Battle Creek Historic District Commission

Staff Report

Meeting: January 9, 2012

To: Historic District Commission

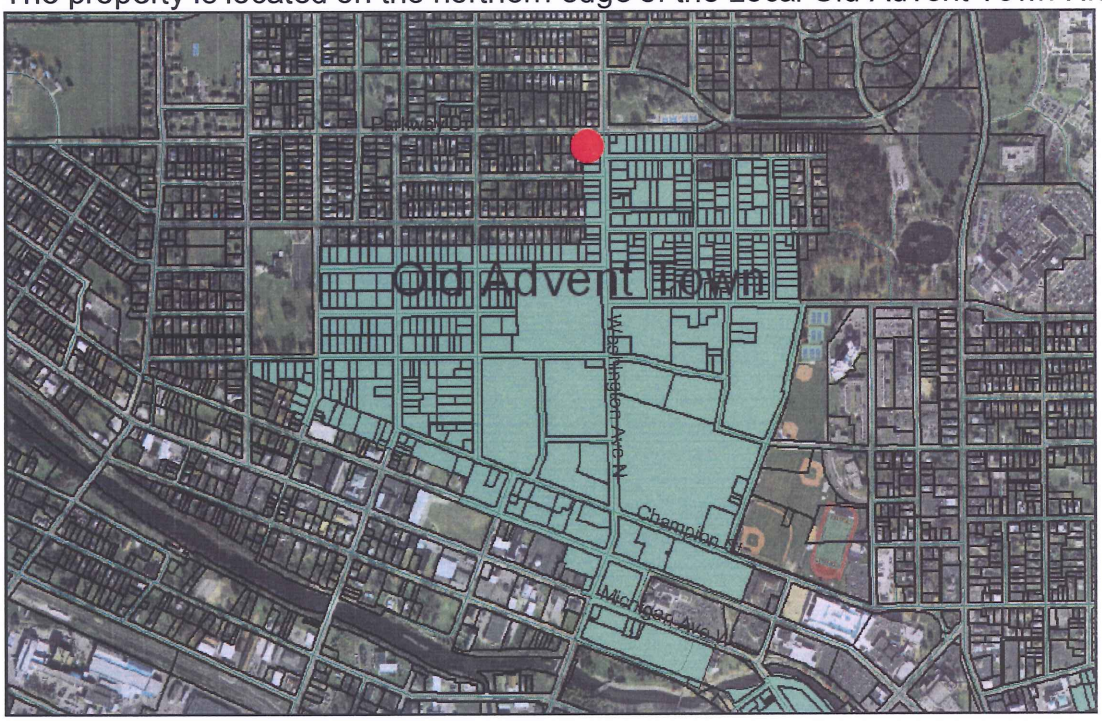
From: Glenn Perian, Senior Planner

Date: December 30, 2011

Subject: The petition filed by Krista Trout-Edwards, on behalf of the Calhoun County Land Bank Authority is for the issuance of a Notice to Proceed from the Historic District Commission to demolish the home at 291 N. Washington Avenue.

Site:

The property is located on the northern edge of the Local Old Advent Town Historic District.



Summary of Request

The home at 291 N. Washington Ave. is a two-story building and our records indicate that was built in 1900. The structure sits on a lot 50' wide by 132' deep and is 1,716 square feet in size. The Land Bank acquired the property in 2010 through a tax foreclosure process and the Land Bank staff has looked at the possibility to repair the structure. They have an estimate of approximately $160,000 to rehab the home. Due to the cost of rehab, the Land Bank is asking for HDC approval to demolish the structure.

Public Notice Requirements:

Public notice has occurred as outlined under MCL Section 399.205 Section 5 (6)..."*the business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 of 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.*

Applicable HDC Guidelines:

This property is to be reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan's Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Generally, demolition of a structure will not comply with the standards outlined in the Secretary of Interior's Standards and Guidelines. However, in the event that these standards cannot be met, the State Act and local ordinance states that a notice to proceed **shall** be issued if any **one** of the following criteria, per Ch 1470.09(e) as follows, is met:

(e) Work within an Historic District shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Historic District Commission to be necessary to substantially improve or correct any of the following conditions:

(1) The resource constitutes a hazard to the safety of the public or to the structures and occupants.

(2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals and financing and environmental clearances.

(3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the Historic District, have been attempted and exhausted by the owner.

(4) Retaining the resource is not in the interests of the majority of the community.

Analysis and Recommendation:

The Calhoun County Land Bank Authority has provided an Application for a Notice to proceed to demolish the structure at 291 N. Washington Ave. Pictures of the building are included as part of the packet along with a cost estimate from Mr. Kim Tuck of approximately $160,000 for the rehabilitation of the building. It is the opinion of the Land Bank Authority it will be nearly impossible to find a private investor to rehab this property due to the high cost of needed repairs. The applicant is expected to be in attendance at the meeting to discuss the demolition plans and answer any questions you may have.

While planning staff would prefer to see the building rehabilitated, as outlined in the ordinance, the HDC **shall** approve a Notice to Proceed if at least **one** of the criteria has been met. It is your job to determine if the Land Bank application has met the test outlined in the ordinance for the HDC to grant a Notice to Proceed for the demolition of 291 N. Washington Ave., as outlined in Chapter 1470 "Historic Preservation" and the Michigan Local Historic Districts.

Planning staff is recommending that a Notice to Proceed be issued to the Land Bank Authority for the demolition of the building at 291 N. Washington Ave. in that the request meets standards (1) and (3) outlined in Chapter 1470.09(e) "Review of Applications" because as documented in their application, retaining the building will cause undue financial hardship to the property owner and the building has been vacant for over two years.

HISTORIC DISTRICT COMMISSION

City of Battle Creek, Planning and Community Development Department
Commerce Pointe Bldg., 77 East Michigan Avenue, Ste. 204
Battle Creek, Michigan 49017
Phone: (269) 966-3320 Fax: (269) 966-3529

APPLICATION FOR DETERMINATION OF APPROPRIATENESS

Date: 12/20/11 **Applicant/Contact Name:** Krista Trout-Edwards

Phone #: 269-781-0859 **Property Owner:** Calhoun Co Land Bank Auth.

Property Address. 291 N. Washington Ave

Address for Correspondence (If different from property address): 315 W. Green St, Marshall

Applicants Role: *Owner* X *Architect* ____ *Contractor* ____ *Other:* ____

HUD Funded: *Yes* X *No* ____ **In a Historic District:** *Yes* X *No* ____

On or before date of completion of proposed work, the building will have a code compliant smoke detector or fire alarm system? Yes ____ **No** X

DESCRIPTION OF PROJECT:

See attached

Instructions:

- **The Commission will not consider an application with inadequate or unclear information.** Review your application with City staff in advance to be sure it is complete.
- **The property owner or person authorized to act on the owner's behalf must attend the Historic District Commission (HDC) meeting when this application is considered.** If an authorized representative will be attending a letter of authorization must be included with this application.
- **Provide drawings that explain what is proposed. Elevations are required for all projects.** Include plans, site plan, details, specifications, and product information as needed.
- **ONE set of drawings on 8 ½ x 11 paper is strongly recommended.** This set will be copied and distributed in the HDC packets. For larger drawings, colored prints, or anything that cannot be copied by staff, submit 10 copies of each item.
- **Indicate all dimensions.** Drawings should be to scale.
- **Submit one copy of the following photos:** All four elevations of the building (strait on shots of all four sides of the building), a historical photo of the property (check the Willard Library 1940 picture file), and a street photo showing adjacent structures to the property.
- **Provide specific information on all materials:** Manufacture's names, illustrations, specifications, and samples. Material information should be submitted with this application. All samples (paint color ships, shingles, etc.) should be brought to the meeting.
- **Indicate not only the immediate area of the work, but also how it relates to the building as a whole.** Enlarged photocopies of photographs with the proposed changes drawn in may be helpful.
- **For new construction, indicate both in plan and elevation how the project will relate to the surrounding streetscape.**
- **Proposed demolition should include estimates for the complete repair of the property.**
- For smaller projects staff can provide information on previous HDC decisions as a guide to what may be acceptable. For complex projects such as additions, applicants are encouraged to consider seeking the advice and expertise of an architect familiar with historic preservation.

Description of Project: Demolition Request for 291 N. Washington Avenue
Petitioner: Calhoun County Land Bank Authority
Krista Trout-Edwards, staff contact

Location: 291 N. Washington Avenue
Year Built: 1900
Duration of Vacancy: 2 years, 10 months
SEV: $19,270
Repair Estimate: $159,593.72 (with an 8% contingency: $172,361.22)
Demolition Estimate: $11,375.00

The Calhoun County Land Bank Authority (Land Bank) is seeking permission to demolish the house located at 291 N. Washington Avenue using NSP2 funds. The house was built in 1900, and has been vacant since 2009. It is located in the Old Advent Town section of the Local Historic District, on the west side of N Washington Ave and just south of Parkway Drive. The Land Bank assumed ownership of the property in 2010 through the tax foreclosure process.

Land Bank staff asked the city of Battle Creek's Neighborhood Stabilization Program 2 (NSP2) Construction Coordinator, Kim Tuck, to conduct an evaluation of the property and to prepare a repair estimate. Based on Mr. Tuck's assessment, the repair estimate of this structure is $159,593.72. This estimate far exceeds the structure's State Equalized Value (SEV) of $19,270 (the property's true cash value is $38,540). The **Demolition and Moving of Buildings** section of the city code states in 1454.04(e) that, *"If the estimated cost of repair exceeds the State equalized value of the building or structure to be repaired, a rebuttable presumption that the building or structure requires immediate demolition exists."* Based on this, Land Bank staff feels that the structure meets the test for demolition and that the cost of repair represents a financial hardship. Furthermore, staff feels that it would be nearly impossible to find a private investor to rehabilitate this property due to the high cost of repair. For these reasons, staff respectfully asks for approval of this request.

Attachments:

- Elevation photos of each side of the structure
- Historical photo of the subject property
- Photos of surrounding properties
- NSP2 Repair Estimate Form
- NSP2 Demolition Estimate Form

Front Elevation

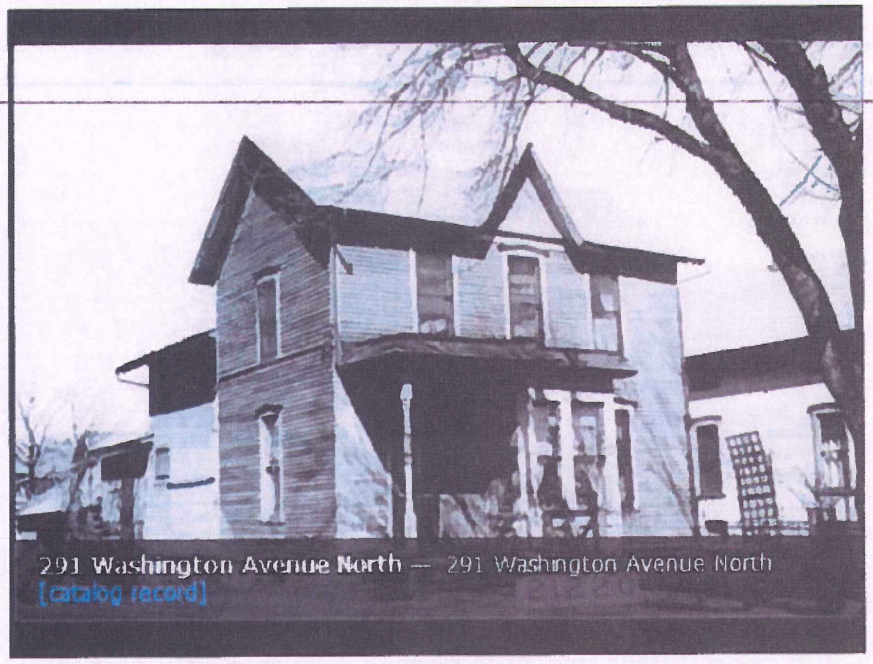
Rear Elevation

Side 1 Elevation

Side 2 Elevation

Damaged Replacement Windows

Damaged Roof



Historical Photo of Subject Property -- 1940

House Across the Street

House Adjacent to the North

(at the corner of Parkway and N Washington)

House Adjacent to the South

NSP2 Repair Estimate Form

Property Address:	**291 N Washington Ave**

PREDEVELOPMENT	Quanity	Unit Price		Total Cost
Asbestos & Lead Based Paint Testing	1	$500.00		$500.00
Permits and Inspections	1	$600.00		$600.00
Survey and Civil Engineering	1	$500.00		$500.00
Energy Audit and Energy Efficiency Specifications	1	$500.00		$500.00

SITE PREPARATION	Quanity	Unit Price		Total Cost
Demolition of Structures				$0.00
Infrastructure Improvements				$0.00
Lead & Asbestos Abatement	1.75	$6,000.00		$10,500.00
Dumpster Fees	8	$500.00		$4,000.00
Landscaping				$0.00
Plantings			*$0.00*	
Tree Removal	0	$2,000.00	*$0.00*	

CONSTRUCTION	Quanity	Unit Price		Total Cost
Demolition of Interior coverings, trim, plumbing etc.				$15,892.88
Demo (general) per sq ft	2	$2,500.00	*$5,000.00*	
Demo Plaster and Lath per sq ft	6864	$0.90	*$6,177.60*	
Demo Carpet per sq ft	1500	$0.10	*$150.00*	
Demo resilient flooring per sq ft	216	$0.58	*$125.28*	
Demo trim and reinstall	0	$3.50	*$0.00*	
Demo stucco on ext. wall sq ft & reinstall	2220	$2.00	*$4,440.00*	
Excavation	0	$2,500.00		$0.00
Concrete				$5,118.00
Concrete flatwork 4"	500	$3.00	*$1,500.00*	
Basement wall repair/replacement	30	$109.00	*$3,270.00*	
Basement floor drain system ln ft	0	$55.00	*$0.00*	
Reinforce block wall carbon fiber 4'oc	0	$500.00	*$0.00*	
Reinforce block wall steel beam 4'oc	0	$600.00	*$0.00*	
Steps on grade per ln ft nose	12	$29.00	*$348.00*	
Steps above grade per ln ft nose	0	$42.50	*$0.00*	
Masonry	4	$500.00	*$2,000.00*	$2,000.00
Roofing sq ft w/ tear off	22	$400.00	*$8,800.00*	$8,800.00
Siding (exterior painting, soffit & fascia repair)	5	$500.00	*$2,500.00*	$2,500.00
Rough Carpentry				$237.00
Walls in ln ft	50	$4.74	*$237.00*	
Demolish exterior walls and reframe	0	$100.00	*$0.00*	
HVAC	8	$1,500.00		$12,000.00

NSP2 Repair Estimate Form

Property Address:	**291 N Washington Ave**

CONSTRUCTION *(continued)*		Quanity	Unit Price		Total Cost
Electrical		4	$1,500.00		**$6,000.00**
Finish Carpentry					**$14,570.00**
	Casing	950	$3.30	*$3,135.00*	
	Base	750	$3.28	*$2,460.00*	
	Quarter round	0	$2.67	*$0.00*	
	Interior Doors and Closets	13	$251.00	*$3,263.00*	
	Raised panel pine 3' bifold	0	$275.00	*$0.00*	
	Raised panel pine 4'	0	$420.00	*$0.00*	
	Raised panel pine 5'	0	$495.00	*$0.00*	
	Raised panel pine 6'	0	$540.00	*$0.00*	
	6 panel Pine passage 2'6"	0	$251.00	*$0.00*	
	Closet shelf and rod Ln ft pre-finished	26	$12.00	*$312.00*	
	Exterior trim removal and replacement	180	$30.00	*$5,400.00*	
				$0.00	
				$0.00	
				$0.00	
Windows					**$20,400.00**
	Wood Clad Windows avg. and install new jambs	17	$1,200.00	*$20,400.00*	
				$0.00	
				$0.00	
				$0.00	
Drywall					**$9,009.00**
	Drywall walls	5148	$1.25	*$6,435.00*	
	Drywall ceilings	1716	$1.50	*$2,574.00*	
				$0.00	
Interior Painting					**$5,018.48**
	2 coats walls sq ft	5148	$0.76	*$3,912.48*	
	2 coats trim sq ft	1400	$0.79	*$1,106.00*	
Flooring					**$6,125.00**
	Carpet	1500	$3.25	*$4,875.00*	
	Refinish flooring	0	$4.42	*$0.00*	
	Yelow pine flooring install	0	$4.75	*$0.00*	
	Tile Ceramic	250	$5.00	*$1,250.00*	
Insulation					**$6,362.36**
	Fiberglass wall insulation R13 sq ft	2200	$0.74	*$1,628.00*	
	InSoFast wall system	0	$1.90	*$0.00*	
	Slow rise foam insulation	0	$2.95	*$0.00*	
	Foam attic insulation	0	$4.70	*$0.00*	
	Basement/wall insulation foam with paint	0	$3.00	*$0.00*	
	Attic cellulose insulation	1716	$1.71	*$2,934.36*	
	Basement wall blanket insulation	800	$2.25	*$1,800.00*	

NSP2 Demolition Estimate Form

Property Address: **291 N Washington Ave**

Demolition of Structure	Quanity	Unit Price	Total Cost
Asbestos Assessment	1	$400.00	**$400.00**
Permits and Inspections	1	$600.00	**$600.00**
City Water Capping	1	$375.00	**$375.00**
Asbestos Abatement	1	$5,000.00	**$5,000.00**
Demolition of Structure	1	$5,000.00	**$5,000.00**
Total Cost of Demolition			**$11,375.00**