



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, Ph.D., FAICP, Director

DATE: February 10, 2011

SUBJECT: Ordinance No. 2010-09-080: An Ordinance Designating a Historic Landmark (104 North Central Avenue, "Eli Halberstadt House"/ Historic Preservation Case No. HP-2010-L-02)

Introduction and Background

The purpose of this memorandum is to report on the status of an application pending before the Urbana City Council to designate 104 N. Central Ave (referred to as the Eli Halberstadt House) as a local historic landmark.

Brian Adams submitted the application on May 17, 2010. Canaan Baptist Church owns the property. Church officials have submitted a written protest against designation, indicating that they purchased the property with the intention of demolishing the building to expand their institutional campus. Under Section XII-5.F.2(a) of the Zoning Ordinance, if a valid protest is timely filed against designation, the application may only be approved by a minimum two-thirds majority vote of alderpersons then holding office.

Should the application be approved, the owners would be required to obtain a Certificate of Appropriateness from the Historic Preservation Commission for future alterations affecting the exterior architectural appearance of the structure.

The following is an overview of City activities concerning this application.

- *May 17, 2010.* Brian Adams submits an application to designate 104 N. Central Ave. as a local historic landmark.
- *July 7, 2010.* The Historic Preservation Commission (HPC) determines that the property qualifies for designation as a local landmark.
- *August 10, 2010.* The HPC opens and continues a public hearing until September 1, at the written request of the property owners' attorney.
- *September 1, 2010.* The HPC continued the public hearing, during which the property owner's legal counsel explained that Canaan Baptist Church bought the property in 1999 with the intention of demolishing the house and using the land to provide parking for

their church campus. The property owners submitted a packet of documents, including a February 18, 2010 bid of \$12,000 to demolish the structure, and several contractor repair quotes. At the public hearing the City received two petitions, one in support of the application and one opposed to the application. The HPC concluded the public hearing and voted six ayes and zero nays to recommend that the City Council approve the landmark application.

- *September 20, 2010.* The Urbana City Council took public comments and continued discussion.
- *September 22, 2010.* The Mayor and City staff met with Church officials to hear their concerns. To allow time for further discussion, Church representatives advised Mayor Prussing that the Church would be willing to allow deferral of the City Council's consideration of this matter through the end of January 2011.
- *September 27, 2010.* The Committee of the Whole heard public comments. A property owner representative indicated that, although opposed to designation, they were willing to allow additional time for discussion, suggesting until January 31, 2011. City staff was directed to evaluate and report on the building's condition, repair costs, and feasibility for continued use of the existing building.
- *October 27, 2010.* With the property owner's permission, City of Urbana staff inspected the property. Overall, the building was observed to be structurally sound but in need of major investment to upgrade systems now reaching the end of their life cycle. The three major improvements of immediate need are roof replacement, boiler replacement, and repainting of the exterior. The current fair market value, per an April 2010 appraisal by Whitsitt & Associates, is \$125,000. Based on bids submitted by the property owner, basic repairs would cost approximately \$67,800. Demolition would cost approximately \$12,000, and relocation of the house to a different lot would cost approximately \$100,000.
- *November 8, 2010.* City staff presents its inspection and other findings to the Committee of the Whole. The Committee of the Whole continued the case and requested an update at their December 13 meeting.
- *December 13, 2010.* City staff provides the Committee of the Whole with a status update. Legal research about state laws pertaining to school playgrounds and liquor stores was shared with the Committee. City staff indicated they have been working on scenarios but need additional time to discuss with all affected parties.
- *January 10, 2011.* City staff provides the Committee of the Whole with a status update. The City and Church leaders are preparing to meet to discuss options.

Since the last report provided to the Committee of the Whole, progress has been made in reaching a solution acceptable to both the property owner and historic preservation interests. The Mayor and City staff met with Church representatives and their counsel and discussed potential sale of the Halberstadt House, other suitable locations for Church expansion, and partnering with the Church to create public parking on the adjacent vacant lot formerly occupied by the Armory Building. Based on this productive meeting, the Church has been evaluating alternative locations, and City staff is currently preparing an agreement concerning the parking lot. Additionally, potential purchaser(s) of the Halberstadt House toured the property on January 27 and have prepared a preliminary budget for necessary repairs. Staff anticipates that a purchase offer will be made in the near future. Additionally, City staff has provided the Church with information on how their campus could grow with fewer development impacts on the neighborhood.

Request

The property owners have indicated their willingness to consider sale of the Halberstadt House property to an owner that is supportive of a landmark designation under certain conditions. City staff and the property owners request more time to work on this and other related issues. City staff will report back to City Council at a future meeting.

Prepared by:

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