed new apartment building would have on the Ricker House. The Ricker House was one of the City of Urbana's most significant historic buildings. It is on the National Register list of Historic Places.

Dan Newman, owner of the Ricker House located to the immediate south of the proposed property, approached the Board to speak in opposition. He asked if the MOR Development Review Board had any authority to stop the existing house from being demolished. Mr. Otto replied that the MOR Development Review Board cannot keep the house from being demolished. The City of Urbana had guidelines with regards to demolition; however, as long as the property owner conformed to the guidelines, the existing house could be torn down and turned into a grassy lot. The Board did have some approval over the design of the new structure, which determines something about the incentives to demolish indirectly.

Mr. Newman inquired about the row of vegetation separating the proposed site from his property. Mr. Engstrom stated that most of the growth was north of one street tree that appeared to be right around the property line. Mr. Newman expressed his concern about trees and other vegetation growth on his side of the property line being removed or considered part of the proposed property. He also expressed concern about the type of fencing the owner was planning to construct between the two properties to screen the parking spaces. A cedar fence would be more aesthetically pleasing than the proposed vinyl fence.

Mr. Newman gave a presentation on the purpose and intent of the MOR Zoning District. He talked about the properties across the street from the proposed site and how the new development would compare in height and appearance to those properties. He talked about the existing structure on the subject property. He reviewed the comments submitted by members of the Historic Preservation Commission.

Ms. Tyler noted that any removal of vegetation on his property would be unlawful. The developer had a survey performed and would not remove trees from his property.

Crystal Wiggins, of 612 West Green Street, approached the Board to speak in opposition. She wondered how the proposed development would affect the feel of the neighborhood. She

expressed concern in that the Historic Preservation Commission was not utilized in the way they should have been to review a case like this. Her family only found out about this from a letter they received in the mail from City staff. They did not have much time to prepare their testimonies. She encouraged the board members to take some time to consider the comments from the written communications that were received and from testimonies they heard at this meeting. This would allow for more input from the neighbors and give the owner more time to finalize his plans.

Thomas Garza, Director of Preservation and Conservation Association (PACA), stated that PACA holds the preservation covenants on the Ricker House, which was located adjacent to the subject property to the south. PACA was concerned about the framing and the context of the proposed development. He recalled the Mumford House. It was a model farm that was built by the University of Illinois to demonstrate farming techniques. Over the years, the University has built around it, and now the Mumford House was the "odd man out", so framing and context matters. He believed that a large apartment building on the subject property would materially affect the Ricker House and change the neighborhood in a way that would not be good.

Kevin Hunsinger, owner of the proposed property, approached the MOR Development Review Board to answer any questions that the Board members had.

Chair Poss asked Mr. Hunsinger to give a brief history of the property. Mr. Hunsinger began by stating that he purchased the property between ten and fifteen years ago. It was a six bedroom house. One of the major negative impacts that occurred was when the City passed an ordinance stating that no more than four unrelated people could live in a rental property. It highly impacted how he rents the place, because now he could only rent to four people leaving two bedrooms empty. This was not just a revenue issue, but a management issue because now he had to watch to make sure his tenants did not allow extra people to live in the spare two bedrooms. Also, because there was extra space, it would attract young people who like to host parties, which created significant damage on a yearly basis. Over the course of time, the property had deteriorated to a point that it was economically time for him to replace the building.

To the people who want the existing house saved, Mr. Hunsinger argued that, other than the Ricker House, for two blocks in any direction from the subject property was student housing. Although the residents in the West Urbana Neighborhood area did not like it, the reality was that this neighborhood was mostly where college students live. All he wanted to do was to provide a product that the students want. He gets many requests for one bedroom, high quality apartments every day. Future tenants in the proposed apartment building would be more responsible than tenants that live in the existing party house. Future tenants would include grad students and under-grad students that would be serious and take ownership of the neighborhood.

He stated that he would try to be accommodating to the Ricker House. He would be willing to install a cedar fence if that is what the Newman Family wants.

He talked about the size and height of the building compared to other buildings in the immediate area. He stated that because of the property being on a corner lot and having two front yards, he got locked into making the proposed building appear to be more as an apartment than a residential house.

Mr. Newman re-approached to say that the previous tenants have been good neighbors. If they held a party, they would invite him over and asked him if he or his family had any problems with partygoers to please call them rather than calling the police. He would rather have this kind of neighbor in the existing house rather than having six or more neighbors in a 4,600 square foot. One of the roles of the MOR Development Review Board was to judge the scale and massing of a new development.

Mr. Fell re-approached the Board. He mentioned that he was sympathetic to the neighbors. He had lived in the neighborhood for seventeen years and has many historic preservation awards on the walls in his office. However, the City of Urbana needed to promote some growth, and he worked hard to meet every requirement in the MOR Ordinance. If it is the City or the staff's stance that there should not be any new development, then the City needed to revise the existing ordinance.

Chair Poss closed the public input portion of the hearing, and he opened it for discussion and/or vote from the Board.

There was talk amongst City staff and the Board members as to whether they should discuss and take a vote on the case or to continue the public hearing to another meeting. Most of the members agreed that City staff had given a thorough presentation of the case and that they received a clear presentation of the concerns from people in opposition and were ready to discuss the case and take a vote.

Ms. Smith requested that when the Board looked at the massing and scale of the proposed development, they not consider the massing and scale of properties outside of the MOR Zoning District.

Mr. Kunkel mentioned that he appreciated the concerns that neighbors had brought forward. However, he kept coming back to the encouragement of reuse, which was done through an incentive process; in which, a property owner could evaluate and decide if those incentives were adequate or made the best interest for the use of their property to utilize as the basis to adaptively reuse versus replacement. It seemed apparent to him that the property owner had weighed this calculation and had decided that the incentives and opportunities associated with adaptively reusing the property would not make sense and instead chose the other equally viable option to have a new development. Therefore, he felt the Board's charge was not to make a subjective evaluation of the appropriateness of adaptive reuse versus replacement, but instead to take the project as submitted and evaluate how well it conformed with the intent of the MOR District and with the Design Guidelines that were in place if new construction was elected.

Frankly, he believed the owner and architect had done an admirable job. There were some rough edges to discuss such as the fence. He was happy that the owner was not opposed to installing a cedar wood fence around the parking.

Mr. Weisskopf agreed with Mr. Kunkel's articulation. It was clear that the design and aesthetics of big box apartment buildings was not present in the proposed design. The proposed design was aesthetically pleasing. He sympathized with the neighbors' concerns and felt they were valid. It was a student intense housing area. His concern with students was safety. Ultimately, the proposed new development would be required to have a sprinkler system and meet every new

modern building code that exists when being built versus the safety of a 100-year old building. The proposed design complied with every design standpoint that the City asks for. The design restrictions themselves were the criteria.

Mr. Otto commented that in the preamble to the creation of the MOR District, the economic interest that was referenced referred to the surrounding land owners, not the applicant. Nowhere in the MOR Guidelines did it say that the Board should consider the economic interest of the applicant. So, within the larger framework of the desire to do adaptive reuse first, there was a concession that there might be new construction. However, the economic interest of adjacent landowners was specifically mentioned in the preamble, so the Board needed to weigh that.

He understood the criteria for massing and scale a little differently than what City staff did. To him it had to do with the overall scale of the project and the impact it would have on the neighborhood. Tripling the mass of the building would change the character of the neighborhood, which was specifically mentioned in the preamble. They would be going from the legal occupancy of four to ten people.

If the existing structure no longer existed and adaptive reuse was not an option. The guidelines say that a new building on a vacant lot should be similar to the scale and mass of the previous building or the other houses in the neighborhood. So, to him the proposed development would be an outsized building. It was up to the developer to either adaptively reuse the existing building or to replace it with a new building that would be the same size.

He believed that the new development as proposed would violate the economic impact on the neighborhood, which was the only thing they were instructed to consider in terms of economy and the effect it would have on the adjacent properties.

Mr. Weisskopf estimated in terms of the economic impact on the neighborhood, the new development would triple the tax revenue for the proposed site. He asked Mr. Otto if he would characterize that as an advantage for the neighborhood or an economic incentive for the new development to be built. Mr. Otto replied that it would be an advantage for the City, not the neighborhood. The Board was not supposed to consider this in making a decision to vote in favor or against the proposed request. They are only to consider the affect it would have on the character of the neighborhood, the massing and scale of the proposed new development as well as the economic impact on adjacent properties, the transition of the north side of the street explained by Mr. Jakobsson, and the ability to adaptively reuse an existing structure.

Mr. Otto stated that it was not the job of the Board to layout plans to adaptively reuse the existing structure. The owner purchased the property, had been leasing it out and needed to maintain it to meet the City's codes. Even if it were a vacant lot, he would not approve the scale of the proposed development.

Ms. Smith felt that the design of the proposed development was very sensitive to the Design Guidelines for the MOR District. The architect did a nice job with the detailing to try to bring the scale down. However, her concern was with the massing and scale and how it was justified in the written staff report. She agreed with Mr. Otto on how the proposed development would economically impact the neighborhood.

Chair Poss commented that the Board's role was not to feel comfortable. He had served as Chair for the Board for four years and believed this was the first project that they had heard. He realized why the Board and the MOR District were created. He kept remembering that this is a MOR District and not a historic district. Here was a well-intentioned property owner who had been given a set of criteria and hired an architect to design an apartment building that reflects the intentions and values of the MOR Design Guidelines.

He stated that he had heard a lot of emotional testimony rather than testimony about the economic interest. He related to and empathized with everyone who testified during this public hearing, but ultimately the Board had certain instructions before them. The Board cannot decide whether the existing building gets demolished or not. The Board also cannot decide whether the owner should sell the property to another person who wants to maintain the existing building as a single-family residence. The Board was to decide whether the design for the proposed development met the guidelines for the MOR District.

In doing so, he kept in mind what the MOR was, what was the intention of the MOR and how did the proposed development fulfill those intentions. Because the property was not a historic property, keeping the structure within the same scale was not what the MOR intended. The zoning, the design guidelines and the MOR criteria specifically state what the scale can and cannot be. He felt that the design of the proposed development met the intentions of the MOR Zoning District.

Testimonies during the public hearing prove that there was a greater need to develop more historic districts in the Downtown Urbana area. There seemed to be a tremendous, emotional need to hold on to the historic fabric as much as possible. There was controversy with this because the area was located so close to the University of Illinois' campus, it also made the area viable for student housing. Overall, he felt the developer had done an admirable job in fulfilling the intent of the MOR District.

Mr. Kunkel moved that the MOR Development Review Board approve Case No. DRB-2015-01, which was in general compliance with the guidelines of the MOR Zoning District, including the condition that the fence being proposed to screen the parking along the south boundary of the site be constructed of a natural material in lieu of the proposed PVC material. Mr. Weisskopf seconded the motion.

Ms. Smith discussed possibly adding conditions to either add detailing or window openings to the expansive wall on the south façade and to add operable doors on the trash areas. Mr. Kunkel asked for a "friendly amendment" to add conditions to include the following:

Condition 2: Additional articulation be provided on the façade on the south elevation,

Condition 3: Screening of the trash area be provided, and

Condition 4: Provide more robust landscaping on the property

Mr. Weisskopf agreed to the suggested changes.

Mr. Otto encouraged both the owner of the proposed property and the Newman Family to have surveys of their properties performed so that the row of vegetation was not removed from the neighboring property.

Roll call on the motion was as follows:

Mr. Otto	-	No	Mr. Poss	-	Yes
Ms. Smith	-	Yes	Mr. Weisskopf	-	Yes
Mr. Kunkel	-	Yes			

The motion was passed by a vote of 4 to 1.

8. NEW BUSINESS

Kim Smith requested that City staff review the design guidelines and fine tune the MOR process for future projects. Mr. Kunkel agreed especially in terms of massing and scale. Ms. Tyler replied that City staff could research the purpose or intent of the MOR Zoning District. They have recently been asked to review the Boneyard Creek District by City Council.

9. AUDIENCE PARTICIPATIONS

Dan Newman approached the Board to say that his family preferred there not to be windows on the south façade of the new development to the north. The massing on the south side of the proposed development would be good for privacy. Chair Poss encouraged him to speak with the owner and architect.

Crystal Wiggins wondered if there was a rule that the Historic Preservation Commission must meet to review such proposals. Mr. Engstrom explained that the Ordinance required the Zoning Administrator to forward the Application for Site Plan Approval to the Historic Preservation Commission for comments, but it was not required of the Commission to meet about the application.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. ADJOURNMENT

Ms. Smith moved to adjourn the meeting. Mr. Kunkel seconded the motion. The meeting was adjourned at 10:41 p.m.

Respectfully submitted,

Jeff Engstrom, AICP, Secretary