

George Austin
Overture Foundation
Block 100 Foundation

November 7, 2011

Dear George

In the five weeks since you worked with local media for the promotional unveiling of the State Street Redevelopment project, members and staff of the Landmarks Commission have sought to understand your proposal in the absence of any direct information. So we are glad you will finally be coming to the Commission (meeting jointly with the Urban Design Commission) to make your first informational presentation on Nov. 14. I write to let you know about certain information we will need in evaluating your proposal.

As you are aware, in determining whether to issue the Certificates of Appropriateness you will need to demolish the designated city landmarks at 125 State Street and 120 W. Mifflin Street, the Commission will apply the terms of sec. 33.19(5)(c), and other ordinances incorporated by reference. In addition to the subjective tests of 33.19(5)(c)3. a.-e. and g., 33.19(5)(c)3.f. has an objective standard concerning the economics of the project and the actions by applicants, as follows:

f. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a Certificate of Appropriateness.

Also, sec. 33.19(1)(c) declares that among the purposes and intents of the Landmarks Ordinance are:

- (c) Stabilize and improve property values.
- (f) Strengthen the economy of the city

In light of the ordinance, I note that records in the city assessor's office list Central Focus LLC as the owner of the six properties involved in the proposed development. I also note these records indicate that Central Focus LLC spent several million dollars more than the properties were assessed at in assembling the parcel over the past decade or so.

Accordingly, in evaluating your proposal against the standards of 33.19(5)(c)3.f. and 33.19(1)(c) and (f), the Commission will need to know the nature and details of the relationship between Central Focus LLC and the Overture and/or Block 100 Foundations. In addition, please provide the following information about all six properties involved in the project:

1. Purchase price;
2. Assessment as of the date purchased;

3. Whether the property had been listed for sale at time of initial Central Focus LLC inquiry/offer;
4. Whether the building was occupied at time of purchase;
5. If the building is currently vacant, the date of vacancy;
6. Any engineering studies that have been done on the condition and structural integrity of the subject buildings;
7. The actions Central Focus LLC has taken to maintain the various buildings in good repair;
8. The change in assessments on the subject block since Central Focus LLC began assembling parcel;
9. The projected assessments of the four remaining properties upon completion of the project;
10. The projected rents at the four remaining properties upon completion of redevelopment.

Thank you for your timely response to this request. I expect commissioners and staff will have additional questions about other aspects of proposal, as well.

Also, please provide to Amy Scanlon copies of the material you will be using on the 14th by noon on Wednesday, Nov. 9, so it can be distributed with the packet for that meeting.

I look forward to your presentation on the 14th, and at subsequent meetings. Please feel free to contact me with any questions about this letter, or other aspects concerning commission consideration of the project.

Very truly yours,

Stu Levitan
Chair, Landmarks Commission

Cc: Landmarks Commissioners
Amy Scanlon
Anne Monks
Ald. Verveer