



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** The Urbana Historic Preservation Commission

**FROM:** Rebecca Bird, Planner I

**DATE:** August 5, 2010

**SUBJECT:** 104 North Central Avenue (Eli Halberstadt House): Historic landmark application, Case No. HP 2010-L-02

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Historic Preservation Case No. HP-2010-L-02 is an application by Brian Adams to designate the property at 104 N. Central Avenue (referred to as the Eli Halberstadt House) as a local historic landmark. The property owner is Canaan Baptist Church.

At the Historic Preservation Commission meeting on July 7, 2010, the Commission made a preliminary determination that the property qualified for designation as a local landmark under the following criteria (Section XII-5.C of the Urbana Zoning Ordinance):

- a) *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; and*
- 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 and which retains a high degree of integrity.*

The Historic Preservation Ordinance requires that the Commission hold a public hearing within 45 days of the preliminary determination. According to the ordinance, if an application is submitted by someone other than the property owner and the owner has submitted a Registered Preference against the nomination, the Historic Preservation Commission shall make a recommendation to approve or deny said application to the Urbana City Council by a majority of the Commissioners then holding office. The property owner submitted a letter of opposition to the nomination on July 7, 2010 (copy attached).

On July 30, 2010, City staff received a request from the property owner's new legal counsel (copy attached) to continue the public hearing until the September 1, 2010 Historic Preservation Commission meeting due to a scheduling conflict and to give the property owner's legal counsel sufficient time to prepare for the public hearing.

In order to give legal counsel a full and fair opportunity to assess the issues of the case and advise the property owner, City staff, including the City Attorney, request that the Historic Preservation Commission make a motion to continue this item until the September 1, 2010 Historic Preservation Commission meeting and to defer any discussion or public testimony until this time. A full staff report and discussion of the item can then proceed at the continued hearing on **September 1, 2010**.

cc: Canaan Baptist Church, 402 W. Main St., Urbana, IL 61801  
Brian Adams, 412 W Elm St., Urbana, IL 61801  
Glenn Stanko, gastanko@rosklaw.com

Attachments:

Registered Preference  
Continuance Request

Edward H. Rawles  
Also Licensed in Colorado

Stephen M. O'Byrne

Glenn A. Stanko

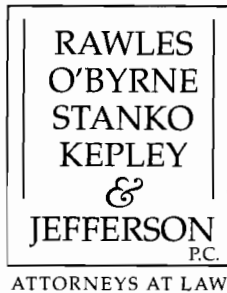
Brett A. Kepley

Timothy S. Jefferson  
Also Licensed in Missouri

Griffin W. Mulcahey

J. Michael O'Byrne  
Of Counsel

Fred K. Heinrich  
Of Counsel



Reno & O'Byrne  
1952-1962

Reno, O'Byrne  
& Kepley  
1962-1984

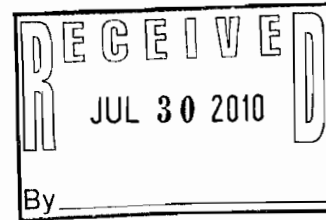
Reno, O'Byrne  
& Kepley, P.C.  
1984-1994

Rawles, O'Byrne  
Stanko & Kepley, P.C.  
1994-2005

**E-mail Address**  
**gastanko@rosklaw.com**

July 29, 2010

Historic Preservation Commission  
c/o Rebecca Bird  
City of Urbana  
400 South Vine Street  
Urbana, IL 61801



Re: Historic Preservation Case No. HP 2010-L-02 (104 North Central Avenue)

Dear Members of the Urbana Historic Preservation Commission:

This letter is a follow up to my telephone conversation and e-mail communications with Rebecca Bird earlier this week. As I advised Ms. Bird, I have been retained by Canaan Baptist Church to represent it in the pending proceeding seeking to have the structure located at 104 North Central Avenue designated as a historic landmark. Canaan Baptist Church is the owner of that property, and it has already filed a protest of the proposed landmark designation.

It is my understanding that the public hearing is scheduled for August 10, 2010, at 7:00 p.m. I will be out of town the entire week of August 9, and I will be unable to attend that hearing. Furthermore, as a practical matter, my client and I would not have sufficient time to prepare our case by August 10 anyway.

Therefore, it is our request that the public hearing be continued to the next scheduled meeting of the Historic Preservation Commission, which I understand is September 1, 2010, at 7:00 p.m. This three week continuance should still allow plenty of time for the Commission to forward a recommendation to the Urbana City Council within 60 days of the commencement of the public hearing, as required by Section XII-5.F.1(b) of the Historic Preservation Ordinance.

Thank you for your consideration.

Very truly yours,

RAWLES, O'BYRNE, STANKO, KEPLEY & JEFFERSON, P.C.

A handwritten signature in black ink that reads "Glenn A. Stanko".

Glenn A. Stanko

GAS/jrh  
cc: Rev. B.J. Tatum, Senior Pastor



# Historic District Preference Form

# Historic Preservation Commission

If you qualify as an owner of a parcel included in the proposed historic district, please fill out the form below to register your preference toward the nomination. Signatures of the majority of the owners of each parcel are required. If you register a negative preference, it will be counted as a protest.

For purposes of the historic nomination, an owner is defined as an owner of record, or a contract buyer if the contract has been recorded with the Champaign County Recorder of Deeds.

**Please print or type:**

My name is Canaan Baptist Church

**I am the owner or contract buyer of:**

Street Address: 104 North Central Avenue

Parcel Index Number: 91-21-08-384-004

**My mailing address is:**

Street Address: 402 West Main Street

City/State/Zip: Urbana, IL 61801

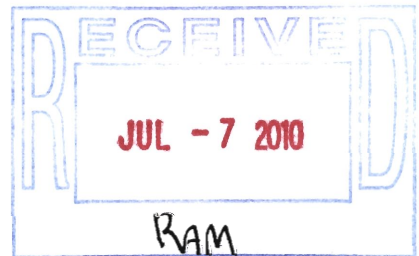
**Please check one:**

- I **support** the inclusion of my property in the proposed historic district.
- I **protest** the inclusion of my property in the proposed historic district.
- I have **no opinion**.

Signature: *Robert M. Wall* *Bond Chair* Date: 7/7/2010  
*W B J Zelen* Date: 7/7/2010

**PLEASE RETURN THIS FORM ONCE COMPLETED TO:**

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



Please call (217) 384-2440 if you have any questions.