



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: January 6, 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.

At the Mayor's request, City staff has been exploring options which would be mutually acceptable to both historic preservation interests and the property owners. The City and Church leaders are currently scheduling a meeting to take place within the next few weeks. At that time City staff plans to discuss options such as (1) continued Church ownership of the property with the City helping to identify and secure assistance to rehabilitate the structure, (2) potential sale of the property to parties willing to rehabilitate the building, (3) campus master plan and anticipated campus expansion, and (4) a public/private partnership to construct a parking lot serving public needs, including those of the church, at the former location of the armory at 310 W Main Street.

Request

City staff is currently arranging to meet with Church officials and their counsel within the next few weeks in order to seek an acceptable resolution to the issues described above. City staff will report back to City Council. At a future meeting.

Prepared by:

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